

Legislative Council

Wednesday, 8 August 1984

THE DEPUTY PRESIDENT (Hon. D. J. Wordsworth) took the Chair at 2.15 p.m., and read prayers.

ABORIGINAL AFFAIRS: LAND RIGHTS

Uniform Legislation: As to Motion

HON. N. F. MOORE (Lower North) [2.33 p.m.]: I seek leave to move a motion without notice relating to the Harding Dam.

Leave granted.

HON. PETER DOWDING (North—Minister for Planning) [2.34 p.m.]: I move—

That the motion be moved at a later stage of this sitting.

Question put and passed.

ADDRESS-IN-REPLY: FIFTH DAY

Motion

Debate resumed from 2 August.

HON. G. C. MacKINNON (South-West) [2.35 p.m.]: It saddens me, as of course it saddens other members of this House, to know that I am taking the slot which was allocated as a result of an adjournment motion by the late Hon. Gordon Atkinson. Yesterday a motion of condolence was moved concerning Gordon Atkinson, and although I did not speak on it, it does not alter the fact that I feel his loss sadly.

Some of us are lucky that despite a few hardships along the way, we have managed to survive to a reasonable age. It saddens one to see a young, promising man like Gordon Atkinson struck down in the prime of his life, at an age when a man is needed by his family and community, perhaps far more than at any other stage in life. One wonders about the justice of people my age, who have served their most useful period, being here. It is not that I want to leave, but nevertheless it strikes me as being a peculiar type of justice.

I would like to take this opportunity to congratulate Professor Gordon Reid and his wife, Ruth, on his appointment as Governor of this State. I wish him success in his venture. I know he will carry out the duties of his position seriously, and give them his full consideration.

I was discussing his appointment with a gentleman this morning, and I was reminded of a story told to me by a friend sometime ago. He was discussing appointments with a judge in South

Africa, and said to the judge, "How is it that when you are appointed by the Government, you and your fellow justices often give decisions which are not strictly in accord with the Government's wishes?" The reply from the learned South African judge was to the effect, "We are extremely grateful at the time that the Government has appointed us, but as is the wont with humankind, it takes us about three months before we become fully convinced that it was determined by God."

So, such people tend to make decisions in accord with the way they see their duties. I believe Professor Reid will do likewise; there is plenty of history to show that Governors have carried out their jobs as they see they should be done. I am sure he will follow an illustrious line of predecessors in this State and do a first-class job.

It had not been my intention to speak on the Address-in-Reply debate, but I was upset, incensed, and outraged by the decision of Sir John Moore in the Australian Conciliation and Arbitration Commission last week. I am referring, of course, to the decision in what was listed as a Federal termination technological change and redundancy case. This was said to be a landmark decision, and a landmark decision it certainly is. I am convinced that it will go down in history as one of those decisions which will do the opposite to that which the learned gentleman thought it would do.

I believe it will ease the lot of people who are being replaced, for whatever reason, but it will have a disastrous effect on small businesses and will work in a way opposite to that envisaged. From one end of the country to another it will make employment less secure.

I would go so far as to say that the judgment issued by the commission will change the nature of employment in small businesses across the land. Big businesses are a thing apart. If BHP gets into trouble in the steel industry, the Federal Government goes to its aid so it can recast the operation. However, I am talking about the major employers in the country—the small businesses. I am talking about small operations which consist of two, or three, five or six, a dozen, or 20 or so people.

Through no fault of their own a man and wife running a small business with four employees—trusted, long-term employees—could find themselves bankrupt under this scheme through the sheer necessity of having to terminate people's employment. We can see no variation in the instructions issued by the commission as to change of employment through technological advances. On the one hand, businesses are faced with the need to expand, and on the other hand they are

faced with the need to wind up the business because of the lack of sales and imminent foreclosure or collapse of the business. I give one instance on the need for finding a new job as follows—

Notice and finding new job

Extended notice provisions have been outlined above. Notice provisions also apply to a demotion caused by redundancy.

The Commission was prepared to provide, in an award, that on application, an employer shall grant up to one day off without loss of pay during each week of notice so that an employee can seek other employment.

How much consideration did the commission give to the possibility of a welder at Turkey Creek taking a day off for each week of notice to look for another job? Where would he go? Down to Halls Creek; up to Wyndham? One would not be able to go to Wyndham and back in a day if it was raining. That shows the absurdity of the judgment.

These are peripheral matters. The judgment contains 60 pages, and the rules applying to it have to be written, yet most newspapers hail the decision. For example, one newspaper carried the headline, "Safer jobs on the way". I hazard a guess, based on a long and eventful life, that that is utter rubbish. This "landmark" decision will mean a panoply of temporary jobs, of casual work, of people employed for 11 months and laid off for a week before being re-employed. Those people will be paid out for their holidays rather than being given holiday pay; then they will be re-employed. That will certainly be the result of the commission's decision.

Another headline read, "Job security ruling seen as a landmark". I would be almost sure that instead of giving job security, the decision will mean job insecurity. It could well be that we are on the edge of a period of almost total job insecurity. We in this place are not unused to that situation; it is a psychological problem with which one lives. However, it could well be that with job sharing and the like, this is the way the tail will wag in the future.

In *The West Australian* of Friday, 3 August, the following appeared—

A decision on job security handed down in the Arbitration Commission yesterday is expected to have wide-ranging effects on industry and the economy.

The decision means that the right of an employer to sack an employee on a week's notice will disappear in Australia.

That means that the right of an employer to put on a fellow or a woman will be questioned and questioned, examined and re-examined, before it becomes a fact. It means quite the opposite of what the first paragraph of the newspaper leader said. It means that if a man running a small business sees the need for his business to expand, he will look for machines which will make his present staff more productive. It happens to be a fact—members can check if they like—that most of such machines are produced in America, Italy, or Spain, so Australia will receive little benefit from that sort of move. An employer will buy the machines—air nailers, and the like—that will save time and trouble, and he will increase his company's productivity.

This landmark decision is a farewell gift from Sir John Moore to the union movement—a farewell wave of his magic wand over the union accord about which we hear so much. We see the accord in operation between the Minister for Education and the University of Western Australia. I thought he would go down and show the senate, instead of which he has sent Mr Latter. I cut my teeth on union elections, opposing Mr Latter on street corners in Collie; and now I hear he is on the senate of the university. That is fame, I suppose. He gave up being a Communist and joined the Labor Party, and he appears to have a good future.

Hon. Tom Knight: He still stayed a commo.

Hon. G. C. MacKINNON: Mr Latter has been sent down to cause trouble on the senate, I suppose.

I cannot understand learned gentlemen bringing down a decision like the one on the job security test case. The only explanation one can think of is that those gentlemen never employed anyone in their lives, other than someone to whom they paid \$10 a week to do the gardening! That probably applies to Sir John Moore.

Hon. S. M. Piantadosi: They have seen too many unfair dismissals.

Hon. G. C. MacKINNON: The problem of unfair dismissals is not solved in this way. One does not take a D-10 caterpillar tractor to crack a peanut or to crack an occasional unfair dismissal. I admit there are some unfair dismissals—

Hon. S. M. Piantadosi: Many.

Hon. G. C. MacKINNON: There are not many; there are a few. For every unfair dismissal, one could cite an example of the unfair treatment of a boss by an employee. We all know that. Mr Piantadosi has been an employee. I have been both an employee and an employer, so I have seen both

sides of the question. I have been a trade unionist and a tradesman, and I have run my own business, so I have seen it from both sides.

Mr Deputy President (Hon. D. J. Wordsworth), you and I know that at times employees are unfair. You and I know that on more occasions employees are loyal, faithful, hard-working, and very productive. However, here we have an order, a laid-down system, to make sure that any rapport between small business employers and their employees is damned forever. The price an employer must pay for keeping an employee over many years—for keeping a loyal and worthwhile employee, paying him a little extra, and making him part of the small business family—is too savage to contemplate.

Hon. Tom Knight: It will finish small business. There is no doubt that you could not afford to take on people.

Hon. G. C. MacKINNON: Yesterday, in telephone messages, I was offered example after example of this situation. One fellow used to employ 40 men; he has cut the number to 20, for a variety of reasons. He intends immediately to cut the work force to 10 in case the new proposal is adopted, and he will work on making those appointments into temporary part-time employment. He does not want to do it.

Hon. Tom Knight: He is forced to.

Hon. G. C. MacKINNON: He is forced to do it. I quote from a paper which is described as follows—

Australian Labour Law Reporter
The Australian Industrial Law Review
Australian Employment Law Guide
(pending publication of Australian
Employment

Law Guide, subscribers to Australian
Personnel Management are receiving
courtesy copies of this dispatch.)

This is an advance temporary Report. A regular loose-leaf release will follow for insertion in place in your Reporter.

A report contained in the paper states—

The case was launched in 1982 by the Australian Council of Trade Unions. In October 1983 the Australian Commission handed down a ruling on jurisdiction—i.e. what the Commission had power to consider.

Unfair dismissals.

The Commission believes that the Australian Parliament could give an appropriate tribunal jurisdiction to award compensation to, or order reinstatement of, employees dismissed in breach of an award.

The members of the Bench were attracted to the Tasmanian Government's suggestion that a code of practice approach like that in the United Kingdom, indicating what are *prima facie* good employment practices, should be adopted as a means of implementing the objectives of the claim. However, they were not prepared, at this stage, to make the complex and detailed provisions in the ACTU's claim an award prescription and did not believe it necessary or desirable to specifically refer to the method of dismissal in the provisions they were prepared to award.

In other words, the commission was not prepared to examine it in detail.

For instance, a case exists where a fellow employs 14 men who clearly fall into three categories. I will take the case of a foundry works which employs five workers, and Mr Dans would be aware of this case.

Hon. D. K. Dans: Have you read the decision of the—

Hon. G. C. MacKINNON: I do not think anyone has read it.

Hon. D. K. Dans: I have read it.

Hon. G. C. MacKINNON: Mr Dans is a fast reader and he is lucky to have a copy of it. That is the basis upon which rules have to be written.

Let me turn again to the case to which I was referring before I was so rudely interrupted by Mr Dans. A fellow running a small foundry would employ five or six foundry workers who would be members of the Australasian Society of Engineers, Moulders and Foundry Workers Union, three lathe operators—making nine employees—and a couple of general workers. The fellow might decide to buy an automatic lathe from Germany to allow him to increase the quantity of finished work which came out of the foundry. Therefore, he would be able to decrease the number of employees by one. The fellow has 10 weeks in which to discuss this matter with the union. Which union? Would it be the Amalgamated Metal Workers Union or the Moulders and Foundry Workers Union he would need to contact because he has managed to change the nature of his work?

It could be a different procedure for an employer in the south-west who employs a foundry operator as a boilermaker-fireman. Members are aware that the procedure of the timber mills in the south-west has changed because there is no longer a call for them. A timber mill operator may be going broke and finds himself in a position where he has to change his operation to that of making pipe fittings for extensive sewerage work. Do not

tell me that that is impossible, because I am quoting actual cases. That person has to change the nature of his work because of a change in circumstances. Who lays down the procedure by which he shall abide?

Hon. S. M. Piantadosi: It would be one union.

Hon. G. C. MacKINNON: It is not just one union. Half of the people employed in this industry do not belong to unions.

Hon. S. M. Piantadosi: You mentioned two unions.

Hon. G. C. MacKINNON: I mentioned one fellow who employed members of three unions.

Hon. S. M. Piantadosi: The two unions which you mentioned are really only one union.

Hon. G. C. MacKINNON: I asked Mr Dans about that subject and he gave me no lead at all.

Hon. D. K. Dans: I gave you a truthful answer. I am looking at a European review on countries that have this provision, and the list includes Luxembourg, France, England, Germany, Sweden, Norway, and Denmark.

Hon. G. C. MacKINNON: Australia is at the other end of the world and it has hardly any manufacturing exports anyway. Australia is totally dependant on minerals and agricultural exports in order to keep afloat. The Government wants to give all the power of representation to the city and to take it away from people earning Australia's export income. However, that is a different argument and that subject will be discussed at a later stage.

I am referring to the need for Australia to be competitive, but Mr Dans is referring to European Common Market countries which have so many built-in subsidies and protective devices. Mr Dans knows that it makes his argument absolutely absurd. In a minute he will tell me that the United Kingdom is a shining example! According to my calculations that is not the case because the United Kingdom is in a lot of trouble.

Hon. D. K. Dans: That is because of Mrs Thatcher.

Hon. G. C. MacKINNON: That is not correct, because the same situation applied when Harold Wilson was Prime Minister.

Hon. D. K. Dans: Your own leader says he wants to follow the path of Mrs Thatcher.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! Hon. G. C. MacKinnon has the floor.

Hon. G. C. MacKINNON: I am talking about an entirely different case altogether. Let me read the following—

Notice

The Commission decided that there should be no extension of the notice period for employees with only a short period of service with the employer, but that those employees who, at the time of the receipt of the notice of termination, have been in continuous full time employment with the employer for more than a calendar year should be entitled to an extra week's notice.

I understand that works both ways. The employee has to give two weeks' notice as well, and frequently that is not to his advantage. I heard about an example of that recently. An employee of a small business, a good worker, was offered a job as foreman with a larger business. He was required to start immediately, but he stated that he must give his boss the statutorily required notice. He said that his employer has been good to him and had always paid overaward rates. Reluctantly the new employer said that would be all right. The provision will not always work to the employees' advantage.

I wonder if the commission took that into account? Surely it did. Members of that commission are not fools and my contention is that they are inexperienced because they have never been employers or in the small business situation.

The paper continues—

For each additional two years of service an additional week's notice should apply; with a maximum period of extended notice of four weeks.

I have no doubt that there are a few members in this Chamber who have actually employed men.

Hon. D. K. Dans: Men and women.

Hon. G. C. MacKINNON: I was brought up by my purist grandmother who taught me to remember that when I mentioned mankind or men, half wore skirts and half wore trousers. I have a little difficulty learning this new fangled language.

Hon. D. K. Dans: "Men" means what it says.

Hon. G. C. MacKINNON: I am sure some members in this place have faced the situation where, for whatever reason, they have had a few cross words with a fellow whom they have employed for several years. They have a row, and they finish up with bad feeling between them. One or the other says, "I wish to terminate our association". It is generally said in far more brusque terms than that! I have witnessed a situation, and I am sure other members have, where the boss has said, "There's your bag; pack it up; come into the office and I will pay you out". The employer gives

the employee a week's wages for doing nothing. He lets the employee go, and he goes.

Frequently the severance is on quite amicable terms. The employee may say, "My wife wants to go back to the city" or he may wish to leave his employment for some other reason, and he does so a week later.

However, as a result of this new ruling, four weeks' notice must be given. In that situation an employer might not have a machine still working! He might have a handful of sand, half-a-cup of sugar, and a few cockroaches in the wrong place for an inspector to find. We have all that sort of nonsense. We used to do that sort of thing in the prison camps to frighten the lives out of the poor, little Japs; however, they would frighten the lives out of us a few minutes later with a piece of four-by-two.

You, Sir, know that frequently, after a few cross words, one arrives at the situation where one simply cannot allow a particular fellow—one who, up until then was working quite satisfactorily—to continue in a position of trust handling machinery or equipment which is worth money.

I wonder whether the people who so blithely came down with these guidelines have any knowledge of that situation. I suggest they do not. They are intelligent, knowledgeable people, but they are not very worldly or experienced in this field.

In this State the authorities who deal with industrial relations and employment have been inundated with phone calls from small businessmen who are very worried about the position. You and I, Sir, know that right across Australia small businessmen are facing very serious problems. To a large extent, they have become tax collectors, particularly in respect of sales tax. One could make a speech of several hours' duration on the subject of sales tax alone and the mess it is in. One could refer to the fact that sales tax inspectors turn up, sometimes two at a time, to examine the books of a small business and they argue about whether the proprietor is liable for sales tax. That argument takes place in front of the proprietor, and I have heard of case after case of that occurring. People involved in small businesses have to check every invoice on a monthly basis to categorise each item to ascertain whether it should carry sales tax. They must establish whether an item relates to a radiator hose or a piece of ordinary hose, because radiator hose carries a higher sales tax than does ordinary hose. If they make the slightest mistake, they are hauled over the coals. That is only one aspect of the effect this has on small businesses.

People operating small businesses are worried also about shopping hours and all sorts of other issues. However, alongside this ruling, other decisions of Sir John Moore and the Conciliation and Arbitration Commission pale into insignificance. In one blow, this ruling has changed the future of the employment pattern of small businesses. Maybe small businesses will live with that and it will be a good thing.

Maybe employees will be employed on a casual basis and in the case of employing four or five people, he will say to them, "You will come in on Monday and you on Tuesday", or "You come in this week and you come in next week". Maybe that is the sort of future we shall have; I do not know.

Recently I employed someone who came to me from a job sharing situation. He had been working one week on and one week off. Maybe that is the sort of position we shall have in the future. However, if that is the case, I contend such a situation should occur through evolution; it should not be forced on society by a decision like this. This ruling is a revolutionary step.

In regard to technological change, the commission indicated—

At this stage, the Commission was prepared to include in an award a requirement that consultation take place with employees and their representatives as soon as a firm decision has been taken about major changes in production, programme, organisation, structure, or technology which are likely to have significant effects on employees.

I shall rephrase that, because the commission might as well have said, "When any small businessman wishes to change the pattern of his business, he cannot do so until he has discussed the change with people whose interests are totally alien to his own", because that was what the commission has said.

Let us take the case of a manufacturer—and this is a situation with which Mr Knight may be familiar. A person may be manufacturing internal furniture for the cottage industry, furniture such as vanity stands, built-in wardrobes, built-in kitchen cupboards, and the like. Many people are involved in that sort of manufacturing. A person in that business might decide to change from using one sort of machine to another. He may decide to switch to having a standard drawer in all his components, so that he will use a dovetailing machine and turn out all drawers in a standard size. Then the drawers will be cut off and they will fit into the wall cupboard. That is quite feasible.

That businessman must discuss that sort of change with people who do not have a clue about it. All they know about is working relations. They do not know anything about business or the current trends in the cottage industry. However, under this new ruling, that business man must consult them. A requirement exists for consultation as soon as a firm decision is made about major changes.

An employer may have eight fellows working for him in the furniture manufacturing trade. He may be making frames for lounge suites and up until now he may have been wriggle nailing them. He may decide to use air guns and joint them. With modern machinery, that is a feasible proposition. By doing so, he will reduce his staff from eight to four. This employer will have ordered the machines, in order to ascertain whether they are available—probably they are manufactured in Italy. Then what does this man have to do? He must go and talk to the representatives of the furniture manufacturers' union to ascertain whether or not he can change this facet of his business.

Hon. Tom Knight: We must also consider the costs involved in putting off four men who may have been with him for 10 years. Imagine what that will cost him.

Hon. G. C. MacKINNON: He will have to pay each of those men four weeks' pay; that is 40 weeks' pay.

Several members interjected.

Hon. G. C. MacKINNON: The employees may have been working for that fellow for a long time and he will have been paying them over and above the award rate.

The point I am making is that not only the present Government, but also the Opposition—indeed all political parties—make a fair song and dance about the need to assist small business. I have been to many places and have heard members of all political persuasions point out that the small businessman is the backbone of the community.

When I was a young fellow the farmer was the backbone of the community. Then for a while the miners were the backbone of the community. Now it is the small businessman who is the backbone of the community.

Bob Hawke—I am sorry, we are not allowed to call the Prime Minister "Bob" anymore. Did members notice the article in *The Bulletin* where the Prime Minister's name was spelt "B-b"? Apparently the Jews always print God as "G-d", so that they cannot misspell the name of God.

The Bulletin has now started to call Bob Hawke, "B-b Hawke" so his name is not misspelt. Phillip Adams came up with that very good point. As Bob Hawke has pointed out, we must do everything we can for the small businessmen. We must get them to spend more freely and to employ people because they are the ones on whom the re-employment of the people of this country depends; yet Mr Hawke has been forced to stand idly by and watch Sir John Moore bring down a recommendation or ruling—I do not know in which classification it would be—which will change the whole nature of employment possibilities for small businesses.

Hon. G. E. Masters: Mr MacKinnon, he did not stand up and let that happen. He supported in principle the application. The Commonwealth Government supported it.

Hon. G. C. MacKINNON: The Commonwealth Government did, yes. I am never quite sure about how much Bob Hawke supports and how much he is keeping quiet about hoping things will not happen.

Hon. Tom Knight: Before you move off that point, how many times have you seen small businessmen after 25 years in business, through no fault of their own, in a bad year go bankrupt, and the first claim on what they have left is the worker who is left with nothing after 25 years?

Hon. G. C. MacKINNON: The member is quite right, of course. There seems to be no difference.

Hon. Kay Hallahan: You give them nothing.

Hon. Tom Knight: Listen to the waffle.

Hon. G. C. MacKINNON: He has to change his system through new technology or alter the economy. The rules, of course, have yet to be written. Somebody must take the 60-page judgment and write the rules. It would be interesting to see how the rules would be written for the one day off per week to look for a new job for people, say, working in the Pilbara. Will they be given a free air fare down? Will they get a three or four day break? Will they say the one day per week can be accumulated, so that employees can fly down and look for jobs? Of course, no allowance has been made for this.

I am at a total loss to see how small businesses comprising the employer and his wife—generally a tandem operation where both make the decisions—will cope with the situation and how they will try to change the rules as will be necessary when the desired changes are brought about through alterations in technology, on the one hand, and through alterations in economy, on the other.

I have given the example of a group of employers who belonged to, say, three different unions. What happens to a fellow who has, say, a dozen people working for him, none of whom belongs to a union? It is no good saying that does not occur or that is not a legal possibility, because I can point to half a dozen businesses in the country which work on that basis. Bear in mind that it is all right for city members who are dealing in the main with fair-sized businesses, but in the country there are hardly any big businesses; they are all small businesses. I suppose the biggest business in the south-west would be the SEC; Bunnings would possibly run second, and the railways third.

Hon. A. A. Lewis: Hospitals?

Hon. G. C. MacKINNON: Hospitals are generally regarded as being separate, but, yes, they are an industry of a good size, but in the main they are Government operated and subsidised, so different rules would apply to them. One could come up with all sorts of fancy ideas and see a change in work pattern due to advanced technology or whatever, or one could guarantee that employees have continued jobs because the businesses are subsidised by the Government. Small businesses, particularly in country areas, are not subsidised by the Government.

I am delighted to see that a number of people have warned about the possible effect of this decision on small businesses in this State. The general reaction of the unions has been to consider organisations such as BHP, CSR, and other huge organisations. Hazarding a guess, I would say that the bulk of employees of large organisations like chain stores, would be casuals. Key people would be permanently employed, but the general career officers and the bulk of the shop staff would be casual labour employed on an intermittent basis. I hazard a guess that none of this would apply to them. Those people who are tied up with unions and who jump at the slightest whim should look at the situation, because they will find that the bulk of their employees will not receive any protection at all under this measure because they are casual workers employed at so much an hour and they could easily be coped with. Many people in large chain stores, and other big employers who into come into that category, would be the career officers—

Hon. Kay Hallahan: The result of—

Hon. G. C. MacKINNON: I did not hear the member.

Hon. D. K. Dans: I used to think that was the case, but strangely, that is not the case.

Hon. G. C. MacKINNON: I still have the impression that it is the case. I would be very interested to look at it.

Hon. D. K. Dans: The figures are very interesting, I can tell you.

Hon. G. C. MacKINNON: Perhaps the Minister might be so kind as to send me those figures.

Hon. D. K. Dans: If you want them, yes, I will do so.

Hon. G. C. MacKINNON: I would be very interested to see them, because I still think the bulk of those people in chain stores would be casually employed. Hon. A. A. Lewis mentioned hospitals. Until recently, of course, many hospital employees were casually employed. They were extremely nomadic. They used to travel around, take employment for a year, take their holidays, and sever their connections with the hospital. They might return and be re-employed and they might not. They would not be covered. That can be easily got around.

The point I am making is that through different methods the situation could be changed and these rules could be obviated. I suggest that on that pattern of employment, the termination of employment at the end of each year, payout to the employee—his holiday pay, sick leave, all entitlements—and his re-employment if he wants it on an annual basis will, for many industries, become the norm through sheer and absolute necessity. I am suggesting that with a firm with 10 or 12 people, an employer may be getting into financial difficulties and needing to cut staff and return perhaps to a basis of a husband and wife and perhaps two employees would be bankrupt. If a firm had eight, nine, or 10 employees who had over five years' employment each, with the payout necessary to see them off the premises and terminate their employment, the firm itself would be bankrupt before it could re-organise itself.

It behoves the business community to look at this matter very carefully. It also behoves employers and their organisations to watch it like hawks. Small businesses, particularly in country areas, where they have been hit heavily by the recent recession—people like the farm machinery dealers, with which Hon. A. A. Lewis has a very close affiliation—will have to fight this every inch of the way.

Hon. A. A. Lewis: Hear, hear!

Hon. G. C. MacKINNON: With the Federal and State Labor Governments apparently having to go very quiet about the whole thing, and being forced to laud it—they must know in their hearts it is suspect—and with the ACTU clamouring for it and the local TLC no doubt very much in favour

of it, they will be fighting a rearguard action. They will have their work cut out for them.

All those interested in the future employment of people in this State must wish small business well in its battle because everybody in the Federal Government who has spoken about re-employment has stressed the fact that it must start from, and the main drive must come from private employment. Bob Hawke has said that time and time again and he is the guru of members opposite. He has also said repeatedly that the biggest employer in the country is the small businessman.

I suggest the proposal I have been discussing will be disastrous for small businessmen and a very sad and heavy blow indeed, particularly if the economic promise of next year should falter and a slight downturn should occur. If that happens, this will be an additional impost which will send many to the wall without hope of recovery, because they will not be able to salvage anything. For that reason, I sincerely hope it does not become part and parcel of the structure of the Australian employment scene, and that we can make our moves in a much easier and evolutionary way than having to cope with this thunderbolt.

HON. KAY HALLAHAN (South-East Metropolitan) [3.22 p.m.]: I wanted to speak to this motion last week on 1 August—an historic day in the life of Australians. Regrettably that was not possible, given our Orders of the Day. Before I go on to the point I want to make about that day, I acknowledge the co-operation on both sides of this House, of members who were aware that I was keen to speak before the dinner suspension and who co-operated as much as they were able in order to make that possible. It was not possible, but that was not for the lack of co-operation by a lot of members, and I appreciate that. Surprisingly, I would like to acknowledge the spirit of co-operation from my colleague, Hon. Sandy Lewis, on the opposite side of the political spectrum.

Hon. Robert Hetherington: One of the gentle people.

Hon. KAY HALLAHAN: The reason 1 August was such an important day was that on that day the Federal sex discrimination Act was proclaimed and became law. For people with an underdeveloped understanding of discrimination it may not have been a very important day. For those of us who have experienced discrimination and have an awareness of the acute need to do something about it, 1 August will go down in this country's history as the date that this nation tried to do something about discrimination.

Men and women will benefit from the content of that Act, but women in particular will benefit. I guess that is why for me it was an especially important day.

Coinciding with that day, an equal opportunity seminar was held that evening, and the reason I could not speak after the dinner suspension was that I was chairing the meeting. It was meant to coincide with the day, and the Western Australian Women's Advisory Council brought to this State Carmel Niland, the president of the Anti Discrimination Board of New South Wales. She is one of the most experienced people in Australia in dealing with the use of this kind of legislation.

It was timely that the Women's Advisory Council thought it appropriate to bring her to Western Australia and hold a number of community seminars to lift our level of awareness about antidiscrimination legislation in practice.

I commend the State Government for its intention to bring such legislation forward in this session, as outlined in the Governor's speech. I am sure members will be interested to take part in the debate on such legislation, and we can explore that whole issue in greater detail then. I hope that debate can move in a fairly broad way, maybe in a bipartisan way. Personally, I think discrimination and those sorts of issues ought to be treated outside a partisan context.

The seminar I chaired at Willetton was treated in that way. The people on the panel came from both major political parties, as did the people in the audience, and many people were present who were politically less aware than those members of both parties represented at the gathering. It was interesting that the meeting should have been held at the Willetton Sports Club because that club plays a significant role in the Willetton community. It has an interesting history in relation to its membership. It has never had a two-tier membership system with full membership and associate membership. It has always had a straight structured membership in which the sex of the member has nothing to do with the level of membership.

Three years ago the club revamped its constitution and it is now in gender neutral language. For someone like me, that is a satisfactory state of affairs. It is galling to read literature that presumes the world is male, and in spite of what Hon. Graham MacKinnon says about reading references to "male" as meaning the whole of humankind, that is not the way I perceive it and I do not react that way. If people want to influence me, they will be most effective if the content of the messages is in gender neutral language.

I was pleased with the whole debate. This club has a history of awareness of people's sensitivities and the debate took place in a bipartisan atmosphere. I commend that to members here. Complaints by people that perhaps a club is sponsoring a party political view in relation to discrimination are quite erroneous and misunderstand the whole nature of change taking place in our society.

The reason we need to look at these sorts of laws and have greater community debate and understanding is that laws drawn up under the Westminster system do not protect people against discrimination. There is a growing belief that that is the case, and the belief is not limited to the personal experience of a few people, whether we call them radical or not. That is a view of our society, and changes that come about will be made in the face of that need.

Another point I wanted to touch on briefly is the opinion reflected in a statement by the President to this House on 31 July. I cannot agree with some of what is contained in the essence of that statement. In fact, I doubt whether it can be supported.

The Royal Commission has been set up to consider deadlock-breaking mechanisms. The establishment of that Royal Commission was announced by the Minister for Parliamentary and Electoral Reform. I am not sure why there has been such a reaction to the formation of such an inquiry. The inquiry will not usurp any of Parliament's powers. It will consider the machinery for the breaking of deadlocks between the two Houses in this State. It will then make recommendations to the Parliament. It will then be up to the Parliament, and this House, to adopt or not to adopt those recommendations. I think the fear that that inquiry will usurp Parliamentary privilege, or whatever it is called, comes about because of a misreading of the situation. I certainly do not want to be associated with that fear.

In relation to a deadlock between the two Houses of the Federal Parliament, we know that there can be a double dissolution and then a meeting of both Houses can be held. We are limited in this State to a conference of managers. I understand that there have been about 121 of those. However, there is really no other mechanism for solving a deadlock. If the mechanisms for breaking a deadlock do not work or are not satisfactory, then it is necessary to look for other ways of changing the mechanisms. This may not be comfortable for many members. We seem to confront this problem in politics more than anywhere else. However, the existing means for resolving deadlocks are simply a recipe for non-resolution of the problem.

I know many members are in favour of maintaining the status quo. That may suit a lot of people. However, I do not think that is an enlightened position to take and I do not think that it is a useful attitude for politicians, in particular, to adopt.

I understand, from the statement, that the President had no problems with the terms of reference of the commission. No reference is made to a dissatisfaction with the commissioner either. The only problem seems to be that the setting up of the commission was not instigated by the Parliament. Personally, I do not see—I do not think it can be supported—that there is a usurping of parliamentary privilege, or a conflict of parliamentary privilege. We are talking about a Bill of Rights. I do not want to denigrate a Bill of Rights. What we are going back to and referring to is something which happened in 1689 to resolve a quarrel between the Monarch and the Parliament. I do not think that that is a useful analogy to use in this regard.

I commend the Royal Commission to all members. I do not think there is any glory in standing by what has happened previously in this place. We need to examine what we can do about that and look at what we can adopt from other places and at what we can create ourselves.

I think the issue of the Royal Commission ought to be kept separate in member's minds from the whole issue of electoral reform. There is a tendency to mix the two issues and to confuse them. I think it is regrettable that that statement was made to this House by the President. I support the motion.

HON. TOM KNIGHT (South) [3.35 p.m.]: I have pleasure in supporting the Address-in-Reply motion moved by Hon. Mark Neville on the opening day of this session of Parliament. However, I do not necessarily agree with the remarks contained in that Address-in-Reply.

I congratulate Professor Gordon Reid on his appointment as Governor of Western Australia. Fortunately, during the afternoon tea that followed the opening of Parliament, I had the opportunity of meeting him and talking with him. I was very impressed with his attitude and with him. I am sure he will do this State well and will become a worthy successor to the title of Governor of it.

I also take the opportunity to congratulate my new leader, Hon. Gordon Masters. We came into Parliament together about 10 years ago. We have been very close during that time. I am pleased to see that he has attained the position as Leader of the Opposition in this place. He can rely on my full support.

I pay tribute also to Hon. I. G. Medcalf. He is overseas at this stage. However, I appreciate the

friendship and guidance which he has given me and other members of this House during our terms of office, and particularly during the time that he led us, firstly as the Leader of the Government in this place and, secondly, as Leader of the Opposition in this place before Hon. Gordon Masters. Ian is the kind of man who saw that younger members of Parliament need to take more responsible roles and, as he could see that members like Hon. Gordon Masters were capable of taking over his leadership, he stepped down to allow that to happen. I hope that that will mean that Ian and Maxine will find more time to visit their beautiful little cottage at Bayonet Head in Albany, a cottage which I have had the pleasure of visiting on a number of occasions.

I want to raise a number of issues that affect my electorate. I will not do that by saying that I hope that members will bear with me while I do an electorate tour.

Hon. D. K. Dans: You have no alternative.

Hon. TOM KNIGHT: That is right. However, it will not be an electorate tour. Many things that have occurred in the last few months directly affect my electorate and, at the same time, affect Western Australia. The first matter I wish to raise concerns the Department for Youth, Sport and Recreation. I am the Opposition spokesman for Sport and Recreation.

I am concerned that the allocation of the proceeds from the Instant Lottery which was introduced by the previous Government has now been altered to the degree that the percentage which was to be used for sport and culture has been reduced to a nominated amount—a sum far less than was originally intended. If I remember correctly, an amount of \$56 million was raised by the Instant Lottery. Of that figure, an amount of \$5.6 million was to be allocated to sport and culture. However, we now see that a maximum amount of \$3 million is to be allocated for that purpose.

The intention of the previous Government was to find out how much the lottery raised and then to allocate 10 per cent of that amount to sport and culture. That would have meant a lot more money being allocated to sport and culture than is now being allocated. In fact, the amount of \$5.6 million would have been allocated for those purposes.

Because of the shortfall now being suffered by many organisations in this State, and particularly by sporting bodies, these organisations are experiencing financial problems. The balance of the money that should have been allocated is going

into Consolidated Revenue—a purpose for which it was never intended.

The shire council of a little town in my electorate known as Gnowangerup wrote a letter to Mr Wilson, the Minister for Sport and Recreation, stating that it was appalled at the recent announcement that the community sporting and recreation facilities fund grants programme did not include grants applied for by the council. It stated that those grants had been unsuccessful. Applications for grants were made by the Borden sports ground reticulation committee and the Borden cricket club. As members would be aware, these organisations are in my electorate.

The letter states—

Borden is a very small town in this Shire and the small community has shown tremendous spirit and self help qualities to ensure their identity and provide facilities for their sportspersons.

I note the use of the word "sportspersons" which is very up-to-date, and I am sure Government members will be pleased with that. The letter continues—

Such community efforts have raised in excess of \$50 000 to assist in providing reticulated ovals and we feel that they are worthy of support from the Department of Youth, Sport and Recreation. Such facilities which are common place in the larger areas and the city are only provided in the country by the work of local volunteers and in this Shire such facilities have been provided in the three centres of the Shire Ongerup, Borden and Gnowangerup in the last four years at great expense to the residents and dedicated volunteers in an attempt to retain their youth and support their lifestyle.

These are both important points: the retention of young people in these country areas rather than their exodus to the metropolitan area looking for work; and, of course, the lifestyle which those who live in the metropolitan area accept as a normal way of life. However, people in country areas have to work and fight for such a lifestyle. They use charity fund raising efforts to raise money.

In his reply, Mr Wilson stated—

The number of applications far exceeded expectations—in excess of 470 being received for projects totalling just on \$7 million.

As you are well aware, the fund was limited on this occasion to \$1.4 million.

Had we followed the previous Government's intentions, an amount of \$5.6 million would have been available for sport and, therefore, the shortfall

would have been much smaller. This letter refers to \$1.4 million being allocated, not the \$3 million that had been allowed for. If my arithmetic serves me right, that is \$1.6 million less than promised when this Bill was passed, or a figure below that if the sum raised was not in keeping with expectations. The letter continues—

I note in your closing remarks that you have drawn attention to the Instant Lottery monies. Whilst the Instant Lottery is continuing to be a success, the Government has restricted for the moment—

That is a ridiculous statement. I would have thought that if the Instant Lottery was continuing to be a success, more money could be put into sport and culture rather than restricting the funds. It continues—

—funds for its sports and arts programmes to \$3 million per annum.

That is allowing \$1.5 million for sport facilities and \$1.5 million for culture facilities, and that was not the original intention. The funds provided by people subscribing to the Instant Lottery are slowly being eroded. It is little wonder that people are complaining about the grants for these important facilities. The letter continues—

These funds are in the main, made available for sports programmes and are not generally available for capital programmes. The capital programmes for clubs and community groups are funded from the State's Consolidated Revenue Fund.

It was never intended that the scheme should work in that way and it is proof that the money raised for this purpose is going into Consolidated Revenue. I hope that the Government will make sure that income from the Instant Lottery goes into providing facilities for sports, arts, and culture, as was originally intended.

In this connection, I refer to the situation where only one application for funds for the whole of the great southern area was approved and that involved a project in Albany. I understand that approximately 470 applications for funds were submitted with most from the great southern region. Most sporting clubs put forward proposals, but only one application was approved. That is a bad situation.

Hon. Mark Nevill: What about Ravensthorpe?

Hon. TOM KNIGHT: That is not in the great southern area. It is in the eastern districts.

Sitting suspended from 3.45 to 4.00 p.m.

Hon. TOM KNIGHT: I will comment now on the tuna industry along the south coast and the concern felt down there about the possibility of the

virtual extinction of that industry owing to the IAC's recommendation to reduce the tonnages caught along the south coast. The area extends right through from Walpole to Cape Arid, which means that Esperance would also be drastically affected.

With something like 109 tuna boats now licensed on the south coast, the recommended reduction from the 4 000 tonnes caught last year to an estimated 1 000 tonnes this year meant a 75 per cent reduction in the total catch for the great southern area. This would have resulted in 75 per cent of all tuna fishermen and their boats being deprived of work, and at least one of the canneries would have had to close.

After repeated meetings, with the State Minister (Hon. Dave Evans) supporting the push by fishermen down there, and the pressure from local members, it all resulted in the present happy situation under which, although we may not get the 4 000-tonne figure caught the previous year, it is expected the figure will be 3 000 rather than the recommended 1 000 tonnes.

The ridiculous part of all this is that the initial pressure for change came from the Eastern States fishermen. Obviously the Federal Government bowed to the pressure of their numbers and the voting figures in the Eastern States and went along with the request by the Eastern States fishermen to reduce the catch.

Of the Australian total of 19 000 tonnes of tuna caught at the time the IAC recommendation was made, Albany had a 3 000-tonne reduction which brought the figure back to 16 000 tonnes while the Eastern States fisheries suffered only a 2 000-tonne reduction; in other words, their percentage—12 per cent—was very small while we had something like 75 per cent cut from ours, a figure which would have devastated the industry here.

The total catch is to be retained at something like 17 000 tonnes while the figure for the local fishermen on the south coast is to remain at 3 000 tonnes. It had been said that 4 000 tonnes had been caught the previous year, but in fact something closer to 8 000 tonnes had been caught as a result of the size restrictions introduced in the previous year. It was necessary to return any tuna caught under a specific size. However, as anyone who is aware of what happens in the tuna industry would know, the fish are caught by a hook on a rod and line without any bait being used. The tuna in a school are stirred up to such a degree that they will virtually jump on anything that moves, which in this case is a silver hook. They are flicked on the boat. The scene is one of almost perpetual

motion—jag, throw in, again and again. There is no time to stop to check the size of the fish.

Were an undersize tuna to be thrown back straightaway, the whole school of fish would leave the area at once because the rest of the fish would sense the terror of the returned fish. So, if one of the first fish caught were undersize and was thrown back, the fishermen would face the possibility of the whole school disappearing. After a sufficient quantity is caught, or the school leaves, the undersize fish are thrown back into the water. The problem is that by the time they are returned, half are already dead.

The suggestion put forward was that, if the fish stocks were to be saved, there should be an unlimited size and the amount caught last year along the south coast should be cut by half.

Commonsense has prevailed; nonetheless 25 per cent of our fishermen will be looking to follow other pursuits because the cutback in their income will make their jobs unviable. Although every fishermen licensed last year will be granted a quota, it will be insufficient for many of them to make a living. Other fishermen will be able to buy their quotas, but the money will not be enough to allow those leaving the industry to establish in another industry unless they can sell their gear and boats. However, tuna boats are built specifically for tuna fishing, which means it will be difficult for them to use their boats for other fishing. Most of the boats fall into the \$35 000 to \$75 000 bracket. Unless another use can be found for these boats, many fishermen will be in a messy situation.

That is why I am saying that the Government should be responsible for assisting with the re-establishment of these fishermen who sell their quotas. I do not want the same situation to apply as happened in Albany with the closure of the whaling industry, when promises made then did not eventuate and nothing happened. In this case, we must make it happen.

When we consider industries of this type which involve natural resources that can be affected by overfishing or whatever, perhaps we should be considering the levies paid on grain and on potatoes, where a bank of money is kept in the interests of the industry so that in hard times the industry can assist the people affected by a closure or a cutback in the industry. In this way the people involved could be assisted to re-establish themselves in another industry. We should be considering something like this so that in future the industry can assist the people involved rather than their having to rely on the taxpayers. An industry which is strong and a good money-spinner should see the

people involved paying back something to the industry in case something like this happens in the future.

My next topic relates to the great southern comprehensive water scheme, a topic I have raised before in this House. Following a lot of pressure from members of Parliament, last financial year the scheme was extended as far as Kendenup. In the previous year, the people of the town suffered badly because of water restrictions, and I think everyone there was carting water. Thanks to pressure from parliamentarians, backed up by the local councils and the people of the area, the pipeline which constitutes part of this great southern comprehensive water scheme was extended to Kendenup.

Some 10 years ago, the whole idea behind the scheme was that it would go right through to Tambellup. In a letter to me, the Minister said that it was never intended the pipeline should go that far because the joining of the schemes would be of no significance. That is wrong, because we would then have a major supply source at each end of a major supply pipeline, with supplies coming from Mundaring Weir at one end and from the south coast at the other. This would provide an opportunity if needed for the pumping to be reversed and for the water to travel in either direction. This would mean the entire area would be covered, an important factor in the event of a disaster north or south of the scheme.

It was to be extended to Cranbrook to overcome the roaded catchment of the normal dam supply to the town. In 1968, 1969, and 1970, Cranbrook was on water restrictions and the people of the town had to cart water for all their requirements. If we have other years like 1968 to 1970, people could face another water shortage. Although the dams are sufficient in times of heavy rainfall, they are not sufficient during drought periods such as those experienced in the late 1960s. The scheme should be extended to Cranbrook *postea*. However, what everyone is forgetting is that between Kendenup and Cranbrook is another small town called Tenterden.

That town has no water supply. Even though the town is small, the water supply should be extended to it because a commitment was made to do so 10 years ago. Regardless of what Government made that commitment, it should be complied with. During the Tonkin Government period of office, 1971-1974, a comprehensive research of that area was carried out for the purpose of establishing a water scheme. So, such a scheme has been the policy of both political parties. The people in the area should not be suffering because so much money is being spent in the metropolitan area or in

other parts of the State. I ask that the Minister look into the matter on the basis of what was proposed 10 years ago, and hope that something can be done for those people who have waited for so long for a water supply.

Recently we had one of the worst storms in Albany I have seen for some time. On Saturday I drove down Marine Drive to look at the damage to Middleton Beach. You would be aware, Mr Deputy President (Hon. D. J. Wordsworth) of the area I am talking about because you were at one time filmed running from the water at Middleton Beach after an early morning swim.

At the Middleton Beach Esplanade Hotel area some Norfolk pine trees which were planted 40 or so years ago are about 30 to 40 feet back from a concrete wall. At the moment waves are lapping over that wall and the area is completely undermined. Two of the trees have been lost and two have been jacked up in the hope that they can be saved. In the Griffith Street development, the area between Middleton Beach and Emu Point, the town council, in conjunction with the Department of Conservation and Environment, has been carrying out dune restoration very successfully. Handrails have been installed, Marron grass has been planted, and wire netting placed on the area in an effort to conserve it. However there is now a 15 foot drop half-way down a path which has been set with sleepers for people to step onto the beach. In the Emu Point area, cars can be parked there, boats are launched from the point, several catamaran and pedal boats operate from there, and children can wade to the Oyster Island shallows.

In a statement I heard on the news on Tuesday night it was estimated that half-a-million tonnes of sand had been washed out. From what I saw on Saturday morning, that would be an extremely conservative statement, bearing in mind that a cubic metre of sand usually weighs in excess of one tonne. This sand has been washed away along a 2½ mile beach area which is 20 to 30 metres wide. If we consider all that, we realise the news report was an understatement. The area is covered with seaweed which has been washed in with the heavy seas.

The Government should have officers down there to talk with the shire council, the emergency services organisation, and in particular the tourist bureau, to see what can be done. In three month's time the main tourist season starts. Most of the members in this Chamber have seen at some time the number of tourists who visit Middleton Beach. I would say it is a tourist spot of world renown. It is certainly known Australia-wide.

Hon. Robert Hetherington: A lovely spot.

Hon. TOM KNIGHT: It is certainly not like that at the moment. It is a disaster area. If the damage had extended another 10 metres, the surf lifesaving pavilion would have been undermined. That is how bad the situation is at present.

Over the years we have helped the areas of Mandurah, Busselton, and Bunbury with dune restoration, in fact, all down the west coast and along the south coast. We have spent millions of dollars very well. However, in this instance I believe the Government will have to move quickly to retain something which is the heritage of all Western Australians.

Something should be done about re-establishing the area because Albany has been riding high with the tourist flow over the last few years. Our Premier is the Minister for Tourism and he has shown a great interest in Albany and the build up of tourism; therefore, he should make sure that every possible step is taken to ensure that Middleton Beach is close to, if not normal again before the tourist season starts.

Some of the people who have looked into the restoration of sandhills and beaches know what should be done. Ideas have been to knock down some of the sandhills and push the sand further forward, so that with the residual waters the beach is reformed. It would mean a wider beach and less sandhills, but at least it would be a beach.

Another matter I wish to raise relates to the plight of Mr Tomlinson, a fisherman who operates from the western end of Princess Royal Harbour. Because of pollution and effluent in the harbour, and the mercury build up in the fish caught there, the harbour has been closed to fishing. Mr Tomlinson established himself as a fisherman and was granted a licence to fish in the harbour in 1977. Since then, because of the popularity of the fish he has caught in that area, he has built up a large custom. He bought a new boat, nets, and a new motor vehicle. He, like others, has a mortgage on a home and a family to feed, educate and clothe. However, with the closing of the harbour his business has stopped and he cannot fish in any other area.

He looked around for a job and was told that if he took another job, or even if he received the dole, he would lose his fisherman's licence, but while he held his fisherman's licence he would be ineligible for unemployment benefits. He is in a catch 22 situation. He cannot do anything but fish in Princess Royal Harbour, and the minute he forfeits his licence he can have no guarantee that it will be returned.

Then, if by some quirk of fate the Minister decided to throw open Princess Royal Harbour,

and Joe Bloggs stepped in and applied for a licence in that area, Mr Tomlinson would miss out on the issue of a licence. He has looked at other estuarine areas along the coast, but they would not give him the type of fish he wants and it would mean that he would encroach on the operations of other fishermen and perhaps put two people out of work.

He asked his wife to apply for unemployment benefits. She was offered a job at the woollen mills operating machinery. However, because she is short-sighted she did not want to operate machinery for safety reasons as it could be dangerous. She did not take the job, and has now been struck off the list of those eligible for unemployment benefits. The family has been kicked from pillar to post because of happenings which have not been of their own making. All I ask at this particular stage is that Mr Tomlinson be given permission to surrender his estuarine fishing licence, on the guarantee that as soon as Princess Royal Harbour is reopened for fishing, the licence will be reinstated immediately.

In this way, Mr Tomlinson would receive unemployment benefits, and the minute the harbour was ready for fishing, he could move back into his business, draw back his customers, and not be a drain on the State or the Federal taxpayers. I want the Minister's guarantee that if Mr Tomlinson surrenders his licence, it will be reinstated when the matter is thrown open again.

Recently, the Country Women's Association wrote to me on several occasions asking me to look into the question of the domiciliary nursing care benefit. For the information of the House, I will read one of the many letters I have received from different branches of the association as follows—

Dear Sir,

On behalf of all our members I write concerning the lack of home nursing benefits through Medicare.

If a person with a terminal illness wishes to stay in his or her home, rather than in a hospital, then financially that person is only eligible for home nursing benefits provided from ancillary benefits from his or her insurance fund.

The H.B.F. allow \$40 per day for home nursing, for not less than a six hour day, and a maximum benefit of \$800 per year. This means that only 20 days can be met through insurance. There is no benefit through Medicare.

Cancer patients may be looking for a far greater period than 20 days home nursing, and considering the saving in costs to the Government, by not having

the patient in hospital, we think Medicare should be looking at this discrepancy with the view to providing home nursing benefits.

This can affect so many, so we thank you for your co-operation.

The hospital funds pay \$40 a day. I wrote to the Public Health Department in Western Australia and asked for some figures, and I received the following reply—

You are no doubt aware that the Commonwealth Department of Health provides a Domiciliary Nursing Care Benefit to relatives caring for patients at home. This is currently at the rate of \$42 per fortnight.

In response to my second query, the department advised me that as at 30 June 1983, the average cost per patient per day in teaching hospitals was \$340; in the non-teaching hospitals, it was \$170 per day; and in Government nursing homes the cost was \$68 per day. The Government sees fit to pay that sort of money to keep people in hospitals, but it can see its way clear to paying only \$42 a fortnight for a person who is being cared for in his or her own home and who is saving the cost to the taxpayer. On that simple basis, the Government would be far ahead.

If the Government increased its payment, the people concerned would appreciate the fact that it had done something, and they would live in their own homes while going through the terminal stage of an illness. If the Government paid \$200 a week to keep a patient at home, most people would be happy to stay at home. The present payment of \$40 a day does not compare with the cost of \$340 a day to keep a person in a hospital. If we multiply that by seven, we have \$2 300 a week to keep a person in a teaching hospital. If we reduce that cost to \$200 a week, I guarantee most people would take that sum and stay at home. However, they will not do so while the Government pays only \$42 a fortnight. The Government is taking a pretty narrow, head-in-the-sand attitude with the taxpayers' money.

One constantly hears the cry about the cost of medical care and health benefits, and it is little wonder when it costs \$340 a day to keep a person in hospital. We should listen to the plea by the various branches of the CWA in my electorate and throughout Western Australia for a payment of \$200 or \$300 a week, because the Government would then save \$2 000 a week for each patient who stayed at home. If the Government did that, the people would stand behind it and put more pressure on Dr Blewett who would have to "blow" something else, and we would reach the stage at

which we were helping people, which is what medical care is about. If people want to care for their sick relatives and save the taxpayers that cost, they should be allowed to do so. I raise the question because it should be considered carefully with a view to action being taken.

Another matter I have raised in the House previously relates to the Albany swimming pool. I have received a letter from Mr Dowding, who is the Minister for Planning, Minister for Employment and Training, and Minister for Consumer Affairs. That letter is in response to my last address to this House asking for finance to be made available through some source or other to establish a swimming pool in Albany. Members should bear in mind that over the last 15 or 20 years, the projected cost of the swimming pool has risen from something like \$75 000 to \$1 million. The town and shire councils have agreed to contribute, if I remember rightly, two-thirds of the cost, asking for a Government contribution of something like \$330 000.

Hon. G. E. Masters: Is that for the heating?

Hon. TOM KNIGHT: Obviously, in Albany. That would make it an all-year-round pool. That would benefit not only swimmers, but also arthritis and asthma sufferers. More things than swimming can be done in a swimming pool.

In a town the size of Albany and the surrounding districts, a swimming pool is essential. Swimming is an important part of our autumn games, and we have people who go swimming in the ocean. However, to my knowledge, no-one from Albany has ever achieved success in competitive swimming because Albany does not have the facilities to cater for competitive swimming. Albany won the country part of the surf lifesaving competition in Perth, and it came second in the main competition; but people in Albany do not have the opportunity to enter competitive swimming, as should be their right.

People have supported the establishment of inland pools, but that does not help the people living on the coast and who want to be involved in competitive sport. When I raised the matter with the Minister, I received the following reply—

I have been advised that an application for a C.E.P. grant for the Albany Swimming Pool project has been lodged and is currently being assessed prior to it being referred to the Committee.

That was dated 5 April 1984, and I have heard nothing since that time.

Community employment programme funding is being wantonly thrown around the country. This project should receive a great deal of backing and

support for the Government if the Government makes the money available.

Mr Deputy President (Hon. D. J. Wordsworth), you and I are deeply concerned about the proposed grain freight policy of the Government. Over the last few months, in our electorate we have attended several meetings regarding that policy. We have spoken to many people throughout the electorate. The meeting at Ongerup is the one that will long stay in my mind. Ongerup is a very small town north-east of Albany. The meeting in the local town hall was called to discuss the situation. I would go so far as to say that never have as many people been in that town hall since it was built. As you, sir, saw at that meeting, 400-odd seats were put out after 100 had been borrowed. The people were standing eight deep at the back of the hall and three deep down the side of it. To a man, they voted to oppose the Government's proposed grain freight policy.

That policy would take the lakes district grain, which is now road transported to Esperance, away from Esperance. That would mean the removal of 150 000 tonnes of grain from the port, and it would virtually put OD Transport out of business. I do not think Esperance could take the economic shock of that. In addition, the Government would remove 60 per cent of the bins from Southern Transport Pty. Ltd. and put the grain on rail at Newdegate. The railway from Newdegate to Lake Grace is in such a dilapidated condition that trains must travel at a slow pace, even when they are empty. When they are fully laden, they must be monitored to make sure there is no chance of an accident.

One must think of the amount of money that will need to be spent to upgrade the railway. This Government and the previous Government have been tearing up rails around the country because they have not been required. Westrail has said that it can cart the grain at a lower rate than can private enterprise. However, it has been proved that private enterprise operators have always undercut prices charged by Westrail.

Hon. Fred McKenzie: That is because they have had a road provided and have had subsidies paid by other motorists.

Hon. TOM KNIGHT: Why subsidise it and take more of the taxpayers' money? It will not prop up Westrail.

Hon. Fred McKenzie: The roads have been built for bigger trucks and the ordinary motorists have had to subsidise the cost.

Hon. TOM KNIGHT: Every motorist, including the city motorist, has subsidised it and that is

not including the money that is obtained through petrol subsidies, etc.

For Mr McKenzie's information, the railway line to which I am referring is in a dangerous condition. In order to cart grain on it the line must be upgraded. I am sure that Mr McKenzie is aware of the cost of upgrading railway lines. Someone will have to pay for it, and it will be the taxpayer.

Westrail has threatened the northern wheatbelt farmers that if the southern wheatbelt farmers do not agree with its policy their costs will not be decreased. It is almost a blackmail situation.

As a result of the 60 per cent cut to Great Southern Carriers, Albany will suffer. That loss will be in the order of \$4 million per annum. With 150 000 tonnes of grain being carted by rail, road transport drivers will be out of work; petrol stations, mechanics, and those businesses which service the truck operators will suffer. Families will suffer.

The Government's move is simply to prop up Westrail. I feel sorry for the Westrail employees who may lose, or who have already lost their jobs, but why exacerbate the situation and wipe out the transport drivers who have spent up to \$150 000 on big rigs and who have met the cost of establishing their homes? Their families have been forced to live in decentralised areas, in Albany and surrounding towns which is the Government's policy of decentralisation.

Who will buy the rigs? The transport drivers will have the mortgages foreclosed on their homes, and we will be faced with a financial situation which the present Government could not handle.

The farmers are being told that Westrail will not be providing a service that is cheaper than that of road transport, but in five years it will be. Once road transport enterprise has gone and the operators have sold their trucks, who will compete with Westrail? I believe the Government of the day should turn around and say, "We will jack up the cost and we will make rail pay, because we have no other alternative".

Let us not joke about it, because this sort of thing could happen. At the present time the farmer has his grain picked up by transport operators and it is delivered to the bins at the ports of Albany or Esperance for escalating onto ships. With Westrail carting the grain, another handler will be involved and the farmer will have to pay for that extra handling.

It is a disastrous policy and it will affect many people. Westrail has indicated only a few employees will be kept in work; 60 per cent of the work undertaken by Great Southern Transport

will be lost, and it is estimated that 600 direct and indirect jobs, could be lost in Albany.

Hon. Fred McKenzie: Who picks up the extra jobs?

Hon. TOM KNIGHT: What extra jobs?

Hon. Fred McKenzie: They do not go to Westrail.

Hon. TOM KNIGHT: It has been said that Westrail will cart grain to Albany and it will forget about Esperance. The Albany Port Authority appears to be the only one pleased with the policy because it believes it will get a few extra ships through that port. However, the increase in shipping will not make up for the deficit. It is better that the people in Albany be kept in the jobs which they have held for years.

At a recent meeting in Albany, residents stood up as one man and voted in favour of the policy of road transport continuing through the medium of Great Southern Transport, a company which has done a magnificent job. It is operating in places like Ongerup, Jerramungup, and Needilup. That company stepped in when transport was required in those areas. The farmers were told by the Government that if they wanted to live in those areas they would have to put up with the problems. They got Great Southern Transport to solve those problems and I do not see why any Government should move in and change that situation.

Hon. Garry Kelly: Do you think Westrail should compete with Great Southern Transport?

Hon. TOM KNIGHT: It has tried.

Hon. Garry Kelly: It should try again. If at first you don't succeed, try, try again.

Hon. TOM KNIGHT: As members are aware, rail transport has never succeeded in tendering against road in WA. It has been tried. It has also been said that someone could buy the railways, but the running costs are higher than those of road transport.

In the Borden area the farmers have to cart their grain to Gnowangerup. I think the cost per tonne for cartage is \$14.90, and it has been agreed to cut it back to \$10.50. A profit could not be made by charging that rate. The farmer must pay for carting the grain from Borden to Gnowangerup at a cost of \$2.50 per tonne and yet Great Southern Transport carts it to Albany for \$11 per tonne.

It is ludicrous to think that the Government is prepared to stick its neck into something with which the people operating in that area are happy. We have a situation where the farmers are delighted with the existing service. The trucks backload with superphosphate and if this were

done on rail, farmers would be charged freight both ways. In five years' time the Westrail freight charges will be increased.

I know that Mr McKenzie is associated with the railways and I admire him for his involvement.

Hon. G. C. MacKinnon: Mr McKenzie does not have an association with the railways, he has a love of it.

Hon. TOM KNIGHT: I appreciate that, and I like to see people who are dedicated to matters in which they are involved. I appreciate his dedication to and love for, as Mr MacKinnon has said, the railways. We have seen Mr McKenzie battle for Westrail in this House, but this is the most ludicrous thing we have heard. The farmers do not want it, the trades people do not want it and, in fact, the community does not want it.

Hon. Fred McKenzie: Do you know who wants it?

Hon. TOM KNIGHT: Who?

Hon. Fred McKenzie: Fred McKenzie.

Several members interjected.

Hon. TOM KNIGHT: We know of the problems of strikes in regard to grain and wool shipping and live sheep shipping. There is a situation with OD Transport Pty. Ltd. The "OD" stands for owner-drivers. Those people own their trucks; they are subcontract drivers—self-employed people who do not have to become part of a union.

I ask members to imagine what could happen, with an estimated record harvest in excess of six million tonnes, if the railways go on strike. What will the farmers do? Wheat cannot be left on the stalks, and farms do not have the facilities to store it. After a while the bins at the sidings will be full. The wheat must be moved into the port and onto the ships.

Last year deliveries by road to Albany had to be stopped as the bins were full. If the employees of Westrail went on strike, that would paralyse the biggest industry in the State at that time.

There is nothing in favour of the policy that the Government and the Minister are trying to follow. The Minister has been to these meetings; he has had his officers there and they have copped it. They have put up a wasted battle against overwhelming odds, but the figures they have given have been shot down as being incorrect time after time.

Several members interjected.

Hon. TOM KNIGHT: OD Transport is private enterprise; Westrail picks up the money from the Government.

Hon. Garry Kelly: It is trying to reduce the deficit.

Hon. TOM KNIGHT: What is the situation with Westrail which will change with this Government?

Several members interjected.

Hon. Fred McKenzie: Has it not reduced the rates by 20 per cent?

Hon. TOM KNIGHT: Who pays it? The owner-drivers are buying bigger trucks. The more one puts into the truck the less it costs per kilometre. Look at the size of these big road trains. Twenty years ago they would probably do two miles to the gallon. Today they do 10 miles to the gallon. Private enterprise is always cutting down on costs. Government enterprise could not care because any shortfall can be picked up. This will continue to be the problem. I do not want to exacerbate the problem; there is a big deficit to be picked up.

Several members interjected.

Hon. TOM KNIGHT: Hon. Garry Kelly and Hon. Fred McKenzie know what I am talking about and they appreciate my point. Fred McKenzie has a love of and feeling for Westrail; Mr Kelly does not know the first thing about it.

Several members interjected.

Hon. TOM KNIGHT: I have a file here from which I could quote figures, but I am sure members would rather I got on to another point. I think I have covered the subject well enough to let the Government, and I hope the Minister, see that this is a disastrous direction they are taking. It will be disastrous for the people in the areas we represent, for private industry, and in the long run for Westrail. We will finish up with such a chaotic situation that Westrail will take the blame for something it had nothing to do with and we will be left with the debt. Rail lines have been pulled up, services have been cut, and staff numbers have been decreased. Unfortunately that is the way things have been going right throughout the world. Big, private enterprise institutions are cutting down on staff. They have to compete with people who are becoming more competitive.

Our big problem is lack of population, long distances, and shortage of tonnage. It is not necessarily the fault of Westrail; it has happened in other States of Australia.

I raised the subject of drainage last year. The residents of a particular area in Albany district were being charged a drainage rate, but this drainage area was on the opposite side of the hill, and there was no possible way for any of the rain falling in that area to get to the drainage system in

question. I wrote to the Minister who explained the situation to me. It was agreed there was doubt whether a particular section could be drained into this particular reserve. Because of the cost of the establishment of a drainage reserve, people were expected to pay drainage rates as they were gaining benefit from it.

I have maps dating back to the early 1850s and they show a natural creek in that particular area. As a child I lived on a farm through which the creek ran. A drag line was taken down to deepen and widen the creek. As it was a natural waterway, it was draining a particular area. I do not see how we can charge for something which was already there doing a job just because somebody cleaned out some sludge.

Let us turn to the area on the other side of the hill. Another area in Mt. Lockyer faces straight into the valley. When the housing area was established, it ran directly through the superphosphate works. None of the people has paid a drainage rate, but the people half-a-mile back beyond the hill where it runs into the Yakymia Creek area are paying a drainage rate to the Government, a drainage rate which should be paid to the shire.

The argument seems to be that because a drag line was used it is a man-made watercourse, and it is servicing an area and building up its productivity. I do not know what sort of productivity the residents of Mt. Lockyer are achieving, because it is a residential area!

As my constituent has said, if an area is subject to a drainage rate, and the residents of that area are benefiting from it, why is a rate not struck for the whole town? The rates paid to the shire councils could be paid to the Government department if that is the way the Government wants it. The Minister said that it is not the responsibility of the town or shire councils because the Government maintains and establishes the drain. I disagree with that point.

I have here four pages of reasons establishing that it is a natural watercourse and not a man-made course, and why rules and regulations were laid down by the Minister and his department. Bear in mind that Bunbury has a drainage system to drain what was a flooded plain area and no drainage rates are charged for that service. Rates were charged until the present Government was elected, but a promise was made prior to the election that that would cease. In Albany, where there is a natural watercourse, the residents pay drainage rates, but they do not do so in Bunbury, where the area was a flood-plain. I want to know why that has occurred.

I turn now to drainage rates as they affect farmers. The classifications which are used are "totally beneficial", "partially beneficial", or "in the area of". In one case an elector has a farm which is being treated as "beneficial", not "totally beneficial". Part of his farm is on a hill and part is on the flat. In the front of his farm is a flat which runs down to a railway line. It has no culvert; it is built up, and there is a man-made dam. Some 30 metres away from the railway line there is a road which is also built up and which creates a second man-made dam.

Apart from a brief period in the summer, throughout the year this farmer's front paddocks are under water. He is being charged a drainage rate, because it is maintained that, as a result of groundwater movement and the movement of the water table, the water is going into Lake Powell which is situated across the road from his property. Yet he is being charged a drainage rate.

It is little wonder we receive complaints when we examine the sorts of things we do to people.

Last year a group of people in Lake King in my electorate applied for a tavern licence. Lake King is 50 miles east of Newdegate, where the railway line I was just talking about in relation to grain freight ends its run. Within five kilometres of that, is the immediate area of Lake King, an area in which 82 people reside. In the surrounding area of 40 kilometres, 670 people reside.

The application for a tavern licence was not agreed to. The people who operate the liquor licence from the little store at Lake King said the granting of the tavern licence would not affect their business. That tavern was to be a community project. It would have been set up on a business basis and it would have provided for recreation, social activity, and gatherings in a very remote area of our State.

That application was knocked back during the period that a moratorium was imposed on the issuing of new licences by the present Government. However, no-one paid back those involved for the cost of research, legal fees, plans and specifications, and back-up involved in the application. Those sorts of costs run into thousands of dollars.

The architectural fees involved are usually approximately 10 per cent of the estimated cost. The tavern would probably have cost \$150 000; therefore, architectural fees would amount to \$15 000. It was not the architect's fault or the client's fault that the application was not agreed to. Thus the plans are still useable, and the client must pay the fee.

If structural details are required, they are provided for a further 2.5 per cent to cover the

cost of the engineer's fee for working them out, for the computations of steel beams and rafters, and whatever else may be required. That amounts to another \$3 700. Therefore, the fees in this case would have amounted to 12.5 per cent of the cost of the tavern. Disregarding the solicitor's fees—and they are certainly not at give-away prices these days—the costs involved in this application amounted to almost \$20 000.

We must then add the costs of the people who put the proposal together as an entrepreneurial exercise. No-one pays back that amount when an application is not approved.

I maintain that tavern licence should be granted.

The Select Committee set up in the lower House to examine that matter looked at the possibility of extending the moratorium on the approval of licences for liquor outlets for the next five years. The people to whom I have referred at Lake King are out of pocket to the tune of \$25 000 to \$30 000. They are farmers and small business people in the area. They were told they should apply to the Supreme Court. If I remember correctly, it costs in excess of \$2 000 to have a Supreme Court application opened. On top of that, they must pay their solicitor and architect to explain the situation. They could end up with a bill for \$50 000 and still not have a licence to establish a tavern at Lake King.

A tavern at Lake King would not interfere with anyone's drinking habits; it would not interfere with any other hotel, tavern, or drinking place. Lake King is 50 miles east of Newdegate and 60 miles north of Ravensthorpe. This tavern would be rather like a country club and would provide the facilities which would enable people prepared to pay for them to enjoy themselves. Patronage may also come from passing travellers and that would assist in paying off the debt. This tavern would improve the lifestyles of the people in the area and they have just as much right to a tavern as do the people in Perth.

The location chosen for this tavern is alongside the golf course, the ambulance hall, and the little town hall. The site lends itself to approval and there were no objections or arguments against it; yet the licensing tribunal refused the application.

I am very disappointed about that refusal, firstly, because the tavern was so badly needed and, secondly, because these people are out of pocket. We should look at the situation that, if people apply to establish an industry, a business, or whatever, where costs are involved they should not have to provide all the information initially. They should be able to make an application by

providing a sketch plan, proposal, or written submission to a court saying, "We are thinking of establishing a tavern at Lake King. There are no objections. The shire and the people support it and the money is available". Once approval in principle has been given, the applicants know that, if they spend the money, they will obtain the reward.

This sort of argument has been advanced by people in Perth for many years and it is time we started thinking about doing something to alleviate the costs to which people who make such applications are subjected, because that money will not be circulated in that area for the benefit of the people. It is lost for all time.

We should be looking at ways and means to make these applications easier and less costly. If an application of this nature is knocked back, let that happen based on a piece of paper which sets out the plans, rather than on a ream of plans, structural computations, entrepreneurial detail, and surveys carried out by the shire and different people to prove such an application should be granted.

I turn now to rye grass toxicity. Over the years I have raised this subject on a number of occasions, but the problem is getting worse. In the area where it is prevalent, it is the greatest single stock killer known in Australia. The problem is spreading. The further it spreads over the State, the greater the problem. The number of outbreaks in the 1983-84 season was 110 on 82 new properties. The number of stock deaths reported in that period was 2 493 sheep and 12 cattle. It may be said those figures are not high when compared with the figures in respect of other diseases which kill animals throughout Western Australia. However, as soon as this problem is experienced State-wide, it will be the single biggest killer of stock in Western Australia.

Money for research into this problem has not been readily forthcoming and the Government should look closely at this disease, because it is spreading. The new shires which have been affected are Woodanilling, Narrogin, Kellerberrin, and Moora.

The figures I have are as follows—

only 11 reported outbreaks have occurred since the end of November, eight in December, two in January and one in February.

as the ratio of new outbreaks reported to old is almost 3:1 it suggests that farmers who have had the problem before may not be reporting outbreaks.

It is starting to reach dangerous proportions. I would like the Minister for Agriculture to be given

the support of his other ministerial colleagues because it is a matter of money.

Three leading WA rural companies have donated \$83 000 to boost research into the pastoral disease that has killed 30 000 sheep and 400 cattle over the last 10 years. People in the metropolitan area are not aware that this is happening, but I have seen it on the farms. I have seen the paralysis it creates and the devastating effect it has on stock. I have seen whole paddocks full of stock which have been bulldozed into heaps on some of the affected farms.

The firms concerned were CSBP, Farmers Limited, Elders West, and Town & Country WA. Those firms donated \$83 000 for something which I believe is the responsibility of the Department of Agriculture and the State Government. I would like more funding to be made available to ensure that this matter is properly and deeply researched because the further the disease spreads, the faster it spreads. It is presently just north of Albany in the Gnowangerup area right up to Moora; it goes from east of Perth right out into the north-eastern wheatbelt areas, and it is approaching dangerous proportions that we can no longer afford.

I hope the Minister for Agriculture will take up the matter quickly and approve more finance particularly to look into this disease as it will be to the detriment of this State if it is allowed to continue.

I could have raised a few other minor matters, but my next topic I could probably raise at another stage, because I have spoken for a fair while. It is something that as time—

Hon. J. M. Berinson: We would really like to be able to digest what you have said so far.

Hon. TOM KNIGHT: Good. I will give the House another burst at a later stage. With those few words, I conclude my remarks.

I support the motion.

Debate adjourned, on motion by Hon. V. J. Ferry.

BILLS (4): RETURNED

1. Justices Amendment Bill.
2. Parole Orders (Transfer) Bill.
3. Public Trustee Amendment Bill.
4. Legal Practitioners Amendment Bill.

Bills returned from the Assembly without amendment.

JURIES AMENDMENT BILL

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [5.04 p.m.]: I move—

That the Bill be now read a second time.

At present, the Juries Act 1957 exempts from jury service a large number of specified occupations. In addition, section 6(2) provides for the Governor, by proclamation, to exempt specified classes of persons who are in the service of the State, where such exemption is necessary to prevent serious inconvenience to the public.

Over the years, this power has been exercised in a rather haphazard way. By 1977, there were very many inconsistencies and anomalies in the system and the question of exemption from jury service was then referred to the Law Reform Commission. The commission reported in June 1980—project No. 71—and the Bill is based on its recommendations.

The commission recommended that the present system of exemption be replaced by categories of "ineligibility" and entitlements to "excusal as of right". This is similar to the system which operates in the United Kingdom, in New South Wales, and in Victoria. Clause 6 of the Bill implements this recommendation.

The DEPUTY PRESIDENT (Hon. John Williams): *Hansard* is having great difficulty hearing the Attorney General because of members' audible conversations.

Hon. J. M. BERINSON: The commission also recommended that the discriminatory right, which allows a woman—but not a man—to cancel her liability for jury service, be abolished, together with the right of a woman to be excused from attendance at a particular trial on special grounds which apply only to women. Consistent with the Government's policies in respect of discrimination, it is proposed to implement these recommendations.

At present, enrolment as a voter for the Legislative Assembly renders a person liable to serve as a juror. That general position is not affected by this Bill.

What the Bill does provide is that the following persons will not be eligible to serve as jurors—

- (a) Those listed in part I of the second schedule—Judges and others acting in a judicial capacity, legal practitioners, members of Parliament, and others involved in the administration of justice, including policemen, some Crown Law officers, and prison officers;
- (b) those aged 65 years and over.

It is also provided that the following persons will not be qualified to serve as jurors—

- (a) persons who have been convicted of serious criminal offences, and who have received no pardon;
- (b) persons who do not understand the English language;
- (c) persons who, because of infirmity of mind or body, including defective hearing, are incapable of discharging the duty of a juror.

It is proposed that the following persons be excused from serving as jurors—

- (a) as of right, those persons mentioned in part II of the second schedule—persons employed in emergency services, doctors and other professionals whose work is in tending to people's health, those fully committed to the propagation of religion, pregnant women, and persons having the full-time care of children or invalids;
- (b) those who can persuade the court, a judge, or a summoning officer that they have good cause, pursuant to the third schedule of the Bill, to be excused on the grounds of illness, undue hardship, recent jury service, or circumstances of sufficient weight, importance, or urgency.

The Bill contains a new provision—clause 20—which provides that every person summoned to serve as a juror shall receive a notice containing information as to the grounds on which a person may be excused. The notice will also inform the person summoned as to how ineligibility or disqualification is to be established, should that be necessary. Where ineligibility or disqualification is established, the sheriff will issue a certificate to that effect—clause 21—in the same way that a certificate of permanent exemption is issued under existing section 34A(2). Clause 25 provides that certificates which have already been issued will continue in effect, and that the persons holding those certificates will not be liable to serve as jurors.

Another new provision is found in proposed section 34B—clause 22. This requires the summoning officer to explain to those who have appeared in answer to their summonses that they must disclose to him, or to the court, the existence of any of the factors referred to in the fourth schedule, namely—

- (a) any incapacity by reason of infirmity of mind or body that may affect the discharge of the duty of a juror;
- (b) lack of understanding of the English language;

(c) any family relationship or acquaintanceship with those conducting or involved in the trial;

(d) any other reason why there may be bias or likelihood of bias.

These new provisions reflect the recommendations of the commission.

The remainder of the Bill is concerned with incidental matters, including the mechanics of preparing the jury lists, the summoning of those from whom the jury is to be selected, and the selection of those who are to serve on the particular jury.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. Margaret McAleer.

BREAD AMENDMENT BILL

Second Reading

HON. D. K. DANS (South Metropolitan—Leader of the House) [5.10 p.m.]: I move—

That the Bill be now read a second time.

This Bill is introduced to amend the metropolitan and country baking hours prescribed in the Bread Act 1982, and to provide extended baking hours immediately prior to public holidays.

The hours prescribed in the current Act permit baking within a 45-kilometre radius of the Perth General Post Office, between one minute past midnight on a Monday morning and 6.00 p.m. on that day, between 2.00 a.m. and 6.00 p.m. on any Tuesday or Wednesday, and from one minute past midnight on a Thursday morning until 12 noon on the succeeding Saturday. Metropolitan baking is prohibited after noon on Saturdays, and on Sundays.

Beyond the 45-kilometre radius, country baking is unrestricted between one minute past midnight on a Monday morning and 12 noon on the succeeding Saturday. Country baking is also prohibited after noon Saturdays, but is permitted between 5.00 a.m. and 12 noon on Sundays.

The bread industry's experience of the baking hours prescribed in the Act led to representations from metropolitan bakers, who maintained that the starts at 2.00 a.m. on Tuesdays and Wednesdays, and one minute past midnight on Thursday mornings, were too restrictive.

After consultation with employer and employee representatives, I extended metropolitan hours by permitting baking from one minute past midnight on Tuesday and Wednesday mornings, in lieu of 2.00 a.m. on those mornings, and from 10.00 p.m. on Wednesdays in lieu of one minute past midnight on Thursday mornings.

Although there was not complete unanimity on the extended hours, they have been in force under a ministerial order since 1 January 1984, without causing any major conflict in the industry. The metropolitan hours prescribed in the Act, as varied by that order, are the metropolitan hours proposed by this Bill.

Earlier this year, the Country Bakers' Association made representations to me regarding country baking hours. After consultation with that association, I agreed to include in this Bill an amendment to align country baking hours from Monday to Saturday with those operative in the metropolitan area since 1 January 1984.

The provision allowing Sunday baking between 5.00 a.m. and 12.00 noon will be retained. The alignment of baking hours in this manner should serve to reduce conflict between metropolitan and country bakers.

For many years, ministerial orders have issued, on request, and as a matter of course, to extend baking hours on the day immediately preceding a public holiday. These extensions permit bakers to meet the additional demand for fresh bread on that day.

The Bill will amend the Act to allow baking to commence two hours earlier on the day preceding a public holiday, where that public holiday falls on a Tuesday, Wednesday, or Thursday.

For example, where a public holiday falls on a Tuesday, baking will be permitted from 10.00 p.m. on the preceding Sunday, in lieu of one minute past midnight on the preceding Monday morning, without the necessity for a ministerial order.

Baking hours on the baking days preceding Mondays and Fridays do not require any change, as they are already extended.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

ABORIGINAL AFFAIRS: LAND RIGHTS

Uniform Legislation: Motion

HON. N. F. MOORE (Lower North) [5.13 p.m.]: I move, without notice—

That the Parliament of Western Australia—

express to the Commonwealth Parliament and Government its grave concern at the possibility of applying Federal legislation known as the Aboriginal and Torres Strait Islanders Heritage (Interim Protection) Act to restrict, delay or prevent the completion of construction of the Harding River Dam in

the Pilbara Region of Western Australia;

affirm its view that the legislation infringes the constitutional responsibility of the State and duplicates powerful State legislation for the protection of Aboriginal sacred sites,

and

acknowledge, with approval, the reported rejection of Aboriginal land claims to the Harding River Dam area,

and requests the Commonwealth Parliament and Government to:

- (a) express its full support for the completion of the construction of the Harding River Dam in the Pilbara Region of Western Australia, to facilitate the security of water supply in this area so important to the local population and the iron export industry,
- and
- (b) repeal the Aboriginal and Torres Strait Islanders Heritage (Interim Protection) Act.

I thank the Government for allowing the Opposition to introduce this motion without notice. We were unable to give notice yesterday because of the nature of the sitting. I thank the Government for allowing us to debate the motion today.

The purpose of this motion is to seek the support of this House for a bipartisan approach to the Commonwealth Government to take action in respect of the Aboriginal and Torres Strait Islanders Heritage (Interim Protection) Act. A similar motion has been or will be moved in the Legislative Assembly, and the Opposition hopes the Government will support this attempt to rid the nation of this legislation which is clearly unacceptable to the vast majority of Australians.

In putting forward this suggestion for a bipartisan approach, I am heartened by remarks made by Hon. Des Dans when he spoke in this House on 26 July 1983. He is recorded on page 256 of *Hansard* as follows—

Sensible proposals put forward in a genuine spirit will never be rejected by this Government simply because they came from the other side of the House.

I am sure Hon. Des Dans will regard this motion as a sensible proposal by the Opposition for a bipartisan approach to the Commonwealth to request that it support the continued development of the Harding River Dam and that it repeal the

obnoxious Aboriginal and Torres Strait Islanders Heritage (Interim Protection) Act.

I do not propose to go through the details of that Act. Most members are well aware of the provisions of that legislation, the areas in which it is particularly harsh, and the way in which it can be utilised to tie up development projects wherever the Minister for Aboriginal Affairs in the Federal Parliament so deems. I will not go through the reasons we regard the legislation as obnoxious. I wish to canvass some of the issues surrounding the introduction of the legislation and action taken subsequent to its becoming an Act of Parliament.

The legislation was forced through the Federal Parliament. Extensive use was made of the guillotine to enable the legislation to go through with little debate. The Opposition in the Federal Parliament opposed the legislation at every point. It was not only the Federal Opposition which opposed the legislation. From the moment the Federal Minister announced his intention to introduce the Bill, he was criticised from all angles by people right across the spectrum of the Australian community. In particular, opposition came from the mining and agricultural industries because they feared most from implementation of the legislation.

It was not only industry groups which opposed the legislation. They were supported by editorials in a number of newspapers, and I wish to quote a couple because they indicate that the broader community, through the editorials of at least those two newspapers, opposed the concept of the legislation. On 30 May 1984, *The West Australian* said in an editorial under the heading "sites law"—

Yet the Government, in the face of mounting protests that the legislation is badly drafted, draconian, ill-considered and far too sweeping, is determined to push ahead. Its Bill, which would give vast powers to the Minister and all but disregard the rights of the States, to say nothing of individual land-owners, is ill-suited to so sensitive a subject.

That is the point of view of the Editor of *The West Australian*. The Editor of *The Australian* on 29 May 1984, in an editorial headed "Danger in wide powers of new land rights Bill", stated—

As an exercise in omnipotence, the Aboriginal and Torres Strait Islander Heritage (Interim Protection) Bill 1984 is a remarkable document. If passed by Federal Parliament it will provide the Minister for Aboriginal Affairs with such powers of intervention that he could dictate the future of virtually any land or waterway in the country.

His signature would be all that would be needed to prevent the occupation, use and development of an area for as long as he saw fit—and without compensation.

That is the view of the editor of *The Australian*. Those two editors indicate quite clearly that opposition to this legislation exists right across the community.

Naturally the Opposition parties at both State and Federal level made known their opposition to the legislation in a very vigorous way. The Leader of the Federal Liberal Party (Mr Andrew Peacock) has given a clear undertaking that a future Liberal Government will repeal this legislation the moment it is returned to office.

When one considers who else opposed the legislation, one realises that initially the State Government in Western Australia did so, in spite of the fact that the Federal Labor Party's platform binds the Labor Party at State and Federal level to a particular course of action. I want to quote the platform which states under the heading "Sacred sites"—

Develop in cooperation with the states and territories, effective Aboriginal heritage legislation.

That is the Labor Party's platform on the question of sacred sites legislation. Yet, in spite of that platform, the State Government was not even consulted on this legislation. It did not even know it was coming. The platform clearly states that it is necessary for there to be consultation with the State Governments in relation to this legislation. *The West Australian* of 30 April 1984, under the heading, "Heritage Law Takes WA by Surprise" states—

Proposed Federal legislation to protect Aboriginal sacred sites had taken the Government by surprise, the State Minister responsible for Aborigines, Mr Wilson, said yesterday.

He said he had heard about the legislation only a week ago and it had not been drafted in consultation with the Burke government.

Not only has Mr Holding ignored the party's platform in respect of consultation but he has also not even talked or advised the State Minister with special responsibility for Aboriginal Affairs what he intended doing. He was introducing legislation which one editor regarded as draconian without so much as discussing it or advising the State Minister that he was going to do it. Clearly Mr Wilson was surprised. To give him credit, his initial response was that he was opposed to the legislation. However, that did not pay much for Mr Hawke's ideas for consensus. He said that his Government

would do things by consensus. In other words, he said that his Government would co-operate with his colleagues. He even suggested that the Government might co-operate with its enemies.

Mr Wilson, in a sensible way, advised the Federal Government that the State Labor Party was opposed to some aspects of the legislation. It is interesting also that a meeting of the State Labor Party Caucus was held to discuss the issue. That meeting was widely reported in an edition of *The Australian* of 2 June which reported that the State Labor Party Caucus had passed a motion which was critical of the Federal Labor Party's decision and called for its withdrawal. I guess commonsense prevailed in the State Labor Party.

Hon. Tom Stephens: There is always a lot of that.

Hon. N. F. MOORE: Perhaps there was on this occasion.

Hon. Peter Dowding: You don't sound too bipartisan to me.

Hon. N. F. MOORE: I said commonsense prevailed for a change. I did not say that we should have a bipartisan approach on every occasion because on many occasions we do not agree. I am looking forward to seeing how that is achieved.

Hon. Peter Dowding: Perhaps you should be more conciliatory.

Hon. N. F. MOORE: I am saying that he did a good job. I am saying also that Mr Holding did not tell the Minister about this matter. As I understand it, the Caucus vote was taken after Mr Holding had visited Western Australia and had had discussions with the State Minister. I may be wrong about that. However, I have a sneaking suspicion, after looking at the chain of events, that Mr Holding visited Western Australia and talked with Mr Wilson, and after that visit, there was still a need for this Caucus resolution requesting the withdrawal of the legislation.

It is interesting to note that, when Mr Holding came to Western Australia, he and Mr Wilson seemed to be the best of friends. I will quote from *The West Australian* of 23 April because it gives an indication that things were not quite as bad as they seemed. The newspaper stated—

And Mr Wilson said that the State Government's understanding with the Commonwealth was that the Federal legislation was not directed at WA.

WA legislation on sacred sites was adequate to cover any problems. Any review of the legislation was among the Seaman inquiry's terms of reference.

Mr Wilson said that Mr Holding's remarks about the inquiry were welcome.

"We are quite reassured that the Commonwealth now is going to fully respect that inquiry," Mr Wilson said.

With all that backslapping between the State Minister and the Federal Minister, it is a bit strange that the State Caucus found it necessary to pass such a motion seeking or requesting the withdrawal of a Federal Bill.

With all the opposition to the Bill from the mining industry, the farming industry, editorials in major newspapers, the State Opposition, and the State Labor Government, it is surprising that the Federal Minister decided to continue with it. I have spent some time trying to work out why he persisted in introducing this legislation and having it passed through Federal Parliament. Obviously he was obliged, as are all Labor Party members of Parliament, to follow his party's platform. I quoted the party's platform earlier. It said that the Federal Government would introduce legislation only after consultation with the States. Perhaps he fell under the spell of all the advisers that he has in Canberra. If anybody in this place does not know what the advisers think, he should read a document entitled "A Discussion Paper on Land Rights" put out by the NAC. That paper was produced by a group of lawyers working at the behest of Mr Holding to consider land rights. The discussion paper clearly indicated to me the sort of influence being exerted on the Minister for Aboriginal Affairs. When one reads that paper one can see why the gentleman persisted with the legislation.

One can see also, after reading the second reading speech made by the Minister in Federal Parliament, that he is contemptuous of the farming and mining industries. Maybe that was his reason for persisting with the Bill.

Another suggestion which could be pretty close to the truth relates to Mr Holding's oft-quoted argument that the legislation was necessary for the Commonwealth to be involved in any future Noonkanbah-type situations. In statements he said constantly that the Federal Government needed to have power with respect to sacred sites so that, if another Noonkanbah situation arises, it could use its Federal power.

We all know, of course, because we have debated the subject of Noonkanbah at length, that the whole issue was so much hogwash. It was one of the greatest hoaxes in the history of this State.

Mr Holding continues to perpetrate the myth that in some way sacred sites were desecrated at

Noonkanbah to justify more power being given to the Federal Government.

Hon. Peter Dowding: Only people with their heads in the sand think it was hogwash. You are on your own in that.

Hon. N. F. MOORE: I can assure the member that I am not. I can also assure him that when the history of Noonkanbah is written—

Hon. Peter Dowding: Are you going to get the League of Rights to write it for you? What about your friend, Mr McDonald?

Hon. N. F. MOORE: He is not a friend of mine.

Hon. Peter Dowding: You carted him around your electorate.

Hon. N. F. MOORE: I did not. The history of Noonkanbah will be written by historians and the story will come out that it was a hoax of giant proportions. It was perpetrated by the misrepresentation of the issue by many people in the Press. That is a fact of life.

When researching this subject I looked at some of the previous debate on the issue of Noonkanbah Station. I wondered whether the Federal Minister was seeking to increase his powers with this legislation. It is interesting to note that when we debated the Noonkanbah issue I made a speech which was quoted by Hon. Peter Dowding. I want to quote here what I said in a previous speech. It appeared in *Hansard* on page 1362 of 1980. Hon. Peter Dowding said that I had said—

I am suggesting their involvement in the Noonkanbah issue is an essential ingredient in the whole process of defining a new strategy for the Labor movement. Noonkanbah is just a stepping-stone towards greater centralisation of power in Australia.

Four years ago I said that Noonkanbah was part of this grab for power by the centralists in Canberra. The Minister has brought forward legislation which is clearly a grab for power in an area that has been subject to State responsibility. Mr Dowding's comment at that time was—

I do not think anyone with any knowledge of contemporary politics could take any serious notice of those remarks, or could take the Hon. Norman Moore seriously.

Hon. Peter Dowding: That is an accurate statement of the situation now also.

Hon. N. F. MOORE: It is clearly a very prophetic statement from me that Noonkanbah was part of the power grab by the Canberra centralists. It has now come home to roost even though Mr Dowding said that my comments could not be taken seriously. Here we have the proof of

the pudding. A Federal Minister, typical of Federal Labor politicians, has taken a step which is designed to give him more power and he is saying that we must accept the situation even though the State Government has adequate powers to do what is necessary in respect of sacred sites.

Hon. Peter Dowding: It was hogwash then, and it still is.

Hon. N. F. MOORE: I will listen to the member's speech with interest. I suggest that Mr Dowding should take my comments seriously because occasionally what one predicts does come true.

Another reason that the Federal Minister was in a hurry to introduce legislation was the proximity to the ALP National Conference. He felt it was necessary to appease Aboriginal activists and to indicate that the Government was not going soft on the question of land rights and on other Aboriginal issues. In a sense it could be seen as a trade-off to those people who were expecting uniform land rights before now. Mr Holding has fobbed off the question of Aboriginal land rights which will not be introduced until after the next Federal election, assuming we have another Hawke Government.

Hon. Peter Dowding: I do not think anyone has any doubt about that, even your sunlamp kid.

Hon. N. F. MOORE: Things change very quickly in politics. It is interesting to note that the Hawke Government and its Federal Minister for Aboriginal Affairs (Mr Holding), have quickly recognised the political consequences of not introducing national land rights legislation before the premature election which, presumably, will be held sometime this year or early next year. Mr Holding has probably now suggested to the activists who are getting impatient that he will give them this interim heritage legislation to keep them happy until he introduces uniform national land rights legislation after the next election. I refer to an article which appeared in *The Australian* on 1 June 1984 and in which comments made by Mr Holding are as follows—

He believed that current debate on the issue and successful implementation of the heritage legislation would be an important forerunner to planned national land rights legislation next year.

"What it has done, if nothing else, is produce some of the more extreme statements, if not to say passions, with which many people in Australia regard Aboriginal aspirations," he said

The following quote is the most fascinating—

"I believe that when this legislation goes through it will help establish a climate to overcome many unnecessary fears sought to be raised in the community on a false basis."

It is incredible that Mr Holding believes that the introduction of this legislation will help to establish a climate of consensus and that it will get rid of fears in the community. The first occurrence after the legislation was passed was a claim for the Harding River Dam area. So much for quietening the fears of the people of Western Australia.

Hon. Peter Dowding: What has happened to the claim?

Hon. N. F. MOORE: I will answer the Minister in just a moment. A claim that could not have been made without this legislation has been made for the Harding River Dam area.

Hon. Peter Dowding: Have you not been told what happened?

Hon. N. F. MOORE: We agree in the motion that the Federal Government has decided not to go ahead with the claim.

Several members interjected.

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

Hon. N. F. MOORE: Mr Holding believed that legislation such as this would quell the fears of the community. He is running around calling everyone opposed to him a racist. He could not think of anything else to say, as the magnificent cartoon in *The Australian* indicated.

I know that the request was denied and I will deal with that in a moment. However, if there were no such legislation, there would be no claim in the first place. The episode surrounding this issue has exacerbated people's fears regarding sacred sites and land rights. Regardless of what has happened since the claim was made, the fact remains and is included in the wording of the motion that under this legislation work at the dam could have been stopped. Senator Ryan, the Acting Federal Minister for Aboriginal Affairs, who announced the Federal Cabinet decision on this matter, said that Cabinet agreed with the State Government and would not declare sacred sites in the area under the Act simply because the work had gone too far.

It had nothing to do with the question of whether there was a sacred site. She said she could hardly stop the dam because it was almost completed. I ask the rhetorical question: What if the dam had just commenced and it had been possible to stop work? Would Senator Ryan have given the same answer? I suggest that she would not have and that she would have said the work

must be stopped. The only reason the Federal Government backed off was that work had proceeded too far.

This motion seeks to draw to the attention of the Federal Government the fact that this Parliament will not tolerate the use of such legislation to prevent development in this State. It calls on the Federal Government to express its support for the building of the dam which is so essential for the future development of the Pilbara region, mainly the coastal area.

The motion also states that this Parliament believes it has constitutional responsibility for the protection of sacred sites and that the Federal legislation is superfluous and unnecessary. It asks the Parliament to affirm its view that the legislation infringes the constitutional responsibility of the State and duplicates powerful State legislation for the protection of Aboriginal sacred sites.

In 1972, the Tonkin Government enacted the Aboriginal Heritage Bill and it believed the State had constitutional power and responsibility to introduce legislation to protect sacred sites in Western Australia. The Federal Government is now saying that the State legislation is not acceptable and that it must pass legislation for us.

I refer to the 1967 referendum regarding Aboriginal affairs. It is clear that some people have a very unnecessary and uncomplicated way of looking at the results of that referendum. If one looks at the case put for "Yes" votes it becomes clear that the intention was not to give a *carte blanche* delegating all powers relating to Aborigines to the Commonwealth.

I will quote from the "Yes" case as put in 1967. It says this—

It will make it possible for the Commonwealth Parliament to make special laws for the people of the Aboriginal race, wherever they may live, if the Parliament considers it necessary.

That is unexceptional. It goes on—

This would not mean that the States would automatically lose their existing powers. What is intended is that the National Parliament would make laws, if it thought fit, relating to Aborigines—as it can about many other matters on which the States also have power to legislate. The Commonwealth object will be to co-operate with the States to ensure that together we act in the best interests of the Aboriginal people of Australia.

The intention was a co-operative move for both the Federal and State Parliaments to be able to

make laws for the betterment of the Aboriginal people.

In 1972, the Tonkin Government introduced and had passed the Western Australian Aboriginal Heritage Act, and that is the Act which we argue today is the powerful legislation which will protect sacred sites in this State. Yet in his second reading speech, the Federal Minister (Mr Holding) said—

It is the case that the Commonwealth Government takes the firm view that it has a primary constitutional responsibility in the field of Aboriginal affairs. Despite some progress in individual States, none is in a position which satisfies completely our policy objectives.

He quite clearly has decided that any laws pertaining to Aboriginal affairs which do not come up to his expectations or are not within his policy parameters are not acceptable, and that he will use the Commonwealth's so-called constitutional powers to introduce Commonwealth legislation. This is what we have with this heritage legislation.

The attitude of the State Government in this whole sorry story of the Harding River Dam is interesting, to say the least. When Mr Holding announced the legislation, the State Government said it had not heard of it, and earlier I quoted from Press reports indicating that Mr Wilson said he had not heard about it and had not been consulted. He rightly made the point that he felt the State legislation was adequate, and he was referring to the Tonkin Labor Government's 1972 heritage legislation.

He then convinced the Federal Minister to make a public statement to try to keep everyone happy and to have them believe that the Commonwealth legislation was not really meant for Western Australia at all. It was an attempt to indicate that the Federal Minister was quite happy with the Western Australian legislation and that his legislation was directed at places like Queensland and other States that did not please him. The Federal Minister made that statement when he visited Perth.

After that the State Government was strangely quiet on the whole issue. If members were to go through the Press cuttings of that time and read what was said during the period when the legislation was going through the Federal Parliament, they would find that the State Government said very little.

It was interesting for people who were observing this whole process to note that the Labor senators from Western Australia supported the legislation in the Senate—not one bleat from the Labor sena-

tors in Canberra, not one word in opposition. Yet ostensibly we are told that the State Government was opposed to the Bill.

It is interesting that the Labor Party can have this sort of divergence of opinion, ranging from complete support to complete opposition. It is also unusual, and perhaps surprising, that this should occur in the Labor Party.

Hon. Peter Dowding: You are always accusing us of being totally controlled.

Hon. N. F. MOORE: That is why I am surprised and find it rather interesting. That is why I question the Government's motives. I know how tight-knit are members of the Labor Party and how they are bound by their Federal platform. I know how they must do what they are told. That is why I cannot understand this action by the State's Labor Senators in Canberra, some of whom the people of the State have rarely heard of, and I have heard of some of them only occasionally. They are certainly not household names here. For instance, Senator McIntosh is known to only a tiny percentage of the population. I think he is a member of the left, the centre left, or total left—whatever. He is number one on the Labor Party's Senate ticket, so he has no problem about being elected to represent Western Australia because he has his numbers signed up in the ALP's halls of power.

A rather surprising and interesting situation occurred at the same time, in that the most outspoken Western Australian Labor member of the Federal Parliament on the subject of land rights and sacred sites was absent at the time the Bill was debated. I refer to the Federal member for Kalgoorlie (Mr Graham Campbell) who, strangely enough, was in London at the time of the debate, even though he had come out publicly some weeks earlier and his remarks had been printed in *The Bulletin*. It was a very big article in which he was reported as criticising very strongly his Labor colleagues over land rights.

Hon. P. H. Lockyer: That was his "lifejacket" speech. It was made for his survival.

Hon. N. F. MOORE: It was his first trip overseas. Apparently there was an overseas trip going for some Federal Labor member of Parliament, and although Mr Campbell had never been in contention for an overseas trip before, on this occasion he was considered for it. Furthermore, he was quite happy to remain overseas while the debate took place in Canberra. I have often agreed with what he has said on the subject of land rights and I know he has found it difficult to get up in the House to support this interim protection legislation.

One could presume that once the Bill had gone through the Federal Parliament, the State Government hoped the whole question would go away and would give it no trouble. The land rights issue had become a hot potato and it wished that issue would go away because it did not want people to be confused over the two issues.

We have since experienced claims for sacred sites at the Harding River dam. It would seem that when the claims were first made the State Government was a bit embarrassed because it highlighted this whole issue of sacred sites and land rights. The State Government had very little to say on the subject, claiming that it was waiting for the Seaman inquiry's report. Presumably it was a bit embarrassed by this problem surfacing in this State.

Hon. Peter Dowding: What do you mean "claiming"? Of course we are waiting for it.

Hon. N. F. MOORE: I will remove the word "claiming". The State Labor Party is waiting for the Seaman inquiry to report so that it will know what to do about land rights. Obviously the Government has no ideas of its own. Is that what the Minister is saying?

Hon. Peter Dowding: Don't be silly.

Hon. N. F. MOORE: The Seaman inquiry is really just a smokescreen, because the Labor Party has a Federal platform and a State platform, and its recent national conference reaffirmed that Federal platform. The Government is bound to that platform, and yet it has established an inquiry to tell it what to do. The Government is bound to a Federal platform based on the model of land rights in the Northern Territory. That is the Government's platform. The Minister should take this opportunity to tell the Press that his Government is not bound to that platform. He should say it so that the public know. The platform was affirmed at the national conference of the ALP, yet this Government refuses to admit that it is bound to that platform. The Government keeps talking about the Seaman inquiry, hoping that inquiry will get it off the hook. Is Mr Edwards saying that his Government is not bound to that platform?

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! The Hon. Norman Moore will address the Chair.

Hon. N. F. MOORE: Initially I thought the State Government would be embarrassed by the claims over sacred sites at the Harding River. Then I thought that perhaps it would not be embarrassed because it was all a preconceived, carefully staged hoax. Perhaps I have a vivid imagination.

Hon. Peter Dowding: No, you are just paranoid, like Mr MacDonald, your friend in the League of Rights.

Hon. N. F. MOORE: What better way for the State Government to gain some of its lost ground because of its stance on land rights than by coming out very heavily against these extraordinary sacred site claims?

Hon. Peter Dowding: So this is the plus for us?

Hon. N. F. MOORE: Here we are with an extraordinary claim for sacred sites which could not possibly be accepted because the dam is almost finished. We have the State Government put in a position where it can come out publicly and forcefully saying, "We have to man the barricades and keep the Feds out. We have to get rid of the legislation because it will stop the development of the dam". It could say all this knowing that the claims would not be granted, anyway.

There is also the political benefit to be gained from a States' right issue, knowing the people of Western Australia are for States' rights. The Government can say "We are standing up against that dreadful Federal Government" regardless of what political colour it is.

Hon. Fred McKenzie: Who gave them land rights in the first place?

Hon. N. F. MOORE: Mr Fraser.

Hon. Fred McKenzie: Did you stand up then?

Hon. N. F. MOORE: Too right! I argued in the Liberal Party about that. I am not saying the Liberal Party had nothing to do with land rights; that is not what we are talking about, we are talking about sacred sites.

Several members interjected.

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

Hon. N. F. MOORE: I am pleased the Federal Government has rejected the sacred site claim. I know the State Government is happy also, because the claim could have temporarily harmed major construction in the Pilbara. The sacred sites issue could have held up that work, regardless of the justification for the claim. It would have been a terrible political situation for the Minister for Planning, particularly as he represents that area. It would have been terrible for him if the dam were closed, or construction held up or stopped. The Government has its reasons for the decision, but it does not fill me with enthusiasm for future decisions. I am suggesting that this issue may have been a hoax.

I remember the days when the subject of the Harding River dam was debated in this House at great length. At that time Peter Dowding, as the

member for that area, introduced an urgency motion in which he berated the then Government, not only on the question of sacred sites, but also on the whole question of the environmental impact of a dam at the Harding River site.

Hon. P. G. Pandal: I bet he wishes he had closed his trap on that!

Several members interjected.

Hon. N. F. MOORE: I would like to quote what Mr Dowding said, and I am quoting his words as they leave doubts in my mind as to the sincerity of the State Government in its forceful opposition to what happened in respect of the claim for the sacred sites. I can imagine the Government in a gentle tone saying, "Don't do it, because it will cause us trouble". Mr Bryce was supposed to have indicated to the Commonwealth Government very strongly the Government's opposition.

On 25th August 1982, as shown on page 2573 of *Hansard*, Mr Dowding said—

It also is an area of great importance to the Yindjibarndi and Ngarluma people of Roebourne and some of the smaller language groups in that area. Their interest in the area has been documented fully by the Museum and vaguely alluded to by Dames & Moore in their environmental impact statement.

On page 2575 he said further—

In relation to Aboriginal people I do not accept Dames & Moore adequately consulted the people of Roebourne. It simply is not good enough to drift into an Aboriginal community, find a couple of old blokes prepared to go for a ride, yarn about things, and then move out, but that is how the report analysis on the Aboriginal attitude was conducted. It was superficial and did not have proper regard for the issues involved in the inquiry.

Hon. P. G. Pandal: Who was saying this?

Hon. N. F. MOORE: Mr Dowding. He said this in 1982 when moving an urgency motion in this House. He wanted an inquiry as to whether the dam should go ahead. He said further—

As I mentioned, the Government is fond of treating Aboriginal issues as archaeological issues and that is why the main instrumentality in relation to Aboriginal affairs under this Government has been the Museum. In fact, it is only the archaeological issues surrounding this proposal in respect of Aboriginal affairs which have received consideration in the EPA statements. That reinforces my view that live Aboriginal people with live problems, and religious, social and environmental concerns are not given any attention,

but archaeological issues appear to be the only ones that are.

Mr Dowding's comments in respect of the Aboriginal sacred sites at Harding River and at the site on which the dam was to be constructed, reflected his attitude to the Aboriginal Heritage Act. He cast aspersions on the way in which the Museum was given responsibility for this area. We have now been told by the State Government that the Aboriginal Heritage Act is quite adequate and that there is no need for it to be changed. This is where some doubt arises as to the sincerity of the State Government in its posturing on this issue.

Hon. Graham Edwards: There is no doubt about your sincerity at all.

Hon. N. F. MOORE: I am sure that Mr Dowding, being a member of Cabinet which made a decision on this matter, and being a local member, has important comments to make about this situation. No doubt he will respond when I have finished.

When we consider the forceful way in which Mr Bryce opposed this matter, it seems the State Government is trying to regain lost ground in the land rights debate. Whether the issue was deliberately contrived—it may be a genuine claim by the ALS—

Hon. Peter Dowding: You ought to reflect on an allegation which is absolutely and totally false, and without any justification. You accuse the Government of wasting the public's time, and of stirring up that sort of issue; that is very low politics and does not lend arguments to your rubbish statements that this is a bipartisan position. You ought to bite your tongue occasionally.

Several members interjected.

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

Hon. N. F. MOORE: I am delighted that the Minister has put my mind at rest: It was not contrived and it was not a hoax claim by the ALS on behalf of the Aborigines of Roebourne.

Hon. Peter Dowding: I said your allegation that the Government stirred it up was absolutely and utterly without foundation and your small pea brain should be able to take account of those facts.

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon. N. F. MOORE: I accept the Minister's assurance that the Government was not involved, and indeed I am asking whether it was a genuine claim on behalf of the Roebourne Aborigines.

Several members interjected.

Hon. N. F. MOORE: Mr Dowding is a member of the Government which made loud noises about this matter previously. It is interesting that the Government's forcefulness on the sacred sites issue bears no relationship to the comments it made when in Opposition. In fact, the quotes of Mr Dowding's speech indicate that the ALP was concerned about sacred sites in a different way from the way it is concerned now.

While I do not agree with Robert Riley, the Chairman of the NAC, I can understand the reason that he and his colleagues in the NAC are frustrated with the Burke and Hawke Labor Governments. When the Labor Party was in Opposition, it promised the Aboriginal people the whole world if they voted for the ALP.

Hon. Peter Dowding: Rubbish!

Hon. N. F. MOORE: They got their votes, but delivered not one iota—

Hon. Peter Dowding: You would deliver racism and insults.

Hon. N. F. MOORE: While I do not often agree with Mr Riley, I can understand his frustration in having to put up with a Government such as this—a group of hypocrites.

Several members interjected.

Hon. N. F. MOORE: Is it not interesting that on the land rights issue the Government has put the member for Kimberley, Mr Bridge, out in front? He is the only Government member to make any statement about land rights.

Hon. Peter Dowding: He is a statesman, and a very good one.

Hon. N. F. MOORE: The Minister with special responsibility for Aboriginal Affairs has hidden and left poor old Mr Bridge to carry on again. He is the one out in front making all the speeches and the other Government members will make their decisions based on the politics of the situation when it arises.

Sitting suspended from 6.00 to 7.30 p.m.

Hon. N. F. MOORE: Prior to the dinner suspension I was making the point that the vehemence with which the State Government has attacked the claims for sacred sites for the Harding River Dam would indicate it is sensitive to the whole question of land rights and of the way in which it is falling behind in the public opinion on this subject.

I said that even the Minister finds it difficult to argue the case in public. He has put the member for Kimberley, Mr Bridge, forward as his spokesman on this subject and we find the Minister's not being prepared to argue on behalf of the Government. On every occasion when there has been a

land rights debate, Mr Bridge is the person who speaks on behalf of the Government regardless of the fact that he is not a Minister, and Mr Wilson has been conspicuous by his absence.

Hon. Mark Nevill: What is wrong with Mr Bridge?

Hon. N. F. MOORE: Mr Bridge is doing a good job despite the position in which he has been put by the Minister. The highly-paid bleeding heart Minister should be the person who puts forward the Government's case and Mr Bridge should not be left to do it.

Hon. Mark Nevill: He is too black, is he?

Hon. N. F. MOORE: I think he is doing a good job, bearing in mind he is bound by the Labor Party's platform, as are the rest of its members.

Hon. Peter Dowding: You were happy to see your supporters abuse him because of race and colour in the presence of your leader at Port Hedland.

Hon. N. F. MOORE: I ask the Minister whether he was there?

Hon. Peter Dowding: They did not stand up for Mr Bridge and it was one of the most disgraceful displays of racism in this State.

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

Hon. N. F. MOORE: It is interesting that the member for North Province, who represents the Pilbara, can sit in this Parliament and make comments about a meeting he did not attend and which was in his electorate. In fact the people in his electorate never see him.

The Minister was invited, not Mr Bridge, to put forward the Government's point of view, but did he turn up? No, he has not turned up to any of the meetings to which he has been invited. In fact, we were delighted that the Minister sent Mr Bridge.

Hon. Peter Dowding: So you could set him up and abuse him. It was disgraceful.

Hon. N. F. MOORE: Mr Bridge was sent by the Minister because the Minister was too frightened to turn up. He is too frightened to turn up to any meeting to discuss the issue, and he sends Mr Bridge because he thinks he will be treated better.

Hon. Peter Dowding: You proved him wrong.

Hon. P. H. Lockyer: He was treated very well.

The DEPUTY PRESIDENT: Order! I will not have another debate taking place.

Hon. N. F. MOORE: Mr Bridge will tell the Minister that he was treated with every consideration.

Hon. Peter Dowding: That is not what he told me.

Hon. N. F. MOORE: If people express views about land rights which are contrary to what the Government is peddling, they are called racist. That is nonsense. If that is the case, under the Minister's definition the vast majority of Western Australians would be racists. It is most regrettable that the Government has taken advantage of Mr Bridge in this way. I would like to hear the Minister argue the point.

It is no wonder that Mr Riley and his supporters consider the Government of the day to be hypocritical.

I was disappointed to read in today's *Daily News* an article headed, "Money key to dam row". I want to quote from that article because it introduces a further element which is disconcerting. It says—

Money. That's the name of the game in the row over the Harding Dam.

Now, Aboriginal advisers to the local tribespeople are advising: "They want compensation."

It continues—

It was confirmed by Marilyn Lockyer, secretary of the Eiramugadu Group, representing Aboriginal people in the area.

The article is interesting when one reads it more closely because it says, "Aboriginal advisers to the local tribespeople are advising: 'They want compensation'". It is not the Aboriginal people who want the compensation, but their advisers.

Hon. Peter Dowding: Does she mean money?

Hon. N. F. MOORE: I will read it again for the Minister's benefit.

Hon. Peter Dowding: I am looking at it. Compensation does not necessarily mean money.

Several members interjected.

Hon. P. H. Lockyer: It is money.

Hon. N. F. MOORE: I will read it again. It states—

Money. That's the name—

"Money" is a one word sentence. The article continues—

of the game in the row over the Harding Dam.

Now, Aboriginal advisers to the local tribespeople are advising: "They want compensation."

Hon. Peter Dowding: It does not say money.

Hon. P. H. Lockyer: What do they want as compensation?

Hon. Peter Dowding: The quote does not refer to money.

Hon. N. F. MOORE: Perhaps the Minister is right. Bill Lang who wrote the story has assumed it is money.

Hon. Peter Dowding: He has assumed it.

Hon. N. F. MOORE: I said that. Perhaps it means compensation in other ways. What does it mean? Does it mean the return of land or does it mean compensation by way of the provision of houses?

Hon. Peter Dowding: Before you accuse them of demanding money why don't you check it out?

Hon. N. F. MOORE: I did not say that. Mr Lang said that and I am concerned that the issue of compensation has been raised in this way. Marilyn Lockyer has said that the Aborigines want compensation. The compensation may or may not be in the form of money.

Hon. Peter Dowding: That is right.

Hon. N. F. MOORE: It produces a rather interesting light on the issue. In other words the Government is saying that it will take away current sacred sites and the Aboriginal people will be compensated for them. What are sacred sites worth? How does one compensate people for sacred sites?

Hon. Peter Dowding: Do you take them away and do nothing?

Hon. N. F. MOORE: They are spiritual sites, and how are the Aboriginal people compensated for them? Anyone can work out a price for anything he likes, but it is nonsense to say that the Aboriginal people can be compensated for sacred sites.

Hon. Peter Dowding: There may be other ways.

Hon. N. F. MOORE: The Minister can tell me the other ways when he makes his speech. It means compensation for material benefits and it is a regrettable situation which has occurred.

Hon. Peter Dowding: You assumed it was money.

Hon. N. F. MOORE: I read Mr Lang's article.

Hon. Peter Dowding: So did he assume it, and he may well be wrong.

Hon. N. F. MOORE: I hope the Minister can prove Mr Lang's assumption to be wrong.

Hon. Peter Dowding: I do not have to prove it wrong. He made the assumption which you have been happy to pick up because it suits your purpose.

Hon. N. F. MOORE: I hope the advisers concerned can get the true message across. If it does

not mean money and it means some other compensation, we should know about it and so should Mr Lang so that he can write an article in tomorrow's *Daily News* and explain that he was wrong. If he is not wrong I hope that the Government will say so.

The Opposition hopes that the Government will support this motion. It probably will not support everything that I have said about it. However, I will paraphrase the motion for the information of Government members.

Firstly, the motion expresses concern of the State Parliament that there should be a Commonwealth law that would enable the building of the Harding Dam to be delayed. That is what the Opposition asks the Commonwealth Government.

Secondly, it expresses the belief that this Parliament has the constitutional power to make laws with respect to sacred sites. In fact, it has already done that through the Aboriginal Heritage Act.

Thirdly, it acknowledges with approval the decision that was made by the Federal Government to reject the Aboriginal claims to the Harding River Dam site.

Fourthly, it calls on the Commonwealth Government to express full support for the completion of the construction of the Harding River Dam. The people in the Pilbara would appreciate that commitment.

Fifthly, it calls on the Government to repeal the Aboriginal and Torres Strait Islanders Heritage (Interim Protection) Act. I hope the Government will support the motion moved by the Opposition.

As I said at the commencement of my remarks, the Opposition is moving the same motion in the Assembly in the hope that the Government will agree to it in both Houses in order that a bipartisan approach can be made to the Federal Government to do something sensible about this legislation. I have suggested tonight that what the Federal Government has done is not acceptable. The provisions contained within the Act are unacceptable and it is draconian according to newspaper editorials. It is the sort of legislation that should be struck from the books and I hope this Parliament, by passing this motion, will have some influence on the Federal Government and that it will get rid of this legislation.

HON. PETER DOWDING (North—Minister for Planning) [7.42 p.m.]: This is an irrelevant motion in the circumstance of events. It is nothing more than the Opposition's grandstanding to extract further mileage out of a complex and a difficult situation which, in fact, has been resolved by the State and Federal Governments.

It is the same sort of cynical exercise in turning the plight of disadvantaged people into a political stunt that we saw when Hon. Norman Moore moved to institute an examination into people's poverty—in the light of television and Press coverage—when he moved for a Select Committee on a previous occasion.

It is exactly the same attempt by the Opposition to make political mileage and it is good luck to the Opposition, actions of this kind are often thought to be the role of Oppositions who cannot put up constructive suggestions. To cloak it under the guise of a bipartisan approach is about as shallow and transparent as was the famed emperor's cloth. Mr Moore having urged there should be a bipartisan approach to this issue, having urged there should be some attempt at consensus by the State Government and Opposition members, having quoted Hon. Des Dans' comments in *Hansard* that the Government would be prepared to look at good suggestions the Opposition put up, has turned his tongue to be critical not only of the Federal Government on this issue, but also of the State Government because of its actions. He not only impinged on the honesty and integrity of the Aboriginal community and its advisers, but he also impinged on the integrity of the Government and hinted there was some sort of plot to create this issue for the Government's ends.

Not even the simplest of us could believe that Mr Moore was genuine in his bipartisan approach. Since he places so much store by what is said in the Press, I would like to refer him to a comment which appears in *The Bulletin* dated 14 August, and which I understand was issued today. It is an article entitled, "New delays for Federal land rights legislation". I quote this simply to illustrate to Mr Moore that there are always two sides to any argument. It reads—

Despite attempts to picture him as inflexible on the issue, Holding has shown a willingness to compromise. He has acknowledged weaknesses in the NT Act.

That is the view which the journalist put on it.

Hon. N. F. Moore: Whom is the journalist?

Hon. PETER DOWDING: I would like to quote another portion of the article, because it is very pertinent and descriptive of Mr Moore and his colleagues. It reads—

Shrill appeals to fear, prejudice and guilt still grab headlines but the resolution will depend upon compromise and the political balance of one interest against another.

Shrill appeals to fear, prejudice, and guilt is how I would describe Mr Moore's approach. He and his party have closely associated themselves with Mr

Geoff MacDonald, who has written one of the most nonsensical books I have ever read in my life; it is called *Red Over Black*. It is a parody of a book. It is turgid nonsense which is a disgrace to the intelligence of Australian people and the Aboriginal community. It is written by some lunatic who claims that for 14 years he was inculcated in the ways of the KGB and the Communist Party, but he has now seen the light. He writes of the Liberal and Labor Governments and the efforts of the KGB to take over the country. Mr Moore has associated himself with this man. The Liberal Party has paid for this man—

Hon. N. F. Moore: That is not true.

Hon. PETER DOWDING: —to stir up black against white and white against black—

Hon. N. F. Moore: Stick to the truth.

Hon. PETER DOWDING: —and to stir up families against one another. He is preaching racist hatred throughout this State. This is one of the few States, with the exception of Queensland, where he has any chance of credibility. The credibility has come about because Mr Moore, Mr Hassell, and all the members of their Liberal Party here, with some notable exceptions, have been prepared to associate themselves with this man.

Might I say, so that this man's nature and attitudes do not escape this Parliament, that he has been a long-standing member of the League of Rights, which has preached racial hatred, anti-Jewish hatred, anti-Zionist hatred, and he is preaching anti-Asian hatred. He is going around now preaching anti-Aboriginal hatred. This is not the spirit of compromise which will help Western Australia solve what is an extremely difficult and complex issue. This association of the Liberal Party of this State with people who are so appallingly unrepresentative of the tolerant views of Australians brings criticism to the Opposition in its handling of this whole issue.

It is true that in my electorate a meeting was held which was not a public meeting; the organisers insisted on charging people at the door, and inside they served alcohol during the discourse about this sensitive, emotional, cultural, spiritual, and political issue. In the course of that meeting, Mr Ernie Bridge was attacked for being coloured, and a man made special reference to the colour on the back of his hands.

Several members interjected.

Hon. PETER DOWDING: There were ordinary people there. Hon. Phil Lockyer would know. There were people at that meeting who never supported the Labor Party, and they would probably never support the Labor Party in the

future, but they were appalled at the conduct of the meeting, and in particular, at a Mr Ross Lightfoot who talked in a bigoted way, and at Bill Hassell was prepared to stand up and see Ernie Bridge denigrated.

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

Hon. PETER DOWDING: The member was not there.

Hon. N. F. Moore: I was there.

Hon. PETER DOWDING: If the member was there, he should be ashamed of himself.

Hon. N. F. Moore: I know what happened. I was there; you were not. Stick to the truth.

Several members interjected.

Hon. PETER DOWDING: People have said that it was most disgraceful behaviour.

Hon. N. F. Moore: You were not even there.

Hon. PETER DOWDING: I said that.

Several members interjected.

Hon. PETER DOWDING: Either the member is telling falsehoods, or he is so blinded by this nonsense of Geoff MacDonald's and so inculcated that he simply cannot accept the reality.

Hon. N. F. Moore: I know the reality of people's attitudes.

Hon. PETER DOWDING: The fact is that in the circumstances to which Hon. Norman Moore has referred, the Commonwealth Government, through Senator Ryan, has already made it clear regarding the application under the particular legislation, the Aboriginal and Torres Strait Islander Heritage (Interim Protection) Act 1984, that the dam will go ahead and the application will be rejected, so that issue is no longer a live one.

The Premier and the Minister with special responsibility for Aboriginal Affairs have on many occasions expressed their opposition to this particular legislation which they believe was drafted in haste and with insufficient consultation. Hon. Norman Moore knows full well that the review of the Aboriginal Heritage Act is one of the terms of reference of the Seaman inquiry. This man, who is purporting to be the Liberal Party spokesman on Aboriginal Affairs, has not even put in a submission about the workings of the State Aboriginal Heritage Act.

Hon. Fred McKenzie: I cannot believe it!

Hon. N. F. Moore: How many submissions did the Minister put in to inquiries set up by the previous Government?

Hon. PETER DOWDING: Tell the truth, Mr Moore. Has the member put in a submission or not?

Hon. N. F. Moore: I have said publicly I have not. I said why, too.

Hon. PETER DOWDING: There is the real concern of the Opposition!

Hon. N. F. Moore: That has nothing to do with it. The Seaman inquiry was just a front set-up, and you know it.

Hon. PETER DOWDING: Another example.

Several members interjected.

Hon. PETER DOWDING: They denigrate the commissioner—

Several members interjected.

Hon. PETER DOWDING: A farce and a set-up!

Hon. N. F. Moore: It is a farce.

Several members interjected.

Hon. PETER DOWDING: This man is one of our most respected silks in this State. He has acted for just about every single establishment imaginable in this State, including members of the Opposition party when they have been in trouble. They have been happy to turn to him for his assistance.

Hon. N. F. Moore: Nobody has criticised Mr Seaman personally.

Hon. PETER DOWDING: They know the firm of which he is a partner, and they know his credentials. He was in partnership with a man who was sacked; who was the President of the Liberal Party (Mr Ian Warner). The man who replaced him was even more right wing than Mr Warner, if that is possible.

Several members interjected.

A member: What is this, Gilbert and Sullivan?

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

Hon. PETER DOWDING: The fact is that a man of the credibility of the man chosen—

Several members interjected.

Hon. N. F. Moore: Nobody has spoken about Mr Seaman personally. The inquiry is based upon terms of reference—

Several members interjected.

Hon. PETER DOWDING: One of the terms of reference is about the operations of the Aboriginal Heritage Act. Mr Moore has pretended tonight that he is a full bottle on it. He should have sent the commissioner a note to say that the Aboriginal Heritage Act was not working well and he could suggest changes, but he could not even put pen to paper. So deep is the Opposition's determination to make political mileage as opposed to the real issue that they do not even put pen to paper to express an opinion to the commissioner on the sixth term of reference, which concerns the oper-

ation of the Aboriginal Heritage Act. Opposition members are frightened of being seen to take a position; they are so terrified about anyone thinking they could be considered pro-Aboriginal that they are not prepared to make a submission on the Aboriginal Heritage Act. They are either frightened, ignorant—

Hon. Fred McKenzie: Or negative.

Hon. PETER DOWDING: —or negative. They are not prepared to make a submission to Mr Seaman. Furthermore, although they are prepared to say that Aboriginal reserves should be reclaimed, they are not prepared even to say that to Mr Seaman, although that is a point relevant to his terms of reference.

This is the case where, in this House, and for purposes associated with publicity—and it is difficult for people who do not have a strong point of view or an intelligent one—

Hon. N. F. Moore: Our point of view on this is strong.

Hon. PETER DOWDING: For those who do not care two hoots about solving real social issues, publicity is hard to come by.

The Government does remain concerned about the welfare and interests of the Aboriginal communities, both in this area under discussion and in other areas. In the context of this debate and the circumstances giving rise to it, to ensure that nothing jeopardises that welfare, the Government has appointed a subcommittee to look after the issue and to safeguard the interests in a practical and compassionate way. Mr Moore has not put up any single assertion or suggestion tonight as to how one might make sure that everyone's interests are protected. He is quite prepared to impugn the motives of the Government, of the Aboriginal community, and of anyone else around the place. What he fails to admit on the floor of this House is that there is no land rights legislation in the Northern Territory or in South Australia, other than the land rights legislation which was implemented by Liberal Governments. Whatever the imperfections of those Acts of Parliament, the fact is that they were introduced by Liberal Governments and will be reviewed and made more appropriate where necessary by Labor Governments.

To show how extreme he is, Mr Norman Moore has even distanced himself from Sir Joh Bjelke-Petersen. Even in Queensland they support the view that there should be special legislation for land-holdings by Aborigines.

This may well be a far cry from the Northern Territory land Act, but it relies on a proposition that Mr Moore and his League of Rights mates regard as unacceptable.

Hon. N. F. Moore: I have never said I am a member of the League of Rights.

Hon. PETER DOWDING: There is documentation in Victoria—

Several members interjected.

Hon. N. F. Moore: You are a blatant liar.

Hon. PETER DOWDING: If the member has not signed the pledge, it is only because he is afraid someone will find out.

Several members interjected.

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

Hon. PETER DOWDING: The member must withdraw that.

Withdrawal of Remark

The DEPUTY PRESIDENT: Order! I ask Hon. Norman Moore to withdraw that.

Hon. N. F. MOORE: I certainly withdraw it.

Debate (on motion) Resumed

Hon. PETER DOWDING: The fact is that in this State there are people who are righter than right and who make Joh Bjelke-Petersen look like a left-wing socialist. They so isolate themselves from reality that they want to prance around the stage beating up a bit of racism, hoping they will make some political mileage in the course of that activity.

The Government takes the view that the issues of Aboriginal heritage and the protection of sacred sites are State matters. That is the position we have taken all along. The Government has accepted that responsibility and sees no point in supporting a motion of this kind.

Really, all Mr Moore is doing with this motion, as opposed to his personal diatribe, is repeating what the State Government has said on this issue. It is interesting that he was so conscious of repeating what we said that he had to throw into the ring the idea that this whole issue was probably arranged by the Labor Party of Western Australia because the issue seemed to be going so well for the Government and there was nothing more he could do about it other than to attack the Government and impugn its credit. If he thinks we set up this issue, I assure him that we are not getting kudos out of it. We are not seeking kudos. We see the bipartisan nature of the motion as a fraud and a disguise, and that is supported by the nonsense Mr Moore came out with in his speech.

The Commonwealth has a bona fide constitutional authority in the area of Aboriginal affairs. That is a position which has been known since the referendum, and even Mr Moore could hardly make anything of his quote from the "Yes"

case in support of the referendum, other than to say that the constitutional position had been established that Federal legislation was within the ability of the Federal Parliament and that it was constitutionally appropriate for it to act; but it ought not to act without full consultation with the States, which is a position the Western Australian Government has taken all along.

It is interesting and worth noting that the Western Australian Government has been able to stand up to and negotiate with the Federal Labor Government and on occasions take different positions without resorting to the sort of frenetic breastbeating we saw so often with previous Administrations. We can have our differences, but we can also work constructively with this very capable Federal Government.

In that context, we have criticised this Commonwealth legislation on specific grounds. We have asked for and received assurances that there will be consultations before any action is taken under this Federal Act, and that is precisely what has occurred in this case. It is up to the States to keep their own affairs in order, and this State is showing some leadership through its establishment of the Seaman inquiry.

It is interesting also to note how far Mr Moore's views about the Seaman inquiry have been distanced by the major people involved in minerals and oil exploration. In a speech about six weeks ago, Mr Keith Orchison referred to the very exhaustive processes in which we were prepared to engage. It would have been easy for us, on entering office, simply to say, "There is the Act; let's run with it". It would be easy for us to abrogate our responsibilities and say to the Federal Government, "You go ahead and pass legislation".

We have said that Mr Seaman's inquiry will be wide-ranging. No-one has been denied reasonable opportunity to make submissions to it. Some people have chosen not to, specifically the Opposition. That is not a position shared by the major mining companies or sectional interests. It is not a position shared by APEA, the Australia-wide oil exploration association. It is not a position shared by responsible members of the community. But it is a position shared by these right-wing, League of Rights-supporting members of the Liberal Party.

If there are shortcomings in the Western Australian Aboriginal Heritage Act, and if there is any evidence that, it ought to be presented to Mr Seaman's inquiry. I criticise in the strongest terms members of the Opposition for being prepared to stand on their hindlegs in this place and pontificate about this Act, but not being prepared

to make a submission to the Seaman inquiry about its operation.

The Federal Government has acknowledged the importance of Mr Seaman's work. The question is whether the Opposition thinks the State Government should stand back and let the Federal Government legislate, or whether the Opposition supports the position that a Western Australian Government should implement legislation itself. We support the rights of the Western Australian Government to do so and we would have thought the Opposition understood the benefits to this State from that happening.

In the meantime, despite the enthusiastic and emotional tone of Mr Moore's speech and my reply to it, the fact is that out of this Chamber in the real world there is a very complex social issue to be debated.

Mr Moore should take note of what the United States of America has done for its indigenous peoples; he ought to see what the Government of the United States of America passed in 1971 for the indigenous people of Alaska, where it recognised the special position and entitlements of indigenous people. No-one would say that in 1971 we saw a Government in the United States that was part of a KGB plot; yet that is the sort of nonsense we come across. That for someone to talk about special rights for indigenous people is somehow an affront to the democratic system is the point of view peddled by Mr Moore. I urge him to ask the US Information Service for details of that Act and to see the sorts of facilities that were afforded the indigenous people of that area.

In the meantime it is important—and I can only say this to some other members of the Opposition, because Mr Moore has shown himself incapable of accepting this proposition—and I certainly say this to members of the public: Be patient, be reasonable, be prepared to act in a spirit of goodwill, because that is what this Government is seeking to do—not stand up and adopt a definite position in detail about how a particular issue will be resolved. What we are saying is that when the time comes and the Seaman report has been handed down, it will be appropriate then for people to make comment, in other than an hysterical way, because we will be interested in and genuinely consulting with the views they express. But it is difficult to consult genuinely with an Opposition that says, "We are going to pick up our toys and go home and not talk to you, even though we admit that one of the terms of reference at least is important, because we have views about it; and even though we consider there ought to be some provision for Aboriginal landholdings—to wit, Aboriginal reserves—we will not make any statement

about it. We will play our cards close to the chest in the hope that the Government will bungle and fall on its face; or until we are able, through Mr McDonald's racist vitriol, to whip up antagonism and make it a winning point for us".

I make two points, and the first is that, despite all the debate tonight about the Seaman inquiry and land rights, this issue has nothing to do with land rights. This issue has nothing to do with Mr Seaman's inquiry except to the extent that it deals with a review of the Aboriginal Heritage Act. But in terms of responsibility to the Aboriginal community in order to redress a wrong or in order to make up for something that it has lost, it may well be appropriate to make some arrangement for them. If that is called compensation, then Mr Moore regards it as having a pecuniary value. It may well be that where people have lost something, it is appropriate for the Government to endeavour to restore something else, and that is the view we take of the issue.

Amendment to Motion

I regard it as appropriate that this House should in fact pass the motion amended in the following terms, and I move—

That the amendment be amended by deleting all words after the word "Australia" in line 1 with a view to substituting the following—

acknowledges with approval the decision of the Commonwealth to reject claims under the Aboriginal and Torres Strait Islanders Heritage (Interim Protection) Act that would have disrupted the Harding River Dam project;

applauds the swift and successful action by the State Government to ensure that the claims did not halt the project;

notes the constitutional duty the State Government has to protect the rights and interests of all its citizens, and specifically the existence of State legislation for the protection of Aboriginal sacred sites;

supports the Government's endeavour to reach a just settlement with the Aboriginal communities affected that will not impede the construction of the Harding River Dam;

and calls for the establishment of a joint Commonwealth-State working party to further consider the operation of the Aboriginal and Torres Strait Islanders Heritage (Interim Protection) Act in States where legislation already exists

for the protection of Aboriginal sacred sites.

HON. P. H. LOCKYER (Lower North) [8.13 p.m.]: The Opposition opposes this amendment, and when one sits in this House and listens to a Minister of the Crown accuse a senior member of the front bench of the Opposition of grandstanding, one could be excused for saying that the boot has been firmly placed on the other foot, because for the Minister to move such a ridiculous amendment knowing full well that it will not be accepted by the Opposition is a waste of time for many reasons.

First of all, I point to the very bad manners of the mover of the amendment for not having the courtesy of giving the Opposition some prior notice of it—something which is an unwritten rule in this place—which is fairly typical of the mover of the amendment. The speech made by the Minister provided lots of reasons for the Opposition's not accepting the amendment.

The Australian Labor Party, particularly its parliamentary wing, has got itself into all sorts of trouble over this question of Aboriginal land rights and Aboriginal heritage. It is amazing that the Minister could have stood in this House and told us that the whole subject of the debate had nothing to do with land rights, after he had spent 15 minutes berating Hon. Norman Moore about the fact that the Liberal Party had not given support to the Seaman inquiry. The Minister's stance in that respect is laughable in itself.

Hon. Peter Dowding interjected.

HON. P. H. LOCKYER: I did not interject while the Minister was speaking, so he should remain silent now. I can see straight through him, as can the Aboriginal people.

Mr Dowding has the effrontery to try to convince this House that the Federal Government has solved this problem. Part of his amendment states—

acknowledges with approval the decision of the Commonwealth to reject claims under the Aboriginal and Torres Strait Islanders Heritage (Interim Protection) Act that would have disrupted the Harding River Dam project.

I trust Mr Dowding was watching "Nationwide" last night, because one of his good friends from the ALS appeared on the programme, and he does not accept the decision given by the Commonwealth Government.

I put it to you, Mr Deputy President (Hon. D. J. Wordsworth) that the problem has been temporarily swept under the mat, and Mr Dowding and

his colleagues are in enormous trouble because they have sold the Aboriginal people down the tube and the Aboriginal people have suddenly woken up to them.

He thinks this problem will not occur again. It will occur again with monotonous regularity, and it is of the ALP's own making that that will happen. It is on the heads of the ALP members; it is their particular law. For them to come to this House to try to convince us that they accept the Commonwealth Government's decision on this case makes one wonder whether they will say the same thing in the future when they have to face up to similar problems caused by this abhorrent piece of legislation. It is like Big Brother breathing over us and taking away our State rights.

When we hear such unmitigated nonsense as the Minister for Planning's saying that the Liberal Party was paying Geoff McDonald to go around the country pushing his far right-wing sayings on people is absolute nonsense. He knows it well.

Hon. Peter Dowding: It is true.

HON. P. H. LOCKYER: Just because the Minister does not agree with Geoff McDonald, it does not mean the Liberal Party does.

Hon. Peter Dowding: Do you renounce him? Do you support him?

HON. P. H. LOCKYER: I have no thoughts either way on the matter.

Hon. Peter Dowding: Mr Moore was circulating the book.

Several members interjected.

HON. P. H. LOCKYER: Mr MacDonald has never in the past, nor will he in the future, have one dollar paid to him by the Liberal Party to go around the State of Western Australia. The Minister does himself a disservice. He should not try to tell lies to me.

The Minister says that Mr Moore and other people stirred up racial hatred at Port Hedland. I want the members of this House to know what this Minister said in Roebourne prior to the John Pat case which involved the police of Western Australia. The Minister for Planning almost incited a riot.

Withdrawal of Remark

Hon. PETER DOWDING: I object. I take the strongest exception to that statement. I demand that it be withdrawn—the allegation that I "almost incited a riot".

Hon. N. F. Moore: You did incite a riot.

Hon. PETER DOWDING: I ask that that be withdrawn also, because it is totally untrue.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): I did not hear the other remark. I ask Hon. Phil Lockyer to withdraw the statement.

Hon. P. H. LOCKYER: I will not withdraw the statement. I repeat: the Minister almost incited a riot.

Hon. PETER DOWDING: Mr Deputy President, I object to that reference in the strongest possible terms: It is an allegation of the commission of a criminal offence and I object to it most strongly.

Hon. A. A. Lewis: Isn't it nice to see him getting his own back.

Hon. V. J. Ferry: Hurts a bit.

Hon. I. G. Pratt: Abusing everyone else all night and can't take that. He is accusing people all over the State of being with the League of Rights, but as soon as someone says something about him he runs for cover.

Hon. N. F. Moore: Uses parliamentary privilege all the time.

Hon. I. G. Pratt: When he was in opposition he was always challenging people to go outside and say things.

Hon. Peter Dowding: Say that outside and see what happens.

Several members interjected.

Hon. I. G. Pratt: Don't you read *Hansard*? It is in *Hansard*. Your response was true to form, was not it?

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! I ask Hon. Philip Lockyer if he is using those words in a literal sense or otherwise. I believe the words can be used in another sense.

Hon. P. H. LOCKYER: On a point of order, Sir, I ask under what Standing Order you asked me to withdraw the words.

Hon. PETER DOWDING: I seek your direction, Sir, for the withdrawal of these words under Standing Order No. 87, and you will recall the ruling of the President that where a member objects the words are to be withdrawn without further debate.

The DEPUTY PRESIDENT: As stated by the Minister, he has asked for the words to be withdrawn under Standing Order No. 87.

Hon. P. H. LOCKYER: I will not withdraw the words and I have a right of explanation.

Hon. PETER DOWDING: On a further point of order, the honourable member does not have a right of explanation. The ruling of the President is that he should withdraw the words, and if he refuses to withdraw the words, he may be named,

and it is after he has been named that he has the right of personal explanation. I have been there and done that.

The DEPUTY PRESIDENT: It is the presiding officer's right to decide whether the words should be withdrawn or are unparliamentary. I think it depends on the context in which the words are used. That is the reason I asked—

Hon. PETER DOWDING: On a further point of order, Standing Order No. 87 does not give you that power. It says that if you regard them to be objectionable, you shall order them to be withdrawn forthwith.

The DEPUTY PRESIDENT: I am seeking the information before I consider the matter. I believe the member has the right of explanation as to what he means.

Hon. Peter Dowding: He said "almost inciting".

Hon. P. H. LOCKYER: The words were not meant to be offensive; I was describing a particular case and I was replying to some questions. It was not meant, in my view, to be offensive to the member. It was an explanation of which I was only half-way, or even one-tenth of the way through. I do not believe it is offensive. I will not withdraw the words because they are important to my speech.

The DEPUTY PRESIDENT: Under the circumstances, as the words were used, they need not be withdrawn. I will be following the rest of the debate very closely and if I consider that the member does imply that the Minister committed a criminal act, I will certainly ask him to withdraw the words.

Debate (on amendment to motion) Resumed

Hon. P. H. LOCKYER: Thank you for the ruling, Sir.

Several members interjected.

Hon. Peter Dowding: One law for your mob, and one law for the rest.

Withdrawal of Remark

Hon. A. A. LEWIS: I ask the Minister to withdraw that remark "One law for your mob, and one law for the rest". It is a reflection on the Chair. I ask that it be withdrawn. It is distasteful and a reflection on the Chair.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! I did not hear that remark. If the Minister wishes to say that he did say that, I ask him to withdraw. However, I did not hear it.

Hon. P. H. LOCKYER: That is some reflection on the Minister concerned, because I heard it, he

knows it and it is on his head, so he sits there condemned, in my view.

The DEPUTY PRESIDENT: Order! The member will return to the debate.

Debate (on amendment to motion) Resumed

Hon. P. H. LOCKYER: This particular Minister went to Roebourne with one thing in mind during the John Pat case, and that was to stir up racial hatred.

Withdrawal of Remark

Hon. PETER DOWDING: I object to the inference that I went to Roebourne with one thing in mind. That is an imputation of improper motive and a personal reflection. I take the strongest exception to it.

The DEPUTY PRESIDENT: I believe that the Minister has a right to object to those sort of words. I believe Hon. Philip Lockyer should not be quite so direct in his accusations.

Hon. P. H. LOCKYER: I withdraw that remark, but in withdrawing I point out that during his speech the Minister accused Mr Moore of being a "closet member of the League of Rights".

Hon. N. F. Moore: Which of course is not true.

Hon. P. H. LOCKYER: It is an absolute unmitigated untruth. The Minister finds he is suddenly faced with what has been on someone's lips for so long, but which no-one has told the people around. I believe it is the right of Parliament to know that we have a person in this Chamber who thinks that there is one rule for him and one rule for someone else. In this particular case he knows that is true.

Hon. PETER DOWDING: Mr Deputy President, I have asked that those words be withdrawn. Your direction was that they be withdrawn and the honourable member is repeating them . . .

Several members interjected.

Hon. I. G. Pratt: He didn't. Check *Hansard*.

Hon. Peter Dowding: He said they were true.

Several members interjected.

The DEPUTY PRESIDENT: Order!

Several members interjected.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! While I am speaking members will not interject. I asked Mr Lockyer to withdraw those words and he did so. As far as my following of the debate is concerned, he is now speaking about the previous debate where the Minister called Mr Moore a "closet member of the League of Rights". It is not a point of order and Mr Lockyer will return to the debate.

Debate (on amendment to motion) Resumed

Hon. P. H. LOCKYER: I know what was said hurts Mr Dowding. It was meant to hurt. It is time that the matter was brought to the attention of this Chamber. A person cannot go around calling people one thing and then object and take back his marbles like a spoilt child when faced with the same treatment. It simply will not work. The Minister's behaviour during that speech was intolerable. If he is going to carry on like that, then he needs a lot more of this sort of thing. It is wrong to say people such as Mr Moore go around preaching racial hatred.

The Minister brought up the matter of the Port Hedland meeting and tried to have this Chamber believe that Mr Ernie Bridge, the member for Kimberley, was treated badly there. That is absolutely unmitigated nonsense, because Ernie Bridge is held in the highest respect in and out of his electorate. The Minister knows that. He is probably one of the more popular members in this Parliament. He would be astounded to hear what the Minister has said tonight. I venture to say that I would be very surprised if Ernie Bridge said he was treated badly at that meeting. I know many people who were there and that was not so.

I understand the Federal member for Kalgoorlie (Mr Graham Campbell) tried to take over the meeting and had to be pulled into line. I understand also that the member for Pilbara (Mrs Buchanan) was heard well. Her words were taken into consideration by all gathered there. However, I will not accept that Ernie Bridge was denigrated by anyone present. That is cheap political grandstanding of the poorest kind.

The Minister once again stands condemned for saying that. I know the nature of Norman Moore. I have been a co-member of his for the past four years, and I know he does not go around denigrating his colleagues.

With respect to the Seaman inquiry, Mr Dowding made great play of the fact that the Liberal Party did not make a submission to it. There is a good reason for that and the Minister knows it. Mr Moore, the Opposition spokesman for Aboriginal Affairs has made that clear on several occasions. The Liberal Party decided not to put in a submission because the terms of reference were not whether land rights would be granted, but when. We object to that, because we believe in equal rights for everybody.

As for Peter Dowding trying to pass that one over in this House, there is absolutely no chance of it. When the Seaman inquiry is concluded I put it to the House that the Government which is in power at present will try to wriggle out of the

promises made to the Aboriginal people about land rights. The Government knows that the heat is on it and its members are under enormous pressure at the moment. They are in full speed backwards and will try and wriggle out of it, but they cannot because the Aboriginal people see through them as if they were a pane of glass.

The Australian of 7 August 1984, in a front page article written by Allan Yates and Peter Terry, quotes a Mr Peter Yu the NAC member for West Kimberley, and says—

"The Federal Government's betrayal of Aboriginal trust fills us with dread," Mr Yu said. "What possible faith can we have in federal legislation now that sacred sites have been ruled as expendable?"

What are the Aboriginal people going to think when this Government wriggles out of its promise.

The Premier of this State went and saw the Central Desert people and told them that they would have freehold land. What will happen when they do not get it? It is my view and the view of many other people in the bush that this Government will try to wriggle out of its promise because of the political hotbed it finds itself in at the moment. It is in all sorts of trouble.

Mr Peter Dowding tonight tried to tell us, in his statesman-like way, to be patient and reasonable. He wants us to be quiet. We will not be quiet because we will expose the Government for precisely what it is.

The Government is using the Aboriginal people in a most disgraceful way, and suddenly its chooks are coming home to roost. The Aboriginal people in my electorate have been telling me for some time that they think something is wrong with the Government because it will not give them land.

Hon. Peter Dowding: And you are going to, are you?

Hon. P. H. LOCKYER: We have steadfastly maintained that we did not try to tell them lies. We have been truthful with them. We have not told them that we would give them land. We have been honest. Members may be able to say many despicable things about us, but they cannot say that we have been dishonest with the Aboriginal people.

What will happen to the Aboriginal people? They are the most unfortunate pawns in this awful game of chess. I feel sorry for them most of all. Because of this legislation which we are discussing tonight, there are many confused people.

The Minister tried to use an article which appeared on page 3 of tonight's edition of *The Daily News* in his speech. He should not try to insult the

intelligence of the members of this Chamber by telling us that the compensation given to the Aboriginal people will not include money. I know money is involved, the Aboriginal people know that money is involved, and the Government knows that money is involved. There will be no question of the Government's giving them a block of land and taking out a few bones and shifting them somewhere else. The Aboriginal people expect to get money because their white advisers have told them they can expect money.

Some people, like the ALS man who appeared on television the other evening, have said that they will press the Aborigines' case on their behalf.

One should look through the legislation which was introduced into the other place by Hon. Andrew Mensaros. He told the Legislative Assembly at that time about the trouble the Government took to make sure that the people residing near the Harding River Dam site were happy about the proposed development. The previous Government ensured that representatives from the Museum went to the area to talk with the people concerned until, finally, the elders were happy with the development. They told the Minister that they were happy that he had talked with them and that everybody had agreed to the development.

It is preposterous that those people should, once again, be placed in that tug of war situation by white advisers. Wherever one goes, one sees these white advisers. They are in the most questionable of places, putting words into the mouths of the Aborigines. It sickens me. This case of the Harding River Dam site is the most despicable I have seen for some time. However, I fear that it will not be the last.

The Minister is now trying to wriggle out of his dilemma by trying to convince this House that we should accept his amendment. The first paragraph of the amendment acknowledges with approval the decision of the Commonwealth to reject claims. It would be better if it read that this Government acknowledges the decision of the Commonwealth Government to drop the heritage Bill or to withdraw it. The second paragraph states—

applauds the swift and successful action by the State Government to ensure that the claims did not halt the project.

That paragraph has been included because the Government is living in dread. It could see what was happening. It could see public opinion rising against it. The Government was not swift at all. It was muted by fear. It sent Ernie Bridge into the front line because it had no-one else. He knows that his seat is in great danger.

A great flashpoint of racial hatred is being bred in the Kimberleys at the moment.

Hon. Peter Dowding: Who is causing that?

Hon. P. H. LOCKYER: The Government is, by bringing up this matter of land rights. At the weekend I attended a meeting at the Dalgety Downs Station and I was appalled. The meeting was attended by pastoralists from the Kimberleys, people who have been dealing with Aborigines for a number of years. They said there is a flashpoint situation in the Kimberleys. For the first time I have heard people say that blood will be spilled.

Hon. Peter Dowding: Stirred up by people like you.

Hon. P. H. LOCKYER: People like the Minister have a great deal to answer for. I am referring to the Minister's actions while he was an Opposition member and what he has done since he has been in office. It is people like the Minister and some of his colleagues who have stirred up Aborigines into such a frenzy that they now expect to get a bigger percentage of Western Australia than anyone could conceivably imagine. The Kimberley Land Council submitted to the Seaman land inquiry a submission that was horrifying. It wanted land that one could not fly over. No-one can tell me that they dreamt that up for themselves. That was dreamt up by people with more despicable thoughts in mind.

The Government has criticised Geoff McDonald. One wonders what sorts of thoughts are in his mind.

Hon. Peter Dowding: Are you a supporter of his?

Hon. P. H. LOCKYER: No, I am not. I am saying that things are happening that are not in keeping with the best interests of this country.

Hon. Peter Dowding: You are peddling the McDonald line.

Hon. P. H. LOCKYER: The Minister is trying to place in front of this Parliament an amendment and expecting us to accept that nonsense. It will not be accepted. The third paragraph states—

notes the constitutional duty the State Government has to protect the rights and interests of all its citizens, and specifically the existence of State legislation for the protection of Aboriginal sacred sites;

We always believed that the present legislation was sufficient. It was sufficient until the Federal Government meddled in the affairs of this State and became the Big Brother overlord and took over the running of this State's affairs. Quite properly, this Government has yelled like a stuck pig because it knew that the people of this State would

not accept that. It knew that the people would not accept the Federal Government putting its nose into our affairs. It knew that, at the next State elections, it would be thrown out because of this issue.

For political survival, this Government has patted itself on the back and given Mr Hawke a good serve over this matter.

The Government criticised Mr Moore tonight for saying that there is a possibility that a smoke-screen has been used, and for saying that this matter is a political ploy. That possibility exists. It does not matter how it is denied by this Government.

The last paragraph of the amendment states—

and calls for the establishment of a joint Commonwealth-State working party to further consider the operation of the Aboriginal and Torres Strait Islanders Heritage (Interim Protection) Act in States where legislation already exists for the protection of Aboriginal sacred sites.

What that means is that the Government will sweep the matter a little further under the mat. We do not accept that because it is a matter which is firmly before us now. There is no time like the present to accept Mr Moore's motion which says that we should all get together and put pressure on the Commonwealth Government to withdraw the legislation. Let us not talk about Commonwealth-State relations and working committees. This issue will get worse, not better. It is only the first affair of this kind. A lot more sacred sites will be found. There will be a lot more Commonwealth heritage Bills. This is only the start. The Federal Minister has made it abundantly clear that he wants to put his name up in lights and be recorded forever as the person who solved the Aboriginal problem. In fact, he will probably do more damage than any other politician in history. I urge this House to oppose the amendment.

HON. A. A. LEWIS (Lower Central) [8.42 p.m.]: May I, at the introduction of my remarks, say that, in the 10 years that I have been a member of this place, I have never seen such a deplorable exhibition by a Minister in this House. I have seen some pretty rough exhibitions. I have seen some inadequate speeches made by Ministers. However, I have never seen the Chair flaunted and abused and other members abused as has occurred tonight. The Minister had no right on his side at all. Pure venom, racism, and apartheid were showing in his eyes as he spoke every word.

Hon. Lyla Elliott: You are exaggerating again.

Hon. A. A. LEWIS: I am not exaggerating. I hope that Hon. Lyla Elliott will never perform in

the way this Minister performed in this House tonight. He said loudly enough for him to be heard, as far away as where I am sitting, that there is one law for the Government and one law for the Opposition.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! There is an amendment before the Chair. I would like the member to speak to it.

Hon. A. A. LEWIS: I will, Mr Deputy President. I am saying how appalled I am and, no doubt, how appalled Miss Elliott and Mr Hetherington are—

Hon. Robert Hetherington: You speak for yourself.

Hon. A. A. LEWIS: Stand up and speak then.

Hon. Robert Hetherington: I will wait until you sit down.

Hon. A. A. LEWIS: That would be good. The Chair would like that too. The amendment moved by Mr Dowding acknowledges, with approval, the decision of the Commonwealth to reject claims. I do not know whether I will accept this amendment. I think I will send copies of the first paragraph of the amendment to the people of the Kimberleys and tell them that Mr Dowding moved that amendment. I think that would dig his political grave so deep that it would not matter, because the Aborigines do not acknowledge with approval the decision of the Commonwealth Government. Why do they not acknowledge that decision? They do not because they have been promised many things by this Government, but these promises have been broken.

I feel very sorry for the rational people in the ALP who have been led by the nose or instructed by their State conference to make promises to the Aboriginal people. What Mr Lockyer said is true. I probably have had more to do with Aboriginal people than does any other person in this House. Some of them may be fooled for some time by promises made by people like Hon. Peter Dowding. However, they see through those promises. When they see the goods have not been delivered, they will turn with great vengeance on the people who made those promises.

It is a matter of deep concern to me that Mr Dowding, who allegedly wants to support the Aboriginal people, speaks with a forked tongue. He tells the Aborigines that he will give them certain things and then acknowledges with approval the decision of the Commonwealth Government. Let us consider the performance of the Minister in this House tonight. He shouted to Mr Moore when he was on his feet that he was a liar regarding the Port Hedland meeting. We later learned that Mr

Moore had actually been at the meeting and Mr Dowding was going only on hearsay.

Hon. Lyla Elliott: I thought it was Mr Moore who accused Mr Dowding of being a liar.

Hon. A. A. LEWIS: The member for North-East Metropolitan Province was not present at the time or was not listening. Mr Dowding told Mr Moore a number of times that he was incorrect and that certain things had happened to Ernie Bridge.

Hon. Lyla Elliott: It was Mr Moore who used the term "liar", not Mr Dowding.

Hon. N. F. Moore: I withdrew it.

Hon. A. A. LEWIS: That was when Mr Dowding was speaking, not when Mr Moore was speaking. The member should listen to the way I put my words together because I do not have her clear diction and one can seldom hear my voice! I said that when Mr Moore was speaking, Mr Dowding said that Ernie was assaulted and that this, that, and the other happened. Mr Moore was saying, "No, no". When Mr Dowding got up, he accused Mr Moore of doing all sorts of things. Mr Dowding spent the whole of his speech attacking personalities. Mr Dowding's credibility is zero and if it were possible, it would be less than that. He is starting behind the eight ball. Mr Moore was present at the meeting referred to. I talked to Mr Bridge about it and he did not give me the same sort of answers as had Mr Dowding.

When Mr Dowding and Mr Moore were indulging in those shenanigans, I thought I must have been told the wrong story. However, I have found that Mr Moore was at the meeting and Mr Dowding was not. Therefore, what notice can be taken of the Minister? He maligned every member of the Liberal Party, and added "with notable exceptions", but did not enlarge upon that. He pointed at Opposition members and said that they were all bound up with Mr McDonald. I am not a member of the League of Rights and I have not met Mr McDonald. I will concede one point. I have read his book, *Red Over Black*. With due deference to the author, I state that it is one of the most difficult books I have ever read in my life. I will not comment on the subject matter. I was asked to review the book for a book club and that is why I read it. I obviously did it pretty well because I was asked to review it three more times.

Mr Dowding accused every Liberal Party member in this House of being a member of the League of Rights and of making payments to Mr McDonald. Mr Dowding then called Mr McDonald a semi-lunatic. I do not know the state of Mr McDonald's mind.

Hon. Robert Hetherington interjected.

Hon. A. A. LEWIS: I have read many books which I found difficult to read and I have listened to many speeches which I did not comprehend, especially from ALP members. Mr Dowding called Mr McDonald a semi-lunatic after his having told us the story about the meeting in Port Hedland. Whose integrity and credibility are at stake? Mr McDonald's or the Minister's? I would say the Minister's.

In the past, the ALP has been noted as the greatest racist party in Australia. The Brand Liberal Government allowed Chinamen to work in mines and the Japanese to drive machinery and become houseboys. It was a Liberal Government which removed the restrictions in those areas. Mr Dowding said that we should be patient and reasonable. We can remember how patient and reasonable Mr Dowding was when in Opposition. He was chucked out a couple of times for being reasonable and patient and for his abuse of Ministers.

Hon. Graham Edwards: Boring.

Hon. A. A. LEWIS: I am glad the member is bored because it shows the attitude of ALP members to a serious problem. Mr Edwards is bored with the amendment moved by his own Minister. I am glad that the member will talk to the amendment.

Hon. Graham Edwards: I do not hold myself to be a pretender. You are only on your feet to denigrate the Minister. You use any excuse you can to do so.

Hon. A. A. LEWIS: I am not denigrating the Minister; I am querying his integrity. I am not attacking the Minister and if I wanted to do so I would use totally different words which probably the Deputy President would not allow.

I am asking this House to look at the credibility of the Minister who moved this amendment. His credibility is already minus 50 per cent because of his completely unwarranted attacks on Hon. Phil Lockyer and Hon. Norman Moore, his personal attacks on the Chair, and his petulant behaviour. He has moved an amendment applauding the swift and successful action by the State Government to ensure that the claims did not halt the project. If it had not been for the Federal Government, there would have been no claims.

To revert to this substantive motion, I indicate that Mr Moore is asking members to get together in a bipartisan approach to the Federal Government, and ask for the withdrawal of this interim Bill. At no time in his speech before he moved the amendment did the Minister say that he opposed that. He then said that he opposed a bipartisan

approach to the Federal Government asking it to withdraw the legislation.

Hon. Mark Nevill: How about a bipartisan approach on land rights?

Hon. A. A. LEWIS: If the member would like me to get into discussion on land rights, I will. In fact, I believe I should do so because of the interjection. I do not believe there is any such thing as land rights. I believe in land tenure and that land tenure should be equal for all people within Australia. There should be no special land tenure for any section of the community.

Hon. Mark Nevill: That could be the basis of a submission to the Seaman inquiry.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! Hon. Mark Nevill should stop interjecting and leading the speaker away from the amendment.

Hon. A. A. LEWIS: I understand that the terms of reference of the Seaman inquiry would not have allowed me to put forward that proposition. I was talking about land tenure and that was totally different from the reference made by Mark Nevill. I wanted to make all people equal which is totally different from the terms of reference of the Seaman inquiry.

I refer once more to Mr Dowding's amendment, particularly the second paragraph referring to the constitutional duty of the State Government to protect the rights and interests of all its citizens. He then ruins it by referring to the specific interests of State legislation for the protection of Aborigines. By putting that in, is he making Aborigines different from everybody else? I believe he is and I do not believe he should. He also refers to our supporting the Government's endeavour to reach a just settlement with the Aboriginal community that will not impede the construction of the Harding River Dam. I could go along with the first part of the paragraph because I think it is marvellous, I have always had a wonderful rapport with the Aboriginal people. I have never lied to them or told them stories about what I would give them or what I would not give them. I have had an honest rapport as a person who has been working with them over a number of years and whom they believe to be trying to do the best he can for them. The paragraph then continues with the usual ALP nonsense and calls for the establishment of a joint Commonwealth working party to further consider the operation of the Aboriginal and Torres Strait Islanders Heritage (Interim Protection) Act in States where legislation already exists for the protection of Aboriginal sacred sites. In his speech, the Minister led us along a devious path and started quoting the Queensland situation. I under-

stand that Queensland has a minute portion of freehold land and the Aborigines and Torres Strait Islanders were not going to get freehold or inalienable rights. Mr Dowding was again leading the House astray because he does not understand the Queensland legislation. It is interesting to note that the Aboriginal people are now coming out and saying that both the State and Federal Governments are letting them down and have not kept their promises. I watched Rob Riley on the news tonight saying virtually the same thing; he seems to think the National Aboriginal Conference is finished because he cannot trust the Government. He virtually said that previous Governments had not given them all they asked for, but at least they knew where they stood. There was not the double standard of the ALP—the straight apartheid party. The Aboriginal people have woken up.

The other matter I deplore is the use of that fine bushman, Ernie Bridge, to do all the work in the north, and other places, for the Ministers who are not game to front up anywhere. Mr Wilson is the Minister with special responsibility for Aboriginal Affairs. He will go to Collie to talk about housing without telling Hon. Bill Stretch or me. He will go anywhere without telling us. He has shocking manners! However, when he was invited to talk about the Aborigines in Port Hedland, where was he? He sent Ernie up there.

Hon. N. F. Moore: It wasn't just Port Hedland, either.

Hon. A. A. LEWIS: It was typical. Indeed, a Minister in this House has not given local members advance warning of his visits; but that is another matter.

I would love to hear who these "notable exceptions" among the Liberals are. I would love to know whether, if I wanted to make a submission to the Seaman inquiry on no land rights or the granting of a different land tenure, I would be empowered to do so. I would love to hear someone from the ALP explain to me the compensation angle, because Mr Dowding glossed over it very quickly and Mr Lockyer reminded him about it. I, like Mr Lockyer, would be astounded if the average Aboriginal of my knowledge did not believe "compensation" meant money.

How can one replace a significant site? How can one award compensation? If a significant site consists of three rocks, does one move those rocks 30 miles and give the Aborigines an extra three rocks? That would make a farce of significant sites. I believe in significant and sacred sites, because I know the Aboriginal people believe in them. However, is it not fascinating that this Min-

ister should come here and denigrate personally, in a general sense, all the Opposition and, in an individual sense, two or three Opposition members? He then walked out of the House, as is his wont, without answering one question advanced in the motion. Finally, he dropped himself right down the gurgler as far as the Aboriginal people are concerned with the insertion of the first paragraph in his amendment.

There is no way this House can support the amendment.

Amendment put and negatived.

Debate (on motion) Resumed

HON. N. F. MOORE (Lower North) [9.03 p.m.]: Now that the House has rejected the silly amendment of the Minister, I shall exercise my right of reply on the substantive motion. I do not wish to take a great deal of time, because my colleague, Hon. Phil Lockyer, has very competently responded to many of the outlandish remarks made by the Minister. However, I shall make a couple of points very clear.

This Minister has resorted to the very same tactics to which the Federal Minister has resorted; that is, to call anybody who opposes his point of view a racist, or associated with the League of Rights, or extremely right-wing, a mad radical, a fascist, a Nazi, or whatever one likes. That is the sort of language they toss around when anybody disagrees with them.

I refer to a classic cartoon which appeared in the newspaper the other day and in which the Federal Minister (Mr Holding) was shown telling his adviser to keep shouting "Racist!" until he could think of something else to say about land rights. Mr Dowding has done the same thing.

I responded to Mr Dowding's comments by way of interjection when he was speaking, but I want to make it clear to the House that I am not, have never been, and never intend to be a member of the League of Rights and for Mr Dowding to say that I am is absolutely and totally incorrect.

When I talk about land rights, one thing I know for certain, when I express the point of view of the Liberal Party, is that the vast majority of people in this State and country agree with what I am saying.

Hon. Peter Dowding: Do you dissociate yourself from Mr McDonald?

Hon. N. F. MOORE: I shall turn to that in a minute.

When I express the Liberal Party's point of view on land rights I am certain from the surveys that have been carried out that the point of view it

represents is that of the vast majority of Australians: They are opposed to land rights as the Labor Party refers to them in its platform; that is, the giving of land on the basis of race.

Therefore, when I say that land rights should be equal rights, as Hon. Sandy Lewis quite magnificently pointed out, I mean that there should be no such thing as land rights. Land rights should mean equal rights and the same tenure should be available to all Australians.

I also make the point that the Liberal Party is not associated with the League of Rights. The League of Rights, as I understand it, is an independent organisation and there is certainly no association between the Liberal Party and the League of Rights.

The Liberal Party is not associated with unrepresentative groups, as Mr Dowding seems to insist.

I asked a question of Mr Dowding by way of interjection and he did not answer it. I asked him who wrote the article in *The Bulletin* from which he quoted in his speech. Perhaps if I can attract his attention, by way of interjection, he might tell me the answer to that question.

Hon. Peter Dowding: It is by a Mr Anthony Hill.

Hon. N. F. MOORE: I thought it might have been one of his supporters who writes those sorts of articles.

Hon. Peter Dowding: Well, it wasn't, was it, so there!

Hon. N. F. MOORE: Well, I do not know about that. I shall check out that article. It sounds like it could have been written by Jan Mayman who writes articles in newspapers.

Several members interjected.

Hon. N. F. MOORE: Some of the articles she writes are nonsense; they are not true. She wrote an article in *The Age* which was clearly not true. When I asked questions in the House about it, the Minister refused to answer them. That was with respect to Noonkanbah.

We have said constantly that the Liberal Party did not make a submission to the Seaman inquiry because the terms of reference precluded it from doing so. Hon. Phil Lockyer has pointed out clearly that it is a simple fact that the Seaman inquiry was set up to decide how land rights would be introduced, not whether there should be land rights. Because our attitude is that land rights are racist, we are opposed to them; therefore, we did not make a submission. That is not unusual. Oppositions very rarely make submissions to inquiries that have been set up by Governments.

As far as Mr McDonald is concerned, I have met the man, I have read his book, and that is as far as it goes. Mr McDonald believes that the land rights issue is a Communist plot. He bases his opinion on an article printed in 1931 in *The Workers Weekly* circulated by the Communist Party at the time.

Hon. Peter Dowding: That is pretty reliable.

Hon. N. F. MOORE: I am talking about Mr McDonald. The Minister asked me to do so. In this newspaper, it says that the Communist Party strategy for the destabilisation of Australia was to give large tracts of land to Aboriginal people and then to give them sovereignty over that land to set up Aboriginal nations, for them to have a treaty with Australia, for them to have their own army, etc. I shall send a copy of this to the Minister so that he might read it.

Mr McDonald then claims he was a member of the Communist Party for a considerable number of years and he now sees the land rights argument and issue as being a direct result of a programme set up by the Communist Party. That is the basis of his argument and his book. The Minister can read it as I can.

Hon. Peter Dowding: Do you support it?

Hon. N. F. MOORE: Whether Mr McDonald is right, I do not know, because I do not know anyone in the Communist Party.

Hon. Peter Dowding: Do you know Mr McDonald?

Hon. N. F. MOORE: I have met him.

Hon. Peter Dowding: Have you travelled with him? Have you been to his meetings?

Hon. N. F. MOORE: I have not been to any of his meetings.

Hon. Peter Dowding: He went through your electorate with your approval. Who funded him through your electorate?

Hon. N. F. MOORE: Anyone can go through my electorate. Even Mr Dowding can go through my electorate if he wants to get off his backside.

Hon. Peter Dowding: Who funded him?

Hon. N. F. MOORE: I have never given Mr McDonald one red cent, if I can put it that way.

Hon. Peter Dowding: I don't believe the Liberal Party has not been funding him; you will not even dissociate yourself from him.

Hon. N. F. MOORE: Mr McDonald may well be right. The land rights issue may well be a Communist plot, but I do not know. Therefore, I do not associate myself with Mr McDonald's point of view, simply because I do not know. Many people in the community believe he is right. They

believe it is a Communist plot and a lot of the ills facing this country are as a result of Communist Party activity; but I do not know.

It is interesting that, a couple of years ago when the World Council of Churches visited Australia to look at Aboriginal poverty, the delegation was led by an Elizabeth Adler who works for the World Council of Churches Unit to Combat Racism. She comes from East Germany. The Government of East Germany does not pour out large sums of money to Christian organisations to do good deeds around the world.

It pours out money for groups to spread its propaganda and put across its own point of view. Whether that is a Communist plot, I do not know, but there is Communist money behind the World Council of Churches which is being used in Australia to cause trouble and which was behind the Noonkanbah and Arakun-Mornington Island issues. So there is money coming through the World Council of Churches which is being used to cause strife in Australia. Whether that is a Communist plot, I do not know. The point is that those facts exist.

Hon. Peter Dowding: So you don't dissociate yourself from that member of the League of Rights?

Hon. N. F. MOORE: I do not believe Mr McDonald is a member of the League of Rights.

Hon. Peter Dowding: He is.

Hon. N. F. MOORE: He may be; I do not know. If the Minister is saying he has absolute proof that Mr McDonald is a member of the League of Rights, I shall accept that, because I do not know. Indeed, he may well have been a member of the Labor Party. In fact, I would not be surprised if he were, because his job was that of a union representative. Indeed, Mr McDonald may have been expelled from the Labor Party when he wrote a book saying something about "Australia at stake" or words to that effect. To get expelled from the party, he must have been a member. Therefore, Mr McDonald may have been a member of the Labor Party. He certainly is not a member of the Liberal Party. I do not know whether he is a member of the League of Rights.

Hon. Peter Dowding: He was in bed with the Liberal Party all last year, and you know it.

Hon. N. F. MOORE: Mr Dowding said that mining interests did not support the Liberal Party's view on land rights. However, they do not support the Labor Party's view, either. The mining and pastoral industries and the Primary Industry Association have all spoken against land rights in the same way as we have and they support the same idea that land rights should be equal rights.

How that means they do not support us, I do not know.

Hon. Mark Nevill: How come they made a submission to the inquiry?

Hon. N. F. MOORE: They had no choice and members opposite know darned well they had no choice. The Labor Party made sure they had none.

In a humorous way, Mr Dowding told us to be patient. I suggest he tell Mr Riley to be patient, because Mr Riley, Mr Yu, and all the other people involved in the Aboriginal movement are finding it very difficult to be patient.

I draw members' attention to an article which appeared in *The West Australian* of 7 August last, under the heading "Canberra rejects bid to halt dam". It states—

However, the decision was immediately condemned by the National Aboriginal Conference as a betrayal of Aboriginal trust and a demonstration that the Government's posturing on sacred sites was a sham.

That indicates what the National Aboriginal Conference thinks about the matter and the Minister is telling it as well as telling us to be patient.

The Government has had approximately 18 months since it came into office to do something about this issue, but it pushes Ernie Bridge out in front and tells him to do the talking while the rest of the members of the Government sit back and watch what happens.

The Government will make up its mind politically when all its chickens come home to roost. Ernie Bridge and not the Government will carry the can.

Hon. P. H. Lockyer: Mandurah does not think much of your land rights legislation.

Hon. N. F. MOORE: It is a pity that the Minister did not refer in his speech to our request to the Federal Government that it repeal the Aboriginal and Torres Strait Islanders Heritage (Interim Protection) Act. Instead, he put up a proposition for a joint working party, a proposition which the House has rejected. The legislation is no good and the Government knows it. It has even said it is no good. It is unnecessary and superfluous. The Government has said that it would see what better things could be done than to get rid of it altogether. What is wrong with both sides of the House agreeing to a request that the Federal Parliament or Federal Government rescind the legislation at the earliest opportunity? That would be the sensible thing to do. We would get rid of this obnoxious legislation. I did not go through it in detail, but some of the provisions and penalties in the Act are quite horrendous, and the Government

knows that. The power that the Minister has under this Act is incredible, extraordinary, extreme, and unacceptable. I do not know how the Government can sit there and talk about joint working parties to decide whether the legislation is acceptable, when it knows it is no good and when the opportunity is provided to prove it is no good by supporting us, and supporting the motion that the Federal Government repeals the Act.

Question put and passed.

ADDRESS-IN-REPLY: FIFTH DAY

Motion

Resumed from an earlier stage of the sitting.

HON. C. J. BELL (Lower West) [9.17 p.m.]: I support the Address-in-Reply and in doing so I want to add my comments about the sad loss of one of our members last weekend. I did not speak yesterday on the motion of condolence but, I would like to make a couple of comments now.

Hon. Gordon Atkinson and I came into this place together last year. We have worked together on a number of party committees, and I must say I found him to be an absolute gentleman and a first-class person. It brought a great sadness to me personally and also to my wife, a good friend of Olwen, to hear of Gordon's passing.

Earlier this afternoon Mr Graham MacKinnon mentioned Australian export industries and some of the problems to which those industries are now exposed. There is a very real problem in this area that the community itself does not seem to understand; every time the community makes a decision it has an impact on export industries, be they mining or rural. Every time there is some protection imposed for an industry, a cost is borne by export industries. It is getting very close to the time when the great rural industry of this nation can no longer bear the terrible burdens being placed upon it by continual demands of other sectors of the community which do not understand the total impact of those claims on the rural industry.

Those industries represent at this stage very close to 50 per cent of Australia's export earnings. We need to bear in mind every time we make a decision—whether it is for shorter hours, increased wages, or a quantitative restriction on steel so that BHP can increase its price on the local market—it impacts on our export industries, not immediately, but progressively, as it filters through the system.

Many people talk about the superphosphate bounty of \$12 a tonne, and think that such subsidies end with the farmers. The Australian National Line costs something in excess of twice

that in terms of the total additional cost of using ANL compared with international shipping. That is an indirect cost which is borne by the export agricultural industries of this nation and it is something which must be borne in mind. It must be considered every time we make a decision.

I want to bring to the attention of the House some facts with regard to farming incomes in WA and farmers' future. I know that the other House has established a committee of inquiry into rural hardship. It seems to me that much of the attention that is devoted to that committee tends to be focused on the more marginal or peripheral areas of the agricultural regions of our State.

I have recently taken out some figures from the quarterly review, *The Rural Economy*, which is put out by the Bureau of Agricultural Economics. Perhaps to bring it home to people to enable them to understand what is happening in the rural economy I will take one issue and talk about income per-man-year of family labour on the average Western Australian farm. This is identified through various sectors: The sheep industry, the beef industry, the wheat industry, combined wheat and sheep enterprises, dairy industries, and horticultural industries. One sees such figures quoted for average weekly earnings of \$300 or \$400, and one thinks the average person in this city believes that the average farmer has a similar sort of income, if not better; in fact, I suggest that most people believe that farmers' incomes are higher.

The BAE statistics for the current year for a sheep enterprise indicate that the average income per-man-year on that family farm is \$111 or \$2.13 a week. For a beef farm, it is \$943 per annum or \$18.13 per week. It is \$5 339 for a wheat farm or \$102.67 per week. For a sheep-beef enterprise, it is \$1 788 or \$34.38 a week. For a dairy enterprise it is \$7 628 or the princely sum of \$146.69 per week. For horticulture it is \$458 or \$8.80 a week. The all-industry average is \$3 504 and this figure was calculated from 13 830 farms considered to be commercial enterprises and not hobby farms. Their average income per-man-year of family labour is \$67.38.

When people take those figures and then look at the investment, they say "Well, perhaps they are making huge sums of money somewhere else". I must say that is not true. Farmers do not have annual leave loadings, annual holiday pay, or long service leave, yet people think farmers are making plenty of money in terms of capital appreciation. Of course, the only time a farmer ever gets capital appreciation is when he sells his farm—and if he does that he cannot continue to live on it—or when he dies, and unfortunately one does not enjoy much then. I do not know whether one would

appreciate a superior coffin being used to lower one into the ground! The rate of return by excluding capital appreciation for a sheep enterprise is 5.8 per cent and, for beef only it is -3.2 per cent. It seems to me that at that rate it is not terribly good business for a wheat enterprise of 0.58 per cent, for beef-sheep at -1.83 per cent, dairying at 0.04 per cent and horticulture at minus 4.85 per cent. The all-up average for WA is minus 1.45 per cent which indicates a very serious state for a major industry which is the most diversified industry in our State. It is a matter to which we need to address ourselves.

Further to that, and to add authenticity to it, I read a media release from the BAE as follows—

Latest BAE figures for farm performance in 1984-85—

That is to say, the following year. It continues—

"The latest issue of BAE trends released in Canberra today confirmed earlier forecasts that aggregate farm income in real terms would be the second lowest on record. The major factor in this assessment is the impact of disappointing commodity prices. Input costs are rising, but at a slower rate than in recent years. Rural sector output is still slightly above trend, although well below the record of 1983-84. Livestock sector production is up marginally, while crop production is down.

I will not read the rest of it because it sets the scenario for the financial year 1984-85, the year we are entering, and it is not a pleasant situation. There is no doubt that the 1983-84 breaking of the drought and record grain crops in the east, have camouflaged our real problems.

The figures I read out earlier clearly indicate what is happening to agriculture nationally, but as we are the representatives of Western Australian people we need to take into account these factors. I urge the Government, as it makes decisions, to consider these factors as time passes.

The next item I want to address has already been discussed tonight—land rights. Recently I received correspondence from the Murray Shire Council and was a little concerned at some of the things that were said. This letter was addressed to a ratepayer and reads as follows—

Dear Sir,

Aboriginal Sites—Shire of Murray

Council are in receipt of information from the W.A. Museum relative to Aboriginal sites in the Murray District, inclusive of artefacts, camps, occupation and burial sites for which the undermentioned property is involved . . .

Council resolved that property owners be notified of the declared sites which in your instance refers to an artefacts site and registered. . . .

Further information can be obtained by contacting or calling at the above offices.

There are 45 such sites in the Murray Shire and I must say that there is a growing concern among landowners when these sites have been listed that we will start to see more Harding River-type land claims appearing in the south-west; certainly, there is no reason that such claims will not appear. Approximately 45 sites have been identified for various reasons, and they are on land currently being farmed, in the main, although some of it involves the Alcoa site. A letter from the Murray Shire Council which identified these sites and sought information was forwarded to the Western Australian Museum. Another letter was sent to the Western Australian Museum seeking greater detail. I must say a very curt and unsatisfactory reply was received from the organisation. The letter sent to the shire read as follow—

Aboriginal Sites—Shire of Murray

I refer to your letter concerning the above. The sites listed in our letter of 13 March have been recorded by professional archaeologists who have established their Aboriginal origin.

The artefacts, camps or occupation sites all refer to scatters of stone tools which are not easily recognised by people not trained in the field of archaeology. If you wish to obtain some general information about Aboriginal stone tools I suggest as a useful reference a book by F. D. McCarthy: "Australian Aboriginal Stone Implements", published by the Australian Museum Trust, Sydney in 1976.

That was not what the shire sought. It sought some information as to who identified the sites, for what reasons they were identified, how they were authenticated, and detail of that nature so they could understand a little more clearly what was happening in its own community. However, it seems to me that the museum either did not want to understand or was not particularly interested in being co-operative.

The next point I want to raise relates to the Mandurah area. Members know that Mandurah has been a hot spot for a long time. One of the major problems has been the proposal to establish two canal projects close to the entrance of the Peel Inlet. There has been an ongoing debate in the community and outside for a long time, and the Mandurah Shire Council has been at the centre of that controversy. It sought to talk to many people, but finally it had to make a decision. It called for

submissions with regard to the canals and programmed a decision on the issue for yesterday, 7 August.

In late July, the shire suddenly received a telegram from the Acting Premier (Mr Bryce). That was on 27 July. The council had previously organised a meeting with the Premier for 18 July, but he was unfortunately incapacitated—I do not believe anybody should have the pain or physical discomfort that he has had—and was unable to make the meeting and went to hospital to have his problem cleared up. The Acting Premier telegraphed the shire almost at the last minute saying, “Do not do anything for six weeks until the Premier comes back, and he will tell you what is going on”. I have here a photostat copy of an article in the *Coastal Districts Times* of 27 July which was headed “Deal on Mandurah canals rumoured”. It states—

MANDURAH Shire Council has been asked to hold off on its canals rezoning decision for six weeks . . . and conjecture is rife in Mandurah that a deal has been made to solve the political problem of Mandurah’s canals.

Acting Premier Mal Bryce, in a telegram to shire president Cr John Guilfoyle, requested “that council defer making a decision of final approval for either the Parrys or John Holland canal developments until it has met with the Premier”.

“It is not possible at this time to give a firm indication when this meeting could be arranged but I expect this could take place in about six weeks time,” the telegram said.

It seems ridiculous to me that a matter is within a Minister’s portfolio and that he can be oblivious to the fact that it is there. Alternatively, it is too big for the Minister to handle; he cannot possibly be allowed to deal with it, and it will be the Premier’s job. The Premier is indisposed, so suddenly the whole State comes to a halt for six weeks until he is out of bed. The Acting Premier is incapable of dealing with the matter. I thought he was there to carry the Government when the Premier is unable to deal with problems. Perhaps that clearly illustrates the nickname the Acting Premier is getting in another place of “Handball Bryce”. As soon as he gets a problem it is passed to somebody else to cope with it. This is a classic illustration.

Hon. Garry Kelly interjected.

Hon. C. J. BELL: No matter what the shire decides, it will go to the Minister.

Hon. Peter Dowding: That is bigger than a planning issue.

Hon. C. J. BELL: It is not a last-minute situation; it has been going on for a long time.

Hon. Peter Dowding: It is a terribly difficult issue. It is not just the canals area; there are many issues in the estuary area.

Hon. C. J. BELL: I agree the environmental aspects of the Peel Inlet are a delicate issue which will require a lot of work, but the EPA says it has no bearing on the canals issue. I am sure Cabinet will have to make a decision about Peel Inlet.

Hon. Peter Dowding: Of course that is a very difficult and sensitive issue.

Hon. C. J. BELL: The council was on the point of making a decision in terms of philosophical policy. The council met last night, and, in response to the Acting Premier’s request, has agreed to wait for two weeks. I believe it has also agreed to meet the Acting Premier at 3.00 p.m. next Tuesday.

Hon. Peter Dowding: And me.

Hon. C. J. BELL: I was not informed about the Minister. It is at considerable inconvenience to some council members.

Hon. Peter Dowding: And not inconsiderable inconvenience to me.

Hon. C. J. BELL: I am sure.

The council needs to get this decision off its hands and get Mandurah going in a common direction. This issue has been around too long. It was a major issue in the last election campaign and I am sure it will be in the next. Members opposite may be assured that we will watch with interest the decisions that are made.

Perhaps I should refer to the rumours which have been published in the paper, and put them on record as I have quoted from the article. The article states—

The Times has been told by three separate sources that an arrangement may have been reached between the Government and John Holland Construction—a deal that would give Hollands some concessions in exchange for a withdrawal from canals south of the new traffic bypass bridge.

The sources, which cannot be named, gave a remarkably uniform list of components of a possible deal.

In summary.

—Hollands would be given “a boat ride” for their marina project at Busselton.

—Major construction work at Mandurah would be available to them.

That refers to the bridge, I believe. To continue—

Observers said a Holland withdrawal from the Mandurah canal project would give the Government political protection from local environmental groups, because many "greenies" were not concerned about Parrys canals but were concerned that wetlands on the eastern side of the inlet entrance channel would be destroyed by canals.

The Times was unable to contact John Hollands project manager, Jeremy Randall.

That sort of comment is rife in Mandurah and I can relate other wilder speculation that circulates in the community. It is doing the community no good while this issue drags on and on. It has been a hot issue for two years and has been around for considerably longer than that. The Mandurah Shire Council is not being unreasonable in saying it would like to get the issue under way and out of its hair so that it can administer its community in the best interests of rate payers and residents of the town.

I am sure members would be disappointed if I did not mention the dairy industry. I inherited this seat from Mr Neil McNeill and it would be inappropriate for me not to go on for a little while about the problems of the dairy industry. I am fond of saying that Mr McNeill saw the industry from the outside and I know the industry from the inside. It has been my life for a long time.

Last year, amendments to the Dairy Industry Act were introduced and during the debate I raised some problems I foresaw in what was intended and legislated for. My worst fears have been realised. The problems are just starting to surface now, and I believe the recent announcement of the milk price increase sets in motion many of the facets of the industry changes last year. I said then, and I say again, that when one wishes to change legislation, one should have an objective. That was not apparent at any stage in these changes; it was not clear what the Government wished to achieve. I am sure many things which are about to occur have not been foreseen because the Government did not understand what it was doing.

One change it sought to achieve was to stop quota negotiability. The Government wanted to tie quotas to the land, but it did not take other steps and as a result that has negated any prospect of the Government's achieving its objective. Today, the industry is wide open for quota transfers in many different forms. The provision in that legislation allowing two licences to be milked in one premises has made it quite simple for even the most elementary mind to see that all one need do is to lease in one form or another, another con-

tract. That is probably good business for the person involved, but the Government's objectives when it set out to do this have not been stated.

Was it to reduce the industry to half its present size? If so, that is fine, but I wish the Government had told the industry that was its intent, because that is what will happen. If it intended to reduce the industry by half, why turn around this year and issue another 24 licences? If the Government wanted to reduce the industry and set up a mechanism to do that, why put more people into it? The Government is contradicting its intent; it must make up its mind as to what it wants.

Hon. A. A. Lewis interjected.

Hon. C. J. BELL: That is right. That appears to be the intent. Perhaps the Government was setting out to appease a few individuals. It seems to me there is a lack of clear objective in what has been proposed.

I have been fairly quiet to this stage about some things that have happened, but I will probably introduce some of the topics today. I know Mr Piantadosi would talk about the prices and incomes accord and say that it has been a tremendous success. I do not know; perhaps some unions would disagree.

Hon. S. M. Piantadosi: Isn't it?

Hon. C. J. BELL: If the member listens for a moment, I will explain to him the situation between December 1982 and July 1984. The domestic wholesale price of butter in Australia remained constant in that time. That means farmers' incomes have remained less than constant because other costs have come out of that figure. In that same period, cheese, skim milk powder, and whole milk powder prices have remained constant. It clearly illustrates to me that a cheap food policy is rampant in the community and costs are being held down at the expense of the producers, and given to the unions. That goes back to the point I made earlier about the indexation package. If it is good enough for workers to receive a wage increase according to increases in the cost of living, it is good enough for the farming industry which is controlled by the Government to receive the same consideration. That would seem logical to me.

Hon. S. M. Piantadosi: Did the unions break the accord?

Hon. C. J. BELL: It seems the Government has broken the accord. The Government has said it is good enough for the unions to receive that increase.

Hon. S. M. Piantadosi: You implied the unions will receive the increase and not the producers.

Hon. C. J. BELL: The farmers have been left substantially behind. They have received no increase, but the unions have received the Consumer Price Index increases.

Hon. S. M. Piantadosi: What about the manufacturers of the products?

Hon. C. J. BELL: The manufacturers take it out of the market.

Hon. S. M. Piantadosi: They increase their prices. You should check on the manufacturers in the dairy industry and see how much profit they make and what their charges are.

Hon. C. J. BELL: That is not the point. It is available income.

It seems we are developing a cross-issue. I am sure Mr Piantadosi would not have been happy had his members received the princely sum of \$146.69 per week, with no holiday pay or long service leave loadings. He would agree it would be fairly reasonable to say that is an unacceptable aspect of the current situation.

Hon. S. M. Piantadosi: It certainly is; but I doubt your figures.

Hon. C. J. BELL: They are figures from the Bureau of Agricultural Economics.

The recent price increase in the dairy industry and the one last year have indicated that the farmers in this State will receive a very small percentage increase. It will be something less than a one per cent increase on their returns for the last year; and that is disastrous for the industry. That will cause substantial income pressures and adjustments.

If that were the only thing they needed to worry about, it would not be so bad; but last year we saw two major increases in Government charges which have to be paid by the industry. One was an increase of 19 per cent in irrigation charges, and the other was an increase of 15 per cent in electricity charges. The two items far outweighed the price increases that were made available to dairy farmers in Western Australia. On the one hand, there was a very small increase in income in the market milk industry, and on the other hand there was a substantial decrease in income in the manufacturing milk industry.

That leads me to talk about the other aspect of the changes made to the dairy industry legislation last year. It was said that the dairy industry assistance fund would be phased out. Currently it holds approximately \$3 million, and suddenly somebody woke up to the fact that if it was phased out in one go, what would be done with the \$3 million? Allied with that, was the dramatic downturn in the international dairy industry and the consequent

reduction in payments to producers in this State. The farmers' return from manufacturing milk would decrease from \$2.97 to \$2.40. Members would agree that is a fairly shocking situation, so the Government decided it would grab the \$3 million and make sure that the manufacturing milk industry was supported as long as the fund lasted.

According to the industry meetings last week, it appears that this year the industry will spend about \$1 million on two aspects of that. The sum of \$900 000 will be spent on keeping the manufacturing milk premiums at 27c a kilogram. In other words, the price to the dairy farmer will drop by somewhere in the vicinity of 30c a kilogram only. That is not so bad, except for the fact that that is a reduction of more than 10 per cent in the price, and it is a further reduction on the price of the year before.

The industry will also spend \$100 000 on product equalisation. When I spoke on this matter last year, I said that one of the worst aspects of the industry in this State was the lack of competitiveness by the dairy companies.

Three companies in this State are going their merry way with the Dairy Industry Authority guaranteeing that they will be able to pay the same price, no matter what. The authority will give them \$100 000 to make sure they can do that. That is a ridiculous situation. I think it would be well-advised to reduce that amount, take the stranglehold off the farmers and enable a shift from one company to another. That appears unlikely to occur while the present situation exists. It appears that it will strangle the producers of Western Australia.

I give full credit to the Minister for Agriculture for the way he has supported the Western Australian dairy industry in its current national negotiations. Negotiations have been going on in Melbourne today. However, consensus has still not been reached. It has been proposed that a 2c a litre levy will be charged on all milk. That is likely to cost Western Australia \$3 million a year.

Last year we produced 230 million litres of milk which would have raised \$4.6 million. We will get some of that back from the manufacturing of milk, but the majority of it will go to Victoria. That means that the average dairy farmer in Western Australia will lose in the vicinity of \$6 000. When one adds to that the other loss which the dairy farmer is presently experiencing because of the diminution of export returns, and one remembers that the average dairy farmer in Western Australia has 120 cows which produce 4 000 litres of milk per cow per annum, a farmer

would probably be looking at a further loss of something in the order of \$5 000 or \$6 000. That, together with the amount of \$6 000 which I previously mentioned, would result in a loss of around \$10 000 to \$12 000 for many dairy farmers in this State.

The Bureau of Agricultural Economics paper states that a farmer who has a cash operating surplus of \$26 000 has to service his depreciation costs, his operating family labour costs, return to capital, etc. However, when the amount I previously mentioned is subtracted, no money is allowed for labour on dairy farms in Western Australia. That means that the farmer then eats into his equity.

As outlined in the farming and wheatgrowing areas survey results, approximately 30 per cent of farmers in the wheatbelt area of Western Australia cannot service their debts. Quite clearly, by the end of next year, dairy farmers will be experiencing the same problem. Mr Gayfer will be aware of the problems experienced in the wheat industry. Undoubtedly, the producers will get through this year. However, on the present cost structure under which they are labouring, they will not be able to continue to do that. They are eating up their capital.

An illustration of what is happening is the decline in land values in many areas of Western Australia. The bottom is falling out of land prices. Land values in the Margaret River area have dropped by approximately 30 per cent in the last 18 months. That clearly illustrates that nobody can make money out of farming. When people cannot make money, they cannot live, and so they get out of their businesses.

Agriculture is a tremendously important industry, whether it be the dairy industry about which I have spoken or whether it be the wheat or the sheep industry. Agriculture is ongoing. If agriculture is carried out properly, it will get better. If a property is farmed properly it will become more productive. Agriculture will be a tremendous asset to Western Australia and it needs to be nurtured. It needs to be cared for. It needs to be understood that every time the community makes a decision, it does not do it in isolation.

I spoke previously of a Federal proposal in relation to this industry. Many countries throughout the world are prepared to subsidise the dairy industry to a large extent. The Federal Minister, to his credit, recognised that not long after assuming office. At least he endeavoured to control the dumping of European cheese in Australia.

Many people in this State and in the rest of Australia say that our industry is no good and that

they can buy cheaper from New Zealand. They say also that they can buy cheaper from the Europeans and from the Americans. Frankly, those are fallacious arguments. The reality is totally different. The Australian and New Zealand dairy industries are very comparable. Their efficiency is very nearly on a par. However, the New Zealand industry appears to come out in front because it uses an export product on the Australian domestic market. Certain aspects of that need to be made known.

The Australian Dairy Corporation, of which I was a member for two years, borrows money to advance to farmers or companies which pay the farmers. They borrow on the open commercial market and therefore pay 13 per cent, 14 per cent, or 15 per cent. Mr Gayfer knows that the same rates of interest and borrowing facilities apply to the wheat industry. However, it borrows overseas. The Australian Dairy Corporation is forced to borrow in Australia. That is very expensive.

The New Zealand dairy board borrows from the Government at a one per cent interest rate. When one is carrying stock valued at \$500 million or \$600 million—stock which the Australian Dairy Corporation frequently carries—the difference between a one per cent interest rate and a 15 per cent interest rate is quite vast.

New Zealand farmers are paid by the Government to spread fertiliser. I understand that they are paid \$25 a tonne. The New Zealand dairy farmer and dairy co-operatives operate at very substantial tax advantages. We can wonder why agricultural co-operatives in Australia have not been terribly successful and why they have been so successful in New Zealand. However, New Zealand co-operatives receive greater assistance from the Government. The situation is that, in Australia today, if I, as a farmer, said I needed a new farm machine for my dairy, I would have to offer cold, hard cash or borrow money at commercial interest rates. I would then have to pay tax on those dollars because machinery is a capital investment.

In New Zealand the dairy farmer goes to a dairy co-operative for his new plant. The farmer goes to the factory and says that he needs a new item of plant and requests that something be done about it. The plant is installed tax free, and that system is a substantial benefit to the farmer.

I am not knocking the New Zealand dairy farmers because they are good operators. I have been to New Zealand and have seen how they operate. We have good operators in this State and in Australia.

Some people in this State talk about the dairy industry and say that the Victorian dairy farmers are very good. However, let us look and see what efficiency means.

The average dairy herd in Western Australia comprises 110 cows; in Victoria the figure is 103; in New South Wales it is 103; in Queensland 89; in South Australia 86, and in Tasmania 98. The Western Australian farmers have the largest dairy herds in Australia, and perhaps one might say that we do not obtain as much milk from the cows as do other States.

In Victoria the average cow produces 3 056 litres of milk per annum, and the average in Western Australia is 3 127 litres per cow. Western Australian dairy farmers milk more cows and produce more milk per cow. It illustrates they are not too far from the point.

Western Australia takes second place nationally as far as the number of litres of milk produced is concerned because New South Wales produces 3 302 litres of milk per cow. The dairy industry in this State is efficient and it should not be foregone. It is worth in excess of \$100 million and those dollars are distributed among Sam Piantadosi's people, farmers, shop assistants, and profits for companies. They all receive a cut of the cake. I do not think any Western Australian would not be delighted they get a cut of the cake; we would hate to see that cake lost to Western Australia.

The problem is that the European Economic Community and America have continued to put in large numbers of dollars to ensure that the social impact on the industry does not cause too much trouble. Politically in France the dairy industry is important, and that industry has changed the Government a number of times.

I said earlier that the average Western Australian dairy herd consisted of 110 cows, but in France the average is only 10. Therefore, the price of the product from each cow must be substantially higher than it is in Western Australia. The French Government does not want the dairy farmer in that country to give up his farm and to go on the dole.

Hon. D. K. Dans: It does not matter that it has destroyed the British industry!

Hon. C. J. BELL: The EEC's agricultural policy cost is \$4 billion of which more than half of the cost is required to support the dairy industry in the EEC.

The problem with the Australian dairy industry is not how efficient it is, but that it needs to sell in competition with European sources. Cheese attracts an export restitution of about \$1 000 a

tonne. These are substantial problems which the industry must bear, and the problems will not be overcome if the Government walks away from them.

Today the Federal Minister put forward proposals at the Australian dairy industry conference. He proposes to impose on the industry a levy of 2c a litre, and says he will distribute that amount to ensure that the export returns are 120 per cent above those which existed for three years prior. The point I make is that this will cost Western Australian dairy farmers at least \$5 000 each.

The Federal Minister also proposes that the underwriting of the dairy industry will be 80 to 85 per cent. The wheat industry was underwritten to the extent of 95 per cent, and inflation was forgotten. The Government is talking about dollar returns, not real returns.

It means that the Government has really opted out of the dairy industry and it will take from the one small profitable industry in each of the States to add to the Victorian situation. The Minister says that a pool system will be introduced. Members would know that as soon as a pool system is established the automatic reaction of every producer is to feel that he will produce to the point of non-profitability. That happened in Victoria four years ago when it was decided to do away with the equivalent to market milk quotas which existed in this State, in order to operate a pool system. It is giving the dairy farmers a margin of 2c to 3c a litre.

The producers have responded by increasing production to the point where they are saying, "We need some of your cream so that we can continue". It is a crazy situation.

The Federal Minister's proposals, if they are accepted, will send the dairy industry in this State down the gurgler. It will also send the dairy industry in Queensland down the gurgler. Thousands of jobs on farms, in country towns, and in service industries will be lost; they will all go down the gurgler and that will be of no benefit to anyone whatsoever. In two or three years' time the same situation will occur again. It is inevitable because producers will produce to the point where it is not profitable to do so unless they are constrained.

The Minister has said that if the industry agrees he will look at an entitlement situation. I must admit that the Minister in this State has been firm in supporting the Western Australian position, and I applaud him for his actions.

The producer organisation in Western Australia will accept no levy at all unless a system of entitlements is introduced. I urge the Minister, the Leader of the House, to advise his Minister that

we, as a Parliament representing the people of Western Australia, urge the Government to continue with this stance. It is important that 1 000 jobs in the State are not thrown away. I have asked the Minister to do that because it is absolutely essential.

It has also been said that the product pools will be abolished. Mr Gayfer will remember that the wheat industry is trying to operate on a system of pools. The Federal Minister has said he will do away with that system because of the different values of the products involved. I guarantee that if he does so, there will be a tremendous price war in the industry and the situation will change dramatically, both on the domestic and export markets. If it is allowed to happen, not only Western Australia, Queensland and New South Wales but also Victoria will be affected. The average farm size in Victoria is 111 hectares compared to 264 hectares in Western Australia. The farmers have no room to move and they have no cash reserves because of the turnover situation. They will quickly be financially affected. They have operated from one year to the next for some time and as they move into a period of severe downturn in farm incomes, difficulties will be encountered. It is inevitable that if they go to the bank manager to ask for assistance during times of financial hardship, he will ask for proof of their ability to service a loan. As they have no history of carrying such finance, it is unlikely that assistance will be given. It is like a new chum asking a finance company for a loan and being asked to demonstrate his credit worthiness. If he cannot demonstrate his ability to service a loan he cannot borrow money.

Over the last couple of years the Australian production level has risen. One of the reasons is that the alternative for dairy farmers is too dreadful to contemplate. The dairy farming industry is carried out in above average rainfall areas and in the last seven years only one season has been a good one. The alternative to dairying is the beef industry because the farmer has the structure, the animals, and the know-how to handle the livestock. However, when it becomes apparent that there is no likelihood of making a profit he becomes nervous and stays with the dairying industry. The situation in Victoria where farmers are transferring from liquid milk to manufactured milk has resulted in increased production of milk. The figure for 1981-82 was 3 065 million litres and this year it will be 3 430 million litres. That is an indication of the direction in which we are heading. Australian production for the low year of 1980-81 was 5.181 million litres and the next year it is anticipated to be six million litres. There has

been a 20 per cent increase in production. The problem arises with the international prices; in 1981-82 butter was sold in the range of \$2 300 to \$2 400 per tonne and the present price is only \$1 200 a tonne. Every ounce of that additional butter is sold at the lowest end of the international market and receives the worst international price. The Europeans have a butter stock in excess of one million tonnes. They have recently sold 150 000 tonnes to the Russians at the minimum price, which today is \$1 100 a tonne. One can imagine the situation that will arise with the bulk export price for butter and dairy products. An amount of 5.180 million litres was sold and something like 1 000 million litres was sold on the export market. The figure has suddenly doubled and the extra production is being sold at the worst end of the market.

The situation is drastic with regard to farmers' incomes; the price of \$3.20 a kilogram will be \$2.65 next year. Any person who suggests that that kind of reduction in income is bearable in today's economic climate either has his tongue in his cheek or is very foolish.

Another indication of the pressures on this industry is the temptation to start a price war. Mr Gayfer will know about over-the-border sales on wheat. Thank goodness we do not have that problem in Western Australia. However, the Riverina area knows about it. An attempt is being made to push the remedies over here.

The interstate trade in market milk is being mooted and is happening. The situation occurred recently when some farmers in Victoria decided to sell milk in New South Wales in contravention of the national agreement reached some three or four years ago. The company bought milk at a lesser price than the market milk price, transported and treated it and sold it to a supermarket in Sydney at 9c a litre cheaper than other suppliers. It was good business, but it put 40 per cent of the nation's dairy industry income into jeopardy. At that time Victoria was emerging as the beneficiary of the 2c a litre levy; its farmers will make money from this levy. The director of the company involved happened to be Mr Cain's son-in-law. The following week he bought milk from New South Wales to sell to Melbourne. It is passing strange that a week before the Australian Agricultural Council meeting to discuss this matter—when Victoria was to be the beneficiary of millions of dollars from the proposed national levy—this company happened to become involved in over-the-border trading. Pressure was built up in the Press so that by the time of the council meeting it was a hot issue. It roared around the industry like a bushfire and received the attention of the Press because

everyone likes the idea of cheap milk. In fact, everyone likes to buy cheaper food; and to hell with the farmer. We need to be wary of this situation because the rural industry is, and will remain, important.

A good deal of hysteria goes on about nuclear targets in this country and whether we shall all be blown to bits. I always query what any foreign power would want in Western Australia or Australia. It does not want the people because we are a lazy lot and we would not work for it. What does Australia have that any other country would want?

It has great mineral wealth, a tremendous, untapped agricultural potential. We have only touched the edges of this country. Anybody who documented the food-producing capacity of our country would be doing a service.

But there is no point unless it is to be used for something. All wars for all time have been about food. The next will be too, God prevent it from ever occurring. Every war has been about food, or about territory; and territory means food. Even those in the Indo-China region, according to my understanding, have been about reaching the food-producing plains. I may be corrected or shown to be wrong, but if the details are checked it will be seen that those wars were about food.

That is the only reason anyone would want Australia—for its vast mineral wealth and food-producing area. Perth might be blown away, Sydney and Melbourne might be blown off the map, but nothing will be done which will seriously impair the country's food and mineral production capacity; and radiation is not exactly the sort of thing one wants to eat.

A couple of ordinary bombs could normally put most of the important parts of our nation out of action. The North-West Cape could be put out of action if necessary by a few men with hacksaws. The only advantage of invading Australia would be to get hold of our primary production, mineral and agricultural.

It is not my intention to delay the House any longer. I hope that as the Government comes forward and produces legislation dealing with matters in our State it bears in mind some of the points I have made tonight. I have pleasure in supporting the motion.

HON. W. N. STRETCH (Lower Central) [10.22 p.m.]: I rise to add my remarks to the Address-in-Reply moved by Hon. Mark Nevill. I also express my congratulations to the new Governor, His Excellency Professor Gordon Reid. I wish him and his wife a long, distinguished and

happy time as Governor and First Lady of Western Australia.

As a representative of a large and varied electorate, it is my duty to bring to the notice of members some of the problems of this very important area of the State. I am a south-west and great southern member, so I cover the full range of agricultural pursuits, plus the coal and timber industries and the rapidly developing horticultural industry in the south-west.

Firstly, in the seat of Narrogin, that being predominantly broad acre agriculture, we are fortunately experiencing one of the best seasons in memory. However, growing these crops is really only one side of the story. Where we tend to fall down, even in a good season, is in the marketing, and sometimes regrettably getting our produce out of this country.

My colleague, Hon. Colin Bell, has expounded admirably on the cost-price squeeze on our agricultural industries. I will not go into that any further; he has outlined the problem in commendable detail.

I would just drop this thought for those who are still here and awake. While the Hawke Government and the State Government here are proud of the fact that inflation is running at only six per cent, I remind members that the cost of sheep shearing has risen by eight per cent in the last three months. How those figures can be reconciled I do not know.

I refer now to the grazing industry and the live sheep trade. This is probably one of the most misunderstood and misrepresented industries in the rural sector. I have had discussions with representatives of Fares Rural, a company which runs a sheep shipping collection and preparation depot in my district. They point out quite clearly, and they have figures to prove it, that the live export of wethers will not increase unemployment in the short, medium or long term. Certainly it will not add to the abattoir workers' numbers, but it will not seriously diminish them. This must be understood.

The simple biological fact is that to breed a flock of live sheep suitable for export, even in these days of sex discrimination, one must have large numbers of ewes. The very act of breeding these numbers of ewes is a very labour-intensive business. Anyone who looks after breeding sheep knows that one's input in labour and material would be approximately three times that required to run a flock of dry sheep. Added to that, one always has surplus sheep which will not go onto a boat but will go to the abattoir for local slaughter.

Let us get rid of this dangerous fallacy that the live sheep shipping business will cut down employment, because all that a ban will do is remove the most profitable segment of the livestock industry and put more farmers out of business.

One can get sick of country members singing their song, but I assure members things have not changed, and that it is still necessary for the rural industries to be kept strong and prosperous. The rural industries in turn need the metropolitan people and the associated service industries. So let us stop this "them" and "us" nonsense. This is an integrated industry; we need each other for the betterment and the overall prosperity of our people and State.

I would like to take members briefly to the coalfields of Collie, because this also has had some problems. When I came into this House and had the honour to make my maiden speech, one of my regrets was that the Government had not been able to negotiate a coal contract between the State Energy Commission and Western Collieries Ltd.

One might ask, "What is a piece of paper?" It is not just a coal contract, it is an employment contract with the people of Collie. I remind members that Western Collieries operates the only deep mine—I hope the Leader of the House is listening—and it is the greatest employer in Collie, with nearly 1 000 employees. Without long-term contracts that company will be in serious trouble, as will the entire town of Collie.

I hope that, 12 months later, the Government, the State Energy Commission, and Western Collieries Ltd. will get this much-vexed contract organised, signed, and settled so that the people of Collie will know where they are going at long last.

Still in Collie, we have this equally vexatious problem of building an aluminium smelter. A smelter is an integral part of the bauxite alumina industry, one part of which many of us were honoured to see at Kwinana this morning by courtesy of the Minister in another place and Westrail. The transport component is now a very smooth operation.

A smelter would do much to aid employment in the construction industry in Western Australia and we need that help badly.

Here I have a certain sympathy with the Government, because, on the one hand, everybody is doing his level best to establish this labour-intensive, exciting project and, on the other hand, we have the Australian Conservation Foundation saying, "Yes, it is a great thing; but don't put it on the coastal plain or in the jarrah forest".

We have to face up to the fact that every decision must be balanced and these issues must be examined rationally; so I sympathise with the Government's problems. The Australian Conservation Foundation has a legitimate place in the community, but it must not be allowed to reach a stage where it controls the economy, the destiny, the jobs, and the future of all our people.

Before I leave the seat of Collie, I shall refer to Parliament Week and the money which will be spent transporting school children to and from, up and down, and around this place.

In itself, that may be admirable, but I draw members' attention to a very small school which caters for approximately 40 children in my electorate. That school cannot obtain washing water for the children, because Government funds are not available. The children at the school have drinking water and some washing water, but in order to conserve water, would members believe the drinking water overflow from the taps is recycled and used as washing water? Can members imagine the situation when someone's little darling with a runny nose uses the tap? That example underlines the problem which is experienced when the drinking water overflow is recycled and used for washing.

When I said to the P & C Association, "This is disgraceful. In 1984 we must be able to do better than that. There must be funds" the reply was, "We have a netball court in bad condition, but we would rather the parents repaired it; if you fix the water, we shall fix the court". All members who represent country electorates would be familiar with this cooperative spirit and I make a plea to the Minister and point out this position is archaic and should not be tolerated. I hope members of the Government who are here will say to the Minister, "The member for Lower Central raised a disgraceful situation. I hope you will be able to help him out with it".

The other problem worrying the people of Collie relates to the excellent racing club which was reopened recently. Most of the work for that facility was done on a voluntary basis and a most successful opening race meeting was conducted last year. A superb winter track has been established so that it can be used to coincide with the period during which the Bunbury track could not be used because of the wet season. However, those plans now have been clouded, because the club has been told that as they are only picnic race meetings, it will get only one race day a year at best, and, at worst, no support at all.

When we deal with the Racing Restriction Amendment Bill I shall remind members that

these small clubs have a very important place in country racing and country life.

The final part of my electorate to which I shall refer is the magnificent Manjimup-Walpole timber country. My colleague, Hon. Sandy Lewis, made a memorable speech the other night in which he took members tip-toeing all over the Shannon golf course and down the magnificently conceived and incredibly badly constructed walks all over that area.

However, Hon. Sandy Lewis did not mention the fact that someone had inadvertently run a 20-tonne scraper through one of Bunnings' log roads without telling that company; but these sorts of things are bound to happen in such badly conceived projects.

Most of us have had the privilege of driving through that country and we are familiar with the magnificent and majestic trees in the south-west. However, I remind members that those trees are not only magnificent, but also some of them are decaying and dangerous. Some people seem to get carried away with the concept that these trees in the south-west date back to BC and they tend to be treated with awe. The fact is that most of those trees are well under 600 years of age, which is still a ripe old age; but they are a decaying resource. It is plainly stupid and wasteful to leave those trees until they become a hazard and die. Everybody prefers to see a healthy, good-looking tree and even though people are sad—indeed, I feel a twinge—when they see these huge trees fall, it must be emphasised that the forest should be regarded not as a major heritage which will exist forever, but rather as a vital, renewable resource of living and dying trees which follow that cycle. Trees must be managed, looked after, and harvested by sensible, experienced people. We have just such people in the Forests Department.

Again I sympathise with the Government, because it is being influenced unduly by groups which are not working in the interests of the top management of our forests. We have the unhealthy move towards closing up everything, keeping our hands off everything, and not burning anything.

We very nearly had a tragedy in Walpole last December. It was averted only through the intervention of the members in the area who prevailed upon the National Parks Authority to get together with the Forests Department and burn some bush around the Walpole townsitc. As soon as the National Parks Authority made it possible, officers of the Forests Department took in their equipment to do that job.

Some weeks later a fisherman's campfire got away on the banks of the Frankland River. The fire shot straight up inland on stiff southerly winds, and fortunately hit the edge of the burnt buffer zone. Had it not done so, we do not know where the fire would have ended up.

The message from that incident is abundantly clear. The Forests Department has an efficient, highly developed, and world-acclaimed system of buffer zones, excellent equipment, and men of the highest calibre. It is essential that, in the south-west forests, they should be the people to manage the fire control programmes in all heavily timbered land.

After what I have said, members may assume I would accept the amalgamation of the Forests Department, the National Parks Authority, and the Wildlife Authority as proposed by the Government. We shall be debating that issue later and the Opposition will point out the reasons that, although parts of the proposal are acceptable, any aspect which downgrades the Forests Department and leaves it with much diminished powers, increased responsibilities, and probably less finance, is simply not on. In that area of the State, the management of our forests is absolutely essential for the survival of the timber industry and the trees.

Before I finish my comments on the timber industry I should move to the vexatious question of pines. The problem here is one forced on the Government by well-meaning but misinformed people putting undue pressure on the wrong places and achieving what is going to be a disastrous result. However, Madame Deputy President (Hon. Lyla Elliott), with the diligence of Opposition members and some commonsense from the Government, I hope we can reach an acceptable compromise.

There is no way in the world that a shire like the Manjimup Shire, with only 15 per cent of its entire area rateable and the rest Crown land, etc., can afford to see its developed and presently rateable land resumed and turned into Crown land or whatever for the growing of pine trees. We would welcome an economic, integrated pine industry in the Manjimup Shire, but not at the expense of the agricultural land. The shire encompasses some of the best horticultural country in Western Australia, with an assured rainfall, a rapidly developing marketing expertise, top production figures and, we hope, with some more diversification in the processing area, it might even get the cannery into a profitable situation. By all means let us have pines, but let us have them on the degraded land and fire damaged Crown land, not

on the alienated freehold land of which the shire is so short.

Something which needs to be understood and emphasised is the role of woodchipping in the Manjimup area. This industry is one of those emotional operations, and no doubt many members have been down there and felt the whole building shudder as enormous logs go through the chipper at a steady and inexorable speed. I feel some anguish for the trees and a certain sympathy for the conservation movement; but the trees involved are the rubbish of the forests being turned into a marketable and useful product rather than being burned or disposed of in some other uneconomic way. Without a woodchipping industry to get rid of this waste timber it would not be possible to regenerate the karri forest, because karri cannot regenerate without clear, open sky above it. It certainly does not grow well any other way. So we can thank the chip mill for the fact that we have those excellent regenerating stands of timber in the area.

I have already touched briefly on the horticultural industry in the area, and it is certainly a very exciting prospect around Manjimup. I have attended several meetings of the growers there, and I know them to be an enthusiastic, highly intelligent, and very export-orientated group of people who will go a long way. They will need a lot of support from all their parliamentarians, and I believe they are getting that. We can expect great things of that industry, simply because its members intend to concentrate on export competitiveness. It has an exciting time ahead of it and I am proud to be part of the development as a local member of Parliament.

Right through the area we have an awakening of the tourist potential, and tourism is one of our most interesting industries. Everyone is learning, not only from his own mistakes, but also from mistakes made in other countries. We believe we have some of the most exciting scenic country in the world, from the tall timber areas right down to the south coast. Many people in the area are working hard in their individual bureaus to develop this tourist potential and to keep those outside dollars coming to the area. We are also delighted to see the Greenbushes tin mining operation suddenly cranking up again owing to the increased demand for tantalite.

All this gives some idea of the importance of the area and the reasons for bringing forward problems associated with it. One small but important matter associated with the growing awareness of soil management and salinity control is the increase in replanted country in river catchments. One of the difficulties we are now facing, believe it

or not, is the encroachment of wild pigs into the area. Despite questions asked in the House and despite representations made, we are having terrible trouble controlling them. They breed extremely quickly and I cannot describe the amount of damage they can do. Members who have seen the damage know the problem I am talking about. We can have a beautiful paddock of pasture one morning and enjoy it during the day, but at night the pigs can come in and plough it down to 12 inches or less.

Hon. H. W. Gayfer: And they carry diseases.

Hon. W. N. STRETCH: I make the point that where the Government takes over land it can actually create an environment that causes the problem. What we cannot get through to the Government is that if it creates the environment and that problem, surely it has a responsibility to help the landowners overcome that problem. It is no good the Government's saying that the farmers have that problem and they will have to handle it, because for the reasons Mr Bell pointed out so ably, we cannot go on loading the costs onto farmers, because they cannot take much more.

Another problem causing considerable trouble is the transport system in the south-west and the great southern. Up to six weeks ago the south-west was probably in just as much strife as the great southern, but now, because of the deregulation of most of the timber cartage, we are over that problem. However, the people in the great southern are still faced with the difficulties of the deregulation process.

The previous Minister for Transport set the State on the road to deregulation, and his work was accepted. It was just one of those difficult things we had to go on with. There was going to be pain and trauma involved, but that had to be faced in the long-term interest of the continuation of the industries in the area. It is never easy to make these decisions, but to the credit of the present Minister he has stuck to his guns. His decisions have caused great dislocation among railway workers. Hon. Sandy Lewis and I represent an area in which perhaps 200 families are affected. However, all members of all organisations and instrumentalities are doing their best to resettle the people affected. It will require a great input from the Government and a sympathetic ear if we are to help those people settle into different occupations and in some cases different towns.

The tone of my remarks so far has highlighted difficulties in my province, but in many areas we are moving ahead. I am glad to see the growing awareness in the general rural community of the care and awareness of the land that the people

farm and work, and the general awareness of all people that they have a role to play.

When I first came to this place I said that it was one of my goals to see all country organisations and Government organisations working together towards a co-ordinated attack on the problems of land degradation and salinity. I am pleased and proud to say that this is happening and that everyone is working together much more closely than ever before.

The other day I asked a question about the "Greening of Australia" programme. We have a very dedicated young lady by the name of Terri Smith who is based at Dumbleyung in the south-eastern wheatbelt. She is a "tree person" and she goes around on a part-time basis talking to shires, farmers, and interested groups everywhere on the importance of trees. I hope the Federal Government will be prevailed upon to supply enough funds to allow this good programme to continue.

Farmers are collectively taking the bit between their teeth and making more efforts to form soil conservation districts and to attack this problem, as it should be attacked, on a complete river or branch system basis. This augurs well for the future of the rural industries in WA because as early as the 1920s when so many of our areas of land were blowing away, it was realised that those few precious centimetres of topsoil were worth more than all the money in the bank; that the soil indeed was their bank, and that it must be protected and nourished at all costs. If the Government now has to make an input, so be it, because it is not only the farmer's bank, but the country's bank, and no effort should be spared to ensure that those groups receive all the support that they need.

Another problem that needs to be mentioned has been left out of my electorate roundup because it is a problem that relates to all country people. This is the misunderstood question of education for country children. We have just witnessed a battle with Senator Susan Ryan over funding to so-called wealthy non-Government schools in WA.

Hon. Robert Hetherington: There are some wealthy non-Government schools. Would you not call Geelong Grammar a wealthy school?

Hon. Garry Kelly: You would not call it a disadvantaged school, would you?

Hon. W. N. STRETCH: I had the honour to attend Geelong Grammar School for eight years, as the member would probably know.

Hon. Robert Hetherington: I did not know that.

Hon. W. N. STRETCH: It is not a particularly wealthy school. It, like all other private schools certainly, has some wealthy parents but it also has many other parents—as do all schools—who make tremendous sacrifices to send their children to those schools.

Hon. Garry Kelly: You would not call it a disadvantaged school, would you?

The DEPUTY PRESIDENT (Hon. P. H. Lockyer): Order! I suggest the honourable member direct his comments to the Chair and ignore the interjections.

Hon. W. N. STRETCH: Thank you, Mr Deputy President. I will heed your very good advice, but I plead that, before people throw brickbats from great distances, they take some trouble to check out their facts, because the point I am making is that these schools may look "wealthy", but they all have their difficulties and the parents who make those sacrifices to send their children to these schools do so as a matter of choice. Moreover, some country parents have no choice.

I did some checking up the other day and looked at the various Parliaments in Australia. I think members would all be very interested to see where people on both sides of all Houses of Parliament send their children to be educated, and then come back to me and talk about freedom of choice versus regimentation.

Hon. Robert Hetherington: What does that mean?

Hon. W. N. STRETCH: The honourable member knows very well what I mean. I do not think I need to spell it out to one as intelligent as the honourable member.

Hon. H. W. Gayfer: There would not have been any possible chance of receiving a decent standard of education a few years ago, Mr Hetherington, and you know it.

The DEPUTY PRESIDENT: Order, please! Members will have their turn in due course to make their speeches. Hon. Bill Stretch has the floor at the moment and I ask members to respect that.

Hon. W. N. STRETCH: I will quote a few facts from a graph prepared by the Commonwealth Department of Education and Youth Affairs in March 1984. Of the Australian schooling budget for 1982-83, 85.4 per cent was spent on Government schoolchildren and 14.6 per cent was spent on non-Government schoolchildren. In 1983, the 85.4 per cent figure became 75.4 per cent. Of State Government expenditure, 94.1 per cent was spent on Government schooling and 5.9 per cent was spent on non-Government schooling. I will

display those figures if members want to argue with them later.

Hon. Mick Gayfer raised the question of Education Department savings by the operation of non-Government schools, and I refer members to the public sector expenditure on Government and non-Government schoolchildren in the States of Australia for 1981-82. I regret that these figures are slightly out of date, but there has been no significant change of rate, although I hope this will not continue to be the case. In Government schools, expenditure per pupil was \$2 076 plus the Commonwealth expenditure of \$281 giving a total of \$2 337 per child whereas in non-Government schools the figure was \$1 186 or slightly less than half that for Government schools. Thus the year's saving to the Education Department for each child attending a non-Government school is \$1 151. I am not trying to prove a point about which schools are better or worse; I am just making the point that freedom of choice is paramount and if one chose not to allow people that choice and to close down private schools, one would have to knock up another \$1 151 per pupil to take up the extra burden. If we cannot get washing water for the Chowerup school, where are we going to find another \$1 200 per child when we pick up these extra students? It is an important issue for country and pastoral children and children up north. Let us not get carried away and believe that this idea is buried. Senator Ryan was defeated at the last ALP conference but "the left" has given warning that it will not be defeated again. The point is we must be wary; we must be ready to argue this case and allow free choice to continue.

I think it is sufficient to make a final point that I was disgusted that the Address-in-Reply moved by Hon. Mark Nevill again picked up the old chestnut of the changes to this Chamber.

Hon. Garry Kelly: Long overdue, too.

Hon. W. N. STRETCH: I thank the member for that contribution. He is awake again.

Hon. Garry Kelly: What do you mean, "again"?

Hon. W. N. STRETCH: I think I have given the House some idea of the work involved in looking after large electorates. I hope that those people who believe we country members are redundant dinosaurs, now have some understanding of the workload that country Legislative Council members face and, while we hear much talk about better communications and other matters, they do not do much to ease our workloads; they certainly help, but they are no more of an aid to us than they are to any other members in smaller seats.

Hon. Garry Kelly: You do not have to fill the franchise and that is what we are on about.

Hon. W. N. STRETCH: Might I remind members, particularly the gentleman in front of me, if he could stop his doodling for a minute to pay attention—

Hon. Garry Kelly: I am listening.

Hon. W. N. STRETCH: —that my seat was won fairly and democratically against a candidate of his party and another candidate. There was no gerrymander or rigging of the elections and it is insulting to me to suggest otherwise.

Hon. Garry Kelly: That is so simplistic. That is nonsense, and you know it.

The DEPUTY PRESIDENT: Order, please!

Hon. W. N. STRETCH: It is very much to the point of the argument!

Hon. Garry Kelly: It is not, not the way you look at it.

Hon. W. N. STRETCH: The electorate chose whom it wanted to represent it.

Hon. Garry Kelly interjected.

Hon. W. N. STRETCH: The member can interject as much as he likes, but he will not convince those people out there in the electorate who know they have a free and democratic right to choose their candidate. I ask the member to bear that in mind when he starts criticising people and systems. Those members are doing important work to the best of their ability, and their special electorates have special needs. I think it was unfortunate that this debate took on that theme. There is a time and place for everything but the Address-in-Reply to the Governor's Speech was neither the time nor the place. I support the motion.

HON. ROBERT HETHERINGTON (South-East Metropolitan) [11.01 p.m.]: I rise with pleasure to support the motion. In 1967 when I came to Western Australia to join the newly appointed professor of politics at the University of Western Australia, to take his first-year course in politics, I did not expect to see the day when I would sit in this Chamber with my former professor as the Governor of this State.

It gives me great pleasure that Professor Reid has been appointed to this high position. It is an honour he well deserves and it is a job he will carry out excellently and well. He is, of course, a Governor who is most aware of the duties, rights, privileges, and the position of Governor in this State. I think it is an interesting innovation that we should appoint a political scientist to become the person at the pinnacle of our political system in this State as representative of the Queen.

I have known Ruth Reid since 1958 when Professor Reid, as Dr Reid then, left the House of Representatives where he was Sergeant-at-Arms to become senior lecturer in politics at the University of Adelaide. I know Mrs Reid will do very well as the Governor's wife and consort. Before His Excellency reached his high position I did say to him that I thought he would make the job so popular that we would never become a republic, but I am prepared to take that risk.

I would like to congratulate also Mr Gordon Masters on his elevation to the position of Leader of the Opposition of this House. It is not often we have changes of this sort. I have known only three Leaders of the Opposition since I have been in this place. I wish him well in that position and hope he stays in it for a long time.

I note also that Mr Moore is sitting in the position I occupied when I first came into this House. I hope it does more for him than it did for me, and I will be interested to see how the honourable gentleman develops as the years go on.

While I am talking about new people I welcome also Mr Malcolm Peacock into the Chamber as one of the Chamber attendants. I would like to say—and there is no disrespect to Mr Peacock; I am sure he will be an excellent acquisition to the staff of the Chamber—I think it is about time we took a little bit of affirmative action in this Chamber. I hope the day will come when the women members in the Chamber will be joined by women attendants in the Chamber, because we know from our experience of women on the *Hansard* staff—one of whom is sitting in the Chamber at this moment—that they have given us excellent service and some of the best reporters on the *Hansard* staff. Perhaps the day will come when we diversify the staff in this Chamber a little further.

Members who have been here since 1977 will remember that every year in the Address-in-Reply debate I have complained that the Governor's Speech, which is supposed to set out in some detail the legislative intentions of the Government, was too short and not informative enough. This year that deficiency was repaired. I was glad to note that the Governor's Speech, read ably and well by His Excellency, did set out in some detail a rather massive legislative programme that this Government intends to bring down this session. I am looking forward with some interest to some of the Bills, because I have had some part in drawing up some of them. I have taken an interest in some of the subjects which I hope will be legislated on by the end of this session. I am looking forward to a session where we may achieve some useful reforms.

I want to do what most members do and I do rarely; to talk briefly about my own electorate because I cannot talk about the Belmont High School any more as I used to do in every Address-in-Reply speech. That is one of the successes that I and my fellow members of the old East Metropolitan Province have had: To get the Belmont High School rebuilt. So, we can leave that one as a success story.

Now I am the member for South-East Metropolitan Province and it saddens me a little that as yet I have not been voted for by three quarters of my province, because I moved into it in mid-term through a redistribution. I am facing within that province one of the worst traffic problems in the metropolitan area. I will not vie for that and try to compete with my friend and comrade, Mr McKenzie, because he might think he is worse off in North-East Metropolitan Province.

The traffic problem in Albany Highway has become quite horrific. The number of cars which travel down that highway is perhaps the highest in the city. The highway is too narrow; it should have been widened 30 years, 20 years, or 10 years ago or even last year, now, or next year. Something has to be done soon before we collapse into chaos. The whole problem of the development of the south-east corridor has made the position of South-East Metropolitan Province very bad as far as the traffic problem is concerned. I live on Corfield Street in Gosnells which is about to become a four-lane throughway, if some of the proposals are carried through. It is hoped it will take some of the pressure off Albany Highway. Certainly the Government is about to proceed with the connection of Ranford Road with South Street, which will take some of the traffic away from Armadale which would normally go down through Albany Highway or perhaps through my street.

The Roe Freeway is sadly overdue. I hope I can put pressure on the Government to begin building this shortly. At present, in conjunction with my Federal colleague, Mr George Gear, the member for Tangney, we are trying to persuade the Federal Government to provide funds in order to build a second bridge across Nicholson Road which clogs up, so that there is a great bank-up of cars that sweep right back.

I must say whenever I come out of Spencer Road into Nicholson Road in the morning I always turn the other way because it takes too long to get onto Albany Highway. One of the things we need to work towards actively in my electorate is overcoming the traffic problem and improving the road system.

It has been sadly neglected for years, but of course all sorts of problems arise because once roads are widened in the outer suburbs, problems in the inner suburbs are made worse. Once access through Albany Highway or Spencer Road, and Manning Road through the Spencer Road-Chapman Road link is made easier environmental problems are created and traffic builds up in Manning Road. Anyone who drives from my electorate or anywhere else down the Kwinana Freeway knows it does not have enough lanes and clogs up badly of a morning. I found that out this morning when it took me an hour to do a half-hour drive, and I was nearly late to catch a bus to look at a Westrail facility.

Hon. P. H. Wells: You mean to say they did not wait?

Hon. ROBERT HETHERINGTON: They did, but I was not helped by the wet and conditions on the roads.

This is something we need to look at, and it is a matter on which I will pressure the Government as hard as I can to see if we can improve the road system through my electorate, as I know my friend, Mr McKenzie, is doing in his electorate, because the flow of traffic must be better than it is now.

I want to refer briefly to one of the good things I have found in my electorate—not that there are not many good things to discover. The other day there was talk of shifting the SPER centre, which is a centre for children with behavioural problems, from Challis Primary School in Armadale to the north-west, and expanding the centre at Queens Park. For various good reasons, the Queens Park people did not want that to happen at their school, and I went to see why the Challis people were happy to have the centre at their school.

I found they were very fortunate in the planning of the school which was in discrete pieces so that all areas looked out onto greenery. Our school architecture has improved considerably of late years, and I am not saying it is since Labor came to Government, because Challis was built before that. I found another interesting aspect: The principal, the person in charge of the SPER centre, the principal at the junior primary school, and the person in charge of the remedial centre were all women. Lo and behold, the school did not fall down. It was not in chaos or run illogically, it was run superbly. It is a highly-integrated school in which all the teachers are happy, and the deputy principal who is a male, is happy with all of them.

I am not claiming this is the only good school in my electorate, but when one stumbles across a

superbly run school it is worth putting on the record. I hope next year when I have had time to find more, I will put them on the record, too. I was interested in the work done in the SPER centre, and tomorrow I will be talking to Dr Robertson who is in charge of SPER centres in general, to find out more about what they are doing.

This brings me to one of the problems which concern me greatly: I refer to people with special problems and to the underprivileged. It also brings me to a remark made by Hon. Norman Moore on Wednesday, 23 November last year when he spoke on the Budget. I have mentioned this across the Chamber to him once by way of interjection and he said he did not say it that way, so I looked to see what he did say. He stated—

What I have is what I worked for, and I worked hard for it. I am proud of what I have achieved.

I have no objection to that. The member went on as follows—

Everybody else in the community should be required to make some effort if they want to get land, houses, or the like.

He was talking about Aboriginal land rights at the time and I must admit he had been provoked by the Minister for Planning, and perhaps in fairness I should put the remarks in context because at the end of his speech Hon. Norman Moore said Aborigines should have land. It went on as follows—

I believe they should have land.

Hon. Peter Dowding: If they buy it.

Hon. N. F. MOORE: If they buy it.

Hon. Peter Dowding: Of course they should!

Hon. N. F. MOORE: I have a property because I bought it.

Hon. Peter Dowding: Aren't you terrific! You have had all the advantages.

Hon. N. F. MOORE: The Minister says that I have had all the advantages. This silver-tongued, silvertail from the opposite side of the House tells me I have had all the advantages! What I have is what I worked for, and I worked hard for it.

The next bit interested me. The member went on—

Everybody else in the community should be required to make some effort if they want to get land, houses, or the like. If we give everything to people, it is not appreciated.

Taken out of context, one might believe it sounds like those happy young idealistic socialists I used to associate with at the end of the 1940s who said

nobody should get anything unless they worked for it. I thought the honourable gentleman did not believe in inheritance. I am sure that was not what he was saying. I might say "What I have, I worked for, but some of the things I have I got because I was lucky". I would not have got them without working towards them. But if the member and I had been born differently, in different places and perhaps as Aborigines or poor migrant children, and did not get the schooling we have received, or the parents we have, all our work might not have brought either of us where we are now.

We have to be very careful about this; people say we must treat everybody equally. People are not equal, but I believe in equality; I am an egalitarian. I want to say something about what I mean by equality, and I refer to a remark made by the honourable member on page 5081 of *Hansard*. He was referring to Hon. Tom Stephens when he said "He advocated separate development, which is what I define as apartheid". I want to say something about apartheid.

One of the things brought home to me by that good middle-class writer Edward Gibbon Wakefield in his book "England and America" which was written in the 1840s, was that people vary in their circumstances and the conditions under which they are born and some of them can never rise above them. Wakefield was talking about the Spitalfields handloom weavers who were unemployed as a result of the introduction of steam weaving and machinery. A lot of them were drunk, and people said they were unemployed because they were drunk. Wakefield asked the question: "Are they drunk because they are unemployed, or are they unemployed because they are drunk?" He said when one looked at it, one saw they had no work, they had been thrown out of work, they had no wages and very little food and no firewood. For a penny they could buy gin which would make them warm, and for twopence oblivion. So they were drunk.

I remember that whenever people, here and elsewhere, tell me that people are to be blamed because they are drunk and that is why they are in the position they are in. Quite often they have bought a flagon of oblivion so that they can forget, for the time being, that life was not meant to be easy and for them it is very hard. Quite often one finds widespread drunkenness. That is a sign that there is some malaise or some social evil which must be made better.

Drunkenness was fairly prevalent among the unemployed members of the working class when I was a boy. They did not have much else to do, so they got drunk. This is not the first time we have had a 10 per cent unemployment rate in our com-

munity. The rate was nearly 30 per cent in the 1930s and people were utterly desperate.

I have said before in this House that people said then, as they say now, that they were unemployed because they did not want to work. However, when the war came, nobody was unemployed. The work was there. Some people found their first job in the Sixth Division of the Australian Infantry Force in 1939.

When we talk about what people have done by themselves, we have to realise what sort of platform they did it from. Certainly, the platform of white middle-class children of white middle-class parents in this society is higher than that of other people. My children had a better platform from which to launch than did I. I had a better platform from which to launch than did my parents. My parents had a better platform from which to launch than did their parents, because my maternal grandparents started off their married life in a bag humpy working for somebody else. They did not have a high standard of living. Things have improved. However, there is still room for improvement.

What we have is not necessarily what we have worked for. What we have is what we have worked for sometimes. Sometimes what we have is what our parents have worked for. Sometimes what we have is because we are lucky. Sometimes we have to understand why people do not have the things we have and wonder whether there is something we can do about it. Of course, that is what people like me are talking about when they talk about land rights. We are saying that the Aboriginal people are not like other people. I am not one of those persons who said, as a member of the Nazi Party said, that we should solve the problem of the Aborigines by sending them back to where they came from. They have been here for a long time. We are not sure where they came from. They have been here for about 40 000 years. Of course, they came from somewhere. They were here before my ancestors arrived. With a name like Hetherington, my ancestors were Norse and settled in the village of Northumbria. However, that was quite late in the piece. If I were sent back to where I came from I would have to find the place where the Norsemen came from or somewhere where the Irish came from because I am a "bitzer".

Mr Moore, in talking about the Aborigines, mentioned the production, "Children of the Sun". I agree with him that it was a brilliant production. The conditions portrayed in that production did paint an idyllic picture about Aborigines' conditions before the white man came; they lived in some sort of harmony with their environment. I am not arguing that they are not better off in some

ways since we came, but I do know that they are worse off in many ways. We deprived them of their land and their way of life. We forced an alien culture on them.

Of course, the people we call Aborigines today, are either fullbloods or they are the descendants of a misgeneration between white men and Aboriginal women. In other words, they have been put at the bottom of the heap.

It was advocated in South Australia, about 1836, that Aboriginal children should be separated from their parents and trained as servants. Of course that was all they were regarded as being good for! That was advocated in the same way as it was advocated by the Bishop of London around the same time that working-class children should be separated from their parents so that they could be trained as servants. Servants were needed in those days. One had to have them and that was a way of getting them. That idea did not work terribly well with the Aborigines.

All I am saying is that, unlike our ancestors, the ancestors of the Aborigines did not come here because they wanted to join the Australian way of life. They had their own way of life and we joined them. They are different.

If one advocates treating them differently, then they should not be treated differently on the grounds of race, but because they were the first people here. I suggest to Hon. Norman Moore that every time he talks about racism, he is doing the very thing that he accuses the Labor Party of doing; namely, inflaming racial unrest. I suggest that he think twice about that and stop it in the same way that I think Professor Geoffrey Blainey, whom I knew many years ago, should have thought twice before he made his remarks which inflamed racial hatred.

Hon. N. F. Moore: Surely we can talk about it without inflaming the situation. Perhaps you are inflaming me.

Hon. ROBERT HETHERINGTON: I would not be surprised. That would not worry me unduly, because if the honourable gentleman is inflamed, I know he can cope and will recover in due course. However, some people will not recover from that type of inflammation, because the racial hatred that has been inflamed may be such that it will destroy people.

When we look at people who for various reasons, are below the platform from which the rest of us have launched, and who are there through no fault of their own, we have to see whether we can help them. We help people who are chronically ill by providing medical schemes. We try to help migrant parents who do not under-

stand English through remedial teaching programmes. We try to help people whose culture has been shattered through their relationship with us. It may be that, by giving Aborigines land—I do not know what will come out of the Seaman inquiry—we will begin to help them. I have not heard anybody suggest that, if we give Aborigines some form of land rights, we will solve all of their problems. I do not believe that, just as I do not think anybody else believes that. If Aborigines have land rights, they will not go back to their primitive, idyllic society. To say that is to say that the English people would go back to Druidism. Once one culture has been mixed with another culture, the people cannot revert to what they were before. I think we all agree about that.

However, one can do something to give the dispossessed some feeling of belonging, some dignity, and some worth so that they can find themselves and come back to join us. It would not be by assimilating them, but by letting them integrate with us when they are ready.

This is one of the reasons I am very distressed when I hear not only Hon. Norman Moore—who has got it from other people—but also others talking about apartheid. The argument is that if we give land rights, we are putting up a system of apartheid or separate development. Although I know people do not mean it that way, it is, in fact, a form of intellectual dishonesty because it is one thing to define apartheid in the original meaning of the Afrikaners' word, but it is another thing to think of apartheid with all the connotations it now has.

I have an advantage over Mr Moore and, I think, over the Leader of the Opposition in this House, because I am older than both of them, and this means that I can remember things which they were not necessarily here to remember.

Hon. N. F. Moore: It is not always an advantage.

Hon. ROBERT HETHERINGTON: It is not always an advantage, but it is sometimes useful. I can remember when Mr Malan first became Prime Minister of South Africa and with Mr Verwoerd as, I think, his Minister for Defence, he set up the system of apartheid, or separate development, it sounded beautiful. They were going to divide the country up and let the people develop separately. That concept has been carried on since, although it has not worked very well.

When we talk about apartheid these days we talk about apartheid in South Africa and the word has that emotive connotation. Apartheid is what the South Africans have and if we, on this side of the House, are accused of apartheid—people are

saying that although they may deny it—it would mean we are just like the South Africans, and that is not true.

I do not mind people criticising the Government's policies in other ways, but I do object to this form of criticism.

Apartheid in South Africa means that out of a population of about twenty-four and a quarter million, approximately four and a half million are white, nearly three million are coloured—that is the original Khoi Khoi or bushmen who intermarried with Europeans—nearly one million are Asians, and black Africans total sixteen and a quarter million. So in South Africa, in the name of separate development, the country is divided into South Africa and Bantustans.

Eighty-seven per cent of the land went to South Africa and about 13 per cent went to the Bantustans—to the 16 million! Of course, all sixteen million do not live in the Bantustans because they cannot. The number of black Africans who are involved in the South African economy is growing daily, and about half the Africans live out of the Bantustans although they are not citizens of South Africa.

The South African Government now has three Parliaments, one for the whites, one for the coloureds, and one for the Asians and the black Africans belong to the Bantustans, but they are allowed to carry their passes and go into South Africa to work.

What the Bantustans do is allow people to till their land, overtill it and get some subsistence from it—they can get some food—but the men have to look elsewhere for work. They can carry with them some of the food when they go into South Africa to earn money to buy. Therefore, part of their subsistence is paid by the overworked Bantustans and part of their subsistence is from working in the mines or elsewhere.

In other words, apartheid, which is lauded as separate development, is a way of making sure there is a constant source of cheap black labour and it does not give the black Africans any political rights whatever. That is apartheid and that is what the former Liberal Prime Minister of Australia, Mr Malcolm Fraser, to his eternal credit, opposed. That is what he was against. It is what we, in the Labor Party are against, and I hope it is what the members of the Liberal Party are against.

Hon. P. H. Lockyer: Don't you agree that enormous steps have been taken in South Africa for the benefit of the Bantustans in the latter few years. It is much different from what it was five years ago.

Hon. ROBERT HETHERINGTON: Not all that much different. There is still tremendous suffering and it is still exploitation of black labour. I give them some credit, but I will not accept that the forward steps are massive. I do not want to argue about that, I just want to tell the House what apartheid means in South Africa.

Nobody has proposed that for Aborigines in Australia. The people who believe in land rights have given Aborigines the vote. The people who believe in land rights might want to keep white people out of Aboriginal lands, but they do not want to keep the Aborigines out of white lands. They do not want to stop the Aborigines integrating if they want to. They want to give them freedom.

If members opposite want to argue about this policy, it is fine, but at least argue it honestly. I would suggest that every time people say, "separate development means apartheid", they are using an emotional and dishonest term. I ask members who use it, particularly the Opposition spokesman on Aboriginal Affairs, to think about it very carefully because I am serious about it. I am not playing any politics. I am speaking from the heart and speaking about something I mean very sincerely. I am really upset about it. That is honest, and I sit and brood about it because I think it is muddying the whole issue.

I do not think the policies are racist. Next we will be told that our policy for women is sexist—I suppose that will be said. I am a bit odd and I believe in land rights, feminism, and all sorts of things which are frowned upon these days, but they come from my belief in the essential equality of humanity of all men and women. I believe that as far as possible we should all be encouraged, allowed, and helped to develop all our capabilities. I know we cannot do all of that yet, but we can do better than we are doing.

I also believe that in these very difficult problems which are associated with racial differences, old persecutions, hatreds, and all the feelings that have grown up, people are going to make mistakes. Some people will get too excited about it, some people will move in to exploit the situation for their own ends; and all sorts of things will happen. We have to tread very carefully and, as the Minister for Planning said, we have to be very patient. I believe that if we do all these things, eventually we will finish up with some kind of decent, egalitarian, multicultural society, which will not have apartheid in it.

I hope that no-one ever has the bright idea that we can use Aborigines as cheap labour because they are living within their own lands. If that

happens we will be developing something which looks like apartheid and I would have to oppose it.

It gives me great pleasure to support this motion of thanks to the Governor and loyalty to Her Majesty the Queen.

Debate adjourned, on motion by Hon. P. H. Wells.

ADJOURNMENT OF THE HOUSE: SPECIAL

HON. D. K. DANS (South Metropolitan—Leader of the House) [11.40 p.m.]: I move—

That the House at its rising adjourn until Tuesday, 14 August, at 2.15 p.m.

Question put and passed.

House adjourned at 11.41 p.m.

QUESTIONS ON NOTICE

POLICE: VANDALISM

War Memorial

14. Hon. P. H. WELLS, to the Leader of the House representing the Premier:

- (1) Is the Government aware of the continuing vandalism, defacing and desecration of the State War Memorial in Kings Park?
- (2) What action is the Government taking to ensure that this memorial is not continually desecrated by vandals?
- (3) In view of the fact that in some States of Australia and overseas, the main war memorials have a 24 hour military or ceremonial guard, will the Government investigate the feasibility of having a guard at the State War Memorial in Kings Park?
- (4) When was a person last charged for vandalizing a war memorial and what was the penalty?

Hon. D. K. DANS replied:

- (1) The Government is aware of the vandalism and desecration that has occurred at the State War Memorial at Kings Park.
- (2) I am sure the member appreciates the difficulties faced by the Kings Park Board in providing surveillance over a park of 400 hectares containing 24 memorials and more than 20 other features. The member can rest assured that the Kings Park Board is doing its utmost to ensure that these senseless acts of vandalism do not occur again.
- (3) The possibility of having a 24-hour guard on the State War Memorial has previously been investigated by the Kings Park Board with the Australian Army and the Returned Services League, which takes responsibility for the memorial. Unfortunately, because of manpower problems, this possibility has not been realised.
- (4) A person was successfully convicted and fined \$400 in February 1980 for aiding and abetting in the wanton damage to the Queen's tree.

HEALTH: MEDICAL PRACTITIONERS

Osborne Park and Wanneroo Hospitals

16. Hon. P. H. WELLS, to the Leader of the House representing the Minister for Health:

- (1) Is it correct that all general practitioners who applied for sessions at the Osborne Park Hospital and the Wanneroo Hospital were given a session?
- (2) Is it also correct that any general practitioner who currently applies will also be given a session?
- (3) Will the Minister table a copy of the contracts that doctors and surgeons were asked to sign for sessional arrangements at Osborne Park and Wanneroo Hospitals?

Hon. D. K. DANS replied:

- (1) Yes, subject to age limit of 65.
 - (2) All applications will be considered by the appointments committee and recommendations made to the Minister for Health.
 - (3) Yes.
38. *Postponed.*

SPORT AND RECREATION

Football: Grand Final

39. Hon. TOM McNEIL, to the Minister for Planning representing the Minister for Sport and Recreation:

- (1) Is the Minister aware that question 380 in August 1981 asked the likelihood of the Western Australian Football League making the 1981 Grand Final an all ticket game by preselling seating and standing room tickets?
- (2) Is the Minister further aware that the WAFL in refusing this claimed the sale of standing room tickets was not justified as "they did not ensure a prime position"?
- (3) In light of the success of standing room tickets at the recent State-of-Origin game would the Minister advise—
 - (a) what has been done to ensure standing room ticket holders could now obtain a prime position; and
 - (b) whether this year's grand final will be an all ticket affair?
- (4) If "Yes" to (3)(b), in the event that all tickets are sold, will the league permit a direct telecast of the game to the metro-

politan area as they do to the country regions?

(5) If not, why not?

Hon. PETER DOWDING replied:

- (1) to (5) The member should be aware that the policy relating to the sale of tickets for WAFL matches is a matter solely for decision by the WAFL Board of Directors. The Government suggests that this question would be better directed to that body.

DEFENCE: NAVIES

Friendly Nations

41. Hon. V. J. FERRY, to the Leader of the House representing the Minister for Defence Liaison:

- (1) In a spirit of mutual co-operation, what usage of facilities are available to naval craft of friendly nations at—
 (a) HMAS *Stirling*;
 (b) Fremantle harbour;
 (c) other harbours; or
 (d) any other appropriate facilities in Western Australia?
 (2) What conditions or restrictions are imposed on these craft using any of these facilities.

Hon. D. K. DANS replied:

- (1) and (2) Visits by naval craft of friendly nations are the responsibility of appropriate Federal authorities. The usage of naval facilities in Western Australia is entirely a matter for the Royal Australian Navy, and the use of other ports and facilities would be subject to normal requirements being observed. Visits by nuclear-powered vessels are the subject of special conditions relating to safety factors.

SPORT AND RECREATION

Tennis Courts

50. Hon. P. G. PENDAL, to the Minister for Planning representing the Minister for Sport and Recreation:

- (1) Was an application received earlier this year from the Manning Tennis Club for the construction of new tennis courts in Challenger Avenue, Manning?
 (2) If so, what was the fate of that application?

- (3) If the application was rejected, why?
 (4) Can the Minister advise whether it is worthwhile for the club to reapply at some future time?

Hon. PETER DOWDING replied:

- (1) Yes.
 (2) It was not funded.
 (3) Insufficient funds.
 (4) Applications for the current financial year close on 30 September and, provided work has not commenced on the project, the application may be resubmitted.

FORESTS

Greening of Australia

53. Hon. W. N. STRETCH, to the Leader of the House representing the Minister for Forests:

- (1) Has the Minister made representation to the Federal Government to have the "Greening of Australia" programme continued effectively in Western Australia?
 (2) In view of the importance of tree planting in the reclamation of degraded and degrading agricultural land, will the Minister make most strenuous efforts to have Western Australia's share raised to a realistic level?
 (3) Is a shortage of funds threatening the continuing employment of Western Australia's two existing "tree-persons"?

Hon. D. K. DANS replied:

- (1) Yes.
 (2) To date, each State has received an equal share of funds from the national tree programme. However, in view of the great need to revegetate in many areas of Western Australia, strenuous efforts will be made to obtain increased funding.
 (3) Federal funding for the part-time employment of two persons by the Greening of Australia (WA) Committee is assumed until October 1984. Further funds are expected by that time.

However, the major problem is that there is no single body in Western Australia with responsibility for co-ordinating the tree-planting activities of the various Government departments, farmers, industry, and community groups.

As a consequence, the Government has recently announced its intention to initiate a co-ordinated, long-term programme to revegetate many of the degraded areas of Western Australia. The new Department of Conservation and Land Management will be best suited to tackling this important and ambitious task.

Details of the programme are currently being worked out on the basis that the widest possible community involvement is necessary to ensure its long-term success.

ROAD

Great Eastern Highway: Study

56. Hon. FRED McKENZIE, to the Minister for Planning representing the Minister for Transport:

Referring to question 13 of Tuesday, 1 August 1984, will the Minister advise—

- (1) Whether funds will be allocated to enable the combined study to take place?
- (2) If so, when is the study to commence?
- (3) If no funds are to be allocated, why not?

Hon. PETER DOWDING replied:

- (1) to (3) The Main Roads Department is co-operating with the Metropolitan Region Planning Authority to determine the type of study required and its possible cost. Until this information is available, no decision can be taken on funding or timing of the study.

UNION

Carpenters and Bricklayers Union

57. Hon. G. E. MASTERS, to the Minister for Industrial Relations:

- (1) Is the Minister aware that the Carpenters and Joiners, Bricklayers and Stoneworkers Industrial Union is reported to be collecting union dues and issuing Building Workers Industrial Union tickets in return?

- (2) Will the Minister order an investigation into the affairs of the CBU and report back to Parliament?

Hon. D. K. DANS replied:

- (1) and (2) A person who is or has been a member of a union or a person who has applied for and not been admitted to membership in a union can apply to the President of the Western Australian Industrial Commission under section 66 of the Industrial Arbitration Act to deal with their complaints against a union. The president may make such order or give such directions relating to the rules of the union, their observance or non-observance or the manner of their observance, either generally or in the particular case as he considers appropriate.

58. *Postponed.*

NATURAL DISASTERS: FLOODS

Flood Plain: Burswood Island

59. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Water Resources:

- (1) Is Burswood Island or any part of it a flood plain?
- (2) Is the area flood prone?
- (3) Have any applications for buildings in or near this locality been refused in the past on these grounds?
- (4) Will the Minister table plans relating to any flood plain or flood-prone areas on or near Burswood Island?

Hon. D. K. DANS replied:

- (1) Yes.
- (2) Yes. As the area is outside of the floodway, development is permissible subject to approved filling and protection.
- (3) I am unable to answer this question as building approvals are the responsibility of local authorities. Although flood plain management issues are sometimes referred to the Minister for Water Resources or the Public Works Department, this is not always the case.
- (4) Yes. A print is supplied.

MINERAL: ASBESTOS*Dump: Burswood Island*

60. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Health:

Will the Minister table a plan showing the precise location on Burswood Island of asbestos material?

Hon. D. K. DANS replied:

This question should be referred to the Minister for Transport.

ROAD*Great Eastern Highway: Options*

61. Hon. FRED McKENZIE, to the Minister for Planning representing the Minister for Transport:

- (1) Has the Mundaring Shire Council been advised of any options that the Main Roads Department may have in respect to traffic currently using Great Eastern Highway through Greenmount?
- (2) If so, what are those options?
- (3) Is the widening of Great Eastern Highway through Greenmount still under active consideration?

Hon. PETER DOWDING replied:

- (1) No.
- (2) Answered by (1).
- (3) Yes, with respect to planning issues. However, this does not imply that any construction is proposed in the foreseeable future.

GAMBLING: RAFFLES*Lotteries Commission Approvals*

62. Hon. H. W. GAYFER, to the Minister for Administrative Services:

Further to my question 11 of Wednesday, 1 August 1984: If a raffle ticket does not comply with the requirements of the Lotteries Commission, what

action does the Lotteries Commission take—

- (a) before the raffle is drawn, and
- (b) after the raffle is drawn?

Hon. D. K. DANS replied:

- (a) and (b) If a raffle is being conducted illegally without a permit, the commission can take action only if and when it is brought to the notice of the commission.

The commission then assumes the operators are ignorant of the requirements and they are asked to cease selling immediately and regularise the position unless the raffle has been drawn.

If the co-operation is not forthcoming, the Police Department is asked to take the appropriate action.

QUESTION WITHOUT NOTICE**QUESTIONS: ON NOTICE***Redirection*

4. Hon. PETER WELLS, to the Leader of the House:

Quite often a situation occurs when a member inadvertently addresses a question to a particular Minister when it should of course be directed to another Minister of another department. Is possible for that department to direct the question to the appropriate department so that the answer can be given to the member of Parliament rather than the member being required to go through the whole process of asking the question again.

Hon. D. K. DANS replied:

I cannot answer that because Mr Wells really made a statement. I think he was trying to ask whether it would be possible for me to redirect a question. I will look at the problem.