

Legislative Council

Thursday, 25 August 1983

The PRESIDENT (Hon. Clive Griffiths) took the Chair at 2.15 p.m., and read prayers.

QUESTIONS

Questions were taken at this stage, during which it was resolved that motions be continued.

DRAINAGE: RATE

East Bunbury: Urgency Motion

THE PRESIDENT (Hon. Clive Griffiths): Honourable members, I have received a letter dated 25 August 1983, addressed to me by the Hon. G. C. MacKinnon, which reads as follows—

Under Standing Order No. 63, I desire to move without notice—that the House at its rising, adjourn until 3.00 p.m. on Sunday 28th August, 1983, for the purpose of discussing a matter of urgency viz.,

The lifting of the drainage rate for the area known as East Bunbury in Bunbury, with particular reference to the problems created for those persons who have paid their rates over the last few years vis-a-vis those who have not—and various matters related thereto.

G. C. MacKINNON

In order for this motion to be debated, it will be necessary for four members to rise in their places indicating support.

Four members having risen in their places,

HON. G. C. MacKINNON (South-West) [3.25 p.m.]: I move, without notice—

That the House, at its rising, adjourn until 3.00 p.m. on Sunday, 28 August 1983.

I am sorry that I have to raise this matter here. The reason I must do so is that I wrote to the department on 11 July asking various questions, and I have received no answer. I wrote to the department and not to the Minister for the simple reason that I did not know under whose jurisdiction the matter fell. I did not know whether it was still under the Public Works Department, with Mr McIver being the responsible Minister, or whether it was under the Minister for Water Resources, Minister for Consumer Affairs, Minister for Parliamentary and Electoral Reform, and Leader of the House. That sounds a lot, but it is not very much at all. I thought I would have received a response to my letter by this time.

It will be necessary to give some history of the matter.

In many parts, the south-west of this State is flat and wet. Over the years, we have seen the necessity to institute drainage schemes in various areas. Throughout its history, one of the wettest places has been Bunbury, which had some five creeks running through it. It was pretty swampy and low lying. As most people know, the estuary is very shallow, and it spreads a lot, as indeed most estuaries in Western Australia do. That has created the need for drainage.

The east Bunbury area—Rathmines, as it is known locally—is cut off at the north by the Preston River, and it is bounded by the estuary and the ocean on the other side. That has created two problems; and in recent history, both problems have made themselves apparent—that is, flooding from the Preston, and flooding from the ocean.

During 1976-77, the drainage rate was allowed to reduce to a very low level. The monetary value per assessment was something like \$2 or \$3. The then Minister for Works (the Hon. Ray O'Connor) was prevailed upon to suspend payment. The work being done at that stage was maintenance on the Preston. Some bunding of the estuary had been done to which I will refer later. The bunding was considered adequate, and the estuary was considered reasonably well protected. Of course, the area has never been one which it has been possible to protect without very expensive work being undertaken; and without an increase in the amount of work undertaken, the area must always be suspect and subject to flooding.

After the matter was raised initially, I became the Minister for Works. Of course, I am also one of the members for the area. It had become commonplace for people in the areas of Harvey, Brunswick, Boyanup, Capel, and the back areas to complain to me that they were subject to a drainage rate which they had to pay, and if it was good enough for them, why was it not good enough for the people of east Bunbury to pay the drainage rate also? Little could be said in answer to that.

It was pointed out to me also by the department that the action taken had not been qualified legally. Legislation was required to increase the drainage rate.

In the meantime, we suffered the effects of cyclone "Alby" which included an eight or nine foot ocean surge created by air pressures, coupled with very heavy winds. The flood actually came in from the ocean, across the railway line, and

inundated a lot of that area. The Public Works Department experts still maintain that the great danger was near the Preston River.

At the request of the Bunbury City Council, agreement was reached for the construction of a surge barrier across the newly-formed cut into the harbour from the bottom end of the estuary. The second cut to the estuary was actually completed during the major harbour construction of the inland harbour, as most members would be aware. The surge barrier held very well indeed during the recent storm. It involves very heavy iron gates that close and stop the ocean from flowing in. The bunds around the estuary have also been increased in height, so any future surge would have to be in the order of eight feet to flow in. A considerable amount of work was done around the Preston River area; and the Moondyne Bridge, a very weak spot, has been rebuilt. In the current plan a floodway is provided so that if the Preston does break its banks, floodwaters can surge across and, hopefully, do a minimum amount of damage.

I reintroduced the drainage rate and I had some very heated meetings at which everyone was saying he would vote against the amendment put forward. In fact, the result was a difference of about five votes in the ballot box, which was neither here nor there. What I am worried about is that at the time a lot of people said they would not pay the rate. This is the important point, and I hope the Minister will take note of it.

The department said, "Okay, any charge against an assessed area is a remaining charge and the charge can lie against the property so that it can be met when it is sold on the death of the owner". So it really did not matter a great deal as no great effort was involved in correcting the situation.

Many people believed the Government had done a first-class job with its drainage work and so they paid the rate, which amounted to about \$10 per annum over the whole area. They received a very good service for that money. More work was done in order to encourage Bunbury to declare itself a drainage area as a whole, bearing in mind it has always been an area subject to flooding. It is only through extensive drainage work that it has been freed of this threat. In the event, the local authority did not take up that offer and left East Bunbury on its own.

The problem now is that people are coming to me saying it is rumoured that, because of an election promise, the proposal is for the rates now to be lifted. I might say I do not mind election promises. The two Smiths had no experience of Government when they made the promise and

perhaps it is a promise the Government will keep. I have seen no indication that the area will no longer be declared a drainage area.

But are the people who have paid their rates to get their money back? Are the people who have not paid rates still to be billed for them? Is the Government to take up the maintenance on both the surge gates and the levees on the Preston at its own cost? Does it intend to enter into an arrangement with the Bunbury City Council to meet these costs?

The most important question to my colleagues and I who represent the Provinces of Lower West and South-West, is: Should we suggest to all the other people who are paying drainage rates that they should refuse to pay them, as that seems to be a fairly dead-sure way of being able to get out of the necessity of meeting this onerous expense?

These are not frivolous questions. Not for a minute would I think that on account of this would anyone take legal action against the Government, although there may be people who are so inconvenienced by drainage rates that they might give thought to such action, particularly if the proposition were bruited that if it is good enough for one area it is good enough for another area.

It may be purely accidental and bear no relation to the fact that Bunbury has always been a fairly marginal seat and that this area is in the Bunbury electorate, adjacent to which are the two seats of Vasse and Murray-Wellington, both of which are difficult for Labor to win. Perhaps the Government thought that to spend a few shillings in the Bunbury and Mitchell seats would attract more votes. I do not think it would stoop so low in order to attract a few extra votes. There were five votes in it the last time, but perhaps the Smiths did not do the necessary homework and just listened to what was said.

Perhaps the Minister can tell me whether the area is no longer designated a drainage area. If that can happen so easily I wonder whether he would do the same thing for other areas. In a number of other areas people have paid drainage rates for far less reason than people in East Bunbury. East Bunbury is a low-lying area threatened by ocean surges and by flooding of the Preston if circumstances are right. As a Minister I received many deputations from people who lived on the hills and faced absolutely no danger from flooding, but they had to pay drainage rates because of the water which ran from their properties and which had to be taken care of. Many of those people would find their finances eased if they did not have to pay a drainage rate.

I did not leave it at one letter, just in case the Minister thinks I have not been assiduous in following up this matter. I have phoned at least three times in an attempt to get some satisfaction, because every time I go back to Bunbury these people, who happen to be a group of pensioners who have difficulty meeting their drainage rates, remind me that they have been paying the rate, and they want to know whether they can get their money back. As I said before, the rumour is strong that the rate will be lifted. I am getting sick and tired of having to say to them, "I am sorry, but I have not been able to obtain an answer". Last week one fellow accused me of not trying. I got a little exasperated and decided after ringing yet again that this was the only solution available to me.

I am sorry to load this problem onto Mr Dans. He is not carrying departmental advice around in his pocket; Mr Tonkin is. If Mr Tonkin worried a little less about the Legislative Council and more about the people in the city of Bunbury we would be in a happier situation.

There is a very strong rumour—I have already been told a statement has been made by either the member for Mitchell or the member for Bunbury—that nobody will be required to pay the rate again. I have not been advised but I want to know whether the rumour is true. In my letter of 11 July I asked that question and if any adjustments would be made for those who had already paid. I also asked whether those who had refused to pay what was then a legitimate charge would have that refusal expunged from their records or whether it would stay until settlement of the debt. If these people are not required to pay the rate, I think we should be able to advise people in other drainage areas that they also can stop paying the rate.

Drainage rates have always been a sore point for people in agricultural areas, because many problems to do with water lying around, and the like, are caused by Government action; so, there has always been argument about paying the rates. Over the years respective Ministers have stuck to the course that drainage must be paid for and they have adhered to the principle that those who benefit most must foot the bill. If the Labor Party sees fit to lift this onerous charge from one section, we should be able to advise that it will be lifted from everybody else.

I am sorry the matter has had to be aired in public and raised in this House but lack of courtesy from the Minister in not replying to my letter had made it essential to do so.

THE HON. V. J. FERRY (South-West) [3.42 p.m.]: I support the remarks of my colleague, the Hon. G. C. MacKinnon, who shares the South-West Province with me, a province which includes the Bunbury area which has just been referred to. I will not canvass all the points he has raised but I emphasise that this issue is not a simple one on which the Government can make a decision without some chain reaction down the line.

It is my understanding—I hope my memory serves me correctly—that there are some 2 200 kilometres of drains in the south-west corner of the State, and the various drainage areas are rated according to which area they are in. As one who represents a large area where various drainage rates apply, it has been my experience that great contention exists among residents in these rateable areas with regard to how much they should pay, why they should pay it and so on. Arguments have occurred between adjacent landowners in agricultural areas as to whether the drainage scheme is beneficial or detrimental. The situation can arise where one landowner will say the scheme is detrimental inasmuch as drainage from his property leaves insufficient wetland; the water level on his property is decreased and surface water disappears; and his summer pasture is affected. Therefore, in those circumstances he does not believe he should have to pay a drainage rate. Others, of course, welcome the scheme because they believe it enhances the productivity of their property. Great contention exists about the rating system and the need for it or otherwise. This applies in Bunbury, and the east Bunbury area to which Mr MacKinnon referred.

The amount ratepayers are asked to pay is relatively small and it is probably not worth collecting because of the costs involved. However, the principle is there—it is a rateable area, and a charge is levied. If the Government sees fit to remove that charge the people in the Bunbury area will be delighted. I remind the House and emphasise to the Government that if it adopts that principle I am quite sure many other ratepayers will demand the same relief. I think they probably will have a very good case.

Sitting suspended from 3.46 to 4.01 p.m.

Hon. V. J. FERRY: Prior to the afternoon tea suspension I was referring to the problem of drainage rates throughout the south-west of the State and in particular to the situation of East Bunbury. I ask the Government to address itself to this problem and to assure the ratepayers who have legitimately paid their rates, and those who have not, that the Government will deal with that situation.

The existing situation is unsatisfactory and the rumours my colleague, the Hon. Graham MacKinnon, pointed out create a tremendous disquiet in the community. Many residents in the area are advanced in their years and a number of them are pensioners. This sort of thing niggles at them and causes dissension between neighbours. It is not a desirable social situation in which they find themselves.

I have pleasure in supporting the motion.

HON. C. J. BELL (Lower West) [4.02 p.m.]: I support this motion because I have some knowledge of the matters to which the Hon. Graham MacKinnon has referred. As a young lad I had the privilege of growing up in the Gelorup district, which is just out of Bunbury. A creek called the Five Mile Brook passed through my father's property and meandered through agricultural land and finished up in the South Bunbury area. It was not a large brook and as time went by the development in the area caused pressure to have that water source removed because to some extent it inhibited the extension of the urban area. The decision at the time was to stop the Five Mile Brook from sourcing water into the Bunbury region and to divert it south to an area known as Muddy Lakes. It was then decided that the land involved would be rated. The owners of the land accepted that because it helped their farms to be viable in respect of livestock production; but some producers objected and limited the area that would be affected.

However, some residents in the Muddy Lakes area realised that the diversion would be of benefit to them and for that reason believed they should pay rates. That seems fair enough; most of them were fair-minded people who accepted that if they gained from the work they ought to pay the cost.

However, the people who benefited the most as a result of the diversion were the people living in the South Bunbury area, and no rates were struck on their properties. This was inequitable. As the Hon. Graham MacKinnon said, some people received the benefit and did not pay for it while others were asked to pay and did not receive the benefits.

In the Stirling estate drainage area near Capel another diversion took place involving the Capel River. As a result of that diversion some viable farming properties were created and the owners were asked to pay the cost of it. That appeared to be fair enough to those who gained the benefit of having the opportunity to farm land which was previously not possible to farm on a full-time basis. My farm happens to be in that area and I

pay something in the order of \$400 to \$500 per annum for drainage rates, even though 10 to 20 per cent of the property cannot be drained because it is below sea level.

The Stirling drainage area includes the township of Capel. A drainage rate was struck on those properties within the township, which is about 40 feet above the river level and 30 feet above the highest flood level. There is no way the flow of the river can be stopped, yet the township is subjected to drainage rates. The people in South Bunbury encounter problems with flooding, but do not pay drainage rates. Those are the anomalies to which the Government should address itself. I do not mind if the people of Bunbury do not pay drainage rates, but I hope that the same degree of equity is given to landowners in all drainage areas.

Water from the Harvey hills drains across the plains to the sea. How can one stop water running? Drains have been dug to prevent flooding of land below the hills. The residents in the area sometimes complain about the high rates, and they do not deny that the drainage is for the overall benefit of the people in the area.

The people in this area are in a worse situation because at times they pay for irrigation and sometimes are not delivered what they pay for—it is worse than not paying for something that is delivered.

It gives me a great deal of pleasure to support the Hon. Graham MacKinnon's motion, because I believe it is a matter which needs to be drawn to the attention of the Government.

HON. D. K. DANS (South Metropolitan—Leader of the House) [4.09 p.m.]: I am indebted to the Hon. Graham MacKinnon for notice of this urgency motion. I am indebted to him also for making the observation that perhaps I do not know a great deal about the matter, and that is very true.

I want to recap on a couple of points made by the Hon. G. C. MacKinnon. He said it is rumoured that the drainage rate is to be lifted. I am in no position to know whether this is correct. In fact, I have always discounted rumours because my experience has told me it is a dangerous practice to attempt to listen to tittle-tattle around the place.

I am again indebted to the Hon. G. C. MacKinnon for a very descriptive sketch of the area and also for the history of the Preston River drainage area, as I will refer to it. I must confess that while I have seen the drains in the area I had no idea that people were rated and no idea what the drains were there for. I simply thought that

they drained the water away—I never thought about it.

I have had the opportunity to put together a few notes, and I am sure that Mr MacKinnon knows that I have not had a great deal of time to examine the subject that he has raised today, assisted by the Hon. V. J. Ferry and the Hon. C. J. Bell. He has placed the matter on record for the Government to know how the people in the area feel about the problems they encounter. I guess that will solicit an answer from the Government more effectively than correspondence.

In this motion, Mr MacKinnon talks about lifting the drainage rate for the area known as East Bunbury. In the short time that I have had to investigate this matter I have found that the area is referred to as the Preston River drainage district. As members are no doubt aware, there has been a considerable campaign by people in Bunbury over a lengthy period for the abolition of drainage rates in this district.

The Preston River drainage district was created in 1947 to allow construction of levees along the Preston River as the river was overflowing and flooding the Glen Iris area approximately every second year. Rating was not introduced at that time as the area still had some drainage disabilities, and the levees were not then proof against major floods.

In 1964 a major flood occurred, which inundated almost all the land between the river and the Bunbury railway line. Approximately 400 properties had to be evacuated and the town was virtually cut off from the north for several days. Following that flood, the river course was enlarged and the levees raised and strengthened to safely contain a similar flood. In addition, a small subsidiary drainage system was constructed to overcome the local disability in the Glen Iris area. Rating was introduced following completion of the works in 1967.

When I first looked at this today, because of my lack of local knowledge I was of the opinion that rating was introduced from the beginning; but it has been in operation only since 1967. Mr MacKinnon alluded to the publicity when the then Minister for Works, Mr O'Connor, levied the area.

My Government is looking at this question undoubtedly because it sees that the rate at the present time is inequitable. It has looked at most of the problems that have been raised and it has investigated the question of outstanding rates. A considerable number of the Preston River drainage area ratepayers have not paid their drainage rates for the last few years and the figure

currently outstanding is \$12 260. That is a problem, as Mr MacKinnon has mentioned. In 1979-80 approximately 270 ratepayers objected to the rating of their premises. The then Minister subsequently dismissed the objections—who was that Minister?—and approximately 50 ratepayers lodged appeals to the Land Valuation Tribunal.

A number of preliminary hearings of the Land Valuation Tribunal have been held on this matter and a number of legal technical questions have been raised concerning the validity of some aspects of the appeal.

One legal aspect of the rates themselves has been taken on appeal to the Supreme Court by the Public Works Department. This was an appeal against a decision of the Land Valuation Tribunal. No doubt the local members would be aware of that. Until the legal questions are settled, the Land Valuation Tribunal cannot adjudicate on the various rating appeals. A proposition has been put to the Government that the Preston River drainage district be abolished under section 11 of the Land Drainage Act. I think Mr MacKinnon gave some reasons as to why this should not be done. Another suggestion put to us is that the State should write off its capital expenditure on the Preston River drainage area. All of these suggestions are being looked at.

In a short discussion today it was put to me that we could allow the appeals to take their course through the courts. Without having to ask anyone about that, I should imagine it would be a long, tortuous process which would be very expensive for some of the people. However, it has not been discounted—it is something that could be done.

Hon. G. C. MacKinnon: Considering the amount of the rate.

Hon. D. K. DUNS: Yes. While I disclaim any knowledge of the area, considering the figure I mentioned before, we could become involved in a fairly big legal fracas from which the only ones to gain would be the lawyers.

Another option, again advanced by Mr MacKinnon, and no doubt the other two members who spoke would not disagree, was the problems that could be created by writing off the outstanding charges. I can well understand, even in the area in which I live, that if the charges were written off for some people but not written off for those in the next street, some friction—even if only temporary—would be caused.

If these outstanding charges were written off, the inevitable result would be recurrent requests from those ratepayers who have paid their rates in good faith over the years.

The Government is aware of the problems raised by the member, but it is not in a position to give any idea of what will happen. As I see the situation, it is typical of what occurs not only in the Bunbury area but also in other areas such as at the fishermen's harbour at Fremantle in respect of boat moorings. Inevitably one man's laughter is another's tears. One would need the wisdom of Solomon to come up with a solution that would suit everyone, and I am glad that I am not the Minister for Water Resources who will have to adjudicate on this matter finally.

Through you, Mr Deputy President (Hon. D. J. Wordsworth), I inform the Hon. Graham MacKinnon that I have taken note of the matters raised. In the short time available to me I have tried to understand the problem and to be as forthright as possible in informing members of the position we have reached, bearing in mind the limited access I had to the information and my self-confessed lack of expertise in respect of land drainage.

HON. G. C. MacKINNON (South-West) [4.19 p.m.]: I note under Standing Order No. 79, the mover of a substantive motion has the right to say a few words in reply. I would like to thank the Leader of the House for his understanding and the way in which he has taken up this matter. I would like also to thank the Hon. V. J. Ferry and the Hon. C. J. Bell for their support.

Naturally, as the Leader of the House mentioned, I have something of a double interest in this. Indeed, over the years, I suppose I have represented what could be described the major drainage area of the State—at one time my province extended from Rockingham to Walpole. Of course, I was the Minister who reimposed the rates and faced up to those 200-odd angry people. I took that action because I thought it was just, equitable, and fair.

I was worried when I heard these rumours, because I thought that if it were that easy to remove the rates, it made me look a bit stupid; or perhaps in deference to my enemies, I should say more stupid than usual! I did not want to do that.

I am appreciative of the fact that very quickly the Minister agreed that it is a serious problem. When I had not received an answer to my question a little while ago, I said to my good friend, the Hon. Mick Gayfer, "I know the reason I have not received an answer—the question is too damned hard". It is a difficult question, and indeed I often thought, when I was the Minister for Water Resources, that the only real solution was to declare the whole of Western Australia to be a drainage area and to rate everybody. However,

such action would bring more wrath on the head of anyone who tried it.

The Leader of the House mentioned the year 1964. On the occasion to which he referred, Maurie Williams had just become the member for Bunbury. I can remember that the late Sir David Brand rang Maurie Williams and me and asked us, together with Mr Peter Wilson, the then Mayor, to run the emergency service. In those days there was no State Emergency Service—a committee was elected on the spot. Maurie Williams, Peter Wilson, and I did that job.

I look forward to receiving a detailed answer at a later date after the Hon. Des Dans has had an opportunity to collate the speeches of the Hon. C. J. Bell, the Hon. Vic Ferry, and myself, and forward them to the department. I am quite sure that after the department has had an opportunity to study these speeches, Mr Tonkin will do me the honour of replying to me, if only to acknowledge receipt of the comments. I seek the leave of the House to withdraw the motion.

Motion, by leave, withdrawn.

FRUIT AND VEGETABLE INDUSTRY

Select Committee: Motion

HON. P. H. LOCKYER (Lower North) [4.22 p.m.]: I move—

That a select committee be appointed to inquire into and report on:

- (a) the state, management and potential growth of the fruit and vegetable industry in Western Australia; and
- (b) without limiting the generality of paragraph (a), to have particular regard to the following aspects:
 - (i) production;
 - (ii) storage;
 - (iii) distribution;
 - (iv) marketing/sales methods;
 - (v) inter-state commerce and overseas exports (both actual and potential); and
- (c) generally, such matters arising from, or incidental to, the foregoing which the committee believes should be brought to the attention of the House or the Government.

I would like to address a few comments to my reasons for moving this motion. I have received a great number of queries about fruit and vegetable growing in Western Australia, mainly from the industry in Carnarvon, but also because of per-

sonal investigations I have made into the industry throughout Western Australia.

Many things have happened since the fruit and vegetable industry commenced in this State, and it is appropriate at this time that the whole industry should be looked into thoroughly with a view to assessing its future and its viability, and that recommendations be made for the more efficient operation of the industry.

There are many new areas of fruit and vegetable growing in Western Australia. Many of the old areas have been expanded, and some traditional areas no longer produce fruit, which has occurred for a variety of reasons. In the traditional fruit and vegetable growing districts around the metropolitan area—Osborne Park, Spearwood, and the like—growing has given way to housing development.

I envisage that one of the matters to which the committee will address itself is the shift away from these areas. Many of these were very viable fruit and vegetable growing areas, but they have been rated out of that situation to make way for housing developments.

In addition, the committee could look at the north of the State—a relatively new growing area around the Ord River. There are fledgling mango crops in Broome and an expanding plantation industry in Carnarvon. The tomato growing industry in Geraldton is expanding also.

In the south of the State the apple and pear industries are facing their own difficulties. In the last 20 to 30 years there have been many changes in the stone fruit industry, and the green vegetable industry, as well as in many other areas.

I would like to refer particularly to the apple industry. Over the last five or six years, this industry has seen enormous changes. At times farmers have found they have had to pull up their apple trees and grow other produce to reduce the number of apple orchards to make the apple industry more viable.

The distribution of fruit and vegetables has changed considerably in the last two years. Direct marketing is now the vogue, and that system is not without its problems both in respect of a fair price to the grower and a fair price for the buyer and the housewife.

We have seen an expansion of Sunday markets in various parts of the metropolitan area. This section of the industry needs to be looked at so that we can bring about some system of orderly marketing. Obviously the Sunday markets affect the retailers who operate in areas such as Fremantle, Wanneroo, and Midland. These retailers pay their rates and taxes and they find it

difficult to compete against the cheap produce available at the Sunday markets.

It is not my intention today to foreshadow any opinion of the committee, except to say that the Sunday markets will be one area to which the committee will address itself with very careful and precise attention.

The question of the Metropolitan Markets will be another important section for the Select Committee to look at. There has been speculation for some time that perhaps the Metropolitan Markets should be shifted to some other section of the metropolitan area, or perhaps another total market similar to the present one should be set up. The idea of the Midland Junction saleyards has been bandied around on several occasions, and the committee could give high priority to this suggestion also.

Markets throughout the State are important also. Too often we hear the complaint that goods are sent by truck from Perth to the north of the State when there are ample areas in the north which could market directly. That seems to be a reasonable argument taken at face value, but no doubt many and varied reasons exist as to why this should not take place. This is a subject the committee can consider in some depth.

Of course, the same situation applies to the south of this State, because fruit from the south-west is brought to Perth and then distributed back to where it came from.

Interstate and overseas marketing of the product is also a matter which needs to be studied as to the present and the future—the problems that exist at the present moment and the planning that will take place in the years to come. Of course, orderly planning is always the keynote to success in any business.

The system of selling the product on behalf of the growers worries growers throughout the State, be they involved in fruit, vegetables, or any other food product. The auction system has been questioned in the meat industry for a number of years and we have seen the implementation of the sale of live sheep, which occurs in some of the saleyards. I have mentioned previously the direct marketing that is carried out by a number of producers today, but especially on the part of the larger food chains such as Coles and Woolworths.

The whole question of transport is a matter to which the proposed committee should address itself very carefully. Since the introduction of this very important industry—the fruit and vegetable industry—into Western Australia enormous improvements in transport have occurred in this great State of ours. We have seen the implemen-

tation of the refrigerated motor vehicle, which is very modern, fast, and large; it copes with big tonnages of produce swiftly and efficiently. We have seen the construction of sealed roads throughout a great section of this State and obviously they lend themselves to fast and efficient transport of produce which is taken quickly to market. Clearly that is of benefit to the general public.

We need to look at the subject to see whether we are obtaining maximum efficiency in the transport system. We should examine also whether sufficient cognisance has been taken of our rail system and also our air system, which is a growing avenue for the distribution of all sorts of produce including fruit, vegetables, and meat. Air transport has come to the fore in the last 10 years and we have seen the export of frozen carcasses of mutton, lamb, beef, and pork.

Storage of produce should be looked at also by the proposed committee. In these modern days of refrigeration and coolrooms a great deal more produce can be picked in the early maturing stages, held over, and ripened as the market needs it. The proposed committee should examine the processes involved in the ripening of produce to see whether more efficient methods can be suggested.

The role of agents or middlemen in the system always seems to concern growers more than anyone else. The setting and increasing of commissions and the handling of customers' business are subjects which perhaps more than any other aspect have prompted me to move for the setting up of a Select Committee to inquire into the industry.

The proposed committee should examine the role of markets with respect to growers and retailers as well as agents. Special attention should be paid to the suitability of unloading times, sale times, and the number of sales held per week and whether they should take place on week days or weekends.

The proposed committee should also consider the change which has occurred in people's eating habits, especially the changes which have taken place in the last few years. People's eating habits, especially in Australia, have changed dramatically and we should look to the coming years and try to ascertain what the people who buy fruit and vegetables will want.

Consideration should be given to the sort of encouragement producers in this State need to produce the products which it is foreseen the public will require.

It is vital that we compare the operation of the industry in this State with that in other States, because we must compete on the open market both within Australia and overseas. The proposed committee should consider the viability of the eradication of various diseases and pests such as fruit fly. It will be necessary to have discussions with the Department of Agriculture as to the progress which has been made over the years and the likely future in relation to these problems. The general use of pesticides needs to be examined, bearing in mind changing views on this subject not only in Australia, but also throughout the world today. We are seeing a tendency towards the use of natural products.

Hon. Graham Edwards: That is a very important point. I refer you to the report on the politics of agent orange and associated insecticides.

Hon. P. H. LOCKYER: I take Mr Edwards' point. I discussed the subject with him last evening and took cognisance of the comments he made. This is an important point, bearing in mind the problems which have occurred in respect of agent orange and certainly it has brought the whole use of insecticide sprays into question.

Perhaps the whole business of organic growing of fruit and vegetables is a subject which may be more important than we envisage at the present time.

In summation I indicate that people involved in the industry are badly in need of an opportunity to express their own points of view. I refer here to the whole industry; not only to growers, but also to the middleman or agent, the buyer or retailer, and the housewife and others who consume the product. The views of all these people should be taken into account and the establishment of a Select Committee of this nature is one way in which this can be done.

I envisage the committee's role as a positive one, working towards the total planning and improvement of a very important State industry. It would be the committee's intention to visit the major growing and marketing areas in this State to see, at first hand, the operations of the growers and the market place. At all those venues we shall invite submissions from a wide section of the industry and from individuals to assist the committee in its findings.

It is my hope the Government, along with members on this side of the House, will support the setting up of a committee of this nature, because I believe that, run on a proper, apolitical basis, it could be of great benefit to the industry. It is my intention that, should the House decide to appoint the Select Committee, it would report

back to the Parliament and the Government and hopefully its recommendations would be of great benefit to the planning of the future of the fruit and vegetable industry in Western Australia.

I urge members to support the motion.

Debate adjourned, on motion by the Hon. Peter Dowding (Minister for Mines).

BILLS (2): INTRODUCTION AND FIRST READING

1. Electoral Amendment Bill.
2. Constitution Amendment Bill.

Bills introduced, on motions by the Hon. J. M. Berinson (Attorney General), and read a first time.

TEMPORARY REDUCTION OF REMUNERATION (SENIOR PUBLIC OFFICERS) BILL

Assembly's Message

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

WORKERS' COMPENSATION AND ASSISTANCE AMENDMENT BILL

Second Reading

HON. PETER DOWDING (North—Minister for Mines) [4.42 p.m.]: I move—

That the Bill be now read a second time.

The Workers' Compensation and Assistance Act 1981 sets out in section 113 provisions relating to the establishment of a Supplementary Workers' Compensation Board. It is clearly intended by this section that a supplementary board in performing its function shall have the same jurisdiction, powers, duties, rights, and immunities and shall be subject to the same rules and conditions as the Workers' Compensation Board itself.

The Act provides also in division 3 of part VI for the determination of appeals against decisions of the Workers' Compensation Board by reference from either the worker or the employer to the Supreme Court. A recent appeal to that court against a decision of the Supplementary Workers' Compensation Board resulted in a determination that no appeal right existed for either a worker or employer under division 3 of part VI.

This is clearly contrary to the intent of this legislation when enacted in 1981 and this Bill seeks to remedy this anomalous situation, which discriminates between the rights of parties to an action under the Act depending upon their appearance before the Workers' Compensation

Board or Supplementary Workers' Compensation Board.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. G. E. Masters.

ADJOURNMENT OF THE HOUSE: SPECIAL

HON. PETER DOWDING (North—Minister for Mines) [4.45 p.m.]: I move—

That the House at its rising adjourn until Tuesday, 13 September.

Question put and passed.

ADJOURNMENT OF THE HOUSE: ORDINARY

HON. PETER DOWDING (North—Minister for Mines) [4.46 p.m.]: I move—

That the House do now adjourn.

Northampton District High School: Upgrading

HON. MARGARET McALEER (Upper West) [4.46 p.m.]: I do not believe the House should adjourn until I have raised a matter causing anxiety to the people of Northampton.

Mr President, you and other members present when answers to questions were given today may have heard the Attorney General, representing the Minister for Education, give an amended answer to a question asked yesterday by my colleague representing Upper West in relation to the upgrading of the Northampton District High School.

I would like to have the attention of members for a few minutes to explain the background events to those answers, events which have taken place over a number of years now. The parents of the children attending that school, backed strongly by the shire council and the teaching staff of that school, endeavoured, in the first place, to have the school upgraded and renovated in a major way and, in the second place, to have a new school constructed at a new site.

In recent times the school has become more dilapidated. A few years ago it was hit by a cyclone during which the roof lifted. Fortunately it settled back down, but structural damage was suffered and parts of the building are quite unsafe. In addition, it is too small for the requirements of the students. In fact, the manual arts department is in a sort of a cave under the school. The area has a great big rock in the middle of it, and an earth floor.

After so much interest shown by so many people over a number of years the previous Minis-

ter for Education, Mr Jim Clarko, established a departmental investigation into the possibility of either building a new school on a new site, or, if that were not feasible, upgrading the school. It proved impractical to provide a new school, partly because a new site could not be found and partly because the Government was constrained in its funds. It was decided to upgrade the school, and a plan was sent to the PCA and the teaching staff, but it transpired that the plan had been sent out prematurely and included all the possibilities for upgrading the school, some of which conflicted with each other and required large sums of money which far exceeded the sum envisaged to be spent on the school.

Members can imagine the disappointment of the PCA, the shire, and the teaching staff when they discovered this plan had been sent in error—they were bitterly disappointed. Three revisions of the design were sent to the school and accompanied by senior departmental officers who explained the revisions separately to the parents and teachers. The fourth design was warmly received by all those who heard the explanations.

The offer had been made that whatever design was acceptable to the parents and the teachers could be settled on then and there—it would be adopted. The fourth design was accepted, and there and then, on the spot, the departmental officers said it would be adopted. Mr Reg Tubby, my colleague in another place, the member for Greenough, and I were present that day. When the offer was explained to the assembled people it was said that regardless of the Government of the day, the offer was firm because the funds had been approved and in due course the money would be allocated. After all the ups and downs caused to the people of the district, and particularly the parents of the children at the school, these people were anxious about the project, especially considering that the recent State elections were approaching.

On 18 February they sent a telex to the Minister seeking, I believe, confirmation of the offer. A reply was received in due course from the Hon. Bob Pearce, the new Minister for Education, by the President of the PCA. I do not have the reply with me, but I took a note of it over the phone. I will be able to produce the reply, if necessary, in a few days. My note states—

Scheme 4: The revised scheme accepted will be implemented in full together with associated ground developments and improved ground water supply for reticulation.

That answer was extremely satisfactory, but time passed and eventually two or three transportable buildings arrived on site to house the students,

supposedly while the upgrading was in progress. Members can imagine the utter dismay of members of the PCA, the shire, and the staff of the school, when they received word from the department that the tenders for the renovation of the school far exceeded the estimates of the department. In a subsequent message they were told that either part of the plan would have to be abandoned, the buildings redesigned, or the whole project scrapped. This was totally unacceptable in the light of the earlier assurances, which they felt had been confirmed by the new Minister, the Hon. Bob Pearce. I have read the confirmation to the House.

While one must wonder about the lapse of time between the compilation of the plans and the calling of tenders, one must acknowledge that it was extremely awkward for the tenders to have exceeded the estimates, and so far no-one knows by how much.

My colleague, Mr Tubby, asked a relevant question in another place, and in this House the Hon. Tom McNeil asked a similar question, but each was differently phrased and the answers appeared to be quite discrepant. It appeared from the answer to this House that the estimated cost was \$350 000, while the lowest tender was \$968 000. In the answer to the Assembly it was quite clearly indicated that the tenders exceeded the estimates by \$200 000, which was quite a lot of money but not in the same order as the discrepancy of approximately \$600 000 as indicated to this House.

The phraseology of the questions was different, and perhaps it is understandable that a misunderstanding arose. The point is that for many years the people of Northampton have had a good case for the construction of a new school, and if not a new school, at least for work to be done on the present school. It looks like it has come from early in the nineteenth century, with outmoded brickwork, and it is placed on a small site, too small for proper playing fields. The school is unsafe and unsightly.

In one of the replies given by the Minister he said that no further funds were envisaged for the upgrading of the school. I know very well that when the previous Government considered the possibility of doing something for the school it had in mind a figure of as much as \$2 million for a new school at a new site. I do not believe a firm decision was made that more money would not be allocated over more than one year, and while I accept that the Government could not be expected to budget for an increase this year, no reason is available for it not to allocate more money over two or three years.

It is a great need in that district that the school be upgraded, and I hope the Minister will remember his replies written in the flurry of his enthusiasm with his new portfolio, and do his best for the people of Northampton.

Legislation: Consideration

HON. G. C. MacKINNON (South-West) [4.55 p.m.]: I will give the Minister now in charge of the House more to answer. I want an explanation of what I regard as a quite unusual action. I have not been able to understand what happened.

I understand that last night members sat here until approximately 2.30 a.m. to assist the Government with a measure that had written into it that it would be enacted on 1 September this year. A little while ago two Bills came to the House, one relating to the Constitution and another to electoral matters, Bills which would be of great interest to members in this Chamber. I am at an absolute loss to understand why they were not then introduced and read. We will have a two-week break during which we could have considered those measures. Instead, they will be introduced on Tuesday, 13 September, when, I have no doubt, the Leader of the Opposition will seek an adjournment in order that we can study those measures.

On one night in co-operation with Government members we sat for a long period to put a Bill through, but the next day we seem to have an absolute dearth of co-operation from the Government. That was hard enough to accept, but I did not think members of the Government would have

forgotten so quickly how difficult it is to research a Bill thoroughly, especially a Bill such as that seeking to alter our electoral law. It may well be that some collaboration has taken place between the Government and the Opposition, but on the face of the matter I do not think there has been.

I am bemused; we used to be able to ask questions to find out what has happened. Probably there was an amendment, but as has happened in times gone by, the Opposition could have been provided with a copy of the second reading speech and the Bill so that its members would know what was coming up. For the Government to hold off these measures like it has is a surprising development. Similar sorts of occurrences are able to be put down to experience, but I remind the Government that co-operation is a two-way thing. Perhaps the Minister can explain.

HON. PETER DOWDING (North—Minister for Mines) [4.58 p.m.]: Co-operation is actually a three-way thing. When a Bill has been amended in another place and requires reprinting we need to ensure it is available on time for the House and, as I understand it, the printing of one of the Bills has not been completed; therefore, they will not be available individually because they are related to each other. They will be dealt with together. That is the simple explanation; and it is not any more sinister than that. I am sure the Hon. Graham MacKinnon will understand those eventualities.

Question put and passed.

House adjourned at 4.59 p.m.

QUESTIONS ON NOTICE

RECREATION: INQUIRY

Membership and Terms of Reference

239. Hon. TOM KNIGHT, to the Minister for Mines representing the Minister for Sport and Recreation:

- (1) Has the Minister instituted an inquiry into sport and/or recreation in Western Australia?
- (2) If so, why was such an inquiry considered necessary?
- (3) On whose advice was any such inquiry recommended or instituted?
- (4) What are the terms of reference of any such inquiry?
- (5) Which person (or persons) is to undertake the inquiry?
- (6) Was the Minister's recreation advisory committee consulted regarding any such inquiry or the need to undertake any review of recreational activity in Western Australia?
- (7) Was Professor John Bloomfield consulted regarding any need for an inquiry?
- (8) If so, what was Professor Bloomfield's view regarding this matter?
- (9) Has the Minister a personal recreation adviser?
- (10) If so, was he consulted, or did he suggest an inquiry?
- (11) If an inquiry has been established, what are the costs involved?

Hon. PETER DOWDING replied:

- (1) There is no inquiry. An interim sports advisory working party has been established. Its terms of reference and call for submissions have been advertised in *The West Australian* of Wednesday, 24 August. An equivalent working party in recreation is currently being formed.
- (2) Not applicable.
- (3) The establishment of these bodies is in line with the Government's election policy statement of 15 February 1983.
- (4) See attached.
- (5) See attached.
- (6) Members of the recreation advisory committee have been consulted.

- (7) Professor Bloomfield is one of many people consulted from existing advisory groups in sport and recreation.
- (8) I am unable to speak for Professor Bloomfield.

Point of Order

Hon. A. A. LEWIS: Mr President, even with the House being quiet we cannot hear what the Minister is saying. He has turned his back on the members of this House and I believe we have the right to hear what he has to say.

The PRESIDENT: Order! The honourable member knows that the member addressing the House addresses his comments to the Chair, and I would suggest that if members are interested in what individual members are saying, that the rest of them stop talking. There is far too much audible conversation while other members are speaking.

Hon. P. H. LOCKYER: On a further point of order, Mr President, and with due deference to your finding, members around me were silent while the Minister was speaking, and I was interested in his reply, but the speed of his speech was such that I could not understand what he was saying. I ask the President to direct the Minister to speak slowly and more precisely.

The PRESIDENT: Order! That is not a point of order. The Minister for Mines—

Questions on Notice Resumed

Hon. PETER DOWDING: The answer continues—

- (9) No.
- (10) No.
- (11) No inquiry has been established. Cabinet has allocated no funds to the interim sports advisory working party.

Several members interjected.

The PRESIDENT: Order! Honourable members seem to lack the understanding of what question time is all about. While notices of questions were being given, even today, it occurred to me that it appeared nobody was remotely interested in the fact that other members were giving notice of questions. I would suggest, in the interest of everybody's comfort and ability to know what is going on, that honourable members

refrain from carrying on private conversations and, more particularly, refrain from interjecting. I think then everybody would be much happier.

It is not the Chair's responsibility to determine whether people have speech defects or otherwise. I call on the Minister for Mines.

Several members interjected.

The PRESIDENT: Order! Now, the Minister for Mines.

Hon. PETER DOWDING: To the answer is attached a copy of the terms of reference and relative advice. I ask that leave be granted for them to be incorporated in Hansard.

The following material was incorporated by leave of the House—

TERMS OF REFERENCE INTERIM SPORTS ADVISORY WORKING PARTY

- (1) To examine the means by which the Western Australian Sports Federation would increase its effectiveness as the representative of the sports associations and sports agencies in Western Australia.
- (2) To recommend on the specific functions of the proposed sports council, whose responsibility it will be to act as a source of advice to the Minister on all aspects of sport development and sports policy in Western Australia.
- (3) To prepare means by which the funding of sport in Western Australia can be most efficiently and effectively conducted.
- (4) To ensure that the interests of sport outside the metropolitan area are fully represented.
- (5) To recommend by additional proposals which would assist in the development of sport in Western Australia.

THE GOVERNMENT OF WESTERN AUSTRALIA INVITES SUBMISSIONS TO THE

INTERIM SPORTS DEVELOPMENT WORKING PARTY

The Minister for Sport and Recreation, The Hon. Keith Wilson M.L.A., has appointed an Interim Sports Development Working Party to report to the State Government within the following terms of reference:

- (1) To examine the means by which the Western Australian Sports Federation would increase its effectiveness as the representative of the sports associations and sports agencies in Western Australia.
- (2) To recommend on the specific functions of the proposed sports council, whose responsibility it will be to act as a source of advice to the Minister on all aspects of sport development and sports policy in Western Australia.
- (3) To prepare means by which the funding of sport in Western Australia can be most efficiently and effectively conducted.
- (4) To ensure that the interests of sport outside the metropolitan area are fully represented.
- (5) To recommend any additional proposals which would assist in the development of sport in Western Australia.

The Working Party, under the chairmanship of Professor John Bloomfield, has 12 members from sporting, community and government agencies.

Written submissions to the working party are invited from organisations and individuals. The working party will consider all relevant submissions made previously to the Select Committee of the Legislative Council on Cultural and Recreational Facilities (Lewis Committee) which fall within the above terms of reference.

WRITTEN SUBMISSIONS SHOULD BE SENT TO:

The Secretary, Interim Sports Development Working Party,
P.O. Box 66, Wembley 6014 and must reach this address no later than:

FRIDAY, 23 SEPTEMBER 1983

PORT

Bunbury Study

245. Hon. V. J. FERRY, to the Minister for Mines representing the Minister for Transport:

In accordance with the Labor Party's "Bunbury 2000" development strategy enunciated prior to the last State election, what progress has the Government made in commissioning a detailed study of Bunbury Harbour, with special attention to grain and phosphate handling, coal loading, timber, sheep, cattle and

chilled meat, fruit and general and container cargo?

Hon. PETER DOWDING replied:

The member should be aware that, in relation to the "Bunbury 2000" development strategy, the Burke Government has undertaken to develop a comprehensive and detailed blueprint for the development of the Bunbury region and the south-west. Commissioning a detailed study into the future use and development of Bunbury Harbour is just one of the very many "Bunbury 2000" initiatives.

By following through with its "Bunbury 2000" blueprint, the Burke Government is making a definite and positive commitment to regional development in this State. This contrasts with the many years of rhetoric and inactivity in this important area under successive Liberal-Country Party Governments.

In the light of this inactivity, it is pertinent to point out that wheat exports through the Port of Bunbury fell from around 246 000 tonnes in 1978 to around 48 000 tonnes in 1982.

Preliminary study has indicated that, in general, the facilities at the Port of Bunbury are adequate to handle existing cargoes, and that efforts should be concentrated on making most efficient use of these facilities. There is room to construct new berths to cater for increases in trade in specialised areas.

The first priority would appear to be to restore some greater proportion of grain cargo to the port. Steps in that direction are now being taken.

EDUCATION

Text Books: Racism

249. Hon. P. G. PENDAL, to the Attorney General representing the Minister for Education:

- (1) Is it a fact that school text books are filled with racist references?
- (2) If so, will the Minister table examples of such references?
- (3) What action does he propose to rid school text books of such references if they exist?

Hon. J. M. BERINSON replied:

- (1) Schools use a combination of publications produced by the Education Department of Western Australia and commercial publishing houses.

Every possible precaution is taken to ensure that publications produced by the Education Department of Western Australia do not have racist references. It is highly unlikely that any school would select a commercial publication "filled with racist references".

- (2) and (3) Not applicable.

INDUSTRIAL RELATIONS: DISPUTE

Perth Meat Export (WA)

268. Hon. G. E. MASTERS, to the Minister for Mines representing the Minister for Police and Emergency Services:

- (1) What action has the Government taken as a result of both verbal and written requests by the TLC to seek Government help in squashing charges brought by Perth Meat Exports (WA) against trespassing pickets at Osborne Park?
- (2) Has the Government, Premier, a Government Minister, or any Government officer or legal representative, asked the police to reconsider the charges?
- (3) Has the Government, Premier, a Government Minister, or any Government officer or legal representative, asked Perth Meat Exports (WA) to drop the charges?
- (4) What have been the results of these requests?
- (5) If no action has been taken as a result of the request by the TLC, does the Government intend to take any of the following actions—
 - (a) hold further discussions with the TLC;
 - (b) ignore the TLC request;
 - (c) hold discussions with the company; or
 - (b) approach the police, and if so, for what purpose?

Hon. D. K. DANS replied:

- (1) The charges are to proceed.
- (2) Not to my knowledge.
- (3) Not to my knowledge.
- (4) Not applicable.
- (5) (a) to (d) The charges are to proceed.

MINERAL SANDS: INDUSTRY

Inquiry: Cost

269. Hon. V. J. FERRY, to the Attorney General representing the Minister for Health:

In respect of the inquiry commissioned by the Government to review the mineral sands industry—

- (a) how much is each member of the inquiry being paid during the term of his appointment; and
- (b) what will be the total cost of the inquiry?

Hon. J. M. BERINSON replied:

- (a) None of the members is being paid, but the ACTU will be reimbursed the cost of Dr Mathews' salary while he is on the inquiry;
- (b) approximately \$10 000.

WOOL

Ongerup

270. Hon. D. J. WORDSWORTH, to the Minister for Mines representing the Minister for Transport:

- (1) What is the nearest siding to Ongerup for the receipt of wool for consignment to Perth or Albany?
- (2) Does this siding accept wool on any day of the week on the basis that there will not be a delay of more than five days in its despatch?
- (3) If Westrail is unable to despatch wool within five days is it recognised practice that a road permit is granted for the owner to consign by road transport?
- (4) If so, are road permits being granted if a train is not expected out of a station such as Gnowangerup within five days?
- (5) If road permits are not granted, what other alternatives are available for growers to meet sale dates as splitting of lines of wool leads to high sale charges and poor marketing practices?
- (6) Are producers at Ongerup forced to cart wool to rail sidings over 30 miles from this centre whereas those producers half this distance west of Katanning get road permits automatically?

- (7) Has Westrail negotiated a tender for road transporting wool out of the region south east to Katanning?
- (8) If so, what is the typical price for bales to—
 - (a) Katanning; and
 - (b) Albany?
- (9) How does this compare to rail charges from nearest railheads?
- (10) Is it the Government's intention to free up the cartage of wool so that any anomalies can be removed allowing the user to choose his own mode of transport?

Hon. PETER DOWDING replied:

- (1) Gnowangerup.
- (2) Yes. However, wool is also accepted on the basis that a wagon will be supplied within four working days of the order. The tabled service is on Mondays only. Additional services will be run subject to traffic volume.
- (3) No. A permit is only granted where Westrail cannot supply a confirmed order for a wagon within four working days.
- (4) No.
- (5) Since 1 July 1982, growers have enjoyed an exemption from licensing for the transport of their own wool in their own vehicle.
- (6) No.
- (7) Yes.
- (8) (a) The price is determined by the distance between the farm and Katanning railhead and ranges from \$4.12 per bale from the Broomehill area to \$7.75 per bale from the Bremer Bay area;
- (b) the Westrail road contractor does not transport direct to Albany. The same off-farm rate applies to Katanning for wool consigned to either Albany or to the Fremantle area.
- (9) The difference in rail charges to Fremantle from Katanning and Gnowangerup is 50c per bale. Westrail had no response to tenders called for delivery of wool to Gnowangerup.
- (10) The policy of the present Government in relation to any further deregulation of wool transport is that any such action

will only be taken after having regard to all relevant social and economic factors. Within the ambit of these criteria, no further deregulation of wool transport will be instituted at the present time.

MINING

State Batteries: Employment

271. Hon. P. H. LOCKYER, to the Minister for Mines:

How many permanent employees are employed by the State Batteries at—

- (a) Mt. Magnet;
- (b) Paynes Find;
- (c) Sandstone;
- (d) Laverton;
- (e) Meekatharra; and
- (f) Marble Bar?

Hon. PETER DOWDING replied:

- (a) One manager, two foremen;
- (b) served by Mt. Magnet;
- (c) served by Mt. Magnet;
- (d) one manager;
- (e) one manager, one foreman;
- (f) one manager.

Point of Order

Hon. G. C. MacKINNON: My point of order follows on a ruling you gave the other day in reference to Mr Piantadosi, a ruling which I thought was very good. The point you made was that the language used in this House ought to be English and it ought to be understandable and, as follows from that, it ought to be audible. While I believe, and always have, that it is the obligation of every member, when speaking in this place, to be understandable and audible to all people in the Chamber or in the Gallery, I think that that obligation rests more squarely with Ministers than with anybody else. Despite your kindness, Mr President, in growling at some of the members who raised the point before, the Hon. Peter Dowding has persisted in gabbling at a faster rate than, I think, even Mr Jeffery.

The PRESIDENT: What is the point of order?

Hon. G. C. MacKINNON: I do not want to make any comments about the Minister's ignorance; I want to keep this at a

reasonable level. My point of order is this, Sir: If your ruling was correct the other day, that Mr Piantadosi must use English in this Chamber and not Italian, so that he should be understood, then surely that same argument should apply to Mr Dowding. The Minister should speak at a rate at which his answers can be heard and understood—not just heard, but understood. I am suggesting that at the rate at which he replied to the question, that is just not possible.

The PRESIDENT: The honourable member knows that is not a point of order. However, for the information of honourable members, there is absolutely no relationship between the statement that I made—as distinct from a ruling—concerning an article that appeared in a newspaper and the situation that has been mentioned here now. If the Chair had to rule out of order every honourable member that it could not understand, it would appear to me that many members would be ruled out of order many times. It is not for me to determine whether or not a member wants to speak at some rate that is beyond the capacity of other members to follow—that is not a decision for me to make. It is also not a decision of mine as to whether or not a member is capable of speaking in a low voice, as some members are not. Equally, it is not my responsibility, or certainly it is not a situation over which I have any control, if a member wishes to speak in a very loud tone of voice as some members are apt to do.

It would seem to me that what the honourable member is suggesting is that there ought to be a Standing Order that defines, for a member of the House, the correct number of words per minute at which he may speak, and indeed, the number of decibels in regard to the intensity of his speech. If the Minister for Mines chooses to answer his questions in that manner, unfortunately I do not believe there is any action I can take. It is a well known fact that whether the Minister answers questions at all is a prerogative that belongs to him.

I would suggest to the Minister, if he can take heed of what members are saying that he is speaking faster than some

members can follow him, and perhaps the Minister would be good enough to slow down his delivery.

However, other than that, I do not know of any action that I, as the presiding officer, can take. Life can be difficult enough in this place. Each of us has pressures on us, and for goodness sake, it is my suggestion that we endeavour to work with as much harmony as we can in order that each of us can do our jobs to the best of our ability.

Hon. G. C. MacKINNON: Thank you, Mr President.

Questions on Notice Resumed

MINING

State Batteries: Sandstone

272. Hon. P. H. LOCKYER, to the Minister for Mines:

- (1) Is the State Battery at Sandstone operating at the present moment?
- (2) If not, when does the Minister expect it to be operating again?

Hon. PETER DOWDING replied:

- (1) No.
- (2) No decision has been taken.

WORKERS' COMPENSATION

Loss of Eye

273. Hon. I. G. PRATT, to the Minister for Industrial Relations:

- (1) In Western Australia what is the maximum benefit payable under workers' compensation for the loss of an eye?
- (2) In Queensland what is the maximum benefit payable under workers' compensation for the loss of an eye?
- (3) Is this benefit paid under workers' compensation in Queensland, comparable to that paid in Western Australia?

Hon. D. K. DANS replied:

- (1) \$33 868.50.
- (2) \$13 550.
- (3) As I indicated in my reply yesterday, lump sum payments under compensation legislation represent a small proportion of the total cost in this area. The member can certainly continue to request comparison of lump sum entitlements between the States, but surely he must realise the cost impact of these figures

will not change. If, however, he wishes to pursue comparison between benefits payable in Queensland and this State, surely the major component—that is, weekly payments representing almost 61 per cent—is the cost to be considered: and, as I indicated in an earlier reply, this benefit is comparable.

TRANSPORT: AIR

Aircraft: Communication Towers

274. Hon. P. H. LOCKYER, to the Minister for Fuel and Energy:

- (1) What steps have been taken to protect low-flying aircraft from the communication towers connected with the Dampier pipeline?
- (2) Is it a fact that the SEC has refused to paint the towers with reflective paint?

Hon. PETER DOWDING replied:

- (1) Correspondence and discussions have taken place between representatives of the affected organisations and the SEC.
- (2) No.

FUEL AND ENERGY: GAS

Pipeline: Damage to Roads

275. Hon. P. H. LOCKYER, to the Minister for Mines:

- (1) Has the Minister had any complaints that contractors engaged on the Dampier-Wagerup pipeline are damaging station roads in the Gascoyne area?
- (2) If so, what steps are being taken to alleviate the problem?

Hon. PETER DOWDING replied:

- (1) Yes.
- (2) The State Energy Commission is negotiating with affected shires and contractors to ensure that damaged roads are made good.

CONSUMER AFFAIRS: ACT

Farm Purchases

276. Hon. A. A. LEWIS, to the Leader of the House representing the Minister for Consumer Affairs:

Further to my question 231 of Tuesday, 23 August 1983, is it not a fact that the Minister only met the members of the

agricultural machinery inquiry committee?

Hon. D. K. DANS replied:

For the member's edification I will name the people who attended the meeting of 8 July 1983 and the corresponding bodies which they purported to represent. They are—

Mr G. Lawrence,
Assistant Executive Director,
The Primary Industry Association
of WA (Inc.)

Mr N. Munns,
The Pastoralists and Graziers Association of WA.

Mr J. Horwood,
Federal President,
Tractor and Machinery Association.

Mr R. Shadforth,
Executive Director,
Tractor and Machinery Association.

Mr Ian Marchant,
Tractor and Machinery Association.

Mr A. Parsons,
Farm Machinery Dealers Association.

Mr Lionel White
(Acting Deputy Director—
Department of Agriculture) Chairman,
Equipment Monitoring Committee.

Mr P. Glanville,
Legal Officer,
Department of Consumer Affairs.

If it so happens that some or all of those named are members of a committee called the agricultural machinery inquiry committee, I am unaware of that.

BRIDGE

Murchison River

277. Hon. P. H. LOCKYER, to the Minister for Mines representing the Minister for Transport:

What is the estimated date for the completion of the bridge over the Murchison River on the North-West Coastal Highway?

Hon. PETER DOWDING replied:

The bridge has been completed. Roadworks on the approaches are estimated to take about six weeks to complete. Commencement is awaiting approval of the Federal Minister for Transport that the Main Roads Department can undertake the work. Provided this approval is forthcoming within two to three weeks, the whole project should be completed about the end of October.

GAMBLING: CASINO

Referendum

278. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Tourism:

- (1) Is he aware that the Reece Labor Government organised a referendum in December 1968 to allow the Tasmanian people to express their views on a casino?
- (2) Is he aware that the referendum was carried only narrowly—some 96 000 votes to 85 000?
- (3) Is he prepared to consider a referendum in Western Australia on this issue before any decisions of the current inquiry are implemented?

Hon. D. K. DANS replied:

- (1) Yes.
- (2) Yes. The result was 96 839 for and 85 862 against.
- (3) No consideration has been given to a referendum on this subject.

MINING: SALT

Lake McLeod: Agreement

279. Hon. P. H. LOCKYER, to the Minister for Industrial Relations:

- (1) Has a satisfactory agreement been reached between employers and employees at the Dampier Salt operation at Lake MacLeod?
- (2) If so, does this mean that the operation will be operating normally as before, or will there be modifications to the number of the workforce and/or pay conditions?

Hon. D. K. DANS replied:

- (1) As the agreement between the employer and employees at the Dampier Salt operation at Lake McLeod is one for the

parties concerned, I am not aware of what agreement has been reached.

- (2) Not applicable.

HEALTH: INSURANCE

Medicare: Minors

280. Hon. P. G. PENDAL, to the Attorney General:

- (1) Has he seen the report in *The West Australian* of 4 August 1983 quoting Mr Justice Kirby that—

Generally speaking doctors observe an ethical rule that children over 14, if sufficiently mature, are entitled to privacy of medical consultation and advice.

and that—

If they want contraceptives and they don't want their parents to know, the doctor is not obliged to tell?

- (2) Is the Minister aware that the age of consent as described in the Criminal Code of WA is 16 years?
- (3) Can the Minister reconcile the comments of Mr Justice Kirby with the law in WA?
- (4) Is there any intention to lower the age of consent in WA to permit 14 year olds access to their own Medicare cards?

Hon. J. M. BERINSON replied:

- (1) and (2) Yes.
- (3) Mr Justice Kirby is Chairman of the Australian Law Reform Commission and neither his office nor his views are within my area of responsibility.
- (4) No.

JUSTICES OF THE PEACE

Legislation: Powers

281. Hon. P. H. LOCKYER, to the Attorney General:

Does the Minister intend to introduce legislation to limit powers of justice of the peace?

Hon. J. M. BERINSON replied:

The role of justices of the peace is currently under review.

282. *This question was postponed.*

ANIMALS: PET FOOD

Kangaroo Meat

283. Hon. P. H. LOCKYER, to the Leader of the House representing the Minister for Agriculture:

Does the Government intend to make it mandatory to place a dye in kangaroo meat used for pet food?

Hon. D. K. DANS replied:

This matter is still under consideration.

WOOD CHIPPING

Environmental Impact Statement

284. Hon. A. A. LEWIS, to the Leader of the House representing the Minister for Forests:

Why was the width originally proposed in the environmental impact statement for the wood chip project not agreed to by the Forests Department?

Hon. D. K. DANS replied:

200 metres was the minimum width proposed. It was subsequently found possible to extend this to 400 metres on the former planning base.

NATURAL DISASTER: DROUGHT

Murchison and North-eastern Goldfields

285. Hon. P. H. LOCKYER, to the Leader of the House representing the Minister for Agriculture:

- (1) Is the Minister aware of the severe drought conditions being faced by pastoralists in the Murchison and North-eastern Goldfields?

- (2) What steps are being taken to assist these pastoralists?

Hon. D. K. DANS replied:

- (1) Murchison

About 28 properties are drought declared in the Murchison area and further applications will be considered by the Pastoral Board.

North-east Goldfields

Winter rains have been below average. However, reasonably widespread summer rains in 1982-83 ensured that feed was adequate up to April-May 1983. Feed conditions were dry and in short supply by August. Very recent rains are likely to improve the situation.

- (2) Any station considering itself to be in a drought situation can apply to the Pastoral Board to be declared drought affected.

Assistance available is—

- (i) freight subsidies on removal of stock from property;
- (ii) rent relief; and
- (iii) carry on finance.

286. *This question was postponed.*

LOCAL GOVERNMENT

Carnarvon Shire Council

287. Hon. P. H. LOCKYER, to the Minister representing the Minister for Local Government:

- (1) Does the Minister expect to instruct his department to inquire into the operation of the Carnarvon Shire Council?
- (2) If not, is the Minister aware of media speculation of an inquiry into that shire?
- (3) Will the Minister give an undertaking to make an early statement on the subject?

Hon. PETER DOWDING replied:

- (1) An inquiry ordered by the Commissioner of Public Health, is currently being conducted into the Carnarvon Shire Council's administration of its health functions and the Parliamentary Commissioner for Administrative Investigations has indicated his intention to investigate certain complaints put to him in relation to this shire.

The Minister for Local Government will await the outcome of these inquiries before deciding whether he should take any action.

- (2) The Minister for Local Government recalls seeing some media comment in respect of the inquiries referred to in my answer to question (1).
- (3) It would be inappropriate to give any such undertaking at this stage.

ROADS: BICENTENNIAL PROGRAMME

Local Authorities: Entitlements

288. Hon. P. H. WELLS, to the Minister representing the Minister for Transport:

- (1) What funding for roads from the bicentennial road programme was requested

by the City of Stirling and the Shire of Wanneroo?

- (2) What were the various programmes for which funds were requested, and which programmes have been approved?
- (3) Will any of the programmes not approved be considered at a later date?
- (4) Have all the funds been allocated, and if not, what is the estimated amount of funds still to be allocated?

Hon. PETER DOWDING replied:

- (1) to (4) Insofar as metropolitan local authorities are concerned the Australian Bicentennial Road Development (ABRD) programme can be considered in two parts. Firstly, the urban arterial road projects and, secondly, local road projects. Funds estimated to be available under the urban arterial road programme for Western Australia are \$12.6 million.

Of this, projects totalling \$4.3 million have been submitted to, but not yet approved by the Commonwealth Minister for Transport. Allocation of the remaining \$8.3 million has still to be submitted to the Commonwealth Minister.

Stirling City Council submitted projects totalling \$2.385 million and Wanneroo Shire Council \$9.928 million for consideration under the urban arterial road programme of ABRD. Urban arterial funds are being considered on an overall basis and no specific amount has been fixed for each local authority.

Distribution of local road funds under ABRD will be on a formula basis which has been approved by the Commonwealth Minister for Transport. The amounts estimated to be available (depending on actual collections) for local roads to the Stirling City Council is \$1.016 million and to Wanneroo Shire Council \$680 000 under ABRD. Stirling City Council has submitted its local road programme which has still to receive Commonwealth approval. Wanneroo Shire Council has submitted and received approval to \$171 000 of its programme for local roads. The programme from Wanneroo for the remaining \$509 000 is still to be submitted.

The metropolitan component of local road funds under ABRD is estimated to

be \$6.33 million; again this is dependent on actual collections.

TOURISM

Australian Labor Party Policy

289. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Tourism:

With reference to his policy document titled *1983 State Election Policy* in which it is stated that policies in the document "are the most comprehensive and best researched programs ever presented by the ALP in Western Australia"—

- (1) Does it specifically contain a tourism policy?
- (2) Does the apparent failure to mention any specific policies on tourism mean the Government does not have any such policy in this important industry?
- (3) If the Government does have such a policy, would the Minister arrange to have a copy tabled?

Hon. D. K. DANS replied:

With regard to the member's question, there will be a ministerial statement on the subject of tourism policy made to this House in the near future.

LOCAL GOVERNMENT

Carnarvon Shire Council

290. Hon. P. H. LOCKYER, to the Attorney General representing the Minister for Health:

- (1) Has the public inquiry into the operation of the Health Department of the Carnarvon shire been completed?
- (2) If not, when is completion expected?
- (3) Will the findings be made public?

Hon. J. M. BERINSON replied:

- (1) No.
- (2) October 1983.
- (3) I expect so, but this has not been determined.

INTERPRETERS AND TRANSLATORS

National Accreditation Authority for Translators and Interpreters

291. Hon. P. H. WELLS, to the Attorney General representing the Minister for Multicultural and Ethnic Affairs:

- (1) How many representatives is Western Australia allowed on the National Accreditation Authority for Translators and Interpreters (NAATI)?
- (2) (a) Who are the Western Australian NAATI representatives;
(b) by whom were they recommended; and
(c) what is the term of their appointment?
- (3) Whom did the current Western Australian representatives replace, and why?
- (4) Do the Western Australian representatives on NAATI have any affiliation with interpreter and translator organisations in the State?
- (5) If not, will the Minister seek to appoint a Western Australian representative, affiliated with interpreting and translating, to the authority, even if the new appointment requires requesting the Federal Minister to allow an extra representative for the State?

Hon. J. M. BERINSON replied:

- (1) One.
- (2) (a) Professor Bean-San Goh;
(b) the Minister for Multicultural and Ethnic Affairs;
(c) three years.
- (3) No-one, as this is a new appointment.
- (4) No, as this was not the only criterion applicable when selection of suitable persons for nominations to the board of directors was made.
- (5) The National Accreditation Authority for Translators and Interpreters (NAATI) is a new company established as from July 1983. Membership is limited to one appointment to each contributing State and the Northern Territory, with the Commonwealth appointing the chairman and the deputy chairman. The Commonwealth had the prerogative to make further appointments. In selecting directors for appointment, the Commonwealth considered nomi-

nations to ensure that the board of directors included persons with background in the widest possible range of languages, ethnic background, professional associations, and the necessary expertise, experience, and understanding.

The Commonwealth has appointed the maximum number of directors possible, and I am advised that the Commonwealth is satisfied with the appointments made.

In advising of the selection of Professor Goh, the Federal Minister stated it "would help to ensure that the board of directors includes persons with background in the widest possible range of languages, and with a broad range of ethnic backgrounds".

He further stated he was "confident that the final composition of the board of directors will be well balanced in terms of a number of considerations, such as—

coverage of languages;
coverage of ethnic backgrounds;
number of accredited professionals;
a reasonable degree of continuity through including a number of members of the former NAATI;
number of members with administrative experience;
representation of women; and
range of age-groups represented".

WATER RESOURCES: AGATON

Implementation

292. Hon. W. G. ATKINSON, to the Leader of the House representing the Premier:

Further to question 156 of 18 August 1983, I draw the Premier's attention to an article in the *Midlands and Central Districts Herald Tribune* of 10 February 1983, and ask the following—

- (1) Does the Premier dispute the accuracy of this report?
- (2) If not, why have parts (1) and (2) of question 156 been answered with "No"?

Hon. D. K. DANS replied:

- (1) and (2) The facts regarding this matter are as fully stated in the reply given to question 156.

PUBLIC WORKS: DEPARTMENT

Country Areas Water Supplies: Clearing Restrictions

293. Hon. A. A. LEWIS, to the Leader of the House representing the Minister for Water Resources:

Further to my question 221 of Tuesday, 23 August 1983, is it the intention of the Government to impose clearing restrictions on further areas?

Hon. D. K. DANS replied:

No.

EDUCATION: HIGH SCHOOLS AND PRIMARY SCHOOLS

Classrooms: Transportable

294. Hon. P. H. WELLS, to the Attorney General representing the Minister for Education:

- (1) What number of transportable or temporary classrooms exist at each of the primary and high schools in the North Metropolitan Province?
- (2) What number of these classrooms existed at each school in the province at this date in 1982?
- (3) What is the estimated number of these classrooms required for each school in 1984?

Hon. J. M. BERINSON replied:

- (1) to (3) Considerable effort is required to assemble the data requested by the honourable member. Information will be extracted from records and an answer provided by letter.

CONSERVATION AND THE ENVIRONMENT

Fremantle: World Heritage Commission Listing

295. Hon. D. J. WORDSWORTH, to the Attorney General representing the Minister for the Environment:

- (1) Is the Minister aware that the World Heritage Commission is looking to have Fremantle placed on the World Heritage list?
- (2) How far has this application been implemented?
- (3) In view of the High Court decision on the Franklin River issue, what implications are there for Fremantle being placed on the World Heritage list?

- (4) Has either the State Government or the Fremantle City Council called for a report on the likely effects this will have on the citizens of Fremantle and its development?

- (5) If not, is the State Government considering such a move?

Hon. J. M. BERINSON replied:

- (1) to (5) A formal application to place Fremantle on the World Heritage list has not yet been made. However, I understand that the City of Fremantle is preparing such an application in consultation with the National Trust of Western Australia.

The implementation of this application would need to be studied in detail by the appropriate authorities when the application is made.

CULTURAL AFFAIRS

Musical Institute: Committee

296. Hon. P. H. WELLS, to the Attorney General representing the Minister for the Arts:

- (1) Has the committee, to investigate the establishment of a musical institute, announced in *The West Australian* of 24 August 1983, been appointed?
- (2) What are the committee's terms of reference?
- (3) What are the names of the committee members, and from which organisations or areas of expertise do they come?
- (4) Who is to convene or chair the committee?
- (5) What requirement for the reporting of papers will be placed upon the committee?
- (6) What funds are to be allocated to the committee, and what is the source of these funds?

Hon. J. M. BERINSON replied:

- (1) to (4) The details sought are contained in a Press statement issued by me on 23 August 1983, a copy of which is incorporated.

I provide also the following information on the members of the Committee—

Rex Hobcroft is the former Director of the New South Wales Conservatorium

of Music and a special lecturer and adviser on music courses at the Western Australian Academy of Performing Arts.

Brian Chatterton is Director, School of Music, South Australian College of Advanced Education.

Gordon Spearritt is head of the Department of Music, Queensland University.

Jan Sedivka is a noted violin teacher and recently retired Director of the Tasmanian Conservatorium of Music.

Harry Bluck is a well-known Western Australian musician and former Secretary of the Musicians' Union.

Roy Rimmer is Superintendent of Music for the Western Australian Department of Education.

- (5) The committee will report to the Minister for the Arts as soon as possible.

- (6) \$10 000 from Consolidated Revenue Fund.

The following material was incorporated—

Media Statement, 23/8/83—59.

The State Government has appointed a committee to develop practical plans to set up a performance-based musical training institution or conservatorium in Western Australia.

Arts Minister Ron Davies said today Cabinet had authorised expenditure of \$10 000 to fund the committee's work, which was expected to be completed early in 1984.

Mr Davies said the committee would consist of: Rex Hobcroft (Chairman and Executive Officer), Brian Chatterton, Gordon Spearritt, Jan Sedivka, Harry Bluck and Roy Rimmer, all distinguished in the music community, and Dr William Pullman, Chairman of the Western Australian Post-Secondary Education Commission.

It would assess the submissions sent in response to his request in March from members of the public, institutions and organisations, and would further seek the views of key individuals and representatives of music organisations and institutions in the State, including the

Education Department, the W.A. Academy of Performing Arts, and other tertiary educational institutions.

The Committee's terms of reference would be:

- “(1) Whether conservatorium performance-based music courses can be developed effectively within the W.A. Academy of Performing Arts or whether a separate institution should be recommended;
- (2) in either case what needs to be done to establish a full range of high level courses in music at a professional standard provided by conservatoria in other States. In particular:
 - (a) The kinds of concert and other musical activities and community courses it might foster;
 - (b) the level of full-time and part-time staffing necessary to operate an effective institution;
 - (c) the accommodations, facilities and equipment necessary;
 - (d) the administrative structure of the institution itself;
 - (e) the legal and administrative relationship of the institution to the W.A. Academy of Performing Arts;
 - (f) an estimated timetable for its establishment;
 - (g) an estimated budget—giving establishment and operating costs and income for the first five years;
 - (h) links with suburban and country areas and other arts or arts-related institutions and organisations in Western Australia, inter-State and overseas;

(3) any other matters or relevance.”

“The Government has given an undertaking to actively support and encourage wider community involvement and participation in the arts.

“The establishment of a conservatorium of music or its equivalent performance-based musical training institution is an important part of that commitment,” Mr Davies said.

CONSUMER AFFAIRS: PRICES

Legislation: Inquiries

297. Hon. P. H. WELLS, to the Leader of the House representing the Minister for Consumer Affairs:

- (1) How many inquiries concerning excessive prices have been handled each month since the excessive price legislation has been in force?
- (2) How many inquiries have resulted in visits to commercial premises?
- (3) How many people are directly or partly employed on work associated with the excessive prices legislation?
- (4) What has been the cost of operating the excessive prices legislation?

Hon. D. K. DANS replied:

- (1) Inquiries lodged are as follows:

April—116
May—117
June—77
July—80

- (2) No statistics have been kept of these visits. Inquiries are handled by letter, visits to premises and telephone where appropriate.
- (3) and (4) This information was provided in answer to question 98 on Tuesday, 26 July 1983.

LOTTERIES: INSTANT

Distributions: Balance

298. Hon. P. H. WELLS, to the Attorney General representing the Minister for the Arts:

- (1) Would the Minister advise if all grants approved from instant lottery funds, as shown on schedule 1 and 2 in the answer to question 142 of Tuesday, 16 August 1983, have been debited to the Sports-Culture Instant Lottery Treasury account?
- (2) If not, what is the total amount still to be paid from the Treasury Instant Sports-Culture account to satisfy the grants approved?

Hon. J. M. BERINSON replied:

- (1) and (2) The answers are contained in the answer to question 142 of 16 August 1983, which gave a list of all approved grant and to question 266 of 24 August, which gave a list of all approved grants amounts not yet paid.

HOUSING: INTEREST RATES

Mortgage Assessment and Relief Committee: Assistance

299. Hon. P. H. WELLS, to the Minister for Mines representing the Minister for Housing:

- (1) What is the value of assistance approved by the Mortgage Assessment and Relief Committee during 1982-83?
- (2) What is the total number, to date, of applications for assistance referred to the Mortgage Assessment and Relief Committee?
- (3) How many applications have been considered by the committee, and of these—
 - (a) How many have been approved for assistance;
 - (b) how many have been deferred; and
 - (c) how many have been rejected?
- (4) What is the range of payments of those—
 - (a) referred for assistance;
 - (b) approved for assistance;
 - (c) deferred; and
 - (d) rejected?

Hon. PETER DOWDING replied:

- (1) Total value of assistance approved by the Mortgage Assessment and Relief Committee during 1982-83 was \$96 601.00.
- (2) Total number of applications referred to the committee as at 24 August 1983 was 1 889.
- (3) A total of 1 889 applications have been considered by the committee and of these—
 - (a) 1 204 have been approved;
 - (b) 22 have been deferred;
 - (c) 453 have been rejected.

In addition 210 applications have been withdrawn following the discharge of mortgages.
- (4) The range of repayments of those—
 - (a) referred for assistance—\$120 to \$700;
 - (b) approved for assistance—\$200 to \$550;
 - (c) deferred—\$120 to \$700;
 - (d) rejected—\$120 to \$700.

LOTTERIES: INSTANT

Pony Club Association of Western Australia

300. Hon. P. H. WELLS, to the Minister for Mines representing the Minister for Sport and Recreation:

- (1) Is the Minister aware of Leslie Anderson's article, published in the *Sunday Times* on 21 August 1983, suggesting that the Pony Club Association of WA obtained a grant from the Instant Sports Lottery Distribution Advisory Committee of \$5 930 which the association had not requested?
- (2) Is the information regarding the Pony Club Association grant correct?
- (3) If not, was an application received from the association, and if so, for what purpose?
- (4) If an application was received from the association, what were the dates of application, approval, and payment of the grant?

Hon. PETER DOWDING replied:

- (1) Yes.
- (2) The Pony Club Association of WA, along with all other State sporting associations, has received two allocations from the Sports Instant Lottery Fund. The first of these allocations, of which the association received \$4 200, was approved by the previous Government. The second in which the association received \$1 730 was approved by this Government. On both occasions the allocations were recommended by the Sports Instant Lottery Distribution Advisory Committee to assist the various sports prior to applications becoming available.
- (3) Answered by (2) above.
- (4) Not applicable.

HEALTH: TOBACCO

Smoking: Campaign

301. Hon. P. H. WELLS, to the Attorney General representing the Minister for Health:

- (1) As part of the Government's antismoking campaign, what activities and materials are both available at present and planned for the near future?
- (2) What health education officers and other personnel are available to speak to groups, on the stop smoking programme?

- (3) Have speaking engagements already been attended by Government personnel involved in the programme?
- (4) If so—
- on what date, and at what location;
 - what organisations arranged the meetings; and
 - approximately how many people attended each meeting?

Hon. J. M. BERINSON replied:

- (1) Assistance for adult smokers to give up smoking is provided through making available Quit Kits at health agencies and pharmacies, and by the provision of booklets which will be distributed by general practitioners and other health professionals.
- The media campaign "Give Kids a Chance" is still in its early stages, but further developments are in an advanced stage.
- A statewide primary school Smoking Prevention Programme will be mounted in third term 1983. Details of this programme will be announced by the Premier at the official launching on Friday, 26 August.
- (2) Ten regional health education officers and three members of the central smoking and health project team are available to speak to groups on the stop smoking campaign.
- Voluntary agencies, such as the National Heart Foundation, the Australian Council on Smoking and Health, and the Cancer Foundation also speak to groups.
- (3) Yes.
- (4) (a) to (c) Full details on the items requested will be made available when the information has been gathered from regional officers. In summary, however, meetings have been arranged by such groups as health professional contact groups (e.g. Armadale), Women in Action (Scarborough), church groups (Wanneroo), and P. & C. Associations (Highgate). These meetings have been held during the past two weeks and more are planned for the next two weeks. Between 15 and 30 people have attended each of these meetings.

302. *This question was postponed.*

QUESTIONS WITHOUT NOTICE

EDUCATION: HIGH SCHOOL

Northampton District: Tenders

81. Hon. J. M. BERINSON:

The Minister for Education now advises in respect of question 234 asked by the Hon. Tom McNeil, and adverting to my answer of Wednesday, 24 August, to question 234 (3), that the lowest tender amount was \$1 184 000 following the withdrawal of a firm which had initially provided a lower price of \$968 000.

AGE OF CONSENT

Lowering

82. Hon. P. G. PENDAL, to the Attorney General:

Supplementary to the Attorney General's answer today to question 280 in which he stated there is to be no lowering of the age of consent, I ask him, in view of the comments that he made in part (3) of that answer whether this suggests Mr Justice Kirby does not have to obey the present law in Western Australia in relation to the Criminal Code?

The Hon. J. M. BERINSON replied:

No.

MINING

State Battery: Sandstone

83. Hon. P. H. LOCKYER, to the Minister for Mines:

I understand that the Minister will be visiting Sandstone in the near future. With reference to his answer to question 272, would the Minister give an undertaking that while in Sandstone he will inspect the State Battery—I think he would normally do so—and specifically give some attention to the possible early reopening of that battery?

Hon. PETER DOWDING replied:

I indeed intend visiting a part of the member's electorate. One of my reasons for doing so is to acquaint myself with the position in relation to a number of the State batteries.

As the member knows, the condition of the State batteries has been a matter of concern.

The question of the reopening of batteries not presently operating and of upgrading batteries that are currently operating is a matter which is being reviewed both generally and in the context of Budget discussions. I do not have my itinerary in front of me and I do not recall specifically which batteries I will be visiting, but I will certainly instruct my office to inform the member. As soon as I have looked at those batteries I will be in a position to continue with that review. I give the member an undertaking to pay special attention to the batteries in the areas I visit.

TRANSPORT: AIR

Aircraft: Communication Towers

84. Hon. P. H. LOCKYER, to the Minister for Fuel and Energy:

- (1) Referring to the Minister's answer to question 274 concerning low-flying aircraft and the communication towers associated with the Dampier pipeline, has he communicated with the Pastoralists and Graziers Association of WA (Inc) on this subject?
- (2) If not, is it possible in the coming few weeks that some negotiations be commenced with the Pastoralists and Graziers Association because there is considerable concern that aircraft will be engaged in mustering operations in areas adjacent to these communication towers; the pilots concerned have indicated there is a danger of collision. Perhaps a communication with the Pastoralists and Graziers Association may cause the SEC to change its present position on this subject.

Hon. PETER DOWDING replied:

I have some limited knowledge of the matter raised by the member. To my recollection it is not a matter that has been raised directly with me, although I am informed by the commission the matter has been raised with it. I understand negotiations have taken place on the subject with the Pastoralists and Graziers Association. I am not aware that the Pastoralists and Graziers Association has found that those nego-

tiations are proceeding unsatisfactorily. If the member is concerned about the matter and wishes to give me a short memorandum on the subject, I will certainly follow it up.

AGE OF CONSENT

Lowering

85. Hon. P. G. PENDAL, to the Attorney General:

I ask a supplementary question to that which I asked a few moments ago. I preface it by saying that if the Attorney-General concedes in that verbal reply what he was apparently not prepared to concede in part 3 of the answer—that Mr Justice Kirby does have to abide by the criminal law in this State—will the Attorney now investigate whether the publication on 4 August in *The West Australian* of comments made by Mr Justice Kirby constitute a breach of the Criminal Law in so far as they sanction officially the breaking of the law by fourteen-year-olds?

Hon. J. M. BERINSON replied:

I am not aware of any apparent breach of the law. In any event, it is not my role to have that investigated. I can add nothing further that would be of help to the member.

MINING: LEASES

Homestead

86. Hon. D. J. WORDSWORTH, to the Minister for Mines:

Further to a question answered in his name when he was in Kalgoorlie yesterday, I ask if he is aware that I have been trying to get information about homestead leases under the old Mining Act. In the first question I asked on 17 August I said a given number of leases were quoted by the Australian Bureau of Statistics, and I asked where they were and how old they were. The

Minister quite rightly asked me to provide more detail about the information required, and why, because it would be fairly hard to get the information.

I thought I explained yesterday that these homestead leases are being converted by the Mines Department to more permanent leases and, where farmers have homestead leases, they are being incorporated within their farms. One group at Ravensthorpe has found out about this homestead lease in rather a severe way. One farmer in particular found he had to pay \$33 000 to convert his lease.

The PRESIDENT: Order! Members seem to be completely unable to comprehend what question time is all about. It astounds me to have to keep reminding members that the purpose of asking questions is to seek information, not to give it. It is perfectly permissible in order to ensure that the Minister understands the question, to make some sort of explanatory comments. It certainly is not in order for a member to make a second reading speech. I suggest members start taking that into account.

Hon. D. J. WORDSWORTH: Mr President, you probably realise I am somewhat frustrated after failing to get answers to my questions. I am pointing out we do not know where the leases are, and it is important that people should know so the leases can be converted.

Hon. PETER DOWDING replied:

I have no desire to keep any information from the member, but he has asked a series of broad questions seeking statistical information about homestead leases. It is not within the reasonable demands upon the department to get people scurrying through literally thousands of files simply to get some broad overview, without knowing exactly what Mr Wordsworth wants.

He has two options: He can ask a question that I can answer; or, if he cares to see me during the course of proceedings and discuss the matter, I may be able to get a better idea of the precise information he seeks, which would assist him in dealing with the problem raised in his electorate.

FUEL AND ENERGY: ELECTRICITY AND GAS

Sales: Revenue

87. Hon. N. F. MOORE, to the Minister for Fuel and Energy:

I refer to question 698, which was asked in another place on 17 August and directed to the Minister. It asked—

- (1) What is the State Energy Commission's budgeted figure for the 3 per cent levy which it is required to pay into Consolidated Revenue for the year ending 30 June 1984?
- (2) How much did the Commission pay for this levy in 1983?

The answer provided was—

- (1) \$13,856 million.
- (2) \$11,216 million.

One week later, question 809 was asked of the Minister in the following terms—

What revenue did the State Energy Commission receive during the year ended 30 June 1983 from the sales of—

- (a) electricity;
- (b) gas?

The answer provided was as follows—

- (a) and (b) These figures are not yet available as they are still to be audited by the Auditor General's Department.

When available the details will be forwarded to the member.

Can the Minister reconcile the two answers, given that the figures for the 1983 year were available in answer to the question on 17 August but on 24 August he said the figures were not available because they had not been audited by the Auditor General?

Hon. PETER DOWDING replied:

I can reconcile that because they were different questions seeking different information. The information specifically requested about the revenue is the subject of an auditing procedure. The question about the amount that is paid into the State coffers in part depends on a decision by the State Government as to the percentage of the revenue that will be taken, and on a calculation of it. For internal purposes, a calculation has been made in respect of the levy. For

purposes associated with the sort of information the member wants, I felt it was appropriate to wait until the specific information had been properly processed.

If the Hon. Norman Moore or whoever asked the question in another place wants some rough information for any particular purpose, they have only to raise it with me or my office and we will look into it. Two different questions were asked of me and, for that reason, surprising through it may seem, two different answers have been provided.

MINISTER OF THE CROWN: MINISTER FOR MINES

Kalgoorlie Trip

88. Hon. A. A. LEWIS, to the Minister for Mines:

Did he travel to Kalgoorlie yesterday in his capacity as Minister for Mines?

Hon. PETER DOWDING replied:

Yes.

CRIMINAL CODE

Breach

89. Hon. P. G. PENDAL, to the Attorney-General:

I refer to earlier supplementary questions and answers directed to the Attorney, and I now ask whether he can advise me if an alleged breach of the Criminal Code occurs, whose responsibility is it to have it investigated?

Hon. J. M. BERINSON replied:

The Police Force.

CRIMINAL CODE

Breach

90. Hon. P. G. PENDAL, to the Attorney-General

I ask a further supplementary question. In the event that the Police Department

does not take action in relation to alleged breaches of the Criminal Code, does the Minister, as the first law officer of the State, have any responsibility to alert the Police Department to that possible breach of the law?

Hon. J. M. BERINSON replied:

The House has often been reminded of the role of the Attorney General and of the limitations applying to his office in respect of law enforcement. The office of the Attorney General is not the law enforcement agency of the State.

If the member has a complaint to make, I can suggest only that, before raising hypothetical situations as to what might or might not happen following a report and decision, he should firstly pursue the normal channels.

MINISTER OF THE CROWN: MINISTER FOR MINES

Overseas Trip

91. Hon. A. A. LEWIS, to the Minister for Mines:

During late April or early May, did he travel to London?

Hon. PETER DOWDING replied:

I have certainly been to London, but I do not recall the date.

MINISTER FOR THE CROWN: MINISTER OF MINES

Interstate Trip

92. Hon. A. A. LEWIS, to the Minister for Mines:

At any time between April and July, did he travel to Sydney?

Hon. PETER DOWDING replied:

I have been to Sydney. I recall that when I was a kid I went to England—

Opposition members interjected.

The PRESIDENT: Order! Honourable members, the nature of question time is in

serious jeopardy in this House. It seems that the members for whom exists the privilege of asking questions are placing that right in jeopardy. That applies not only to the seekers of information, but also to the dispensers of the replies.

A Minister cannot be required to answer a question; but if he does choose to answer it, he is bound by the same limitations as the inquirer in regard to the area outside the immediate information that he gives to answer the point raised. If members gave a bit more consideration to those aspects of questions, we would have many more questions asked and, more importantly, many more questions answered.

I appeal again to members to have a little more regard for each other in regard to this aspect of our operations.

Hon. PETER DOWDING: I think the honourable member is asking the same question as the one he asked on notice in relation to ministerial travel. The answer given to the question on notice is based on a precedent established by the then Premier of Western Australia in a Liberal Administration.

The answer given to the honourable member is the same answer that I would choose to give now, based on that precedent. If anyone wants further information, he could write to me and I would be happy to respond.

Hon. P. H. Lockyer: Six cuts each!

