Legislative Assembly

Thursday, 16 September 1982

The ACTING SPEAKER (Mr Watt) took the Chair at 10.45 a.m., and read prayers.

HEALTH: PENN-ROSE NURSING HOME

Report: Personal Explanation

MR HODGE (Melville) [10.47 a.m.]: I seek leave of the House to make a personal explanation.

Leave granted.

Mr HODGE: On Tuesday the Minister for Health was permitted to make a statement and table the report on the Penn-Rose Nursing Home; and agreement was reached between the Government and the Opposition that, in due course, the Opposition would be given an opportunity to make a similar statement on the same subject. I am now using the opportunity to do that.

In November 1981 a motion was moved in this Chamber by the Leader of the Opposition and seconded by me, drawing attention to grave allegations about the Penn-Rose Nursing Home, the death of Reginald Berryman, and his treatment at Penn-Rose. We called for a judicial inquiry into the matter.

The Government rejected the request for a judicial inquiry and instead ordered that the Attorney General should investigate the matter. Apparently, after considering the Attorney General's report, the State Government decided it would order a further inquiry to be conducted by the Minister for Health. The results of the Minister for Health's inquiry were tabled in the House on Tuesday of this week.

As a response to the serious matters raised about Penn-Rose and Mr Berryman's death, the Minister's report is a total failure. It is a superficial and amateurish attempt to investigate a very serious and important matter. It contains numerous statements and assertions which are not supported by facts or evidence from independent witnesses.

The report is self-contradictory and, in many instances, it is contradictory page by page—statements made on one page are contradicted on the next.

Further, there are numerous examples of contradictions between statements contained in the Minister's report and statements made and backed up by statutory declarations by former employees of Penn-Rose. I am referring to statements made in an interview to the *Daily News*.

There are also many serious omissions from the report. Many important matters raised in this place in November last year were not dealt with or were examined only superficially by the Minister.

The people central to the allegations, Mr and Mrs Herron and the medical practitioners treating Mr Berryman, seem to have been heavily relied upon by the Minister to rebut claims made about Penn-Rose and the treatment of Mr Berryman. In the main, their statements were not corroborated by independent witnesses and yet they seem to be accepted by the Minister as fact.

Differences occur between unsworn statements made to the Minister by the Herrons and Dr Lyon and the statements by Miss Hayes and Miss Uusimaki supported by statutory declarations. These differences concern crucial matters such as when the skin on Mr Berryman's hip first broke.

Some of the conclusions drawn by the Minister about the adequacy and standard of medical care and attention rendered to Mr Berryman obviously would be wrong if the claims made by Miss Hayes and Miss Uusimaki were correct.

Statements made by the Minister in the report are also in conflict with the information supplied by the Hon. Fred McKenzie, MLC, and information given to Mr McKenzie by Midland Convalescent Hospital and, in turn, supplied to the Minister for Health by Mr McKenzie.

The report leaves many important questions unanswered. There is no satisfactory explanation of the claim that boxes full of pharmaceuticals were regularly delivered to Penn-Rose and administered to people other than those for whom they were ordered. There was not even any comment on the allegation that Mr Berryman was forced to sleep for a period on the bathroom floor. There was no comment on the claims of poor or rotten food being served or residents being punished by compulsory cold showers. There was no comment as to why Mr Berryman was sent from Pyrton Hospital to a lodging house when he was in such poor health, as described in the report. There was no comment as to why, when Mr Berryman refused to exercise and began to develop lesions, he was not sent to a hospital or other institution with the staff and expertise to care for him adequately.

If Mr Berryman received professional care and proper medical attention at Penn-Rose, as stated by the Minister, how can it be explained that shortly after his admission to Swan Districts Hospital, when the Hon. Fred McKenzie saw him, he

was described as being "covered from head to foot in bed sores"?

There is no satisfactory explanation as to why the Herrons kept over $1 700 of Mr Berryman's pension payments when he resided at Pyrton for three years. There are many other unanswered points which require proper answers.

In his report the Minister appears to exonerate the Herrons and the medical practitioners involved, and instead reserved the only real criticism for two senior officers of his own department of Mental Health Services.

The report does not go into enough detail in this area for us to determine exactly where the buck should stop in this regard. If the senior officers of Mental Health Services knew of the deficiencies in the legislation, if they knew of the deficiencies which were highlighted in the report, and if they knew they did not have adequate powers to deal with their jobs as required, they had an obligation and, indeed, a responsibility to inform the Minister for Health. If they failed to do that they deserve any criticism coming to them.

On the other hand, if they did in fact inform the Minister and make recommendations to him for change, and he failed to act, the Minister for Health's competence and credibility must be called into serious question.

This matter raises the absurdity of appointing the Minister for Health to inquire into his own department. He may well find himself the judge, the prosecutor, and the accused.

The Opposition rejects this document as being unworthy and unsatisfactory. We renew our call for a judicial inquiry and ask the Government to do now what it should have done last November; that is, order an immediate judicial inquiry into the whole affair.

STANDING ORDERS COMMITTEE

Report: Consideration

MR SIBSON (Bunbury) [10.56 a.m.]: I move—

(1) That the consideration of the Standing Orders Committee Report, laid on the Table of the House on 15 September 1982, and ordered to be printed, be made an Order of the Day for the next sitting of the House; and

(2) That the House when considering the report allow general debate as on a substantive motion and, after the mover's reply, for deliberating each proposed new, omitted or amended Standing Order, use Committee procedure.

Question put and passed.

DAIRY INDUSTRY AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Mr Old (Minister for Agriculture), and read a first time.

ROAD TRAFFIC AMENDMENT BILL (No. 2)

Report

Report of Committee adopted.

VETERINARY PREPARATIONS AND ANIMAL FEEDING STUFFS AMENDMENT BILL

Second Reading

MR OLD (Katanning—Minister for Agriculture) [10.59 a.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to amend the Veterinary Preparations and Animal Feeding Stuffs Act 1976-1981 to—

allow deregistration of products shown to have undesirable side effects;

permit registers of products to be kept in an approved manner;

revoke the prohibition of comparative advertising and require manufacturers to substantiate apparently exaggerated or misleading claims in advertising;

remove the need to prescribe certain products with regard to labelling and invoice requirements; and

replace the existing registration fee with an application fee.

Currently there is power to deregister a product on the grounds of false representation or lack of efficiency, or failure to comply with the Act. It is not possible to deregister a product even when undesirable and unexpected side effects show up after registration.

The amendment will permit the registrar to review the registration of a product at any time and to deregister it if he would not have registered it had the unacceptable side effects been known at the time of the original application for registration.

The register in which each product is placed is currently kept on files, and from time to time lists are published in the *Government Gazette*.

It is much more efficient to store and retrieve this information from computer records and this amendment will permit the Director of Agriculture to approve this method of keeping the registers. Except for confidential information, such as the detailed composition of products, the information on these registers will continue to be available to the public.

The present Act, in section 51, requires the Governor to prescribe those products to which certain packaging, labelling, and standards apply. Prescribing lists of individual products by name has proved to be a very cumbersome procedure.

The amendments are designed to permit regulations to be made limiting the packaging, labelling, or standards requirements of this part of the Act, and to contain classes of product, thus eliminating the need to list each product individually. This is administatively much more straightforward, as effective, and less costly.

Currently it is an offence under this Act to advertise veterinary preparations or animal feeding stuffs "in a manner which expresses, suggests or implies any comparison with any other product to the detriment of either". Western Australia is the only State which places such a restriction on advertising.

Such a prohibition might lessen the more aggressive type of advertising which compares one product with another. However, it can be against the interests of the public in that it limits the information which manufacturers can make available; for example, that one product controls more pests than another product, or is more persistent. National uniformity also is very desirable in this area as many advertisements appear in nationally circulating papers.

The amendment repeals subsection 54 (1) (a) dealing with comparative advertising and in section 54 (1) (b) it places some extra responsibility on advertisers of products by requiring them to substantiate claims made in advertisements.

Section 56 of the current Act requires the Governor to prescribe those products to which certain invoice information and warranties must be provided by the seller. In practice all registered products are subject to invoice and warranty. Section 56 of the Act contains specific exceptions for invoice requirements. Given this, it is unnecessary to require the prescribing of each individual product. The amendment repeals section 56 and makes consequential changes to sections 57, 58, and 59.

In present proceedings under the Act, a certificate of registration must be produced for each product to establish whether or not a product is registered and who is the primary dealer. The amendment will do away with this and permit the registrar to extract the relevant information from the computer record and issue a certificate stating the required information. This will then be acceptable in any proceedings.

Currently, persons applying for registration of a product must pay a fee of $25 before registration will be made. If an application is refused, no fee is payable. Since the amount of work involved in investigating and processing an application is similar whether or not the product is finally registered, it is reasonable to charge a non-refundable application fee rather than a registration fee. The amendment will replace the registration fee with an application fee.

I commend this Bill to the House.

Debate adjourned, on motion by Mr Evans.

GAS UNDERTAKINGS AMENDMENT BILL

Second Reading

MR P. V. JONES (Narrogin—Minister for Fuel and Energy) [11.05 a.m.]: I move—

That the Bill be now read a second time.

Members will be aware, from statements made in the Press over the last few months, that there has been considerable trading in the share capital of Fremantle Gas and Coke Co. Ltd. The Government has become very concerned that this company could be the subject of a take-over which could affect seriously the continuity of the supply of gas to consumers within the company's franchise area.

A review of the governing legislation and the obligations and responsibilities of gas undertakers, therefore, has been carried out. As a result, the Government has decided that amendments to the Gas Undertakings Act 1947-1978 are necessary in order to safeguard the reticulation system, and the interests of consumers. The supply of gas by a gas undertaker to its consumers should be protected to the greatest extent possible, and the powers of the Government have been strengthened in this regard.

The Bill now laid before the House imposes a more positive statutory duty on gas undertakers to supply gas than that which exists at the present time. A notional statutory obligation also is imposed in relation to the assets acquired by a gas undertaker in the course of carrying out that duty, to hold them for the purposes of the future discharge of that duty. The obligation to hold the

property is reinforced by a prohibition on disposal without the consent of the Minister.

The prohibition is broken down into two categories. Firstly, it always applies to land and interests in land vested in the gas undertaker, and can be applied to specific other property of the gas underaker. However, property used in the normal and ordinary course of the business of supplying gas has been excluded. The Government believes that the imposition of these obligations and restrictions will assist in ensuring the continuity of gas supplies and, at the same time, act as a deterrrent to any person contemplating acquiring the company for the purpose of asset stripping.

The accounting and financial provisions of the Gas Undertakings Act are considered to be outdated, and can be flouted easily. Therefore a new provision is included in the Bill which will give the Minister an element of discretionary control over future operations.

The Government is very conscious also of the restrictions on the dividends that can be paid out of profits by gas undertakers. The opportunity has been taken to consider legislation operating in other States and, in particular, that recently enacted in New South Wales. The Government has therefore decided that some increase in the level of dividend payable by gas undertakers is justified; and members will observe that provision has been made to enable a gas undertaker to pay a dividend to its shareholders which is more fair and equitable than is allowed at the present time. However, in an endeavour to prevent these provisions being flouted, a gas undertaker no longer will be able to increase its capital without the Minister's approval.

The Bill also contains powers which enable the Government to take action in the event that there is a default in the duty to supply gas. Here, again, the powers are in two stages. The first stage will enable the Minister to make inquiry and force disclosure by requiring a gas undertaker to show cause and, if appropriate, to furnish security to the Treasury which might be by way of a fixed investment deposit with the Treasury, but on which the gas undertaker would continue to receive interest. The second stage, which can be used independently of the first, would authorise the Public Trustee, or some other person appointed pursuant to these new provisions, to go into possession as a receiver and manager and, if necessary, use the State Energy Commission as its employee to carry on the business of supplying gas. The Public Trustee is given a specific power to seek directions from the court, and the State Energy Commission is answerable to the court.

The Bill provides that a vesting order made under these amendments has to be communicated to both Houses of Parliament, and must be ratified by resolution in each House, failing which it is deemed to be revoked. Provision is made also for entry to the gas undertaker's property, where emergency measures are required to safeguard supply, or to prevent danger or damage. The Bill sets out the powers of the Public Trustee, or the person appointed by the order, and provides for revocation of the vesting order and for indemnities.

Members will appreciate that a great amount of research and thought, supported by legal opinion, is reflected in these proposed amendments, which I believe will greatly ensure the continuity of the supply of gas to consumers, and protect them from any prejudicial effects of a possible asset stripping operation.

I commend this Bill to the House.

Debate adjourned, on motion by Mr Bateman.

LAND AMENDMENT BILL

Second Reading

MR LAURANCE (Gascoyne—Minister for Lands) [11.11 a.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to empower the Governor to grant easements over lands of the Crown—a broad category of land that includes vacant Crown land, reserved land whether vested or unvested, and land leased from the Crown for pastoral and special purposes. The Bill also would authorise parties acquiring the fee simple of Crown land on terms, or holding a Crown grant in trust, to grant easements over their land, with the consent of the Minister for Lands.

Current methods of protection of facilities such as drains, sewers, and pipelines, where they traverse lands of the Crown, consist either of notation of their existence on Lands Department public plans, or creation of separate reserves or leases. Both methods have disadvantages. Plan marking does not afford legal tenure and provides inadequate protection. Separate reservation or leasing may necessitate excision or resumption from existing reserves or leases, with consequent discontinuities and severances in surface tenure and use. This legislation would permit creation of a legal right which would cause minimal disruption, and by relatively straightforward and inexpensive procedures.

It is anticipated that the new power would be of immediate benefit to the State Energy Com-

mission for the Dampier-Perth natural gas pipeline.

The Bill provides for the following—

1. The grant by the Governor of easements over lands of the Crown subject to notice having been given of intention to grant an easement, and the written consent of persons having a recorded interest in the land. Where consent is not forthcoming, other normal avenues such as resumption or further negotiation with the parties concerned would need to be pursued.
2. The recording in the appropriate register, whether at the Titles Office or the Lands Department, of notice of intention to grant an easement. Such notice will have effect for 12 months, and may be withdrawn if it is ultimately determined that an easement should not be granted.

   Notice is intended to inform parties seeking to acquire an interest in land concerned that a grant of easement is impending. If they proceed with registration of their interest, their consent to the grant of easement is implicit. The consents of parties holding a recorded interest prior to notice being given would in the meantime have been sought.
3. Registration at the Titles Office or the Lands Department—as appropriate—of easements, by the parties granted the easements.
4. Cancellation by the Minister of an easement for—
   (a) Breach of a condition of grant; or
   (b) at the request of either of—
      (i) The person granted the easement;
      (ii) The Under Secretary for Lands; or
      (iii) A person holding an interest in the affected land.

   In the last two cases the Minister would be required to give prior notice of intention to cancel the easement to parties benefited by the easement, and to be satisfied after all reasonable inquiry that the easement no longer served any purpose.

   Land Act easements will differ from normal private easements, being in gross and for the most part providing a public utility with a right to install and maintain a service traversing Crown land. It would be readily ascertainable when such right is no longer required—for example, when the service is removed—and it is not considered that the minimum period of 20 years' disuse specified by the Transfer of Land Act for removal of private easements should apply.
5. The continued existence of easements despite changes in the essential nature of affected land—e.g., a reserve subject to an easement becoming Crown land then being sold in fee simple:—the easement will subsist. Provision is also made for movement of registration of easements between the Lands Department and the Titles Office as the land tenure moves from the operation of one Statute to the other. Without such provision a new easement would need to be granted or negotiated each time tenure changed.
6. The empowering of persons holding Crown grants in trust, or acquiring the fee simple of Crown land on terms, to grant easements—whether in gross or otherwise—over their land, subject to the Minister's consent. This right does not exist at present. It is appropriate that parties holding the virtual fee simple of land should be free to negotiate and grant easements over their property, rather than the Crown.
7. A requirement for the production of duplicate instruments of title to the Lands Department or the Titles Office—as appropriate—for registration of easements, with a maximum penalty of $100 for non-compliance.

   Similar requirements exist with respect to registration of transfers and mortgages under both the Land Act and the Transfer of Land Act.
8. The application of Transfer of Land Act easements provisions to Crown leases.
9. The tabling of reports before Parliament explaining the reasons for granting easements over Class "A" reserves.
10. Amendment of section 149 of the Land Act to provide for the carrying forward of easements to the operations of the Transfer of Land Act where freehold is granted over affected land.

    It is expected that major benefits would accrue from the ability to grant rights in land causing minimal interference with other tenures and land use.

The Bill is commended to the House.

Debate adjourned, on motion by Mr Evans.

LAND AMENDMENT BILL (No. 2)

Second Reading

MR LAURANCE (Gascoyne—Minister for Lands) [11.17 a.m.]: I move—

That the Bill be now read a second time.

The amendments to the Land Act contained in this Bill fall into two broad categories.

The first category consists of amendments which will permit an interim reorganisation of the Department of Lands and Surveys to provide a more effectively structured land administration organisation. The second category relates to various amendments which will streamline some administrative procedures and permit more flexibility in meeting public requirements.

Last year, the Public Service Board initiated a review of the departmental organisation. This review was aimed at determining the feasibility of separating land administration and survey/mapping functions and creating them as separate units.

This review was prompted by the following factors—

Rapid technological advances affecting survey/mapping functions and activities which called for a reassessment of the role of the division;

An apparent growth in the duplication of survey/mapping activities in other departments or authorities;

Overlapping responsibilities and organisational difficulties within the department which, when coupled with outdated and rather cumbersome legislation hindered land administration in reacting positively and flexibly to public requirements.

An ongoing consultant investigation into the Surveyor General's division has indicated a potential for financial savings by the introduction of new technology subject to a redefinition of the role and responsibilities of the division with a view to separation from land administration.

Current progress in the development of a computer based land information system has reinforced the need for a critical review of the role of land administration and survey/mapping. It is becoming obvious that a land management system for Government-owned land and property will be an early priority.

It has become apparent that the determination of the statutory and financial implications of a permanent separation of functions cannot be finalised overnight. A final decision will be dependent on the conclusion of consultant reviews; a comprehensive review of the Land Act and associated legislation; the determination of an overall legal charter for the Surveyor General; and an assessment of associated cost factors.

However, the need to implement an improved land administration organisation is urgent in order to meet the growing demands for effective management of the Crown estate. To this end, it has been determined that it would be practical to implement a restructured land administration organisation whilst awaiting a final decision as to the feasibility of creating a separate survey/mapping organisation.

Relatively minor amendments to the Land Act will enable the structure of the department to be changed and to remove the Surveyor General's statutory involvement in land administration whilst maintaining his role in relation to survey and mapping.

The resulting interim organisation would enable land administration personnel to be transferred from the Surveyor General's division and land administration procedures to be fully reviewed.

The survey and mapping functions will be retained as a division of the department for the time being, but it could operate with a degree of autonomy in respect of those functions. The division will continue to be serviced by departmental support sections such as accounting, registry, and staff office. In this way, the interim reorganisation can be implemented without incurring extra costs and with potential for the ultimate separation of survey/mapping functions in the future should the feasibility and economics of separation be proved.

I have indicated that it is intended to undertake a comprehensive review of the Land Act in the near future. The opportunity has been taken in this Bill to introduce a few amendments to immediately improve administrative flexibility and streamline procedures. The bulk of the amendments relate to sections 116 and 117 of the Act dealing with special leases over Crown land.

The maximum lease term for special leases outside townsites is restricted to 21 years and it is proposed to increase this maximum term to 50 years, at ministerial discretion, to accommodate special projects requiring high development expenditure and greater security of tenure.

The amendments also provide for automatic conversion procedures where it is determined that a special lease may be converted to freehold subject to satisfactory performance of development

conditions and payment of purchase price. This will enable existing cumbersome and time-consuming procedures, which caused complaints, to be modified.

In the interests of consistency and speedier response to public requirements, formal approvals to the grant of special leases and to the determination of upset prices and sale conditions at public auctions will be delegated to the Minister in lieu of the Governor.

Finally, an amendment has been introduced to part V—section 47—dealing with conditional purchase leases over new farm land. The initial development conditions have been amended to reflect the changes that have occurred in farming systems technology and the emergence of minimum and zero cultivation systems.

The amendment places the emphasis on the establishment of crops and/or pastures rather than progressive clearing and cultivation as a prelude to the sowing of crops or pasture.

It is stressed that the amendments outlined must be viewed in the context of the need to comprehensively review the Land Act in the near future. However, the amendments put forward at this time—together with other amendments to be dealt with in other Bills this session—represent an attempt to immediately improve and streamline land administration procedures, and as such I commend the Bill to the House.

Debate adjourned, on motion by Mr Evans.

ACTS AMENDMENT (RESERVES) BILL

Second Reading

MR LAURANCE (Gascoyne—Minister for Lands) [11.24 a.m.]: I move—

That the Bill be now read a second time.

This Bill provides for amendments to part III of the Land Act which deals with Crown reserves and for complementary amendments to the Parks and Reserves Act.

The purpose of the amendments is to assist the effective control and management of Crown reserves and to generally update or streamline some sections in the interests of administrative flexibility.

Principal amendments to part III of the Land Act relate to the following matters—

Enabling the Governor to create reserves for any specified purpose rather than continuing to define and update all the multiplicity of required purposes within the Act.

Empowering the Governor to impose conditions and limitations in vesting orders which vest the control and management of a reserve in a board of management. These powers include provision, where warranted, for the submission of working plans for the development, management, and use of the reserve land for its purpose.

Power to enable the Governor to revoke vesting orders whereby reserves were placed under the control of boards of management, as required. In cases of revocation, provision has been made for the protection of rights of third parties such as lessees or licensees.

Authority for the Minister rather than the Governor to accept the surrender of land granted in trust for any public purpose.

Provides for the proclamation of reserves classified as Class "B". Whereas at the present time the Act stipulates that reserves may be classified Class "A" by proclamation, the Act is silent as to the means by which reserves shall be classified Class "B".

In the interests of uniformity, it is proposed that Class "B" reserves be classified by proclamation also. The amendment validates all previous classifications.

Additional amendments relate to the repeal of outmoded provisions which are no longer utilised and these contain minor consequential amendments relating to the principal amendments.

The existing provisions of the Act which have been confirmed as requiring that all alterations to Class "A" reserves require submission to Parliament have been retained and a validation of previous approvals by the Governor to add additional land to existing Class "A" reserves has been included.

In respect of the Parks and Reserves Act, it is necessary to make a complementary amendment to those provisions which empower a board of management to issue licences for depasturing stock on a reserve or for the removal of sand, gravel, or other like material from a reserve. Bearing in mind the possible provision of a reserve management plan, it has been provided that prior ministerial approval to the grant of such licences is required.

A further amendment is proposed in the interests of consistency in view of the Land Act amendment which could revoke vesting orders over reserves. This amendment will ensure that by-laws in existence at the time of revocation will cease to have effect.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Evans.

LOTTERIES (CONTROL) AMENDMENT BILL (No. 2)

Second Reading

MR HASSELL (Cottesloe—Minister for Police and Prisons) [11.27 a.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to confer on the Lotteries Commission the power to conduct a new form of lottery in this State, known as an instant lottery.

This type of lottery already is conducted with success in Victoria, South Australia, Tasmania, and the Northern Territory. The New South Wales Government intends to introduce instant lotteries in that State later this year. Instant lotteries have been a huge success in the United Kingdom and the United States of America.

It is expected that instant lotteries will have some effect on traditional lotteries, but this will be offset by additional revenue from the operations of Lotto, which is still well below its potential.

It is emphasised that the introduction of instant lotteries should not in any way reduce the amount of money available for distribution by the Lotteries Commission to charitable organisations. To the contrary, it is expected that the amount available will increase. This is because the formula for distribution in regard to charitable organisations will not change.

After deducting 20 per cent for payment to either the hospital fund or the sports culture instant lottery account and payment of administration costs, the balance of funds is available for distribution to charitable organisations.

Instant lotteries, as the name applies, will enable prize money to be paid immediately to successful ticket purchasers on the presentation of the ticket to a lottery agent or to the Lotteries Commission.

The purchaser of a $1 instant lottery ticket ascertains whether or not a ticket is a winning one by scratching over an opaque panel on the ticket.

This panel reveals the amount of the prize if the ticket is a winner. Instant prizes will range from $2 to $10 000.

Instant winners will write their name and address on the reverse of a successful ticket and the lottery agent will return those tickets to the Lotteries Commission.

When a specified number of winning tickets are returned to the commission, a super draw takes place for major prizes. Persons who win instant prizes have a further chance of winning these major prizes. At present, the Lotteries Commission conducts lotteries and Lotto in Western Australia.

The total amount available for distribution by the Lotteries Commission to charitable bodies and the hospital fund has continued to increase.

At present, 60 per cent of all sales from lotteries and Lotto is paid out in prize money. Of total sales, 20 per cent is paid by the Lotteries Commission into the hospital fund at the Treasury Department. Eight per cent of sales is paid to lottery and Lotto agents as commission on sales.

After deducting administration expenses, the remainder of the money received by the Lotteries Commission is paid as grants to charitable organisations.

The Bill now before the House amends the Lotteries Control Act to provide that the commission may conduct lotteries in order to raise money for charitable purposes or for the purposes of sport or cultural activities.

The Bill defines an instant lottery and gives the Minister the right to grant the Lotteries Commission a permit to conduct instant lotteries.

It provides that a percentage to be prescribed by regulation of the total sales of instant lottery tickets is to be divided equally for distribution to bodies and organisations engaged in sporting or cultural activities. Initially, 20 per cent will be prescribed.

Provision is made for the prescribed percentage of gross sales to be paid into an account at the Treasury called the sports culture instant lottery account.

The Minister responsible for the administration of the Lotteries Commission shall cause the money in the sports culture instant lottery account to be divided equally and paid to the Minister for Recreation and the Minister for Cultural Affairs.

Under the provisions of the Bill, those Ministers shall distribute the money in such proportions as they think fit among bodies engaged in the conduct of sport or cultural activities. For the purpose of deciding on the distribution of the money, the Ministers may consult such persons or bodies as they think fit.

The Bill enables the Lotteries Commission to draw up rules for the conduct of instant lotteries. Conduct of instant lotteries will be subject to the supervision and scrutiny of the Auditor General.

The main advantage of instant lotteries will be that money will be channelled into sport and cul-

ture at no cost to the Government or the public by way of taxation or charges.

It is anticipated that in the first 12 months of operation of instant lotteries, an amount of $2.5 million will be available for distribution to sport and culture.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Parker.

MILLSTREAM STATION ACQUISITION BILL

Second Reading

Debate resumed from 15 September.

MR PARKER (Fremantle) [11.33 a.m.]: When I sought leave yesterday to continue my remarks I was speaking in terms of the general package which the Government purports will solve the problem. I do not believe that the package is good or is watertight. The Government would have us believe that this overall package will achieve its aims.

We have no opposition to the Bill as a whole because we believe Millstream should come into and remain under public ownership. However, two areas cause me concern. Clause 4 of the Bill deals with the resumption of the land and states the purpose of the resumption is for the following public works—

> . . . for water supply to the districts of Cape Lambert, East Intercourse Island, the Burrup Peninsula and the Towns of Dampier, Karratha, Wickham, Roebourne and Point Samson, and for parks and the protection and preservation of indigenous flora and fauna, and the vesting of those lands . . .

The main purpose is for water supply and then for the preservation of wildlife. Three areas could have been added to the land to be resumed. The first aspect which concerns me greatly is that this is an area of considerable importance to the Aborigines, and it should be included in the preservation. On Tuesday, 14 September 1982 in the Legislative Council Mr Dowding asked a question of the Minister for Cultural Affairs concerning Aboriginal heritage.

The first part of the question I refer to reads as follows—

> (1) Is the Museum aware of claims by Aboriginal groups in the Pilbara that the Millstream Station area, and in particular the Fortescue River, are of great sacred significance to them?

The Minister replied as follows—

> (1) I am advised that the Millstream Station area is known to the Museum to contain a number of significant Aboriginal sites. Investigations in 1978 located 38 sites of either ethnographic or archaeological importance. One protected area has already been declared under the Aboriginal Heritage Act as a site of outstanding importance.

In the second part of the question the Hon. Peter Dowding asked—

> (2) Has the Minister made any representations to the Minister for Works about this issue in relation to the proposed resumption of Millstream Station, and if so, when and what was the basis of the representation; if not, why not?

The Minister for Cultural Affairs replied as follows—

> (2) Yes. I forwarded comments from the WA Museum to the Minister for Works concerning known significant Aboriginal sites and others not yet surveyed or assessed at Millstream Station on 22 July, 1982.

The third part of the question reads—

> (3) What material has been given to or sought by the relevant Minister on this issue from the Museum prior to the initiation of the moves to resume Millstream Station?

The answer was—

> (3) None specifically, although investigations by the Museum under the Aboriginal Heritage Act resulted in the declaration of the protection area referred to in (1) above.

In answer to the fourth part of the question the Minister said—

(4) In respect of sites likely to be significant under the Aboriginal Heritage Act, and for which it is responsible, the Museum asked for an assurance that an opportunity would be given to the Museum to examine the area concerned prior to any development. By letter dated 4 August 1982, the Minister for Works confirmed that; although it is most unlikely that any further water development will take place within the Millstream water reserve until after the year 2000, co-operation between the Museum and the Public Works Department will continue and ample opportunity to examine the area prior to any future development will be given. In addition, I understand that the results of the Museum's investigations have been made available to the Aboriginal Lands Trust.

On the same day the Hon. Peter Dowding asked the Minister for Water Resources, through the Minister representing him in the Council, a question in relation to whether that Minister was aware of significant Aboriginal sites. The Minister in his answer, said—

> Yes. The latest was a deputation from the Aboriginal Lands Trust including several Aboriginal representatives from Roebourne which met with the Minister for Water Resources on 31 August 1982 concerning, among other matters, possible protection of a sacred site in the region.

He also advised that senior departmental officers were meeting with an Aboriginal group in Roebourne on that day.

What has been revealed by those questions and answers is that there is a very real need for a clause to be inserted in the legislation indicating that the land is not only to be resumed for the purposes of water supplies, the protection of parks, and the preservation of flora, but also for the purposes associated with Aboriginal rights and their heritage. I suggest the Minister give consideration to this point to ascertain whether or not it would be possible for such an amendment to be inserted in clause 4 for that purpose.

I know the Minister will say that the main reason for the Bill is for the purposes of works and water supply. However, if it is good enough for him to include provisions for the protection of parks, flora, and fauna, it is also good enough for him to include a provision associated with Aboriginal heritage.

Two other areas which should have been included in the Bill also are recreation and tourism. It could be said that by resuming the land for the purpose of parks it would also cover the purposes of recreation and tourism. There is no doubt whatsoever that the Millstream site is a significant site from the point of view of the environment, recreation, and tourism. If it is good enough to preserve the parks and flora, it is good enough to preserve the area in relation to recreation and tourism. I would like the Minister to give consideration to these matters. I understand my colleague, the Hon. Peter Dowding, will raise these matters in the other place when the Bill is presented there. However, I would appreciate it if the Minister would give these matters consideration and perhaps amend that clause before the Bill is presented in the other place.

Another aspect of clause 4 which concerns me a little is that which relates to section 35 of the Public Works Act. That section is deemed not to have, and never to have had, effect in relation to the resumed lands, and compensation shall be assessed and may be paid accordingly. Reference is also made to various sections of the Land Act. Dealing with the non-effect of section 35 of the Public Works Act, firstly it is stated that compensation shall be assessed and may be paid accordingly. Criteria are not given as to how that compensation shall be assessed and paid accordingly. Section 35 makes provision for different criteria, for non-payment of compensation in some cases and payment in cases of excess amounts of land in other cases. However, it seems to me that it is not clear in the Bill whether or not section 34 will have the same effect. If section 34 holds sway then the wording of the Bill should be reassessed and the clause worded accordingly. I am not sure of the correct legal position in relation to this point, but if the Minister has Crown Law Department advice I would appreciate it if he would inform me of the outcome. However, in its current form this part of the Bill is ambiguous and there is no legislative basis for the assessment of compensation payable to the family from whom the land is resumed.

Subclause (2) provides for the non-effect of subsection (1) of section 109, subsections (1) and (3) of section 110, and section 140 of the Land Act. I would like the Minister to explain the reason for this action. My understanding is that—with the exclusion of section 110—the Government is not obliged to pay to the lessee any compensation for the capital improvements he has made on the property.

Mr Mensaros: And the plant and stock.

Mr PARKER: If that is the case, I ask the Government: On what basis is it paying the family for plant and stock on the property because it is taking over the tavern there?

If it fits in I would like the Minister to explain how he sees clause 4 subclause (2) will operate in relation to this matter. Section 140 of the Land Act also has been deleted. From the wording of the Bill it appears to me that the Minister may be avoiding payment to the family for plant, stock, and improvements on the property. I would appreciate the Minister's explanation.

With reference to subclause (5) I have no objection to the Minister's carrying on the business at Millstream as a trading concern. However, I ask whether he has made investigations as to whether it is possible for the State Government, under the State Trading Concern Act, to hold a tavern licence. I do not know whether it is the Government's intent for that to be done or whether the licence will be sold or leased to some other person. Perhaps the Minister could give an indication of what is intended. I understand accommodation facilities are limited at Millstream and I would be interested to know what the Government will do in this regard.

Having raised those concerns, I indicate, as I have said before, that the Opposition does not oppose the Bill. I will be listening with interest to the Minister's reply.

MR JAMIESON (Welshpool) [11.45 a.m.]: When station properties were leased earlier in the history of this State, the Government at the time had the quaint habit of setting aside in fee simple certain areas of land as homestead lots. The schedule to this Bill highlights that fact. Perhaps this action was taken in the past to oblige the financial institutions, so that they could have some lien over the buildings on the homestead lot. I would have thought, as in some other cases, if the homestead were placed more or less centrally within the lease, then the lease itself would be sufficient security. The station lease consists of 353 000 hectares, and it is now under the provisions of the Bill, to be the subject of a special resumption.

Some of my earliest memories of references to the Pilbara are comments about the wonderful river that flowed from underground at Millstream. The name "Millstream" has always had a little magic connected with it. As my colleague, the member for Fremantle, has just said, the Minister did not tell us whether the property will still be used as a recreation centre. Since the development of the iron ore industry in the north, Millstream Station has become a centre for recreation, and families from Dampier, Karratha, and Wickham, find travelling to Millstream and enjoying the facilities of the tavern and the barbecue areas a pleasant day's outing. I hope that the amenity will not be taken away from the residents in this remote part of our State although it appears that this will be so as the Minister did not mention the aspect of recreation in his speech.

I can understand the need to protect the environment, and the proposals to be taken in regard to the stock. However, unless at least a limited amount of land is available for recreation, there will be a furore in that area. Many people are accustomed to enjoying the facilities at Millstream.

The importance of many parts of this area to the Aborigines has been stressed. There are so many areas in the Pilbara which are of importance to Aboriginal culture that we must try to achieve a balance. Of course, preservation must be a maximum concern, but, for instance, the whole of the area of Depuch Island has great significance to the Aborigines, and I am thinking particularly of the drawings and carvings there. All around the gorge area of the Robe River are signs warning tourists about places which have importance for the Aborigines, even though in some sections the local Aborigines have lost all memory of the particular significance involved.

I suggest to the Minister that he should indicate clearly to us whether it is the intention to retain this recreational amenity at the station or whether it will be closed off completely and the environment will be protected only to the extent that it is a water reservoir. It seems from the tenor of the Minister's speech, and indeed, from the contents of the Bill itself, that this is the intention. Perhaps the Minister will be able to explain this matter fully to the House.

MR MENSAROS (Floreat—Minister for Works) [11.51 a.m.]: I believe I will be able to respond to the queries raised by both members. I thank them for generally supporting the Bill.

The member for Fremantle dealt mainly with the Harding River dam, and I understand his doing so because of its connection with the Millstream groundwater reservoir. His first comment was criticism that the Public Works Department, in trying to establish which will be the next water resource for the West Pilbara by way of a reservoir, has not done a sufficiently thorough job and, according to him, it has not chosen the best site. I can assure the House that at least I am satisfied this is not so.

When the Public Works Department is considering a new water resource a great deal of research takes place. Indeed, the potential of this site was recognised before the Cliffs Robe River Iron Associates' project was commenced. At that time negotiations took place with John Parker and people from Cliffs Robe River regarding the building of a railway, taking into consideration the height of the water level and the statistical possibilities of damage to the railway because of an overflow on the spillway. It is a generally accepted principle that when water resources are being developed, economic considerations play a big part. Of course, all the factors must be considered, but the cost of establishing a water resource is of prime importance.

Possibly the member for Fremantle sought advice on this matter. He told us that the Harding River dam will be a shallow dam and the evaporations may be much greater than with so-called deep dams. These facts are well known to the engineers in the department. However, the fact is that in the Pilbara area, nearly all potential sites would result in shallow dams.

The member for Fremantle criticised also the Public Works Department's assessment of demand. I believe he was not quite correct when he said that cetain years only were taken into consideration. The department took as its main basis the estimates of the Resources Development Department—estimates which I believe are only 18 months or two years old.

Mr Parker: They were made in 1979.

Mr MENSAROS: Well, it may be that they are somewhat older. It is a fact that there has been a downturn in the prospective growth of demand recently. I remind the member that this has always been the case. We cannot claim that development continues in a straight line upwards on any statistical illustration. It has its curves. Occasionally it goes down and up again in waves; but ultimately it goes up, on average, and development occurs. Even if the member were right and the present reduced growth estimates prevailed virtually forever, all that would happen is that certain demand quantities will occur in a few years—perhaps one year, two years, or, at the very most, three years later.

From the point of view of our having a very important and necessary augmentation of the Millstream underground aquifer, that does not really matter. I do not think it would justify the postponement of the building of the dam. The member mentioned that the dam could dry up occasionally, and that it has a large evaporation rate. That is a known fact which has not been ignored by the engineers of the Public Works Department. Every dam in the Pilbara region would have the same characteristics, hence the reason that in both parts of the Pilbara—the east and the west Pilbara—where higher demand was created by the iron ore industry, the underground water has been developed first.

It is necessary to develop surface reservoirs to augment the underground water. If in one year no rain falls or, because of overusage and evaporation without replenishment, the dam is drying up, Millstream can be used. Contrary to the member's concern, that does not create a large problem.

The SPEAKER: I prevail upon members to reduce the level of casual conversation.

Mr MENSAROS: Thank you, Mr Speaker.

The estimated total capacity of the Millstream underground reservoir is 600 million cubic metres. To put that into perspective, I indicate the total capacity of the reservoirs in the metropolitan area is 552 million cubic metres. If we add the Mundaring dam, which has about 70 million cubic metres, we find that the Millstream reservoir has about the same total capacity as the metropolitan reservoirs. The metropolitan usage in absolute figures has decreased because of the dry years, despite the fact that the population and the number of connections have increased. The metropolitan usage is about 160 million to 180 million cubic metres a year. The usage of the Harding Dam and the Millstream reservoir combined would be just below 10 million cubic metres.

Mr Parker: I am predicting it will go up to 20 million or 30 million.

Mr MENSAROS: That is so. I am glad the member points that out, because it means he is not as pessimistic as he seemed when he made his criticism regarding the lesser growth.

Mr Parker: It is a question of when the growth will occur.

Mr MENSAROS: Virtually we all have to barrack for more growth. The situation will be quite a safe one; and even if the worst expectations come true, we will have plenty of water there because obviously the surface reservoir—the dam—will be used first. Because of evaporation and usage from that point, if necessary the Millstream underground aquifers will be used. The water from that source will not be used totally, and it should be replenished during following years when the surface reservoir is used.

Mr Parker: The point is that even now, with the usage, as you say, at about 10 million cubic

metres per year, substantial damage is being done, not to the underground aquifer, but to the surface environment around Millstream. That is one of the reasons for the Harding dam proposal. If you have got a year or two years in which the Harding dam cannot be used to augment Millstream, or to replace it altogether, even at 10 million cubic litres a year, you will revert to the current situation, which is what you are trying to avoid. If you go to 20 million or 25 million cubic litres a year, it will be a worse situation, perhaps not for the underground aquifer as a whole, but for the surface environment—the surface water reservoirs that are at Millstream.

Mr MENSAROS: The answer to that is that in every water supply and in every new water resource, we make a calculation about security. Statistically, one can calculate the situation. The member and the Public Works Department know this. In fact, the Snowy Mountains Engineering Corporation, which is possibly one of the leaders in the world in expertise and advice about dams, has acknowledged that there will be years when the dam will not be usable; but during the years it is usable, it will be used first and either nothing or very little will be used from the underground aquifers. That will enable the aquifers to be replenished virtually to their total capacity. When we start to use the aquifers—and they will not be used for a long time—they will have plenty of water in reserve.

The next point that the member for Fremantle raised was that the department did not take into consideration limited period figures from the point of view of the climate and, therefore, the statistical possibility of the dam drying up. That is not so. It may be that those limited period figures have been shown in one of the reports; but all the available data has been taken into consideration by the department and checked by the Snowy Mountains Engineering Corporation.

The member then dealt with the purpose of the resumption, and said that many more purposes should be enumerated in the Bill. There is no necessity for this.

From the point of view of Aboriginal sacred sites, I cannot see any problem. In fact, I daresay that comments like his—and I am not saying this with any ill will towards the member—cause more trouble than we have ever had or will have. There is no problem, and why should there be a problem?

I have spoken to the people—not to the people who claim to know sacred sites theoretically, but to mature-aged Aborigines, respectable people, who came up to me and conversed with me. They would know the situation better than the young fellow employed by the Museum in a theoretical situation. The people came to me; we had a talk; and I understood perfectly that they were concerned only about the fact that if there are sacred sites, it does not matter if they will be covered by water as long as they are treated with respect. I could not expect anything more from these people; and I must say that I have much more respect for those people than for the theoreticians who work in the Museum with other people who do not have any idea, who have never been there, and who make all sorts of trouble regarding Aboriginal sites.

The man to whom I spoke is named Long Mac, probably because he was about 6ft. 6in. tall. He was not a young fellow. He really knew what his people wanted to achieve; and he was satisfied. The Public Works Department people spoke to him again in Roebourne and on the site. He showed everything that he and his people consider to be important; and complete understanding was achieved. I do not think there is any necessity for argument.

I shall turn now to recreation and tourism which were mentioned by the members for Welshpool and Fremantle. The area declared as a national park shall have the same sort of recreational facilities as are available in other national parks; for example, the John Forrest National Park. It could have restaurant and other facilities, although as yet consideration has not been given to the way in which the national park will be developed.

I do not think it is necessary to lay down specifically in the legislation exactly how the land should be used. The local Aboriginal people indicated that, under certain circumstances, they would like to have an area set aside on a special lease basis within Millstream Station in order that they might establish a rehabilitation centre for Aboriginal alcoholics. That is a very commendable idea and I undertook that, under the circumstances understood and accepted by the local people, I would be happy to iron out the legal problems involved in establishing a special lease—they wanted it for only 21 years—for this purpose. Therefore, I do not believe any prohibition exists in that regard.

Mr Parker: You said the area of the reserve which would be designated a national park would be available in the same way as other national parks are. Can you tell us what proportion of the reserve would be resumed?

Mr MENSAROS: I am not able to answer the member for Fremantle's query at the moment, be-

cause discussions must take place with the Minister for Lands and surveys would need to be taken. The Public Works Department would also need to establish a minimum and maximum area required from the point of view of protecting the Millstream aquifer.

Mr Parker: Following upon the resumption and until these things are established, will the existing tavern and other tourist facilities be closed down?

Mr MENSAROS: Not necessarily; no decision has been made in that regard.

I turn now to section 35 of the Public Works Act and the fact that sections 109, 110, and 140 of the Land Act will not apply. According to advice given to me by the Crown Law Department, these sections would have prohibited the Government from acquiring the station in a manner which would enable the pastoral lease to change hands on a commercial basis. In other words, the sections would have prevented the Government from resuming the pastoral lease on a walk-in-walk-out basis, because of the exclusions contained therein. By that I mean the Valuer General would provide a value for the leasehold and freehold land and the Government would pay compensation. However, according to advice from the Crown Law Department, compensation would not have been able to be paid for the stock or plant and really the whole purpose of the Bill is to enable that to be done.

Clause 5(1) and (2) will not need to be used in the current situation, but the provisions are there to be used, if necessary. If it is desired, the stock will be able to be disposed of through a company, but it is more likely they will be mustered and taken to the abattoir as quickly as possible. Those steps cannot be taken now, because the approaching wet season does not leave enough time. However, once that is done, the stock will be removed from the property and the present owner will have been compensated.

I believe I have responded adequately to the questions raised by members. The Bill has been designed to meet the interests of the Kennedy family from whom the leasehold land is being resumed and it will also meet the Government's requirements for the future utilisation of the land.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Leave granted to proceed forthwith to the third reading.

MR MENSAROS (Floreat—Minister for Works) [12.12 p.m.]: I move—

That the Bill be now read a third time.

MR SODEMAN (Pilbara) [12.13 p.m.]: As the Minister indicated at the beginning of his second reading speech, this Bill seeks to provide the Government with the power to acquire the property and assets of Millstream Station in the Pilbara on a walk-in-walk-out basis. I rise to indicate briefly to the House my support for the Bill and to point out that I do not share the somewhat guarded apprehension of the Opposition spokesman on the matter.

I certainly do not intend to speak about the mechanical aspects of the Harding River dam or Millstream aquifer. The technical matters have been well covered by the Minister in his reply.

Yesterday I listened to the Opposition spokesman quote statistics which he maintained justified the doubts he put forward. Of course, as we all know, the same statistical base can be used to argue the subject from differing standpoints; therefore, I was not swayed by the Opposition's argument yesterday.

As a member representing an area such as the Pilbara, I am disappointed that the Opposition has seen fit to endeavour to create doubts in the minds of the public concerning the West Pilbara water supply.

If we look back at the buildup over recent years to the present situation, we find the Opposition's stance could well be categorised as opposition purely for opposition's sake in an endeavour to convey to the public the idea that the Opposition is well informed on the matter and has a concern beyond that of the Government. I find this is to an extent a vote of no confidence in the Public Works Department officers, who as individuals are very highly qualified and competent. I have been involved with them over the years and in fact have travelled with them on foot and by four-wheel-drive vehicle through many of the potential water supply areas in the Pilbara.

This Bill is the culmination of many years of hard work and research. I remember when it was suggested that the Fortescue River might be dammed. There was no obligation to do that; it was just one of the possibilities. It was suggested a dam might be built at Dogger Gorge or Gregorys Gorge. A number of people created a great deal of apprehension in the public mind by saying that the Millstream area would be lost as a recreation

and tourist location. As it turned out, if dams had been built at those localities that would not have been the case. The backup of the reservoir area would not have affected the Millstream area and it would have remained accessible to the public. It turned out merely to be part of an ongoing study. It was necessary to dispel any doubts from the public mind at that time that it was a hard and fast plan when, in fact, it was just one option, one of many options.

The proposed Harding River dam is another option. It has evolved from an enormous amount of study, with the Public Works Department deciding it was the best of the options. It seems that regardless from where additional water supplies are drawn some people will raise queries about it. I see a great deal of benefit accruing to the residents of the Pilbara and to the people of the entire State by this particular move.

First of all, it will allow the area in question to return to its natural state. A lot of criticism, even from those on Millstream Station itself, has been directed at the breakdown of the flora in the area and the fact that cattle have been creating dustbowls which have affected the edges of the pools. This move will help eliminate that problem in time. It will minimise the potential pollution of that aquifer. So, when talking about the capacity of the proposed Harding River dam, these considerations are worth while.

This proposal will secure the location by its being turned into a reserve for tourists and local people and will allow them to use the area to advantage; it will attract people from outside the Pilbara to visit the area, as it is one of the tourist highlights.

I am very pleased that the Minister already has given consideration to the request by an Aboriginal group in the Roebourne area to establish an alcoholic rehabilitation centre on part of Millstream Station. They were apprehensive that they might be precluded from doing that and I advised them when they spoke to me that their apprehension was somewhat premature because at the time they were not incorporated as a body. They have since become so and they have formulated a plan and brought it to the Minister. He has listened with genuine interest to what they propose and is as impressed as I am. I hope the Government will support what they want to do because it is a very worthwhile cause.

With those few remarks I reiterate that I do not have the same degree of apprehension that the Opposition states it has. Unfortunately, to a large extent it has been an exercise in party politics on the part of the Opposition rather than people politics. I hope the member for Fremantle, the Opposition spokesman on this Bill, spends a little more time with the Public Works Department officers than it appears he has done to date. I am sure they would be more than pleased to convey to him and to re-emphasise everything the Minister has stated here today. Hopefully, any genuine doubts he has will be dispelled. If he has any new information he feels they should have or information they have overlooked, he could make that available to them.

I support the Bill.

MR PARKER (Fremantle) [12.21 p.m.]: I had not intended to contribute to the third reading debate of this Bill, but because of some of the remarks made by the member for Pilbara I feel I should say a few words.

The member for Pilbara suggested that the Opposition's opposition was opposition for opposition's sake. As I stated at the outset of my speech yesterday, the Opposition supports this Bill; it has been demonstrated clearly that we support the resumption of Millstream Station. We support the proposition that the station is to be destocked and to come under Government control and we hope that significant portions of the station, including the areas most visited by tourists, are able to be resumed for tourist purposes.

I remind the member for Pilbara that the Minister did not give an undertaking that that will be the situation. He said it will be subject to review. No guarantee was given that what the member for Pilbara said will happen in fact will happen.

Mr Sodeman: I was referring to public opposition.

Mr PARKER: I assumed the member was referring to alleged reservations I expressed about the resumption of Millstream Station, which I have not done. I have expressed reservations about the proposed Harding River dam.

The member seems to take the view that to query something is an inappropriate act in certain circumstances, including these circumstances, and that this amounts to a vote of no confidence in the senior officers of the Public Works Department. I make it clear that not only do I not have no confidence in those officers, but also I am impressed with them and their ability and knowledge. I have a lot of confidence in their engineering skills. I am sure they have made very serious and, as the member said, lengthy studies of the options available.

The member for Pilbara should understand that does not mean they have to be 100 per cent correct. It is the obligation not only of the Opposition here, but also of every member in this House and,

I suggest, every concerned member of the public, to question those things which appear to need questioning. That is all we have done; it is all I have done both here, yesterday and today, and publicly.

I question some of the assumptions which have led to the conclusions made. As the member for Pilbara said, we can look at statistics and assumptions in a whole range of different ways. I wonder whether some of the assumptions made by the department are the correct assumptions or whether the logical extensions of those assumptions are the correct logical extensions that can be made.

Those are the issues I have raised. I am not in any way suggesting there was a deliberate attempt to overlook certain questions or to delude the public or the Opposition. I said yesterday that the Minister had been good enough to arrange a meeting between officers of the PWD and Opposition members at the conclusion of which the officers said that if we wanted further information or to have further talks, they would be happy to arrange it.

It is not fair to say such things simply because the Opposition has voiced queries. It is not as though we have come out with vitriolic comments; we have raised queries and said that certain matters must raise doubts in people's minds.

Mr Sodeman: That's not what I was talking about. What have bordered on vitriolic comments are the comments in the media in the north, not your comments here today.

Mr PARKER: My understanding of those comments is not the same as the member's, but I am open to correction.

Mr Sodeman: It was the comments in the newspaper.

Mr PARKER: If the member can show those to me I would be happy to reconsider. However, we are to create an obligation with the development of these water resources, a development that will commit not only this Government, but also future Governments and the whole of the State, to considerable expenditure. It is an option that will be irrevocable once it is commenced, so we must be sure it is the correct option.

Earlier I made the point that we must decide whether the consumption projections are accurate. That decision is relevant in the context that it determines the urgency or otherwise of the need to move. I am committed, and the Opposition as a whole is committed, to establish an augmentation system for the Millstream aquifer, and we are concerned as to whether the correct method has been found by the Government. The role of the Opposition is to raise such concerns, as it is the role of individual members of Parliament.

I am sure that, as a member said earlier, further consideration will take place on these matters. But just because a group of experts have come to a conclusion, it does not follow that the conclusion is correct. Anyone who would like to make even a cursory study of history would by no means be able to say that because the experts have come to a conclusion, that conclusion is correct. That is the proposition we are at the moment raising with the Government, and therefore with the department.

Question put and passed.

Bill read a third time and transmitted to the Council.

ACTS AMENDMENT (METROPOLITAN REGION TOWN PLANNING SCHEME) BILL

Second Reading

Debate resumed from 24 August.

MR DAVIES (Victoria Park) [12.27 p.m.]: This legislation should not delay the House for long. It was introduced about three weeks ago, and since that time I have raised its provisions with the Australian Institute of Urban Studies, the Institute of Urban Development, and the Local Government Association. None of those bodies could find anything in the provisions to which objection could be made. I have closely scrutinised the Bill, and have read the Act as though the amendments were included. I have not perceived anything to which objection could be made, although I will comment on one or two aspects of the Bill.

In case members have forgotten what it is about, I will remind them. It will include in the two Acts to which it refers a description of the metropolitan area, and will enable delegation of routine functions to committees. The Bill deals with the maintenance and management of land reserves for parks and recreation; allows penalties to be provided for breaches of its regulations; and provides for amendments to the metropolitan region plan to be laid on the Table of each House, and the renaming of the district planning committees. Several other minor amendments are included, but I do not think I need to bother the House with those. One such amendment is merely the correction of a printing or drafting error.

I was pleased that the Government decided to define the metropolitan area. As most members have learnt over the years, although we talk loosely about the metropolitan area, the definition

varies from time to time. Indeed, where could we find a better example of those variations in dimensions than in the Electoral Act? Every time the Government wants a redistribution of boundaries it decides for one reason or another that the metropolitan area should be redefined. It would be indeed delightful to have a definition of the metropolitan area that could be included in all Acts of Parliament rather than to have to amend that definition from time to time, and, particularly in regard to electoral matters, to amend it to accommodate the gerrymandering the Government perceives as necessary.

The Opposition was pleased to read in this legislation a description of the metropolitan area. That description will make the Acts easier to follow. I have not taken the time to go over a map with that definition in mind, but it seems to be a fairly reasonable description and one that could fit easily into Acts such as the Police Act and the Electoral Act, and remain there once and for all. If we did have to change that definition at some time, the changed definition could apply to all Acts.

The delegation of routine functions to committees worries me a bit. I appreciate it will assist the Metropolitan Region Planning Authority in getting many things done, but no clear definition is available of the authority these subcommittees can give to themselves, or of the authority that can be delegated to them. I am sure members will remember quite clearly the 1979 amendment to the Act, an amendment which made the chairman of the MRPA a full-time officer. At that time we passed amendments to section 18A of the Act to allow subcommittees to be appointed and authority delegated to them. Now we are asked to amend the Act so that those subcommittees can do certain things without referring to the MRPA. We have not seen a notation of the scope of the things those subcommittees will be able to do.

Mrs Craig: They are the things the MRPA refers.

Mr DAVIES: The subcommittees can make decisions on the matters referred to them without referring back to the MRPA, and that worries me a bit. They will be told to take over a certain area of responsibility, and will be able to do whatever they want. How far can they go with such responsibility? That is what worries me.

Mrs Craig: It will be the delegation only of routine functions with the delegation of power over only those routine functions.

Mr DAVIES: I am not able to give offhand an example that would fit the bill for my argument. Section 18A (2) states that the MRPA may, from time to time, constitute committees, assign names to those committees, alter the membership of those committees, and appoint eligible persons to be additional members of any committee. Section 18A (3) states that the MRPA shall appoint a chairman of each committee. Section 18A (4) states that a committee shall not enter into a contract or other commitment or undertaking without first having the express authorisation of the MRPA, and any contract, commitment, or undertaking without that authorisation has no effect. Section 18A (4) is to be repealed, and subsection (5) states that a committee appointed pursuant to that section is answerable to the authority and shall, as and when required to do so, report fully on its activities to the authority.

I emphasise that we are to repeal the provision making committees answerable to the authority so that they can go ahead with entering into any contract, commitment or undertaking. In that event a committee would not have to refer its action to the MRPA because the committee would have the authority to handle that action. Clause 5, or proposed section 18A, does not state that specific powers shall be delegated to committees, and I have not found any provision that would enable that delegation. I referred even to section 11, which establishes the offices of the MRPA, but I could not find any specific power delegated to the committee.

In 1979 we established the permanent position of Chairman of the MRPA, and we provided for subcommittees. At that time we set out that which the subcommittees could not do, but now we are asked to repeal that provision. The Minister said that the amendment will make for better working of the MRPA, and I agree with her. Subcommittees can do certain things to assist the orderly running of the authority, and in that way would not have the time of the authority wasted.

For the life of me, I cannot see how they are restricted. That is the only thing that worries me. If I were Chairman of the MRPA, I would be worried that the committees might do something which was outside the authority or would upset me because, if this measure goes through, there will be no restrictions whatsoever on these committees. That is the only concern I have in regard to that matter.

Maintenance and management of parks and reserves is something that they should have power and authority to control and there should be penalities for breaches where people are found guilty of doing something which is against the best interests of the area concerned. I know that is a strange way to say it, but it is difficult to talk about land being damaged. Of course, trees,

fences, and buildings on land that has been resumed are very valuable, and presently there is no provision for penalties. If this measure goes through, it will provide penalties for breaches.

In regard to the amendments being laid on the Table of the House, it merely says that copies shall be laid here, as they have always been laid on the Table of the House; and I have no objection to that as it merely follows an existing practice.

The revising of district planning committees has some merit. They were previously known as A, B, C, and D, and now they will be known by the geographical locations of south-west, north-west, south-east, and eastern groups. That is very sensible because at least the direction from the city of Perth gives one an indication of the shires or local authorities which are involved.

I wonder about the authority and importance that these planning committees have because in a recent incident the Minister took no notice whatsoever of a recommendation from a planning committee. I refer, of course, to the planning committee which is to be known as the north-west group comprising the councils of the Cities of Nedlands, Stirling, and Subiaco, the Towns of Claremont, Cottesloe, and Mosman Park, and the Shires of Peppermint Grove and Wanneroo.

If recent indications are anything to go by, the MRPA is paying no attention whatsoever to the recommendations of these planning groups; and neither is the Minister when it comes to her. One would expect that these groups would speak for the areas they represent and that they have considered matters before them and have made recommendations to the Minister and the authority in the hope that positive action would be taken.

If this Bill does nothing to alter or detract from that importance of the MRPA, it does nothing to enhance the position of the MRPA which, over past months has fallen into disrepute, I am sorry to say, because of the attitude which appears to have been adopted by the chairman of the board who seems to have developed into a bureaucrat in record time. I do not say that without regard to public utterances that have been made and complaints that have reached me from people who have had dealings with the MRPA. They take the attitude expressed right back to the chairman himself; and I am very sad to see that the Minister went along with the Chairman of the MRPA in removing from the authority one of the appointed members of group B, which is now to be known as the north-west group. This man, Mr Burkett, was the chairman of that group.

I will repeat the areas involved in group B. They are Nedlands, Stirling, Subiaco, Claremont, Cottesloe, Mosman Park, Peppermint Grove, and Wanneroo. What did Mr Burkett say? He said that, as a representative of those groups, he could not go along with what was being done or the obvious bias that was being expressed in regard to the hearing of public submissions in regard to the Servetus Street inquiry.

Mrs Craig: That is not what he said.

Mr DAVIES: He indicated he was not happy with the way the matter was being handled and that he was of the opinion that there would be no change in that attitude.

Mrs Craig: He said that after the first four days.

Mr DAVIES: Events have subsequently proved him to be right.

Mrs Craig: They subsequently proved him not right. You don't know anything about it.

Mr DAVIES: I do not think so. I am certain we will be debating the Servetus Street issue before very long in this House. Mr Burkett was unhappy with what was going on; and he was the voice of the people concerned.

Mrs Craig: He was not the voice of the group when he said that. He did not pretend to be. He did not say it.

Mr DAVIES: Could the Minister answer this question: How did he get onto the authority?

Mrs Craig: We are not debating that. He made that statement as the mayor; and he made it very clear that he made the statement as the mayor and not as a representative of a group of the authority. It was a private statement.

Mr DAVIES: The Minister is implying that as the mayor of one of our biggest local government authorities he is not entitled to an opinion.

Mrs Craig: No, I am not.

Mr DAVIES: Of course she is.

Mrs Craig: It was difficult because—

Mr DAVIES: The Minister is saying he did not make the statement as a representative of the authority, but as the Mayor of Stirling. Is he not allowed to say what he thinks as a representative of the Stirling City Council, whether he says it as the member for Stirling or as a member of the planning group? He was speaking for the regions most concerned.

The Minister should look at the *Daily News* of 6 July where it talks about the mayors ganging up on the MRPA. They say it was a sham. Who were the mayors concerned? They were McKenzie for Fremantle, Houston for Claremont, Anderson for

Cottesloe, Jones for Mosman Park, Burkett for Stirling, and Diggins for Subiaco. The Minister is not saying they are all Labor supporters out to unseat the Government, is she?

Mr Parker: Diggins is a member of the Liberal Party.

Mr DAVIES: Whether Mr Burkett was speaking as a member of the authority of the area he represented or in any other capacity, he had every right to speak in the way he did. The Government did not like it because he would not toe the line and would not toady to them. The Government got rid of him. There was no agreement between Wilkins and Burkett for him to resign from the MRPA. He made it quite clear to Wilkins that he did not want to remain on the Servetus Street inquiry for the reasons he stated; but he was also stood down from the finance subcommittee and from other subcommittees with which he was associated. The first thing he knew about it was when documentation did not arrive. They did not even have the courtesy to say, "We don't want you around any more." This is why this Bill does nothing to enhance the MRPA. We have had a full-time chairman—

Mr Pearce: There is no restriction on his expressing an opinion.

Mr DAVIES: I hope the Government does not get this Act reprinted—although it could do with a reprint—because next year we will be making substantial changes to the MRPA.

Mr Rushton: You didn't do anything when you were in Government.

Mr DAVIES: I had it for 18 months and this Government has had it for about nine years and has left it in a mess. I was at the meeting of the Local Government Association and it was said by the then Premier, of Mr Rushton, "This Minister you have here is the greatest local government Minister you have ever had." They moved him on a week later!

They moved him sideways. This is talking about the great Minister.

Mr Rushton: Upwards not sideways.

Mr DAVIES: What happened with the present Minister last Monday at the Local Government Association meeting?

Mr Rushton: Who did the moving?

Mr DAVIES: I will interpolate there and say that was after the Minister had been there for seven or eight years.

Sitting suspended from 12.45 to 2.17 p.m.

Mr DAVIES: I note for *Hansard's* sake the Minister is not with us at this stage because she had a prior commitment.

Mr Pearce: Perhaps she is sacking another member of the MRPA.

Mr DAVIES: The Premier has indicated that the debate will be adjourned when I have finished my remarks and the Minister will reply to the debate at an appropriate time.

Two matters concern me: The first is the removal of the condition which states that subcommittees appointed by the MRPA shall not enter into a contract or other commitments or undertakings without first obtaining the express authorisation of the authority to do so, etc. The Minister said I had nothing to fear because we have a delegation clause and that the committee would be delegated certain things only.

The matter is not as simple as the Minister would have us believe because that power of delegation has been present since the Act was amended in 1979. Even at that time it was thought necessary to place a subsection in section 18A stating that the subcommittees could not do certain things. Therefore, this is a matter of concern because the authority can set up such committees, as it deems necessary, which can have a continuing charter or a specific purpose. As I have pointed out, they are restricted in what they can do. If the Bill is passed, no restrictions will be placed upon the subcommittees.

We might have many mini-MRPAs within the MRPA—heaven forbid that that should ever happen because the MRPA is causing the community enough headaches at present. I would like that matter further enunciated by the Minister when she replies to the debate, so that we know just how far the committees can go with the powers they will have once the restrictions are withdrawn.

If we can expedite the work of the MRPA by allowing it to have certain authority, that will be a good thing, but unfortunately the MRPA seems to be bogging down. Correspondence has not been handled as expeditiously as in the past. I do not know who is to blame, but it is worrying when answers to correspondence are not received until six to eight weeks after an inquiry. It does not help people at all, especially when they have a particular concern. The MRPA is getting bogged down in bureaucratic processes. This is obvious when we consider the Servetus Street incident and the comments of the Mayor of the City of Stirling.

The way in which the Servetus Street situation was handled by the Government and the Chairman of the MRPA was disgraceful—each seemed

to blame the other. The Minister gave us to understand she does only as the MRPA asks and the chairman gave us to understand he had instructions from the Minister—according to Press reports of which there were quite a few in the past.

The MRPA comprises certain specialist people and representatives of various local governing authorities. Prior to the lunch suspension I made reference to the proposal to rename them. The authorities each nominate three persons for representation on the MRPA and in each case one of the nominees is chairman and is the person appointed to the MRPA with the exception of group B. The chairman of group B was Mr Graham Burkett who is the Mayor of the City of Stirling. Mr Burkett was quoted in the *Daily News* of 21 July as saying that he was not convinced that Servetus Street was the best and only option. What is wrong with his saying that? He was a member of a subcommittee which was listening to appeals and at that stage he felt it necessary to say that he was not convinced Servetus Street was the only option.

Mr O'Connor: Was it in connection with his objection to the six lanes—that is what he told me?

Mr DAVIES: Six lanes is not quoted in this article. I am quoting from the article which appeared in the *Daily News* of 21 June.

Mr O'Connor: I had discussions with him yesterday.

Mr DAVIES: Mr Burkett is no longer a member of the committee and I am taking umbrage at the Government's removing him from the MRPA and not allowing him to express his own opinion. He is a member of a group of local authorities which are most concerned about the western suburbs road.

Mr O'Connor: Wasn't the action taken by the MRPA because it considered there was a breach of confidentiality?

Mr DAVIES: What confidence did he breach? No-one has said what it was. Everything that he said was available to the other members and to anyone who attended the public hearings.

Mr O'Connor: Mr Burkett has received a letter from the MRPA outlining the reasons.

Mr DAVIES: I spoke to Mr Burkett this morning for the first time in six months. He was in the Parliament House dining room for lunch recently and apart from waving to him I had no contact with him then. I rang him this morning to ascertain what breach of confidentiality he is alleged to have made.

Mr O'Connor: That is nonsense because Mr Burkett sent me a copy of the letter that he received from the MRPA in which the reasons were given to him.

Mr DAVIES: According to newspaper reports and what Mr Burkett told me this morning he initially made a statement on 21 June which was not headed "A member of the MRPA committee of inquiry", nor "A member of the inquiry", but "Mayor has doubts on Servetus plan".

Mr O'Connor: You are now saying that he did know the reasons.

Mr DAVIES: That is not so. I am telling the Premier what Mr Burkett told me in relation to what happened between him and the chairman of the board. In the report on what happened there is no suggestion of breach of confidentiality and if the Premier is aware of any instance of a breach of confidentiality, I would appreciate it if he could tell me either publicly or privately. Mr Burkett is as much confused about the confidentiality and being charged with a breach of confidentiality on three occasions as he could possibly be.

Mr O'Connor: How can he be if he knows it involved three occasions?

Mr DAVIES: He does not know. Mr Burkett knows of two occasions on which Mr Wilkins carpeted him. He does not know the third one.

Mr O'Connor: I do not want to get into a dispute about Mr Wilkins and Mr Burkett. I received a letter from Mr Burkett which contained a copy of a letter he had received from Mr Wilkins and his subsequent reply.

Mr DAVIES: There is nothing in that letter to say he breached confidentiality. If the Premier has not read the letter clearly, he should say so.

Mr O'Connor: I have read it, but I happen to read a few letters every day.

Mr DAVIES: We understand that and, therefore, let me say that the Premier cannot recall any charges of a breach of confidentiality.

Mr O'Connor: That is not correct. I can recall the contents of the letter, but I would like to read it again before I comment further.

Mr DAVIES: I hope the Premier is able to clear up this matter.

Mr O'Connor: Have you seen the letter?

Mr DAVIES: I have not seen it. I had a discussion this morning with Mr Burkett and he read a section of the letter to me over the phone. There was nothing in that extract to say there were breaches of confidentiality. The MRPA did not like the manner in which Mr Burkett was acting and the fact that he had an opinion of his own.

Mr O'Connor: Wasn't part of it concerning the point that he was virtually a member of a jury which was deciding on certain issues and he had advised the community and the Press of the findings before they were published?

Mr DAVIES: On two occasions there was a degree of concern, according to the chairman. One was when Mr Burkett said he was not convinced that Servetus Street was the best and only option. That was one statement and he was carpeted for that.

Mr O'Connor: While he was sitting on the committee.

Mr DAVIES: Yes, Mr Burkett said he was not convinced. He was the Mayor of the City of Stirling and was quoting in that capacity. The other mayors from the local authorities concerned—Mr Houston, Mr Dickens, and Mr McKenzie—had all expressed their opinions in relation to Servetus Street at various times.

Mr O'Connor: If a judge was sitting on a court and decided to make a comment on that case before the completion of the hearing, would that not be a breach?

Mr DAVIES: What Mr Burkett said was said in open hearings. The chairman of the board had shown an absolute bias.

Mr O'Connor: I am arguing that the reasons were given to him in a letter.

Mr DAVIES: There is no analogy between the two. The Premier may say he cannot wear two hats, but he has to serve two posts. His statement was not made with any malice. He is allowed to say, if he is not convinced certain things are happening—

Mr O'Connor: I was not saying that, and I did not imply that. What I said was that reasons were given in connection with a letter, and I was trying to explain from my understanding what was in the letter.

Mr DAVIES: Mr Wilkins took umbrage on two occasions at statements by Mr Burkett; one was when Mr Burkett made a statement, and another was when he said—

> In the first case, I made a comment during one of the hearings that it might be that those people supporting the use of Brockway Road might not all be wrong. I was reprimanded the next day by the chairman who said I was not to make comments to any newspaper regarding these western suburb highway hearings. The point is that I made the comment at the public hearing, not to a newspaper.

So, those are the two occasions on which there is supposed to have been breaches of confidentiality. However, nothing Mr Burkett said harmed any person. If the opponents of the Servetus Street proposal thought they had a champion at the hearing, it was quite apparent that those who supported the Servetus Street option were equally certain they had a champion at the hearing, in the form of the Chairman of the MRPA (Mr Wilkins), who made unsympathetic and antagonistic attacks on people opposed to the Servetus Street option.

Arising out of that, Mr Burkett is reported in the *Daily News* of 7 August as saying—

> Next day Mr Wilkins had me in his office and said he had been instructed by the minister to tell me I was no longer to attend meetings of the authority and was to be represented by my deputy, Cr Jock Price.

He was instructed by the Minister; that is nothing short of blatant, base political bias.

Mr Rushton: The facts are not as you portray them.

Mr DAVIES: They are absolutely as I portray them. Since 2.15 p.m., I have been trying to get the Premier to substantiate remarks similar to the interjection just made by the Deputy Premier, but the Premier was unable to do so. I will be pleased if the Deputy Premier could explain himself, because he was part of the Cabinet decision not to reappoint Mr Burkett.

The various planning groups each submit three names to the Government and in every case but one the chairman of the group—the first person nominated—was elected to the MRPA. Mr Burkett was unanimously elected by eight votes to nil as chairman of his planning group; his name headed the list, but the Government chose to ignore it. Obviously, the opponents of the Servetus Street option were delighted with the stand Mr Burkett was taking. Indeed, they had a right to be delighted because they represented the Cities of Stirling, Nedlands, and Subiaco, the Towns of Claremont, Cottesloe, and Mosman Park, and the Shires of Peppermint Grove and Wanneroo, and all those except the last named were against the Servetus Street option.

Mr Burkett was the only man prepared to speak up on the matter and, for his pains, he was the only person not to be reappointed to the authority. The best which can be said about that is that it is base political bias; it indicates just what this Government stands for and explains why the MRPA is being brought into disrepute.

If we are to believe that only those people who are prepared to toe the line and agree with

Government policy are to be appointed to an authority of this nature—one of the most important authorities in Western Australia—of course the authority must lose stature accordingly. Mayor Burkett has been replaced by the representative from Peppermint Grove. So, the man from almost the biggest metropolitan local authority has been replaced by a representative of the smallest local authority, an area which has strong Liberal Party affiliations and voting patterns.

Mr Parker: You must admit that the Shire of Peppermint Grove has got stuck into the Minister for Transport recently.

Mr DAVIES: Most local authorities are getting stuck into the Government. Indeed, at a meeting called for last Monday night by the Local Government Association and, despite only seven days' notice, attended by some 43 shire presidents and mayors, several motions were carried unanimously regarding a further contemplated amendment to the Town Planning and Development Act. I hope the Premier will meet those people and talk sensibly with them. At that meeting, an amendment to a motion was moved calling for the dismissal of the Minister for Local Government (Mrs Craig).

Mr Nanovich: Was it not ruled out of order?

Mr Pearce: It was not ruled out of order.

Mr Nanovich: I was not asking you.

Mr Pearce: I am telling you the facts, and it was not ruled out of order.

The SPEAKER: Order!

Mr Nanovich: You do not know anything.

Mr Pearce: You do not know what are the facts.

The SPEAKER: Order! The member for Gosnells will come to order! It is inappropriate for such an outburst to occur.

Mr DAVIES: I understand the amendment was not proceeded with and there was some disagreement with the chairman's ruling, but that the ruling was carried by a majority of about 3:1. However, the dispute did not relate to whether they believed the Minister for Local Government should be dismissed, but whether the motion should be proceeded with. That is my understanding of the situation; however, like the member for Whitford, I have received only a verbal report of the matter, so I cannot be certain on that point.

Nevertheless, it seems obvious that local government generally has become disenchanted with the Government. One can understand why, when representatives of this important shire unanimously elect a person to be chairman of its planning group and submit his name at the head of its list for appointment to the MRPA, and he is the only chairman of a local planning group not to be appointed to the authority.

We know exactly where we stand with this Government; its approach to this matter places it in precisely the same position as does its attitude to people who work in electorate offices not being allowed to continue to work there once they become endorsed candidates, particularly for the Australian Labor Party.

Mr Clarko: It would depend upon how they did the two jobs.

Mr Pearce: Who makes that judgment?

Mr DAVIES: The Minister for Education, on one of his rare appearances in the House, has shown a brilliant piece of deduction by apparently suggesting candidates for election cannot do two jobs at once.

Mr Clarko: I did not say that at all. What I am saying to you—

Mr DAVIES: If that is the calibre of Liberal Party candidates, we can understand the comments of the Minister for Education. However, there is nothing to suggest that is the case, particularly in regard to Mrs Pam Buchanan, to whom the Government took such violent exception.

Mr Clarko: Was she mixing the two jobs?

Mr DAVIES: No, she was at great pains to see that she did not.

Mr Clarko: She was not doing two jobs?

Mr DAVIES: Absolutely not; if the Minister has any evidence to the contrary, I would be delighted to hear it.

Mr Clarko: I have asked you a question.

Mr DAVIES: And I have replied to the Minister.

Mr Clarko: That is not what I hear; she is doing both jobs.

Mr DAVIES: Listen to the Minister for Education; he is like an old lady, listening to rumours all over the place. Somebody whispers behind a hand, and he believes what he hears.

Mr Clarko: That is not the only office in which it is happening.

Mr DAVIES: That is how members opposite govern—on rumours. Rumours and hearsay; that is how members of Cabinet made their decision that no-one who was an endorsed candidate could work in a member's electorate office. What political bias!

Mr Clarko: Does she go out and represent the member at functions?

Mr DAVIES: She has the right to do as she likes on behalf of the member. She does not represent him during working hours. If she goes to a smoke social or a PCA meeting she goes as a parent or as part of the community. Political candidates are generally part of community life.

Several members interjected.

Mr DAVIES: The Minister is suggesting now, with his curious twist of mind, that because Mrs Buchanan takes part in community life, she is representing the member for whom she works. What humbug and nonsense!

Mr Clarko: She is not the only person doing that, either.

Mr Parker: Bill Mitchell is doing it.

Mr DAVIES: I was about to move to Mr W. W. Mitchell—the darling of the bottom-of-the-harbour group. This is not the first job on legislation that he has done when money has been involved. I remember, when I was the Minister for Town Planning and we wanted to set up a land commission, Mr Mitchell did exactly the same job on behalf of the developers because they could see some money going away from them. That is the kind of interest Mr W. W. Mitchell represents; and he is still taking money from the Government for work done, when he is actively supporting Government policy. But, he is allowed to do that! He is allowed to accept the Government's money—

Mr Clarko: Quite a different situation.

Mr DAVIES: It is not. He is now the endorsed candidate; and one cannot be an endorsed candidate from five o'clock at night until nine o'clock the next morning only. One is an endorsed candidate for 24 hours of the day. It does not matter what one's job is.

Several members interjected.

Mr DAVIES: It is a dreadful state of affairs when the Government shows its political bias in this manner. This is the type of thing that will kill this Government.

Mr Parker: What about Phil Pendal? He was the Press secretary to the Minister.

Mr Clarko: Are you going to give an example of what he did? To be consistent with your previous query, you should give a specific example of where he did two jobs.

Mr Pearce: In fact, he was writing speeches for the Minister in relation to the elctorate for which he was running.

Mr Parker: He took time off from his job as a Press secretary to go to functions in the electorate. That is what he did.

The ACTING SPEAKER (Mr Watt): Order! The member for Gosnells, the member for Fremantle, and the Minister for Education will cease interjecting.

Mr DAVIES: If I remember correctly, Mr Pendal was also announcing initiatives. They were being announced through him as the endorsed candidate, rather than through any of the members for the district, or the Government itself. It was a curious state of affairs.

Mr Clarko: Do you think that is okay? You just said that is okay. You take it on one side, and do not have it on the other.

Mr Pearce: We are pointing out the inconsistency of your argument.

Mr DAVIES: Surely this is not the Minister for Education, with his curious turn of rationale. I think the Minister will regret taking us on in this way.

We believe that people who are endorsed political candidates should not have their employment jeopardised through political bias. That is what happened as far as the Government was concerned, and that is what happened to Mr Burkett, who was a member of the MRPA and was not appointed after 31 August because the Government did not like him as he was an endorsed Labor candidate.

That is the shocking, shameful position; and the Chairman of the MRPA (Mr Wilkins) went along with it. This is the same Mr Wilkins who was supposed to have argued at the hearings with opponents to the Servetus Street option.

As I say, the worst thing the Government did was to make the job of the chairman full time, because now we find the tentacles of the MRPA creeping into all sections of the community. Members of the MRPA have more time than enough, apparently, despite the fact that one does not receive many replies from them. However, they find the time to interfere in all kinds of actions which they should best stay out of. Perhaps the kindest thing the Government could do would be to revert to the position before 1979, with a part-time Chairman of the MRPA. Things might be kept under control, then.

On two occasions, Mr Burkett upset Mr Wilkins, and for this he was taken off the authority.

On 7 September, Mr Cam Cheyne was quoted in *The West Australian* as follows—

> He had breached the confidentiality code of the authority and had made public statements about his own conclusions on a regional matter after hearing only a small per-

centage of submissions on the subject, Mr Cheyne added.

Mr Burkett spent three and a half weeks on the sittings, and that is regarded as a small percentage of the hearings. It is hard to believe that the Minister interjected this morning to say that Mr Burkett made a statement after four days, yet, on this report, the committee had been sitting for three and a half weeks when he made his statement.

Mr Cheyne is also reported as having said—

> Mr Burkett had failed to meet the standards required of authority members "in certain respects."

It is obvious that Mr Burkett was not liked. He was a member of the Labor Party. Why does not the Government come clean and say that?

Mr Rushton: That is your assumption again.

Mr DAVIES: That is the inference that comes through strongly and clearly.

Mr Rushton: It is not true.

Mr DAVIES: The Government has not been able to tell us what is the situation. The Premier was unable to tell us just now. Mr Burkett was involved in two incidents—two, not three, as the Government has claimed. One related to things that happened at a public hearing, and the other was that Mr Burkett made a statement as the Mayor of Stirling. Surely the mayor is allowed to make comments, even if he might be wearing two hats. On that occasion, Mr Burkett was speaking as the planning group representative for the authorities in the corridor through which the Servetus Street extension would run. He knew what the authorities wanted; he listened to the arguments; and he was prepared to admit that Servetus Street was not the only option.

We know that modifications have been made; but it does not matter whether the Government calls it a major road, a freeway, or whatever; it will still have some effect, which will be discussed in due course.

Anyway, the fact that we are now to remove from subcommittees appointed by the MRPA the restrictions placed on them under section 18A(4) of the Act means that we face a great danger of finding the subcommittees running in all directions. I want an assurance from the Government on that before we support that part of the Bill wholeheartedly.

As I said, the Bill does not really have very much to worry about in it. It does nothing to enhance the power of the MRPA; probably it does nothing to detract from it; and we are prepared to support it. However, I would like those assurances.

Debate adjourned, on motion by Mr Jamieson.

PRISONS AMENDMENT BILL

Second Reading

Debate resumed from 25 August.

MR PARKER (Fremantle) [2.48 p.m.]: The Bill before us is a relatively minor piece of legislation, and the Opposition supports it. However, one would have expected that some of the aspects of the Bill would have been dealt with in the legislative action that took place last year. At the time, we were assured by the Minister that a considerable amount of thought had gone into the preparation of the Prisons Bill, as it then was—now the Prisons Act—when it was introduced. In fact, a number of years of preparation had gone into that legislation. However, we now see three problem areas which have arisen as a result of poor drafting.

We do not have any problems with the amending Bill, except in one area, and that is not so much a problem as a matter for concern. However, even in that aspect, the amending Bill is deficient also.

I refer to clause 3 of the Bill which proposes to amend section 42 of the Act. Section 42, so far as it is relevant, reads as follows—

> 42. (1) Without prejudice to any power otherwise conferred, a superintendent may authorise and direct the restraint of a prisoner where in his opinion such restraint is necessary—
>
> (c) to prevent the escape of a prisoner during his movement to or from a prison.

The proposed amendment is to add the words "or during his temporary absence from a prison".

Bearing in mind the separation of powers between prison officers and police officers and other law enforcement authorities, it seems to us that the proposed amendment is much too broad. There could be occasions when a prisoner's temporary absence from prison would be such that the superintendent or other prison officers would not have power to prevent the prisoner's escape. For example, in the case of a prisoner on work release, such a prisoner would not be under the control of a prison officer. A prisoner under certain forms of escort may be under the control of a police officer rather than a prison officer; he may be under the control of various other officers at the time.

It seems to me that the clause ought to be restricted to circumstances in which a prisoner is temporarily absent from a prison and under the control of the prison and not absent from the prison under someone else's control. I have not drafted an amendment because it seems a rather simple matter to rectify, perhaps by adding after the words "or during his temporary absence from a prison" the words "where under the control of an officer".

I remind the Minister that an officer is someone appointed in accordance with section 13 or 16 of the Act. This would mean that if a prisoner were temporily absent from prison and under the control of a prison officer or another officer of the Prisons Department, the superintendent would have power to authorise and direct his restraint. However, if a prisoner were temporarily absent for some other reason, he would not fall within the province of the superintendent to authorise and direct his restraint because, as in the case of a prisoner who has completed an escape from a prison, his escape becomes the prerogative of the Police Force or other law enforcement agencies. If a prisoner has been on work release and at the conclusion of the day does not return to the prison hostel, although he has attempted to escape during his temporary absence this would not fall within the province of the superintendent to authorise and direct his restraint; rather, it would fall within the province of the Police Department or other law enforcement agencies.

Having asked the Minister to direct his attention to that aspect of the legislation, I conclude by saying, with that exception, the Opposition supports the Bill.

MR HASSELL (Cottesloe—Minister for Police and Prisons) [2.53 p.m.]: I thank the member for Fremantle for his indication of the Opposition's support of the Bill. Does the member intend to move an amendment?

Mr Parker: As it is a relatively simple matter I thought perhaps you might be able to move it yourself.

Mr HASSELL: Perhaps I will deal with the matter now. I do not agree with the point the member has raised. Section 42 of the Act as it stands and as it will be amended is quite clear in its reference to the prison context and the authority of the Prisons Department. It begins with the words "without prejudice to any power otherwise conferred, a superintendent may authorise and direct the restraint of a prisoner where in his opinion such restraint is necessary" and then three situations are outlined.

Mr Parker: That is not power conferred on people, but conferred on the superintendent.

Mr HASSELL: It might mean power otherwise conferred on the superintendent or power otherwise conferred. I do not think the member should read it as narrowly as he is; it refers to power otherwise conferred. It is broader than the member is saying it is.

I do not understand his reference to the work release situation where a fellow is on work release and not under any restraint. This is an enabling power and does not require that the prisoner be restrained. It is only where the superintendent forms an opinion that the restraint is necessary that this is needed. It applies only in such circumstances.

I do not think the member's criticism of the drafting is valid, but I am happy to consider his amendment. I do not want to delay the Bill now and I will consider his amendment before the Bill gets to the other place. It is not a matter of substance that should delay the passage of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

ROAD TRAFFIC AMENDMENT BILL (No. 2)

Third Reading

Leave granted to proceed forthwith to the third reading.

MR HASSELL (Cottesloe—Minister for Police and Prisons) [2.58 p.m.]: I move—

That the Bill be now read a third time.

MR CARR (Geraldton) [2.59 p.m.]: When replying at the second reading stage yesterday the Minister referred to the amount of consensus that had emerged in this Parliament during the time this matter was before the Parliament and being debated. I think I recall his using the word "milestone". In fact, during the time this Bill has been before the House a considerable amount of consensus between various members in the House has been demonstrated. It was a wide-ranging and general debate on road traffic issues and especially the issues relating to drink-driving offences.

Different points of view were expressed in regard to minor points and measures within the Bill, but it was all within the overall consensus view

that I support all strong measures in regard to road traffic laws. It was a credit to this Parliament that a consensus was reached in this matter; but, on the other hand, no credit is due the Press for the way it failed to report the degree of consensus that has been achieved in this Parliament on this issue.

I referred in my second reading speech to a journalist of *The West Australian* who approached me on Sunday in an endeavour to get me to make some political-scoring statements about the 17 road deaths and to relate that to some policy on the blitz scheme. I indicated that I was not going to be in the business of making emotional or cheap point-scoring statements, but it seems *The West Australian* wanted to convey that impression because of the manner in which it handled its editorial on Tuesday.

Let us look at what the Press has done in regard to reporting this debate since the second reading took place. In a nutshell, it has done absolutely nothing. Both *The West Australian* and the *Daily News* newspapers yesterday and today have not carried one word of reference to this debate. I do not suggest that I expect to pick up *The West Australian* and read a big headline saying, "Government and Opposition agree on worthwhile initiative". I know that is not the way things get done in newspapers. Considering the context of other major stories which have been reported at this time it would have been unreasonable to expect that sort of headline. Nevertheless, it is important to make the point that this Parliament has occupied itself during half of this week's sitting time with the most important issue of the road trauma situation, and because we have reached a level of agreement in this place the Press simply is not interested in that fact.

I would have thought it was a news story in itself that this Parliament was able to reach a consensus on such a wide-ranging, important matter. I am not concerned for myself in terms of my comments being reported because I do not think any one member's remarks played a particularly large role in the overall context of what did happen. A number of members on both sides established that consensus, but it obviously was not of any interest to the local Press. I do not know the reason for that—whether it was simply that the newspapers decided it was not commercially newsworthy to print good news, whether there has been a mix-up between the journalists here and the editors and subeditors who caused it to miss out on seeing the light of day, or whether there is some other conspiracy by which someone at the newspaper does not want the public to know that the Opposition is also in favour of strong measures to come to grips with the drink-driving problem. For whatever reason it was that *The West Australian* and the *Daily News* decided not to interest themselves in this consensus, the result is that the Press has failed in its responsibility.

Firstly, the Press has failed in its responsibility to this Parliament and members of this Parliament. Members of this and other Parliaments have a pretty poor reputation in the eyes of the public. We are seen as being a group of fairly petty yahoo-type people who shout and scream at each other. While sometimes we may conduct ourselves in less than an ideal fashion, the impression that is given to the public is a grossly exaggerated one and the Press should give more attention to the amount of time that is spent in Parliament in reaching agreement with each other. Something like 80 per cent of the legislation that comes before this and other Parliaments is agreed to by each side from a fairly bipartisan point of view. Members of this Parliament do take seriously the general reputation of the Parliament and there is and should be a concern to ensure that the workings of the Parliament are covered in a fairer manner. When something as important as the road toll comes before Parliament—and let us not forget that the Press has been having a lot to say about the road toll and it has been showing photographs of mangled vehicles and reports of deaths and so on, which it considers to be newsworthy—and there is a fairly general consensus, I would have thought that would be a news story.

The newspapers also have failed the public by not reporting this situation. Since I have been the spokesman for the Opposition on traffic matters, I have had discussions with many people involved in traffic control matters generally and one of the points that has regularly been made to me has been the advantage that there would be in dealing with the road trauma situation if a consensus was demonstrated in the Parliament and in the community between parties concerned with the need for strong action. That is one of the reasons I have deliberately attempted to avoid making cheap comments in regard to the road toll.

I have expressed points of view at different times which may have differed from the Government's point of view, but I have placed them in the context of a general consensus that no latitude should be given to drink-driving offenders. If the *Daily News* and *The West Australian*, are really as concerned with the road toll as they appear to be in some of their articles, they should be aware of the value of this consensus in its own right and therefore the newspapers should have been pleased to report that consensus to the com-

munity, but unfortunately that does not seem to be the case.

At lunchtime I received a telephone call from a journalist from a different newspaper who was very keen to write up a story which quoted a number of people, including me, as being critical of the road-blitz type policy. I found myself in a fairly lengthy discussion with this journalist in regard to a couple of aspects of individual differences of opinion between the Government and me. I had to be very repetitive in speaking to this journalist to ensure that he understood the point that the differences I was mentioning were in the context of a general, wide-ranging agreement that there is no scope to take a soft line on drink-drivers.

I thought it appropriate to make those comments to the House. I am pleased that such a consensus on such a wide-ranging subject has been reached in this matter. I am sorry that the public have not been made aware of that in the way I would have hoped.

Mr P. V. Jones: What you are saying is that good news is not news!

MR NANOVICH (Whitford)[3.08 p.m.]: I commented on the Bill during the second reading and also indicated that I supported the Bill as it is a very good Bill which is designed to do what the Government has set out to do; that is, to try to curb the road accident problem we have today.

I agree with the member for Geraldton that the media has done very little about this issue. *The Sunday Times* of 12 September is a glaring example. It says, "Blitz on drink driving" and right alongside it it says, "Road toll 17".

The Bill will give the police stronger powers and will certainly bring some social changes because of its strength. The Bill contains many educational methods which should help the situation. There will be tougher procedures to obtain licences and for those who already hold licences. It provides for increased penalties and will allow courts to impose different methods of punishment for offenders and it will bring about a better emphasis on control, particularly in the area of young people between 17 and 20 years of age. It will concentrate on that age group.

I omitted to express concern about the breath test that is applied when a motorist is caught on the spot by the police and is required to take a breath test. This raises a number of complaints in regard to the method the police use when a person blows into the kit and it does not register to the level of 0.08. Of course, the police officers at times will not accept that and perhaps they will have good reason. Perhaps the person has not taken the test correctly or has deliberately tried to evade applying it properly. In such a case he should be taken to the police station and made to take the proper test on the breathalyser machine. If he registers above the limit he could be arrested and taken to the central police station and given a breathalyser test.

On many occasions a driver of a vehicle is asked to go direct to the central police station to undergo a breathalyser test. I wonder how many members in this Chamber know what a breathalyser machine is like. I do not and I hope I am never put in a situation to find out. Many people do not realise that when they are asked to go to the central police station to undergo a breathalyser test they have automatically been arrested.

If a person has undergone a preliminary test which has resulted in his being under the limit I believe he ought to be allowed to drive on.

With those remarks I indicate my strong support of the Bill.

MR TONKIN (Morley) [3.12 p.m.]: I reiterate the comments made by the member for Geraldton. The matter with which we are dealing is important. There has been a good deal of consensus in relation to this Bill, but unfortunately matters of this kind are often trivialised because the news media is looking for sensationalism. When there is consensus on a Bill there tends to be no publicity given to it at all. The same news media that does not report it when there is a consensus is the same outlet that denigrates members of Parliament and gives the impression that we are not doing much of a job. Perhaps such stories are written by journalists on the job, but not used. I noticed, however, I admit that when the member for Geraldton was speaking there was a lack of activity in the Press Gallery.

If the political process is to work, it must have the respect of the people and it is up to parliamentarians to develop that respect, but of course we often do not do that. Whatever we are doing here this afternoon is being observed by only one or two members of the public. Therefore, what we do in this place as far as the public are aware, will be as reported in the news media. It does not matter how we conduct ourselves in this place if, in fact, no news gets out. When Parliament is conducted with dignity, it appears that that is not news. The only time we get on the front page is when there is some lack of dignity.

I strongly support the comments made by the member for Geraldton who is the spokesman from this party on these matters. I ask that the news media do its part to show that Parliament does

not just consist of empty-headed twits—although I suppose we have our share—but that it also consists of people who have shown, and do show, a great deal of responsibility towards their jobs. This has been evidenced by the way in which the Opposition has handled this matter.

I reiterate that if such facts are not reported, the public have no way of knowing what happens in Parliament. I am continually assailed, as no doubt are other members of the House, by the comments that we never seem to agree with one another. I make the point that there is agreement on 70 to 80 per cent of the matters coming into this place. I sometimes issue media releases congratulating the Government on something and none of them has seen the light of day—they have not been printed.

Mr I. F. Taylor: I don't suppose you get to write them very often.

Mr Old: He said 70 to 80 per cent of the time.

Several members interjected.

Mr TONKIN: The main thrust of my comment was not to score from the Government, but to make a different point altogether. The point of the matter is that if we do attempt to show there is a great deal of consensus, the news media should reflect this. Members should bear in mind that the sport of politician baiting is a most popular one in Australia and if it succeeds, and there is no respect for politicians and the political process, something will have to be put in its place. I do not know whether the public, the news media, or members have considered some of the alternatives to this process. Clearly, if this process is denigrated, it further fails in its job and may be replaced.

I am not over enthusiastic about some of the replacements for it. It is not just a question of when one sees a head one kicks it, or a question of having a bit of fun at politician baiting. It is a question of destroying respect for the political process; helping to ensure that people who have a sense of dignity will not want to go into this profession, leading to an even greater lowering of standards; and once on that downward spiral having to think about what can be done about it.

Are we to have no respect for the political process? In any punitive law keeping we may have in the sense of the Police Force or the courts, if the majority of Australians lose respect for the law and decided to take little notice of it it would be impossible—as it is in any society—for any Police Force or system of justice to hold back the flood-waters. It would not be possible. Therefore, the system does depend, as any social system does, on a great deal of consensus despite our difference. The conservative party and the Australian Labor Party agree on the main ways in which this society should develop and the main ways in which it should be governed.

I make that point deliberately; in spite of the differences, which are considerable, we agree basically. That kind of attitude should be made clear to people because once they get an erroneous impression that there is no consensus, any society must disintegrate. I ask whoever is responsible at any level in the news media that they should not always trivialise and sensationalise politics, which as Einstein said, is more important and more difficult than physics because it touches everyone's lives. I know it is often said by the media that it gives the public what they want. That is too simple a cop-out, because every time the public picks up a newspaper or watches television they are being educated to accept something. It is not just a question of the media catering to a taste; it is forming a taste and developing expectations.

On several occasions I have noted that the commercial television stations have said, "That may be an important subject to you, but if we put it on no-one will watch our channels." Then they are amazed when a programme like that about System 6 which was shown on Channel 9 some years ago has to be repeated in prime viewing time because the demand is enormous. People are not as stupid or disinterested in matters of importance to society as the media or politicians often think.

People want something sober and of great importance, as well as the titillation, and they will read it or watch it or listen to it. I ask the news media to take its responsibilities far more seriously. There is no more important branch of our society than the news media. It determines what large numbers of Australians think about many matters, including politics. That kind of power, as we tried to tell the Government yesterday, carries with it an awesome responsibility.

MR PEARCE (Gosnells) [3.23 p.m.]: Although there has been generous support from all sections of the House for the Government's attempts in this Bill to improve the current tragic road toll situation, I want to add my rider to that support and say I do not think the Bill will be particularly effective. The Government's move may be well motivated, but it is difficult to believe that the Bill addresses itself to the major problem facing us in the high road toll, and in particular drinking drivers. The difficulty with this aspect is the social position that drinking plays in the community. It is foolish to believe that drinking habits can be changed overnight by educational processes,

although as the shadow Minister has said, this is the direction in which we have to go.

The Government has picked those most likely to be involved in accidents while drunk or under the influence of alcohol, and has made the situation more punitive for them. I refer to younger drivers for whom it will be an offence to drive when they have consumed almost any alcohol.

In the Minister's reply to the second reading debate he referred to some research which dealt with drinking statistics and road toll statistics. The information he gave no doubt was very accurate and it was informative. But the most interesting aspect was that the research had no bearing on the proposition he put to the House; that is, that if people drink more there will be more accidents, and if they drink less there will be fewer accidents. Nothing in the Bill will stop people drinking, apart from that section which deals with the small group of drivers in the probationary category.

I was looking for evidence to indicate that there was a significant number of people in the probationary category who were involved in serious accidents when they had a blood alcohol level of less than 0.08, but who were clearly affected by the combination of alcohol and inexperience. No such statistics exist, so I think it is likely that that provision will have no effect on the road toll. It may put a number of young people in gaol or they may be fined and have their licences revoked and their probationary period extended. I am not opposing that provision. I was not in the House at the time, but I would have opposed it had I been here. I cannot see that that measure is likely to be remarkably effective.

What serious action is the Government taking in relation to drinking drivers? It has canvassed the hard options and has abandoned all of them. It has not moved to introduce random breath testing; that option was considered and dropped. The Government looked at the proposition of lowering the permissible alcohol level—

Mr Rushton: Does the Labor Party support random breath testing?

Mr PEARCE: I am not in a position to make a pronouncement on that matter because it is not before the House.

Mr Herzfeld: What is your personal view?

Mr PEARCE: I am not opposed to it. I do not necessarily speak for the party in saying that. The shadow Minister has said we are not adopting a party position on this Bill and that members are entitled to speak their minds.

Mr Herzfeld: It is a rare occasion.

Mr PEARCE: The member for Mundaring will vote down the line with the Minister as he always does.

Mr Rushton: He got it right on every Bill.

Mr PEARCE: The member for Mundaring just happens to agree every time with the Minister. He has the right to express his personal opinion, but he never exercises it. Rights which are not exercised are eventually lost.

Mr Old: What did Bartholomaeus think of it?

Mr PEARCE: I have not discussed it with him. If the Minister wishes to do so, I will give him Mr Bartholomaeus' telephone number.

It is all very well for the Government to ask about my attitude. If Ministers wish to change places with me so that I am able to implement the hard options, I am prepared to do so. I am prepared to take the decisions the Minister for Transport has opted out of taking. There is an election around the corner and the Government doesn't want to upset too many people.

Mr Rushton: That is not a responsible attitude. You do not speak for the party and yet you are willing to make the decisions.

Mr PEARCE: It seems unreasonable to demand to know in advance my attitude towards a proposition the Government is not prepared to bring before the Chamber.

Mr Rushton: We have made our decision.

Mr PEARCE: A decision not to deal with these matters.

Mr Herzfeld: We have rejected it.

Mr PEARCE: That is right. The Government has taken the soft option and put it forward as a solution to the road toll.

Mr Herzfeld: If you had integrity and believed in random breath testing you should have introduced an amendment.

Mr PEARCE: How can I introduce an amendment when that aspect is not covered in the Bill? Does not the member for Mundaring know the Standing Orders? One is not entitled to move all sorts of amendments because an Act is being amended.

Mr Clarko: You could introduce a private member's Bill.

Mr Tonkin: They have a lot of success.

Mr PEARCE: That option is available and I have five or six such Bills before the House at present. None of them has ever been successful.

Mr Tonkin: That is more than the Minister for Education has introduced.

Mr Clarko: I brought in one.

Mr Rushton: The real test is the result. We have had better success without random breath testing than has any other State.

Several members interjected.

Mr Tonkin: There is nothing to smile at and be pleased about—not if you believe in the Westminster system.

Mr Clarko: I was not smiling.

Mr PEARCE: I am not seeking, at the third reading stage, to redraft the Bill. I am saying that the efforts of the Government to reduce the road toll are commendable and they have received the support of all sections of the House, including me. I voted for the second reading.

However, I am saying that the Bill is a cosmetic one—the Government has discarded the hard options and gone for the soft options. It is not likely to be successful. I have pointed to the hard options that are available and these should have had more consideration. If the Government had taken the action I believe it should have taken, it would have put these options before the House—even if unpalatable—and given the members a chance to vote on them.

Mr Rushton: I am just saying we have been more successful in Western Australia with what we are doing than has been any other State. So why go to things that will not work? We have the facts and figures.

Mr PEARCE: What sort of facts and figures does the Minister base that on? The Minister has not given the authority on which he has based that amazing assertion.

Mr Rushton: It is not an assertion, it is based on facts.

Mr PEARCE: What facts?

Mr Rushton: Facts that are available to you, through statistics.

Mr PEARCE: Clearly they are not available to me through the Minister.

Mr Rushton: I am not responsible for them.

Mr PEARCE: If we compare the road toll statistics of Perth and other Eastern States capitals, we must take account of different traffic densities and a whole range of other factors.

Mr Herzfeld: Those statistics are available.

Mr Rushton: Why not produce them?

Mr Tonkin: You are the one making the claim.

Mr PEARCE: I am perfectly prepared to seek leave to continue my remarks at a later stage in order to let the Minister go away to obtain these facts and figures.

Mr Rushton: They are not relevant.

Mr PEARCE: The Minister is not taking up my offer, and I am not surprised at that. It would take the unsuspecting members of his department a lengthy period to search for facts and figures that do not exist in the form the Minister claims they do. Sooner or later this House will have to come to terms with some of the hard options in regard to drinking and driving. I believe one of the hardest options we will have to canvass will be to support a lowering of the alcohol content of beer in Western Australia.

Mr Herzfeld: You will be telling us next you don't want to legalise pot any more.

Mr PEARCE: I would certainly not be in favour—

Mr Herzfeld: The new image!

Mr PEARCE: —of legislation which would enable people to drive motor cars while under the influence of marihuana. For exactly the same reasons, I am not in favour of allowing people to drive while they are under the influence of alcohol, but I am not, in this instance, being hypocritical as is the member for Mundaring. I do not believe that people should drive motorcars while under the influence of alcohol, but I am not saying people ought not to drink. I have admitted in this place before that I certainly do have a drink, but I make every effort not to drive when I may be likely to become at odds with the law or with safety.

I have never smoked or used marihuana in my life, but because it is a drug the chemical structure and effects of which are similar to those of alcohol, I say it is hypocritical to attempt to send people to goal for smoking marihuana. That is my personal opinion; it is not the opinion of my party.

Mr Herzfeld: You do seek to have it legalised?

Mr PEARCE: I think it ought to be legalised, but I will uphold my party's decision on that question when the time comes.

Mr Herzfeld: You would have to do what you are told.

Mr PEARCE: It is not that I would have to do as I am told, but that subject is not relevant to the matter we are discussing.

Sooner or later we will have to come to grips with some of the hard options, including the reduction of alcohol levels in drinks. We will have to attempt to change the habits and patterns of our society. When we are prepared to deal with those, when such matters are included in legislation, we may find that the road toll will fall.

I would like to make one final point about police blitzes. Every three or four months, in a great blaze of publicity, we are told that there will

be a traffic blitz. It seems to me that the chief aim of such a blitz is to arrest drivers, and the blitzes are totally ineffective in reducing the road toll. It has long been recognised by the traffic officers that a blitz is really a body count—the officers must make arrests. Therefore, the officers set themselves up where they are most likely to catch people who are committing traffic offences. A police officer can set himself up 100 yards or so from a sign indicating a reduced speed limit. He will then catch people who may not slow down quickly enough.

Quite clearly the traffic officers do catch people who are breaking the law, but they do not catch the ones who are really creating the risks on the road.

It seems to me to be rather foolish to announce that a blitz is to take place, but it is even more foolish to announce that a traffic blitz is ending. When one picks up a newspaper and reads that a traffic blitz is ending at 12.15 p.m. that day, what is that but an invitation to drivers to revert to careless habits, if that is the way they drive? An analogy to this situation would be to let burglars know that they will be arrested until Monday afternoon, and then they can go back to business as normal. That does not seem to be a particularly intelligent way to go about law enforcement in this State. We must influence drivers to drive in a more responsible way than they do at present.

I intend to vote for the third reading of the Bill, but I will be doing so with less optimism than has the Minister that my "Yes" vote will be saving any lives.

MR HASSELL (Cottesloe—Minister for Police and Prisons) [3.37 p.m.]: I do not really think I have any matters on which to respond in respect of the comments of the member for Geraldton and the member for Morley, both of whom were really directing their remarks to the media and the media's coverage of the debate in this House. I was in turn disappointed at the electronic media response to the debate because I thought it missed the essence of the point I had sought to make. Be that as it may, that matter is not within my province.

So far as the member for Whitford is concerned, he added to the comments he made during the second reading debate. I thank him for those remarks. In general it is my understanding that where a preliminary test is taken by a police officer and that test does not result in a recording of 0.08 on the digital readout preliminary test machine, or it does not result in a change of colour in the crystals in the older type machine, the motorist is not, and cannot be, required to take the breathalyser test. The member for Whitford tells me that in some cases where there is a suspicion that the test has not been taken properly or that the motorist has obstructed the test, the offender is still required to take the test. That is fair enough. I am aware of his concern about some of those mattters, and I will have them checked.

I now come to the remarks of the member for Gosnells. He must be seen as a disappointment to his own party, and an embarrassment to the Opposition spokesman on this matter. He really demonstrated the fact that there is a fairly deep division, as I had gathered, in the Australian Labor Party about these measures. Whereas the spokesman for the Opposition was saying that we have random breath testing and we should not be semantic in suggesting that we do not have it, the member for Gosnells says we should be facing up to the issue of random breath testing and other hard options.

The member for Gosnells criticised the Government and the police for their actions in dealing with the road toll. At the same time he seemed to dispute the statistically established fact that currently we have the lowest number of deaths per 10 000 vehicles on the roads of any State of Australia, because he wanted to introduce statistics relating to other factors such as the density of traffic, etc.

Be that as it may, I want to make one point in relation to this matter, because the member for Gosnells really touched again on the issue I raised yesterday and that is, in dealing with one of the key provisions in this package of legislation, there seems to be a lack of preparedness on the part of the Opposition to put its weight behind the prohibition on probationary drivers from having any detectable level of alcohol in their blood.

I did not purport to produce the article I referred to yesterday as a means of providing direct support for that particular proposition. I produced that article as a demonstration of the proven link between alcohol and accidents in the younger age group.

Mr Pearce: I did not dispute that, you know. I agree with that.

Mr HASSELL: Of course, the central provision of our legislation relating to probationary drivers affects a high proportion of younger drivers, because statistically they comprise the bulk of probationary drivers.

The member for Gosnells and other members opposite cannot have it both ways. They cannot say that they support these measures and then go out into the arena and, by implication, suggest they did not support them previously, they do not

support them now, or they regard them as discriminating against young people. Members opposite must be prepared to say, "Yes; we support them, because they are good measures" or, "No; we do not support them, because we do not like them". To do anything less than that is to be less than straightforward in what members opposite themselves acknowledge to be a debate on a very important issue. Most members opposite gave that acknowledgment and commitment.

It is a pity the member for Gosnells has come in at this very late stage of the debate and raised a whole range of new issues and criticisms which were not supported by his colleagues and which do little more than indicate his ignorance of the subject.

Mr Pearce: I shall indicate your ignorance of what I said, because I said that I will support these issues, but I pointed out I did not think they would be very effective. That is a perfectly logical proposition which you have attempted to exclude in what is called the "fallacy of the excluded middle" in what you said just then.

Mr HASSELL: The member for Gosnells' remarks must have been no less than an embarrassment to the spokesman for the Opposition.

Mr Carr: That is not true. I made it very clear on Tuesday that there were a whole range of different, single items in the Bill and the package and a range of different views existed. What the member for Gosnells has said is quite within the context of that. A number of members on this side strongly supported that particular measure. The member for Gosnells has expressed some reservations about it. I said I had some reservation about it also, so what is so special about that?

Mr HASSELL: The member for Gosnells raised all sorts of new issues. He cut right across the whole debate and lowered the tone of the approach which had been adopted.

Mr Carr: That is just not true.

Mr Pearce: I reject that.

Mr HASSELL: Of course the member for Gosnells rejects that, because he loves to get on his feet and talk and that is what he has done on this occasion. He has contributed nothing to what his colleagues have acknowledged is an important debate on an important issue and, as to his remarks about the Government or the House having to face up to the tough issue of random breath testing and the lowering of the alcoholic content of drinks, those issues have been faced up to by the Government. As the Deputy Premier said by way of interjection, we have made our decisions on those issues and, on more than one occasion, not just in this debate, but also elsewhere, the Opposition spokesman has said the Opposition supports the Government's decisions on those issues. Presumably that is something on which the community can rely and it is not something which can simply be denied in the spirit of a moment of convenience, because the member for Gosnells wants to have a chat.

Mr Pearce: You can't have it both ways.

The ACTING SPEAKING (Mr Crane): Order!

Mr Pearce: You criticised me for—

The ACTING SPEAKER: Order!

Mr Pearce: You can't win!

The ACTING SPEAKER: Order! The member for Gosnells will not win if he interjects while I am on my feet.

Question put and passed.

Bill read a third time and transmitted to the Council.

BILLS (6): ASSENT

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

1. Supreme Court Amendment Bill (No. 2).
2. Administration Amendment Bill.
3. Workers' Compensation Supplementation Fund Amendment Bill.
4. Carnarvon Banana Industry (Compensation Trust Fund) Amendment Bill.
5. Western Australian Meat Industry Authority Amendment Bill (No. 2).
6. Consumer Affairs Amendment Bill (No. 2).

MINE WORKERS' RELIEF AMENDMENT BILL

Second Reading

Debate resumed from 25 August.

MR I. F. TAYLOR (Kalgoorlie) [3.47 p.m.]: In an endeavour to continue the 70 to 80 per cent support average for Bills coming before the House, as mentioned by the members for Morley and Geraldton earlier today, I indicate the Opposition supports the Bill.

This Bill seeks to ensure the early winding up of the mine workers' relief fund. In September 1976 the Mine Workers' Relief Board agreed unanimously that, because its role had been taken over by various factors such as increased social security benefits, and the fact that the benefits available through the mine workers' relief fund

had been eroded by time, it was no longer necessary to maintain the functions of the board.

It might be said the majority of beneficiaries of the mine workers' relief fund at that time agreed the fund should be wound up and lump sums paid. As a result of that decision, in 1980 a Bill was introduced into the House which put into effect the decisions of the committee set up to advise the Government on the various ways in which the mine workers' relief fund could be wound up.

Principally that committee suggested to the Government the fund should be wound up over a period of three years three months, and the beneficiaries should be offered a lump-sum redemption of their fortnightly entitlements and a share of any surplus of the fund at the time of winding up. When that legislation came before the House, it received the support of the Opposition.

The need for the Bill under discussion goes back to last year when the Workers' Compensation Bill was introduced and passed by the Parliament. That legislation enabled silicotic miners in receipt of a pension at 65 years of age or over to claim a lump-sum redemption amount up to a maximum of $20 000.

I understand that in September 1981 the Secretary of the Mine Workers' Relief Board wrote to the Government and suggested that, as the Workers' Compensation Act had passed through the Parliament, difficulties might occur in winding up the mine workers' relief fund, because the fund pay out could not be made in relation to beneficiaries of the lump-sum redemption under the Workers' Compensation Act which in fact worked off that lump sum.

In a letter dated 4 September 1981 the secretary of the board wrote to the Superintendent of the Mine Workers' Relief Fund. In part it states—

> If workers accept this lump sum and are current contributors to the Mine Workers' Relief Fund, they would be eligible to claim benefits from this Fund.
>
> There is, however, a hindrance to their being granted benefits from the Fund immediately. Contained in Sections 48, 53 (2) and 56A there is a requirement that where the workers' compensation claim has been finalised by payment of a lump sum, the recipient is not entitled to benefits from the Fund until effluxion of the period in respect of which the lump sum payment was made.

The Government was advised in September 1981 of this position. It is a little disturbing that we have had to wait until now for this legislation to come before the House. The amounts to be paid as a result have been cited by the Minister.

The Bill deletes provision for contributions by prospectors and brings prospectors into line with others in the industry. As far as I can determine, the 1981 annual report of the Mine Workers' Relief fund indicated only three prospectors contributed to the fund at that time; therefore the Opposition does not raise any concern in regard to that matter.

The 1981 annual report of the fund highlighted some points. The total value of the fund increased by 17 per cent to $2.7 million; income increased by 15 per cent to $557 000; expenditure by three per cent to $146 000; and the surplus by 20 per cent to $411 000. That sort of report would be welcomed by any Government, irrespective of its political complexion.

I spoke to some members of the board presently working on the fund, and they indicated to me their support of this legislation, and for that reason the Opposition supports the Bill.

MR P. V. JONES (Narrogin—Minister for Mines) [3.53 p.m.]: I thank the member and the Opposition as a whole for their support of the Bill. The only point I make is that the member mentioned a 1976 report to the Government. My advice was that the report was given to the Government in 1978.

Mr I. F. Taylor: I read 1976, and saw in there also the year 1978, so I went back to the *Hansard* report, and it mentioned 1976.

Mr P. V. JONES: In my second reading speech I referred to 1978.

Mr I. F. Taylor: I believe it was 1976.

Mr P. V. JONES: I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

QUESTIONS

Questions were taken at this stage.

BILLS (2): RETURNED

1. Road Traffic Amendment Bill.
2. Western Australian Institute of Technology Amendment Bill.

Bills returned from the Council without amendment.

House adjourned at 4.38 p.m.

QUESTIONS ON NOTICE

ADVISORY BODIES

Membership

1328. Mr BRYCE, to the Minister for Industrial, Commercial and Regional Development:

(1) In respect of the following bodies—

(a) Industrial Lands Development Authority;

(b) the technology review group;

(c) the Perth Mint;

(d) advisory committee on industrial development (Kwinana);

(e) inventions advisory committee—

(i) Who are the people who comprise the membership of such bodies;

(ii) what is the occupational background of each member;

(iii) what is the term of appointment to each body and when was each member appointed;

(iv) on how many occasions did the bodies meet during the last financial year; and

(v) what is the amount and basis of payment of financial allowances to members of each body?

(2) What other departments, statutory corporations, regulatory bodies, quasi-judicial bodies, trustees and advisory committees are responsible to him as Minister for Industrial, Commercial and Regional Development, the North West, and Tourism?

Mr MacKINNON replied:

(1) (a) Industrial Lands Development Authority—

(i) R. J. Fisher,
R. F. Boylen,
I. D. Carr,
C. C. Cheyne,
B. L. O'Halloran,
F. B. N. Hodges.

(ii) Director, Department of Industrial, Commercial and Regional Development;
Deputy Under Treasurer;
Town Planning Commissioner;
Retired;
Under Secretary for Lands;
Secretary and Manager, Industrial Lands Development Authority;
respectively.

(iii) Ex officio: October 1981;
3 years: September 1972 and reappointed;
ex officio: December 1972;
indefinite: February 1981;
ex officio: September 1979;
ex officio: May 1979;
respectively.

(iv) 13.

(v) Mr Cheyne receives the standard Public Service allowance for attendance on authority business, which is currently at the rate of $72 per full day and $48 per half day. No other member is in receipt of any emolument in respect of his membership.

(b) Technology review group—

(i) S. Morgan,
J. Harris,
Dr D. Watts,
Prof J. Wager,
G. Aves,
L. Smith,
L. Marsh,
D. Moore,
I. Court,
D. Timms,
A. Kingsley.

(ii) General Manager, Westralian Forest Industries Ltd.;
Company Director, John Harris and Associates;
Director, WAIT;
Associate Professor Mechanical Engineering UWA;
Assistant Director, Department for Community Welfare;
Assistant Under Secretary, Department of Labour and Industry;
Acting Director, Department of Science and Technology;
Chief Executive Officer, Government Computing Centre;
Secretary, Municipal Officers' Association;
Managing Director, P. C. Timms and Co.;
Deputy Director, Department of Industrial, Commercial and Regional Development;
respectively.

(iii) Technology review group was appointed in July 1981 for a period of three years after which its ongoing role is to be reviewed.

Individual members were appointed as follows:—

December 1981;
December 1981;
July 1981;
July 1981;
July 1981;
July 1981;
September 1981;
July 1981;
August 1982;
July 1981;
July 1981;
respectively.

(iv) 14.

(v) $1 818 was paid in fees.

Fees are paid to those members who are not employed by Government (State or Federal) funded bodies. Current rates of payment are $64 to the chairman and $48 to members for attendance.

(c) Perth Mint.

The Perth Mint is responsible to the Minister for Mines, Fuel and Energy, and Resources Development.

(d) Advisory committee on industrial development (Kwinana).

The advisory committee established under the Industrial Development (Kwinana Area) Act is effectively defunct and has not met in recent years.

Under the provisions of the Act, the advisory committee comprises the Surveyor General, the Director of the Department of Industrial Development, a member of the Town Planning Board, and a representative of the Chamber of Manufacturers.

(e) Inventions advisory committee—

(i) W. F. Prendergast,
E. McDonald,
A. Mitchell,
J. Miller,
P. Kalmund,
E. Krause,
Prof A. Morkel,
P. Mahoney.

(ii) Science graduate and private tutor;
architect and businessman;
inventor and technician, Secretary, WA Branch of Inventors Association;
Assistant Director, Wesfi;
mechanical engineer, Public Works Department;
Technical Director, Westralian Equipment Pty. Ltd.;
Professor of Management, Department of Management, University of W.A.;
Assistant Director Department of Industrial, Commercial and Regional Development;
respectively.

(iii) 24 August 1981,
26 March 1979,
26 March 1979,
26 March 1979,
5 September 1980,
26 March 1979,
8 September 1981,
11 April 1981.

All members are appointed for a period of three years.

(iv) 4.

(v) No payment is made to members.

(2) Small Business Advisory Service Ltd;
WA Film Council;
Western Australian Overseas Project Authority;
Finance review committee;
Middle east study group;
Consultative committee on WA products and services;
Kimberley regional development committee;
Pilbara regional development committee;
Gascoyne regional development committee;
Geraldton mid-west regional development committee;
Central eastern regional development committee;
Eastern goldfields—Esperance regional development committee;
Central south regional development committee;
Great Southern regional development committee;
South-west regional development committee.

Western Australian Department of Tourism;
Western Australian Tourist Advisory Council.

Office of North West—

(i) Camballin irrigation area— departmental advisory committee;
(ii) national communications satellite—State advisory committee;
(iii) Coastal surveillance—Departmental advisory committee;
(iv) Zone taxation matters—State advisory committee;
(v) Northern Australia development council—State representatives;
(vi) Wittenoom—departmental advisory committee.

1350. *This question was postponed.*

ABATTOIR: ROBB JETTY

Profit or Loss

1372. Mr EVANS, to the Minister for Agriculture:

(1) What has been the level of profit or loss incurred by Robb Jetty abattoirs in each year since the management was taken over by the WA Meat Commission?

(2) What was the level of profit or loss incurred by Robb Jetty abattoirs in each of the three years prior to its management being taken over by the WA Meat Commission?

(3) (a) Has he called for a report on the Robb Jetty meatworks financial position and projected viability;
(b) if "Yes" to (a), when is it expected that this report be available;
(c) will he table a copy of this report in the Legislative Assembly, and if not, why not?

Mr OLD replied:

(1) 1976-77 $ 11 368 profit
1977-78 $792 366 loss
1978-79 $380 648 loss
1979-80 $160 995 profit
1980-81 $ 50 291 profit
1981-82 Not yet tabled in the House.

(2) 1973-74 $416 200 loss
1974-75 $109 892 loss
1975-76 $269 062 loss.

(3) (a) Yes;
(b) October 1982;
(c) when the report is available it will be studied and the necessary action will be determined at that time.

BUILDING INDUSTRY

Reflective Glass Cladding

1375. Mr DAVIES, to the Minister for Local Government:

(1) Have inquiries being made into the use of reflective glass cladding on building been finalised?

(2) If so, with what result?

(3) If not, when will the matter be finalised?

Mrs CRAIG replied:

(1) Yes.

(2) and (3) Crown Law has been asked to prepare amendments to the Uniform Building By-Laws to require specific approval to the exterior use of reflective glass in building construction and for that approval to be withheld if adverse effects are likely.

ROADS

Jarrah Road and Kent Street

1376. Mr DAVIES, to the Minister for Agriculture:

(1) Referring to question 2208 of 1981 regarding Jarrah Road and Kent Street, has a decision yet been reached on a likely new exit road from the department's property?
(2) If so, what is the decision?

Mr OLD replied:

(1) The Minister for Urban Development and Town Planning has rejected the proposal to cul-de-sac Jarrah Road and a new exit road is no longer desirable.
(2) Not applicable.

TRAFFIC

Mill Point Road and Orrong Road

1377. Mr DAVIES, to the Minister for Transport:

(1) Does the Main Roads Department have any figures for traffic flow in any part of—
  (a) Mill Point Road, South Perth;
  (b) Orrong Road (Rivervale-Kewdale)?
(2) If so, what are the latest figures available?

Mr RUSHTON replied:

(1) Yes.
(2) Details are as follows—

		Average weekday 24-hour flow
(a)	Mill Point Rd west of Mends St Aug 1982	19 442
	Mill Point Rd west of Douglas Ave Aug 1982	17 312
	Mill Point Rd east of Douglas Ave Aug 1982	12 458
(b)	Orrong Rd Kewdale railway crossing Feb 1982	11 317
	Orrong Rd east of Alexander St Sept 1979	19 620
	Orrong Rd west of Alexander St Sept 1979	15 370

FUEL AND ENERGY: ELECTRICITY AND GAS

Accounts: Participating Banks

1378. Mr DAVIES, to the Minister for Fuel and Energy:

(1) What charge is made by participating banks for handling payments of State Energy Commission accounts?
(2) What proportion of accounts are paid through banks?

Mr P. V. JONES replied:

(1) Charges vary between banks, but average approximately 61c.
(2) Approximately 49 per cent.

AUSTRALIA POST

Water Accounts

1379. Mr DAVIES, to the Minister for Water Resources:

(1) What charge is raised by Australia Post for handling payments of WaterAuthority accounts by the public?
(2) What proportion of accounts are paid through post offices?

Mr MENSAROS replied:

(1) The charge by Australia Post is renegotiated annually and for 1982-83 is 64c per receipt issued plus 11c if the payment is made by cheque.
(2) The proportion of accounts received through Australia Post for 1980-81 was 25 per cent and for 1981-82 34 per cent. For July-August 1982 approximately 41 per cent of accounts were paid through Australia Post.

GOVERNMENT DEPARTMENTS AND INSTRUMENTALITIES

Press Secretaries and Public Relations Officers

1380. Mr PARKER, to the Premier:

Referring to my question 1092 of 1982 relating to Press and public relations employees in Government departments, is he now in a position to provide me with a reply?

Mr O'CONNOR replied:

The initial question asked by the member, referred to the employment of any new Press secretaries, public relations

officers, public relations consultants and firms by Government departments and instrumentalities.

To answer the question satisfactorily, all departments and instrumentalities have had to be circularised, and it is hoped that in the next few days all the replies will be in; following which the answers will be provided to the various questions represented.

TRANSPORT: BUSES

MTT: Sackings

1381. Mr PARKER, to the Minister for Transport:

(1) (a) With regard to the two senior employees of the MTT who were forced to resign at the end of April, have either of the employees been re-employed by the trust; and
(b) if so, in what position and on what conditions?

(2) (a) Has the MTT reached a settlement with either of the employees; and
(b) if so, what are the terms and conditions of such settlement?

Mr RUSHTON replied:

(1) (a) and (b) Two MTT officers did resign their positions at the end of April. One was subsequently re-employed in his former position, subject to a review of his performance in October 1982.

(2) (a) and (b) An agreement has been made between the MTT and the other employee to the satisfaction of both parties; one of the conditions being that unless otherwise agreed between the parties no public statement would be made in regard to the details of the agreement.
In these circumstances I do not propose to breach the confidence which the parties wish to observe.

GAMBLING: TWO-UP

Raid: Cost and Responsibility

1382. Mr PARKER, to the Minister for Police and Prisons:

(1) Who was responsible for the decision to mount the raid on the Kalgoorlie bush two-up on Friday, 3 September 1982?

(2) Why was the raid carried out by 12 police officers from Perth rather than using members of the Kalgoorlie force?

(3) Why were members of the Kalgoorlie force not made aware of the raid until the last minute?

(4) What was the cost of the operation?

Mr HASSELL replied:

The Opposition has attacked the raid in a number of ways. It ought to be prepared to say that this law should not be enforced, or say how the law be changed.

The member suggested a change of the law affecting two-up but this was not supported by his colleagues.

Vague reference to a review of the law is hardly sufficient to dispel the suspicion that the ALP, if ever in government, would give a political direction to the Commissioner of Police not to enforce the law.

The Opposition spokesman and the Opposition cannot avoid the difficulty of making a commitment on all issues simply by suggesting that if, by any chance, they were in government, they would review the position.

The Commissioner of Police advises—

(1) The Commissioner of Police.

(2) The raid was a combined operation between police personnel in Perth and Kalgoorlie.

(3) Personnel in Kalgoorlie were made aware of the raid in sufficient time to discharge efficiently their allotted duties.

(4) It is not policy to disclose police operational costs.

FISHERIES

Trout

1383. Mr PARKER, to the Minister for Water Resources:

(1) Has he or the Metropolitan Water Authority received representations from the WA Trout and Freshwater Angling Association or other bodies or persons advocating some degree of access to water supply dams for the purpose of trout breeding and/or fishing?

(2) If "Yes", from whom have these representations been received and when?

(3) What has been his or the authority's response, and why?

(4) Do other—

(a) States;

(b) countries;

permit this form of activity in their water supply dams?

(5) (a) If "Yes" to (4), have any studies been done showing the effects on quality of water supply and health considerations as a result of that access; and

(b) if so; what are the results?

Mr MENSAROS replied:

(1) Yes.

(2) From the WA Trout and Freshwater Angling Association in 1981, 1976, and earlier, a Mr P. E. Boggin in 1981, and Mr R. Lenanton, Senior Research Officer, WA Marine Research Laboratories in 1980.

(3) The requests have been refused. The activities are contrary to the authority's by-laws relating to pollution of catchments. Where public water supplies are fully treated some water supply authorities permit limited trout breeding and fishing. The cost of providing and operating such water treatment plants is high and would add considerably to the charges to be borne by the authority's customers.

(4) (a) and (b) There are instances where such activity is permitted.

(5) (a) I am unaware of any studies carried out in this country relevant to trout breeding and/or fishing in public water supply dams that rely only on disinfection by chlorination to meet National Health and Medical Research Council criteria for desirable quality for drinking water in Australia;

(b) not applicable.

FISHERIES

Trout

1384. Mr GORDON HILL, to the Minister for Water Resources:

(1) Has the WA Trout and Freshwater Angling Association made approaches to the Metropolitan Water Authority requesting access to the upper reaches of reservoirs?

(2) If "Yes", is the Metropolitan Water Authority prepared to grant access for the purposes of freshwater fishing?

(3) If "No" to (2), why not?

Mr MENSAROS replied:

(1) Yes.

(2) No.

(3) The authority relies on disinfection by chlorination to meet criteria for desirable quality for drinking water in Australia specified by the National Health and Medical Research Council.

Fishing and related human activity on or near the water storages could introduce additional bacteriological or other pollution requiring full treatment facilities. Such water treatment facilities are costly to provide and operate and would result in higher charges for the authority's customers.

GOVERNMENT DEPARTMENTS AND INSTRUMENTALITIES

Telegrams

1385. Mr BRIAN BURKE, to the Minister for Fuel and Energy:

(1) Further to question 1171 of 1982 concerning the cost of sending telegrams to Government departments and his statement that he was anxious to ensure that the Government's instruction was correctly received by the departments, and was not subject to any misinterpretation, is he aware that—

(a) a number of telegrams were not received by departments until the morning after the blackout and after the State Energy Commission dispute was over;

(b) a number of telegrams were received by post?

(2) Does he still concede that spending $2 600 on telegrams was the most effective method of advising Government employees to economise on power during the dispute?

Mr P. V. JONES replied:

(1) and (2) I am not aware of the Leader of the Opposition's allegation. If the circumstances are as he suggests, then it is more of a commentary on the inefficiency of Telecom than on the good intentions of the State Energy Commission.

In similar circumstances the SEC will again take action to advise Government departments and instrumentalities.

EDUCATION: SCHOOL BUS

Pingelly-Wandering

1386. Mr PEARCE, to the Minister for Education:

(1) Has he received an application from the Kulila Association for a subsidy for the bus service they operate for Aboriginal schoolchildren from Wandering to Pingelly each school day?

(2) What action does he intend to take on this matter?

Mr CLARKO replied:

(1) Yes.

(2) A letter has been written to the association offering assistance.

ZOOLOGICAL GARDENS

Conditions: Improvement

1387. Mr PEARCE, to the Minister for Lands:

What plans does the Government have to improve the conditions under which elephants, tigers and monkeys are kept at the Zoo?

Mr LAURANCE replied:

The elephant will be relocated in a new enclosure in accord with the zoo's redevelopment plan adopted in 1974.

The tigers' new enclosure has been designed and construction awaits the success of the "Great Cats' Appeal".

The working designs for the re-housing of the monkeys are complete and are expected to go to tender within weeks.

1388. *This question was postponed.*

MINERAL SANDS

Forrest and Minninup

1389. Mr BARNETT, to the Minister for Conservation and the Environment:

(1) Is he aware that Cable Sands Pty. Ltd., is planning to commence sand mining operations soon at Minninup near Bunbury and at Forrest near Stratham?

(2) What are the estimated reserves of mineral sands at each of these sites?

(3) How long will the sand mining process take at each of these sites?

(4) Is he aware that similar operations in New South Wales and Queensland have led to degradation of the coastal environment and that there was widespread public opposition to further mining at Myall Lakes and Frazer Island?

(5) Are adequate precautions being taken to ensure that blowouts do not occur in the sand mined dunes at Minninup and Forrest?

(6) Can he give any examples of the successful rehabilitation of coastal dunes which have been mined for mineral sands in Western Australia?

(7) (a) Is he aware that in previous sand mining operations in the Wonnerup area significant amounts of radioactive tailings were left behind;

(b) which company or companies were involved in sand mining at Wonnerup?

(8) What action is being taken to decontaminate this area?

(9) Who is paying the costs of this decontamination procedure?

(10) Who is responsible for the cleanup and for ensuring that the area is safe?

(11) Will he make available to me the result of the radiation survey in the Wonnerup area?

Mr LAURANCE replied:

(1) I am aware that Cable Sands Pty. Ltd., is planning to commence sand mining operations at Minninup in 1983-84.

(2) Not known.

(3) I understand sand mining will take place at Minninup for approximately three years.

(4) I am not aware that the sand mining operation at Minninup is similar to operations in New South Wales and Queensland as the Minninup operation will not adversely affect primary dunes.

(5) Yes.

(6) No, there are no previous examples of mining of this sort having been carried out in this State. The EPA has recommended conditions of mining which will ensure that the rehabilitation programme proposed for the Minninup operation will be carefully and successfully carried out.

(7) to (11) Should be referred to the Minister for Health.

WATER RESOURCES: SALINITY

Levels

1390. Mr PARKER, to the Minister for Water Resources:

(1) Is he aware of an answer to question 4584 of the House of Representatives given by the Federal Minister for Health, Mr Carlton, in which he reveals—

(a) that the level of total dissolved solids in the drinking water of Perth is by far the highest of any capital city;

(b) that the level of sodium in the drinking water of Perth is exceeded only by Adelaide, and exceeds by a factor greater than 10, the levels in Melbourne, Hobart, Darwin and Canberra?

(2) What are the reasons for these high levels?

(3) Are the high levels of the Perth supply one of the subjects of investigation by the National Health and Medical Research Council working party on sodium in the Australian diet?

(4) Has he or the Metropolitan Water Authority had an input into this inquiry, and if so, what?

(5) Is his department concerned by the implication in part (4) (a) (ii) and (b) (ii) of the Federal Minister's answer that there is cause for concern at the levels in Perth's water supply on public health grounds?

(6) If "Yes", what does he intend to do about it?

Mr MENSAROS replied:

(1) (a) It is incorrect to state that the answer given by the Federal Minister for Health reveals that the level of "total dissolved solids" in the drinking water of Perth is by far the highest of any capital city;

(b) yes.

(2) The salt content of rain in the Perth region is high in comparison to that for most other parts of Australia. Evapotranspiration losses of water from catchment areas and groundwater aquifers are also high. Consequently, the total dissolved solids in the rain become concentrated in the water in rivers and aquifers to levels above those in water sources used by most other Australian capital cities. Nevertheless, water supplied by the Metropolitan Water Authority is below the long term objective of 500 milligrams per litre of total dissolved solids recommended by the National Health and Medical Research Council and the Australian Water Resources Council guidelines "Desirable Quality for Drinking Water in Australia".

(3) It is understood that the National Health and Medical Research Council working party in studying the available data on the sodium content of drinking water in Australia did look at data from the Perth metropolitan supply.

(4) No. I am aware however that an officer of the Public Health Department, who is a member of the NH and MRC has seen a draft report of the working party which was supplied in confidence for committee purposes only.

(5) The Government considers that the Federal Minister's answer in part (4) (a) (ii) and (b) (ii) to question 4584 does not imply a cause for concern on public health grounds at the levels of total dissolved solids and sodium in Perth's water supply.

(6) Not applicable.

WATER RESOURCES: SALINITY

Levels

1391. Mr PARKER, to the Minister for Health;

(1) Is he aware of an answer to question 4584 in the House of Representatives given by the Federal Minister for Health, Mr Carlton, in which he reveals—

(a) that the level of total dissolved solids in the drinking water of Perth is by far the highest of any capital city;

(b) that the level of sodium in the drinking water of Perth is exceeded only by Adelaide, and exceeds, by a factor greater than 10, the levels in Melbourne, Hobart, Darwin and Canberra?

(2) What are the reasons for these high levels?

(3) Are the high levels of the Perth supply one of the subjects of investigation by the National Health and Medical Research Council working party on sodium in the Australian diet?

(4) Has he or the Public Health Department had any—

(a) input into; or
(b) feedback from,

this inquiry, and if so, what is it?

(5) Is the Public Health Department concerned by the implication in part (4) (a) (ii) and (b) (ii) of the Federal Minister's answer, that there is cause for concern at the levels in Perth's water supply on public health grounds?

(6) If "Yes" to (5), what does he intend to do about it?

Mr YOUNG replied:

(1) to (6) See answer to question 1390.

COMMUNITY WELFARE

Emergency Relief

1392. Mr PARKER, to the Minister for Community Welfare:

(1) Has he received a letter from the Reverend J. D. Moody on behalf of the Fremantle emergency relief committee concerning an apparent change in the policy of the Department of Community Welfare on its interpretation, concerning emergency relief provided by the department?

(2) Have there been any changes to—

(a) policy;
(b) interpretation of policy,

by the department in recent months?

(3) If "Yes" to (2)—

(a) what have been the changes; and
(b) at whose instigation have they been made?

(4) If "No" to (2), to what does he attribute the perceived reductions in—

(a) the quantity of emergency relief;
(b) the types of circumstances in which any emergency relief will be granted?

(5) Is the Minister, or the department, or the Government, prepared to assist the Fremantle emergency relief committee in its work?

Mr SHALDERS replied:

(1) Yes.

(2) (a) and (b) No.

(3) (a) and (b) Not applicable.

(4) (a) There has been no reduction in the quantity of emergency relief. (In August 1982 my department paid out $76 016 in emergency relief, compared with $43 863 in August 1981. In July 1982 the figure was $68 170 compared with $46 681 in July 1981);

(b) there is no reduction in the types of circumstances the guidelines remain the same.

(5) Yes, the department is prepared to assist cases referred by the Fremantle emergency relief committee and other appropriate referral agencies provided the information is accurate and they fall within the guidelines.

WATER RESOURCES

Radioactive Materials

1393. Mr HODGE, to the Minister for Health:

(1) Are Western Australian town water supplies monitored for radioactive materials?

(2) If so, how often?

(3) Will he provide me with a table of the maximum permissible levels of radioactive isotopes in Western Australian drinking water?

(4) If not, why not?

(5) Will he provide me with the most recent results of tests on the radioactive content of Western Australian town water supplies?

(6) If not, why not?

(7) Is he aware of whether any of the maximum permissible levels of radioactivity are regularly exceeded in any Western Australian town water supplies?

(8) In his reply to question 1160 of 1982, he stated that the maximum permissible level of radium in drinking water was 0.4 becquerel per litre: in view of the acute radiotoxicity of radium can he explain why this level is four times higher than that acceptable to the United States public health service?

Mr YOUNG replied:

(1) Monitoring of radioactive substances in water supplies is normally carried out only when there is a reason for doing so, but the Radiological Council has recently requested the Public Works Department to undertake such monitoring and it is understood that this programme is about to commence.

(2) Not applicable.

(3) These are given in schedule III of the radioactive substances Act regulations. These are soon to be replaced by a new schedule in the radiation safety Act regulations which are at present being drafted. The purpose of the regulations and schedule is to limit the release of radioactive substances to the environment from man's activities. It does not control the occurrence of naturally present radioactive substances.

(4) to (7) Not applicable.

(8) I did not say that the maximum permissible level of radium in drinking water was 0.4 becquerel per litre. I said that the National Health and Medical Research Council's desirable quality for drinking water in Australia is 0.4 becquerel per litre for radium. I understand this figure was arrived at after careful consideration by the National Health and Medical Research Council and the Australian Water Resources Council and I cannot explain at this time why this might be different from the US public health service figure.

I share the member's concern about the toxicity of radium but would remind him, as I did in my answer to question 1256, that radium is universally present in the environment. It commonly occurs at low levels in water supplies throughout the world and is continually and unavoidably ingested by human beings from water and food stuffs. All human beings contain a small quantity of radium in their bodies. The question of toxicity only arises if a person ingests quantities well in excess of recommended levels for a long period of time and accumulates a toxic quantity in his body.

MINERAL SANDS

Minninup

1394. Mr HODGE, to the Minister for Mines:

(1) Is he aware that Cable Sands Pty. Ltd., has applied for a lease to mine mineral sands at Wellington locations 394 and 637 at Minninup?

(2) Will he provide me with an estimate of the size of the mineral sands deposit at Minninup?

(3) How long are the mining operations at Minninup expected to last?

(4) Who will be responsible for the long term care and restoration of the area once mining operations cease?

Mr P. V. JONES replied:

(1) I understand that the company has made an application to the Shire of Capel for a licence under the extractive industry by-laws of the Local Government Act.

The properties concerned are pre-1899 titles, with minerals to owner, and therefore do not come within the jurisdiction of the Mining Act.

(2) I am advised that it is approximately 116 000 tonnes.

(3) If a licence is granted, it is estimated that operations would last for four to five years.

(4) Provision will be made for this if and when any licence under the Local Government Act is issued, and other approvals given.

QUESTIONS WITHOUT NOTICE

HEALTH: CHEMICAL INDUSTRIES (KWINANA) PTY. LTD.

Employees: Tests

494. Mr BARNETT, to the Minister for Health:

In answer to question 1273 (1) on Tuesday, the Minister agreed that workers at Chemical Industries (Kwinana) Pty. Ltd., had exceeded acceptable levels of 2,4-D. However part (3) of the question asked whether those workers who had shown excessive levels were still being employed by Chemical Industries (Kwinana) Pty. Ltd., and this part of the question was not answered in any way by the Minister. I ask,—

(1) Are those workers still employed?

(2) He agreed that a worker had shown excessive levels of 2,4,5-T after testing and claimed that worker was still employed by Chemical Industries (Kwinana) Pty. Ltd.

As this worker saw me in my office nearly a month ago and told me he had been sacked, and he has not been re-employed by Chemical Industries (Kwinana) Pty. Ltd., will the Minister revise his answer?

Mr YOUNG replied:

(1) It had been drawn to my attention that part (3) of the question to which the member referred had not been typed into the answer I handed in. When that was drawn to my attention by the Clerks I asked for a check to be made. I do not have the result of that check as yet, so I apologise to the member.

(2) The answer I gave was based on information obtained from the company, and if that information was not correct I certainly apologise to the member. I was not aware this worker had been dismissed by the company until the member informed me of that a short time ago.

WASTE DISPOSAL

Waste Water Treatment Plant: Subiaco

495. Mr COURT, to the Minister for Water Resources:

In 1980 the Government announced a programme for modernisation and redevelopment of the Subiaco waste water treatment plant, and I ask—

(1) What progress has been made to date?

(2) What further action is intended?

(3) When will the works be completed?

Mr MENSAROS replied:

(1) The design consultant of the Metropolitan Water Authority has been appointed as overall co-ordinator of this project and has reported that the work is proceeding to programme. Ninety per cent of the concept design and approximately 30 per cent of the detailed design has been completed, along with nine per cent of the actual construction. This initial construction includes the provision of extra sludge digestion facilities, currently being commissioned, and modernised chlorination facilities. As a result of part of the work already carried out, the odour problems previously associated with this plant have been eliminated.

(2) Construction work is about to commence on new inlet facilities and as detailed design work is completed this will be followed by the modernisation of aeration tanks, secondary clarifiers and all their associated equipment.

(3) It is expected that these works will be completed in mid-1986.

ROAD

Nicholson Road

496. Mr BATEMAN, to the Minister for Transport:

During the sitting of Federal Parliament today, Parliament was advised that massive road funding grants would be made possible by the bi-centennial road programme funding. The distribution to local governments will be 21 per cent this year and 46 per cent next year, over and above the normal road funding grants. I ask—

(1) In view of this good news will the Minister make sure necessary funds are made available to upgrade Nicholson Road, Canning Vale, through to Forrestdale? Nicholson Road, Canning Vale, has become a very busy and hazardous road.

(2) If the Minister cannot do that, why not?

Mr RUSHTON replied:

(1) and (2) As part of the Federal Budget, which was announced a few weeks ago, the Federal Minister for Transport gave general details of the Australian bicentennial road development trust fund which included an allocation for local roads as well as other categories. The State is still waiting for details as to how this ABRD programme will operate in respect of local authorities other than that all of the funds will be applied to bicentennial projects.

When these details are received, local authorities will be invited to submit projects for consideration and inclusion in the programme, and the local authorities responsible for Nicholson Road will be able to submit a project for upgrading this road.

When these details are received we will have to make determinations as to how these funds will be allocated. The Western Australian Government has been opposed to the increased levy. We believe it should come out of the present allocation of fuel tax. It is essential that some funds be found for roads, and as we all know the Commonwealth contribution has been declining in recent years. This year we received a 7.1 per cent increase on the previous year and when we consider inflation is something like 15 per cent for building roads, it can be seen that we are going backwards.

We are concerned about and object to the fact that the Commonwealth will have control over where these funds will go. My understanding is it will insist upon erecting signs on the local, arterial, and national highways.

We have made some progress in that formerly, only national highways were under the control of the Commonwealth, but under this programme the Commonwealth will have control right through to local roads.

The Premier and other Ministers are making strenuous efforts to resist the change introduced by the Commonwealth which relates to the exemption system on fuel levy and links it with a rebate system. Funds to the value of $12 million will flow to the Commonwealth, and we estimate that something like $3.7 million of that amount will be spent on Westrail.

We see this change as a tax measure, as well as control going to the Commonwealth. However, consideration will be given to the road mentioned by the member—I know it well myself—and when we know the administrative strategy of the Commonwealth I will be able to give a definite answer.

INCOME TAX: AVOIDANCE

Escort Agency

497. Mr HERZFELD, to the Premier:

Has the Premier's attention been drawn to two articles in this evening's *Daily News*? The first is on page 1 of the issue and has the heading, "Labor: Lawyer big in vice".

Several members interjected.

Mr Bryce: A conspiracy, or a stuff-up.

Mr HERZFELD: The article refers to comments made by the member for Yilgarn-Dundas in this House last night and states in part as follows—

> He said Mr Bercove's mother, two sisters, a sister-in-law and his wife were heavily involved in the agencies, which had been operating since 1974.

On the second page under the heading, " 'Garbage'—Bercove", it was reported as follows—

> Mr Bercove was particularly angry at allegations by Mr Grill that Mr Bercove's mother, two sisters and his brother-in-law were involved in the escort agency business.
>
> "How would you feel if somebody said that about your mother?" he said.
>
> "Besides being the most glaring deficiency in that absolutely vile garbage, it's wrong.

Several members interjected.

Mr HERZFELD: To continue—

> My mother died three years ago.

Mr Parker: It was her mother, not his mother.

Mr HERZFELD: Is this the type of approach which led the Premier to sponsor

the motion last night which said in part—

> . . . and calls on parliamentarians to refrain from making or publishing assertions under parliamentary privileges against individuals who may be innocent, in the interests of providing those prosecuted with a fair trial.

The motion was passed by the Parliament, but was rejected by the Opposition.

Mr O'CONNOR replied:

The motion moved last night was an effort to bring some responsibility back to a number of members in this House, especially in regard to the abuse of parliamentary privilege.

Mr Davies: Nonsense!

Mr O'CONNOR: I have read the issues reported in the Press and believe it is degrading to this House for members to make such allegations.

Mr Grill: It was misreported. It was her mother, not his mother; it is as simple as that.

Several members interjected.

Mr O'CONNOR: The member would know more about the Bercove allegations than we because Mr Bercove was a member of the Labor Party. If members refer to a newspaper article of 11 December 1975 they will note that Mr Grill's name is listed beside Mr Bercove's name, along with a number of Labor Party lawyers.

Mr Pearce: It goes to show we are not fearful of investigations of the Labor Party people.

Mr Old: What logic!

Mr Young: That was a punchy one!

Mr O'CONNOR: I hope members in this House and in the Federal sphere will show more responsibility. Abuse of parliamentary privilege has become much more prevalent. It is not to the credit of Parliament and does no justice to the individuals involved. All people involved in these issues must act more responsibly. The reason for the motion last night was to attempt to bring some responsibility back to this place.

POLICE

Langford Incident

498. Mr PEARCE, to the Minister for Police and Prisons:

My question relates to a riot which occurred in Langford last week between the local "Rocks" and "Skinheads" which had the effect of one person being left partially blind.

Mr Herzfeld: Did you take part?

Mr PEARCE: That is the response of the member for Mundaring who was calling for responsibility a few moments ago. I am asking a question which relates to a constituent of mine being left partially blinded and the member for Mundaring seems to think it is a matter for some flippancy; however, I am not surprised at his attitude. I ask: Can the Minister tell me what action has been taken to assist these people and to prosecute those persons who caused a woman to be partially blinded? This incident has caused apprehension and fear in Langford because there have been threats of a reprisal this weekend. What action has been taken to protect from any reprisal the owners of the house where the riot occurred?

Mr HASSELL replied:

Extensive inquiries have been made and are continuing. Fourteen suspects have been interviewed by the police but the incident was not described as a riot by the police. I believe the victim has suffered a serious injury, but it is not known to have caused blindness. It is just a matter of what is known to the police.

The police have not received any complaints about any threatened reprisal.

COMMUNITY WELFARE

Emergency Relief

499. Mr GRAYDEN, to the Minister for Community Welfare:

(1) Is the Minister aware of a pamphlet titled "Welfare Bureaucrat Stops Payments to Severely Disadvantaged Families"?

(2) Can he advise—

(a) which public servant is referred to and is his salary in excess of $45 000;

(b) whether a decision has been made or is being considered to change the guidelines relating to the provision of emergency relief money;

(c) further details of the cases referred to in this pamphlet?

Mr SHALDERS replied:

I thank the member for some notice of the question, the answer to which is as follows—

(1) Yes, I am aware of this pamphlet which I can only describe as scurrilous, untruthful in many parts and possibly libellous to three officers of the Department for Community Welfare.

(2) (a) The pamphlet uses the term "Assistant Director" implying there is only one such person holding this position in the department. In fact there are three. They are—

Assistant director— Field

Assistant director— Institutions

Assistant director— Support Services

I can assume only that the assistant director—support services is the officer referred to.

The officer's salary is below that stated in the pamphlet

(b) The current guidelines for the provision of emergency relief money have been in force since October 1980. They have not been altered and neither is any consideration being given to any change in them.

They are outlined in my answer to question 1326 on Tuesday, 14 September asked by the member for Dianella. For the information of the member they are as follows—

Emergency financial relief is payable by the department on a discretionary basis in accordance with the provision of the Welfare and Assistance Act 1961.

Relief is provided over a wide range of circumstances but is most frequently applied to destitute persons or families who are temporarily incapable of providing for their day-to-day sustenance.

Where destitute families are faced with eviction or energy disconnection and have been unable to obtain assistance from other agencies, the department will consider payment on a discretionary basis in instances where there are severe health problems which present grave risk to the family's well-being, should eviction or disconnection of energy ensue.

Continuous special needs payments can be provided where pensioners and other low-income families without sufficient cash reserves, have extraordinary recurring expenses such as cost of special diets or excessive energy accounts to maintain life support implements.

Both the State Housing Commission and the State Energy Commission have their own procedures for dealing with people who are unable to pay their accounts and have already indicated they are willing to negotiate with clients in this regard.

Because of this, the Department for Community Welfare has a policy of declining to provide emergency relief for account payments to other State departments except in exceptional circumstances.

(c) Although I do not propose to mention the names of the people concerned in my reply, details of the cases referred to in the pamphlet are as follows—

(i) A family which asked for $80 to prevent the electricity being disconnected.

This refers to a family which was recently the subject of investigation by the Parliamentary Commissioner for Administrative Investigations.

Contrary to the statements by the TLC social welfare office that the husband required refrigeration for his insulin, advice from his wife was that he had not been on such medication for several months. She also indicated she is quite willing to reduce her account with the SEC by regular instalments.

A copy of a letter written by the Parliamentary Commissioner for Administrative Investigations about this matter is provided for the member's information.

(ii) A family which lives in the country and which requested $20 from the Department for Community Welfare for petrol to visit their seriously ill child in hospital.

Mr Bryce: The Minister is abusing question time.

Several members interjected.

The SPEAKER: Order! I do not want to inhibit the Minister from providing the information he desires to put to the House, but from my observation the answer appears still to be fairly lengthy. May I suggest that he hands in the answer.

Mr SHALDERS: There is only half a page remaining.

Mr Bryce; What a rort.

Mr Clarko: He reads quickly.

Mr Bryce: But not very clearly.

Mr SHALDERS: To return to the answer—

The facts of this case in reality are that the Department for Community Welfare provided this family which lives in Narrogin, with petrol and food assistance as follows—

6 April 1982—$20 for petrol

13 May 1982—$14.25 for petrol

29 July 1982—$15 for food.

The department refused to provide assistance recently as PMH advised that the child would be returned to Narrogin on the next available Royal Flying Doctor Service flight.

The TLC rejected this advice and arranged for $20 credit at a Narrogin garage.

The family subsequently came to Perth, collected the child, and the department assisted them with $40 from head office on 2 September 1982, to allow them to return to Narrogin and buy food.

(iii) This refers to an unemployed couple who say they have very serious medical problems and who requested $10 to help pay for essential medication and $100 to clear rent arrears in order to prevent eviction.

The family concerned is one where the wife is an asthmatic.

The department assisted with $7 to allow her to purchase Ventolin spray on 1 September 1982.

A submission from TLC seeking $110 towards SHC rental arrears, was refused as the situation could not be considered as an emergency following SHC advice that there was no threat of eviction.

The family also was assisted with $40 for food on 17 August 1982.

(iv) A family with severe health problems living in grossly overcrowded con-

ditions which has been refused assistance to help rental arrears.
Officers of the department cannot identify this case.

I say again that the contents of the pamphlet are scurrilous in the extreme.

ABORIGINES

Parkeston

500. Mr I. F. TAYLOR, to the Minister for Community Welfare:

This should require only a one word answer. The Minister may be aware that 40 or more Aboriginal people have moved into the Parkeston complex near Kalgoorlie. I have been informed that Telecom has advised it will be unable to provide a telephone until 24 September. In view of the issues of safety and compassion involved will the Minister have his department examine the matter and bring pressure to bear on Telecom to have the telephone put on as soon as is humanly possible?

Mr SHALDERS replied:

I am not aware of the case the member mentions. I would have thought that as this involves assistance from Telecom, he would have been seeking the assistance of the Federal member for Kalgoorlie.

Mr I. F. Taylor: I am asking you as Minister for Community Welfare. Your department is involved.

Mr SHALDERS: As it seems that the member has absolutely no faith in the Federal representative I will undertake to have the matter examined to see if assistance can be provided.

Several members interjected.

The SPEAKER: Order!

Mr Tonkin: That is absolutely disgraceful.

The SPEAKER: The member for Morley and the Deputy Leader of the Opposition continued to interject while I was trying to restore order. I would ask them to have respect for the Chair.

Mr Tonkin: We have none for the Minister.

WATER RESOURCES: DAMS

Storage

501. Mr TRETHOWAN, to the Minister for Water Resources:

As total storage in the Metropolitan Water Authority's dams has now dropped below that at the corresponding time last year, could he advise whether water restrictions are possible in the metropolitan area during the coming summer?

Mr MENSAROS replied:

Although total rainfall this year is very similar to that received last year, there have been no periods of intense rain for two or three days at a time, which is necessary for optimum run-off into the dams. Adequate rainfall of high intensity could still fall during September.

Irrespective of the amount of rain and inflow between now and the end of this winter, however, there is already sufficient water in storage which, combined with the use of groundwater resources, will preclude any need for restrictions to be considered.

SUGAR INDUSTRY: ORD RIVER

Comments of Deputy Prime Minister

502. Mr BRIDGE, to the Minister for Agriculture:

I refer to an article which appears in today's *Daily News* under the heading "Sugar Plan a Risk", in which the Deputy Prime Minister is reported as having said that the Western Australian Government would be taking an enormous risk if it went ahead with a sugar industry in the Ord. Would he be prepared to make a comment on that statement?

Mr OLD replied:

I am well aware of the question and answer in the Federal Parliament this morning. It is disturbing that Mr Anthony is presumptuous enough to make the comment that we can expect no help from the Commonwealth. There is an old saying which, to paraphrase, is, "Blessed is he who expecteth nothing"—and that is us. Verily we should be satisfied!

We have not asked the Commonwealth for anything except moral support in enabling us to get a sugar industry going on the Ord. Mr Anthony gives the impression that we are asking the Federal Government to put in money. All we are asking the Federal Government to do is to give us the same support—no more and no less—as it gives to the Queensland industry.

I assure the House that we will continue to push for the industry on the Ord. Despite the comments of Mr Anthony, we will continue to negotiate with the Prime Minister and the Federal Government in an endeavour either to have us integrated within the Queensland industry, or at least have an export licence issued for an industry on the Ord.

It is a matter of opinion at this stage whether it is foolish to enter into that industry. Historically, the world sugar prices have fluctuated violently between peaks and troughs. However, when one takes a line through the graph, at all times it has been a very stable industry.

Four years ago we heard talk of doom when sugar troughed; people said the industry would never again be viable. Two years later it boomed. We believe it will do so again. If it does not, it will be an historic first, because sugar has never yet failed to recover.

We will continue to pursue the matter.

BANK CHARGES AND DIESEL FUEL TAX

Federal Liberal Members: Meetings with Premier

503. Mr DAVIES, to the Premier:

Earlier this year he received approbation for calling together Federal Liberal members of Parliament to impress upon them the Government's feelings in regard to financial matters, with the hope that the Federal members would carry the message to Canberra. Has he had any meetings with Federal Liberal Party members since then, particularly on the matter of charges on bank accounts and cheques, and also in regard to the diesel fuel tax?

Mr O'CONNOR replied:

I have not had a full meeting with the members since the last one.

Mr Davies: You are lucky.

Mr Pearce: That seems a reasonable proposition.

Mr Bryce: A bit of a waste of time.

Mr O'CONNOR: I have had discussions with individual members since the combined meeting with the members. We had agreed to have such meetings three of four times a year. When a matter of mutual interest or concern to the State comes up, I will be talking with some of the senior Ministers involved, and the members' meetings will be held.

HOUSING: BUILDING SOCIETIES

Foreclosures

504. Mr COURT, to the Minister for Housing:

For comparative purposes, could he provide the number of foreclosures effected on mortgage loans by the major permanent building societies over the past three financial years?

Mr Wilson: Dorothy Dix!

Mr SHALDERS replied:

In 1979-80 there were 341 foreclosures; in 1980-81, 325 foreclosures; and in 1981-82, 296 foreclosures only. That is rather surprising in view of the fact that rising interest rates have caused problems for home buyers; but I believe it demonstrates the great degree of responsibility on the part of building societies to the matter of foreclosures.

EDUCATION: STUDENT GUILDS

Fees

505. Mr PEARCE, to the Minister for Education:

(1) Is he yet prepared to announce to the House or the State the decision already made by the Cabinet in regard to the further legislation or action on fees charged by guilds of undergraduates and student guilds, or administrative fees charged by universities and tertiary institutions and passed on to those organisations?

(2) If he is not prepared to make an announcement of that decision now, would he agree with the proposition that this decision has been withheld deliberately until after the election of the President of the Guild of Undergraduates of the University of Western Australia, which is due to take place shortly?

Mr CLARKO replied:

(1) and (2) In regard to the second part of the question, certainly there has been no attempt by me or the Government to take any action on this matter relating to the presidential election. Otherwise, as I have said before, the matter is under active consideration.

HOUSING: BUILDING SOCIETIES

Foreclosures

506. Mr WILSON, to the Minister for Housing:

Following his answer to a question asked by the member for Nedlands with respect to foreclosures on building society mortgages, I ask—

(1) Can he confirm, in respect of the annual figures that he presented in his answer, that in fact the number of foreclosures for the first six months of 1982 shows a marked increase on the number of foreclosures for the 12 months of 1981, and that the foreclosure figures for July and August of 1982 show that the upsurge in foreclosures in 1982 is a continuing trend?

(2) If he can confirm that, can he comment on this upsurge as against the fact that housing assistance measures at both State and Federal Government levels appear to have had no effect on the increasing foreclosure figures in the first eight months of 1982?

Mr SHALDERS replied:

(1) and (2) I cannot confirm those figures because, unfortunately, the only information I have with me in the House is the year-by-year figures. However, I will undertake to obtain a breakdown of the figures in the way requested by the member, and provide him with the information for which he has asked.

RECREATION: COMMONWEALTH GAMES

Government: Representation

507. Mr DAVIES, to the Premier:

(1) Will the Government of Western Australia be represented officially at the opening of the Commonwealth Games?

(2) If so, who will represent us and for how long will he be away?

Mr O'CONNOR replied:

(1) and (2) I was invited officially to go. At this stage, I believe there is sufficient work—

Mr Davies: We will give you a pair.

Mr O'CONNOR: —to do here. I decided not to go so I can be here where I should be.

GOVERNMENT HOUSE

Swimming Pool

508. Mr PEARCE, to the Treasurer:

(1) In relation to the swimming pool which has been built at Government House at a cost of $26 000, does he believe that is a reasonable price for what appears to be a fairly expensive type of swimming pool?

(2) Is he in a position to indicate why the Governor's swimming pool costs more that anybody else's?

Mr O'CONNOR replied:

(1) and (2) I believe that the pool has been constructed on low land, and some problems with underground water were involved.

Mr I. F. Taylor: Put an underground one in.

Mr O'CONNOR: I have not seen the pool. If the member wants any further detail, I will be quite happy to obtain it for him.

ROADS

Fuel Tax

509. Mr DAVIES, to the Minister for Transport:

I preface my question by saying that I understand that by a decision of the Commonwealth Government the people of Australia will give themselves a bicentennial birthday present by paying extra fuel tax in order to have an improved road system, a system in need of improvement after 200 years of mostly Liberal Party government. I ask: Has he had any advice from the Commonwealth authorities as to how this State will benefit from the proposal?

Mr RUSHTON replied:

I have indicated previously to the member for Canning the broad outline of what is happening. I have written to the Federal Minister for Transport for details. I have received booklets from the Federal authorities which are really just "glossies".

Mr Davies: To make it feel better.

Mr RUSHTON: I do not want to detract from the fact that good things will be done, but the taxpayers will pay for them through levies on fuel. I would have preferred the Federal Government put back into this area the fuel taxes already collected. For a long time we have been pressing the Commonwealth to keep up its proportion of funds for roads. This will happen now; there will be a catch-up plus an additional sum. However, this could have been done in another way. We are seeking urgently the details of the proposal to allow us to negotiate with the other parties involved, such as local government, so that we may augment their proposals this year and increase our own programme relative to the funds we receive.

RAILWAYS: FREIGHT

Joint Venture: Collapse

510. Mr BRYCE, to the Minister for Transport:

Is it a fact that the Total West joint venture is on the verge of financial collapse and that, when it does collapse, the Government intends to dispose of assets belonging to this State at bargain basement prices to friends of the Liberal Party?

Mr RUSHTON replied:

Obviously the member for Ascot is being facetious, as are many Opposition members with the questions they ask from time to time, which are obviously put in their minds by the media with scurrilous requests for information.

Mr Bryce: It has nothing to do with the media.

Mr RUSHTON: I have no knowledge that Total West has a financial problem. From time to time adjustments will be made and there will be rationalisation of services. As I said plainly recently, many of the services for the carriage of freight are more extensive than were expected, so adjustments will be required; adjustments of freight rates will be made. from time to time.

Mr Bryce: What about the assets?

Mr RUSHTON: However, in a competitive atmosphere, this is only natural and to be expected.

As for the assets, the member is indicating that if what the Opposition wants to take place happens, and Total West fails—

Mr Bryce: That is not so. We want to see what you will do with the assets of the people.

Mr RUSHTON: The member is saying his party has a vested interest in Total West's failing.

Mr Bryce: Do we?

Mr RUSHTON: That is what members opposite indicate all the time. In the hypothetical case the member has raised, obviously the assets will be within that company structure and the position would be a lot better than it would be had the venture not been started.

RAILWAYS: FREIGHT

Joint Venture: Close of Operations

511. Mr McIVER, to the Minister for Transport:

(1) Is it a fact that Total West will close its operations at the end of October?

Mr Rushton: At Northam, or where?

Mr McIVER: Throughout Western Australia. To continue—

(2) Is he aware that Total West is not meeting its financial commitments with agents it has appointed in country centres?

(3) Is he aware that towns such as Norseman have a food shortage because of the non-delivery of foodstuffs?

(4) Would he please let me know in writing the answers to the question I have raised.

Mr RUSHTON replied:

(1) to (4) The simple answer is "No". I would be interested if the member would

let me have the source of his information. As I said to the member for Ascot, this sort of question is quite scurrilous.

Mr McIver: It is not scurrilous. It will put off 19 employees and those seconded from the railways have gone back. I am constantly receiving letters about this.

Mr RUSHTON: The other day I was asked a question by members of the media whether Total West was facing bankruptcy, because they had heard that Westrail had been required to pay the salaries for the people of Total West.

Mr McIver: Agents in country areas are not getting paid. It cannot even send out an account for July because of the total mess it has got itself into.

Mr RUSHTON: Such an assertion is totally unfounded. As for payments to agents, at the beginning the computer which Total West hired from Westrail did not function as it should have and there were the odd cases of agents not being paid on time. These faults have been attended to. If the member knows of any—

Mr McIver: Twenty-one.

Mr RUSHTON: —he should let me know. It is passing strange he has not presented them to me.

As far as I am aware, deliveries are getting through to Norseman.

Mr McIver: The shelves in the shops are empty. You cannot buy a tin of fruit or camp pie.

Mr RUSHTON: It is quite obvious that the member's presentation is false, but I will give him a reply next week.