

# Legislative Assembly

Wednesday, 12 October 1983

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

## HEALTH: TOBACCO

### *Advertising: Petition*

MR EVANS (Warren—Minister for Agriculture) [2.16 p.m.]: I present a petition from 53 residents of the Manjimup Shire in the following terms—

The petition of the undersigned citizens of Manjimup, strongly objects to cigarette advertising and the adverse effect it has on the youth and citizens of Western Australia.

Conditions such as emphysema, asthma and peripheral vascular disease are directly caused or aggravated by cigarette smoking.

Your petitioners therefore urge that you seriously consider their wishes before casting your vote on this issue.

The petition conforms to the Standing Orders of the Legislative Assembly, and I have certified accordingly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

(See petition No. 37.)

## BILLS (8): INTRODUCTION AND FIRST READING

1. Northern Mining Corporation (Acquisition) Bill.  
Bill introduced, on motion by Mr Brian Burke (Treasurer), and read a first time.
2. Diamond (Ashton Joint Venture) Agreement Amendment Bill.  
Bill introduced, on motion by Mr Brian Burke (Premier), and read a first time.
3. Stamp Amendment Bill.
4. Pay-roll Tax Assessment Amendment Bill.  
Bills introduced, on motions by Mr Brian Burke (Treasurer), and read a first time.
5. Small Claims Tribunals Amendment Bill.  
Bill introduced, on motion by Mr Tonkin (Minister for Consumer Affairs), and read a first time.
6. Indecent Publications and Articles Amendment Bill.

7. Lotteries (Control) Amendment Bill (No. 2).

8. Totalisator Agency Board Betting Tax Amendment Bill.

Bills introduced, on motions by Mr Parker (Minister for Employment and Administrative Services), and read a first time.

## TOBACCO (PROMOTION AND SALE) BILL

### *Report*

Report of Committee adopted.

### *Third Reading*

Leave granted to proceed forthwith to the third reading.

MR HODGE (Melville—Minister for Health) [2.24 p.m.]: I move—

That the Bill be now read a third time.

MR COURT (Nedlands) [2.25 p.m.]: I was laughing a little while ago because I noticed that the colleague next to me has a membership form for the Australian Labor Party sitting in front of him.

Mr MacKinnon: An application form.

Mr Pearce: Members of integrity are always welcome.

Mr COURT: During my speech last night, I expressed my concern about the way the Government was conducting its advertising campaign in relation to this Bill. Public outrage has been shown at the way the Government has been using paid advertising in the media—the newspapers, radio, and television—to put its message across. I suppose a certain amount of advertising is okay, but it is getting out of hand.

We now see three full-page advertisements in the newspapers; and they have been appearing for the last week or so. That sort of thing costs much money. With production costs, and so on, three full-page advertisements in *The West Australian* could cost as much as \$10 000.

Mr Bertram: Money or deaths—take your choice!

Mr COURT: The public are becoming sick of this, particularly when the Government and the Opposition have a number of forums in which to put their message across. These issues can be debated in the Parliament; and the Government and the Opposition have access to the media through the talkback shows, through the radio and television news, and through newspaper articles.

However, the Government has launched itself upon a massive campaign to put across its mess-

age on the tobacco Bill. In itself, that is bad enough, but the public have become outraged at the fact that the advertisements have been featuring children, sometimes singly, sometimes in class groups, and sometimes in groups larger than the size of a class group. The public have become outraged at the way in which the children have been used.

Mr Bertram: Where is the evidence of the outrage?

Mr COURT: There is plenty of evidence of outrage.

Mr Bertram: Can you produce it?

Mr COURT: Members have received complaints from parents; and last night I outlined a complaint I had received.

Mr Bertram: A wild, unsubstantiated statement.

Mr COURT: That is not correct. I had the courtesy to show the Minister for Education the material I had because it concerns a serious matter; and to his credit he did something about it straightaway. I am most appreciative of his action.

I mentioned last night that one of my own children was involved in these advertisements. We have an amount of evidence of this; but this morning, when it was discussed on the radio, it became a hot issue. For the information of members who did not listen to the programme, I advise that people were phoning in expressing outrage at what had taken place with this advertising campaign.

In campaigns of this type, whether or not children are used, it is normal for a form called a "talent clearance" to be filled in. That form includes the material to be used in the advertisement and how long the ad is to be run—whether it is to be used for six months or for a year, etc.

If the person is a minor, his parents' consent is required as well as an indication of the amount to be paid to the talent for his appearing. These amounts are laid down by Actors Equity, which makes clear the amount the person should be paid. It must be remembered that some people do make a living by appearing in ads such as these. They are registered with Actors Equity. This is nothing new and it is a very strong principle within the advertising industry. I am sure members opposite support this policy, but I will not get into an argument now about compulsory unionism.

The main reason for the public outrage at the way the Government has been using children in these ads is that it is a fundamental breach of the

rights of those children, let alone a major embarrassment for some of the parents concerned. Members should be able to imagine the problems that might arise for members of a family who are separated, when the father might pick up his morning newspaper and see his daughter in an ad for this tobacco campaign. He could be very opposed to the material being used and to the fact that his child was involved. Many issues could arise from what has taken place. So, it is, firstly, a fundamental breach of the rights of these children.

Secondly, the children have, unwittingly perhaps, taken away the livelihood of people in the industry, people who make a living by appearing in such advertising.

I would like the Government to answer the point that these children have been used apparently without pay, and I would like to know just what financial transactions have taken place. Normally any payment would have been mentioned on a talent clearance form, which would indicate how much the child would be paid for appearing in the advertising. Often when a large group is concerned, perhaps a classroom of children, the money goes to the sporting body concerned, but at least the matter is clear on this point.

My final concern about the way the Government has gone about preparing these ads is that the people appearing in them do not know how long the ads will be used. They might find themselves picking up a newspaper in two years' time and seeing their photos still being used; there may be photos of these children still appearing. The parents of the children do not know how long these photographs will be used in the campaign.

The children having their photographs taken do not know for what issue the photographs will be used. It could be that they will appear in advertisements supporting some way-out cause. They do not know, because it is not made clear to them. This is another very good reason for this formal form to be used.

If any body in this State should display impeccable standards in advertising, it must be the Government of this State. The Government should be showing the way and working to the highest standards possible to ensure that its advertising is fair and prepared in an acceptable manner—certainly not in the way it has gone about this present advertising campaign.

On radio this morning, one of the principals of the advertising agency involved—the one apparently doing the Press advertising—said that the campaign was rushed together. I know these par-

ticular ads were rushed together because they were done last week in a matter of days. Obviously, for them to be in the Press and to be ready for the Mundaring by-election and by the time the debate on this Bill was resumed in this House, they must have been rushed. As members realise, the Bill has been before the House for only a week or so, so the Government has thought it very important that it has this very expensive \$250 000 advertising campaign linked with what is happening in this House. Under normal circumstances, an advertising agency, if given a couple of weeks' notice, will find that amount of time perfectly reasonable to prepare a campaign such as this. The fact is that these ads were rushed through in a matter of days.

The Government should ask the advertising agency involved just why it did not go about it in the correct manner. The Government itself must take the blame for what has been done because a Government department is organising the campaign and handling the advertising for the cigarette campaign and the health education programme—in fact, the three stages which the Minister outlined yesterday.

The Government has put pressure on the advertising agency to get this campaign out quickly to coincide with what is taking place politically. This is an absolute scandal and the Government must take the blame for this campaign having been rushed through. I certainly hope the Government accepts the criticism that what it has done has been incorrect; I hope the people running the cigarette side of the campaign realise they have done something that is incorrect; and I hope the Government will make a public apology to the parents concerned, because it has been very distressing to many of them.

As I said last night, the ads should be withdrawn and the Government should give an assurance that they will not be used again. What is more, the parents should be given a public apology.

Mr Williams: The parents have the right to sue them.

Mr COURT: The parents probably have the right to sue them.

I would like to think the Government will hold an inquiry into the conduct of its own department handling this advertising and so make sure it does the right thing, because we must remember that the department is spending taxpayers' funds—\$250 000—in a few weeks; that is a lot of public money thrown out on an advertising campaign. The Government is using professional advertising agencies, and their standards should be

impeccable; they should be the highest standards possible.

I would like the Government to clarify the situation with these advertising agencies. Apparently Odgers Advertising Pty. Ltd. is handling the Press advertising and not, according to this morning's report, the television advertising. I have some complaints about the television advertising as well, so I would like to know who is handling that side of the campaign, because I want to make sure they abide by the standards by which everyone else in this State has to abide.

Unfortunately, the Education Department has been the bunny in this exercise. Probably it has been because of the pressure from the Government department handling the smoking side of the campaign that the Education Department has unfortunately been brought into it. Fortunately, the Minister for Education has acted promptly and this makes me feel a little better.

What has taken place in the Government's advertising campaign has concerned me. No doubt, as soon as the Bill is through this House, the campaign will go out the door, but only after the Government has spent \$250 000 on it. It will probably then start an electoral reform campaign, and I can imagine the mass of advertising it will use to cover that issue. The Government will find that the taxpayers have had a gutfull of their money being spent on these campaigns. Fancy the Government running three full-page ads every day.

Mr Brian Burke: Have you forgotten job bank? You had double-page ads.

Mr COURT: The Government has three pages in the morning and evening papers, day after day, week after week. That represents a pretty heavy advertising campaign.

Mr Brian Burke: You have not spoken about job bank.

Mr COURT: Is the Premier suggesting that children were used in that campaign?

Mr Burkett: He is talking about the expenditure of money for big ads—double-page ads.

Mr COURT: I am informed that the previous Government spent \$100 000 getting jobs for people. That is better than pushing this sort of exercise.

Mr Burkett: Your dad promised 100 000 jobs.

Mr COURT: He provided more than 100 000 jobs, and the member knows it.

Mr Bertram: How many did we get—minus 2 000?

Mr COURT: If a Labor Government got anywhere near the employment record created over the last 15 years, it would have done a good job by its standards, but we will talk about employment at a later time, because I want to keep my comments to the Bill before us. The Government has rushed in for political gain and has launched this advertising campaign which is now causing a public outrage.

I appreciate having the opportunity to make those few comments on the third reading.

MR CLARKO (Karrinyup) [2.41 p.m.]: This legislation involves a product which can be grown, frequently with Government subsidy, manufactured, sold, and, above all, consumed. I am sure many people in Western Australia today support this legislation because they are convinced tobacco is very harmful to health.

Mr Bertram: Hear, hear!

Mr CLARKO: Hundreds of people die each year as a result of smoking.

Mr Bertram: Thousands.

Mr CLARKO: Because of that, people believe this step taken by the Government is a proper one.

Mr Bertram: Hear, hear!

Mr CLARKO: However, that argument is fallacious. These people who have formed that view should ask the Government and the Minister for Health whether they really are serious about trying to stop the deaths and the ill health which result from tobacco smoking.

Mr Bertram: They certainly are.

Mr CLARKO: Clearly, one does not need to be very bright to know that the simple way to solve the problem of death from tobacco smoking in our community is to ban consumption of the product.

Mr Bertram: Hear, hear! That would be a good idea.

Mr CLARKO: That is the truth. To simply seek to ban advertising of a product which is harmful and to try to use the argument that it will solve the problem of ill health and death in our community is palpable nonsense. Why does not the Government do this? Why does it not ban the consumption of tobacco?

Mr Bertram: It has got more sense.

Mr CLARKO: It does not do it because it is not prepared to forgo its revenue from the sale of tobacco products. As I said last night, collectively the Federal and State Governments obtain \$1 billion in excise and tax from tobacco companies. I was interested to read in this morning's paper that Mr Neil Brown, an ALP Federal Minister—

Mr Parker: Neil Brown was a defeated Liberal man.

Mr CLARKO: What was this fellow's first name?

Mr Parker: John Brown.

Mr MacKinnon: The man with the koalas!

Mr CLARKO: I am reminded he is the man with the koalas. Another John Brown lies a'moulding in his grave! He said it was completely hypocritical of a Government to seek to ban the advertising of tobacco products while at the same time it collects—his figures were for the Commonwealth Government—\$800 million a year from excise on tobacco products. I agree with him on this count, but I do not agree with his remarks about koalas.

Under the new charges, the Western Australian Government will collect \$40 million a year from tax on tobacco products. That is about \$25 million more than was collected last year. I have been told some people believe about \$30 million more will be collected as a result of the Government's recent actions. It is sheer hypocrisy to take a mere \$2 million out of that \$25 million and argue that that is the reason that we should put up the charges. The Government did not do this. It put the charges up so it could collect more money for its socialistic schemes. In a nutshell, the situation is that the Government has placed dollars before deaths. If the Government were serious, it would put the money it derives from tax and excise on tobacco products into education programmes. The Government has not sought to do this. It is deliberately on another course. It is pretending to be doing something about the ill health and deaths in our community resulting from the consumption of tobacco products; however, it is doing nothing really serious about it.

The Government is doing a little bit, but I would equate the little bit it is doing with the scenario of a drowning man being held up for two seconds and then his being let go. The Government has placed dollars before deaths and has not honestly faced up to the question.

The Government is not really doing what the people of Western Australia think it is doing. It is not trying seriously to do something about those people who smoke. This was evidenced by the events of last night when the Opposition moved an amendment to retain at 18 years the age below which one could not purchase tobacco products in this State. We believed 18 years of age was the appropriate age and not 16 years as it is in the Bill. The Minister for Health, the great favourite of the antitobacco mob, refused to accept our very reasonable amendment. He refused even to let it

be included with the section under clause 2 which will allow the people of Western Australia one year after this Bill is assented to to conform with the provision. He refused to include the provision in regard to 16 or 17-year-olds who will now be allowed to purchase tobacco products when they could not do so before. They have not been able to do so since 1916 and the Government is now allowing those children to be able to buy tobacco. This means that virtually every student in year 11 or 12 at any of our Government high schools will now for the first time since 1916 be able to go into a delicatessen and buy a packet of cigarettes. This provision is in a Bill which the Government claims will endeavour to reduce the consumption of tobacco products. At the same time, the Government is making it lawful for young people to take up cigarette smoking when the legislation is supposed to be directed at stopping that.

Mr Bertram: Hear, hear!

Mr CLARKO: The member for Nedlands commented that he believes young people have been malused in this State in regard to the Government's advertising programme. It is interesting that I should be told this morning a similar story about a teacher at a Western Australian school who was pressured into allowing herself and her class to be put in a photograph which was included in a newspaper advertisement. This teacher did not want to be in the photograph and the pupils had no opportunity to have the matter referred to their parents. They were primary school pupils. I am sure that, if the Minister for Education were here, he would agree with me that that is totally unacceptable. Teachers and children, particularly young children, should not be coerced into appearing in a newspaper advertisement and photograph associated with the Government's antitobacco campaign.

If the Government were serious and if its argument were really about health, it would ban the use of tobacco products. To give some idea of how draconian this legislation is, I point out that, in the future, a cigarette manufacturer will be unable to print his name on a letterhead in Western Australia.

Mr Bertram: Good!

Mr CLARKO: He will not be able to put out an annual report—

Mr Bertram: Better still!

Mr CLARKO: —with the name of the company on it if it is the same or similar to the name of the tobacco products. I also understand that tobacco companies will not be allowed to be registered on the Western Australian Stock Exchange, nor will the share price of a tobacco

company be quoted in the newspaper. Heavens above, the people of Nazi Germany were sheer amateurs compared with the Government in what it is trying to do here. It will shortly rewrite the history of Western Australia and leave out the pages where Liberal Governments successfully ran the State. Even in that situation, the Minister moved the amendment last night which enables him to declare items of apparel that should not be on the list, which is a Hitlerian, Goebbels-type arrangement.

This Bill introduces censorship of the Press for the first time in Western Australia—other than in wartime, I assume—and the power is given to the Minister on false premises. If he were genuinely concerned about people dying from the use of tobacco products, he would be banning the use of those products.

I tore out of the paper a day or so ago a particular advertisement which shows a photograph of a person wearing a cap with the words "Marlboro Holden Dealer Team" on it. I take it that if I put that advertisement in my file and put the file away for a couple of years—assuming this matter does not come before Parliament again in that time, and it may have to if this legislation does not pass both Houses—I will be committing an offence if I then pull that advertisement out of the file and the law is as it stands in this Bill. I think the "reign of terror" would be a better way to describe the methods of this Government in regard to this legislation.

Irrespective of the claims of the Minister, it would appear that clause 5(1)(c) makes it illegal for a person to express approval of a tobacco product in the presence of another person. Last night I gave the example of a person's saying, "No, don't try those; try the Benson and Hedges"; or whichever brand he prefers, "it is better". If one reads this legislation, one sees that is an offence. That is tripe.

Serious inadequacies will exist if, in a country like Australia where we have access to newspapers and magazines from all States and Territories, the situation arises that only the local product will not contain tobacco advertising and those coming from other States will be freely placed on the kitchen table for everybody to read.

I gave the example last night of how one could have a newspaper from each State and perhaps the Northern Territory—say, seven newspapers—on the kitchen breakfast table, all, except *The West Australian*, or whatever local paper one receives, containing tobacco advertising.

The Minister talked about Eastern States publications being exempt, but he has given himself

power under clause 4(3) to annul that exemption at his whim. The clause says he can, at his whim by publication in the *Government Gazette*, exclude any newspapers from the Eastern States. Last night I said that clause was in the Bill for political reasons; the Minister denied that. He said he wrote the Bill, but, of course, the draftsman wrote it on his instructions. Clause 4(3) should contain a provision restraining the Minister, and to include terms along the lines of his own thinking, it might perhaps say that if a publication contained an excessive amount of tobacco advertising, or some provision like that, he may withdraw the exemption of a newspaper or publication from the Eastern States.

The Minister has not done that. The clause gives him power to remove approval from Eastern States newspapers purely at his passing whim. The Minister is trying to pretend he will not use that power, but if he does not use it, people will end up with six newspapers on the table and containing tobacco advertising while *The West Australian* will not include it. What will he have achieved by banning the advertising of tobacco products in WA? It is as though he has a rowing boat with two holes in it and it is filling rapidly with water; the Minister takes out some chewing gum and blocks one hole, and sits there happy that he has slowed down the rate at which the boat is sinking and at which he will drown.

One of the worst elements in the Bill is that the onus of proof has been placed on the wrong person, contrary to all British rules of justice. Now the person who is accused will have to prove his innocence. That is a total contradiction of the system of justice that has applied in Western Australia since it was founded in 1829.

Mr Bertram: That is not true.

Mr CLARKO: The onus of proof clause is in the Bill. I would be happy to hear the learned advocate of this measure—the member for Balcatta—who is the man who should get credit because his steadfast viewpoint on the use of tobacco has impressed me—although I have not agreed with it—in the 10 years I have been in the Parliament. I was appalled therefore to find he was prepared to support the reduction in age from 18 to 16 years at which a person may be supplied or sold tobacco products. We gave the member for Balcatta an opportunity to leave it at 18 years by moving an amendment, but he voted against it. My admiration for him then went out the door. The truth was that he had been mumbling words and was not prepared to put himself where his mouth has been for 10 years.

I referred to the inordinate pressure brought to bear on school children to appear in the advertising programme, and mentioned the example drawn to my attention today where such pressure was put on a teacher and pupils.

I refer finally to the comments I made last night about Noel Carter who said that he most definitely was not aware of what was contained in the newspaper advertisement which used his photograph. I understand that advertisements are appearing in local newspapers; for example, in my district the local newspaper contains a full-page advertisement giving the addresses of the Hon. Peter Wells and the Hon. Graham Edwards. The article calls on people to contact those two members to urge them to vote for this measure. It gives the appearance they have agreed to the advertisement, and it looks as though they inserted the advertisement themselves. I have spoken to the Hon. Peter Wells and he tells me that is not so. I understand that another advertisement appears which refers to the Hon. Ian Medcalf and the Hon. John Williams. One of those members told me today he had not been consulted in any way before the advertisement was inserted in the newspaper.

I believe that is dirty pool. The least the people inserting the advertisements could have done was to ring up the members and ask whether they were happy for their names to be used in an advertisement of this nature which creates the clear impression they put the advertisement together.

Mr Burkett: Does Peter Wells deny being contacted before the advertisement went into the Press?

Mr CLARKO: I cannot say precisely. I was told he saw the advertisement in the newspaper. My secretary saw it and showed it to me and said the Hon. Peter Wells had put it in. I know the advertisement referring to the Hon. Peter Wells and the Hon. Graham Edwards appeared; I looked at it and I was surprised. I spoke to the Hon. Peter Wells who said he had not seen the advertising or supplied it. I understand a question was asked in the Legislative Council yesterday by one of the two members from Metropolitan Province. The Hon. John Williams said to me before Parliament resumed today that he was not aware of the advertisement. I do not believe that is the way to go about it.

There is a cause. Many people will agree with what the Government is doing, but I cannot believe that the advertising world is going about it in a responsible way. The cause is demeaned when people use these dubious methods in order to publicise a particular position. That is the key.

There is a need in Western Australia for a significant education programme to persuade people, young and old, not to smoke. When I was Minister for Education, as I said earlier in this debate, I discussed the matter with people in the Education Department and asked what they were planning to do by way of programmes to dissuade young people from smoking. I was in support of what they were planning and proposing. In Western Australia, and generally in the western world, there has been a strong movement towards promoting the health of its citizens. It is working. As I said before, when I go out to dinner, I notice a drastic reduction in the number of people who smoke. Today, one in 10 might smoke, where seven or eight in 10 might have smoked 10 years ago. Young men particularly do not seem to be smoking in significant numbers, but regrettably young girls are.

This legislation is very similar to the story I was told about a subject very close to my heart; that is, the question of German shepherds. Some members will have heard the story before. When the Alsatian Dog Act was introduced requiring there to be no entire German shepherds in this State, the Minister spoke about how these animals could tear people about; he said he intended to have them castrated, and so on. A suggestion was made that perhaps he was working at the wrong end, and that he should be legislating to take out their teeth.

Mr Evans: The change in regard to German shepherd dogs has not been so magnificent.

Mr CLARKO: We should be working energetically and with great care towards a first class education programme. We should not be using coercion, we should be doing what the Minister said he is doing. The Minister said last night that he was anxious to be reasonable. He must be in a great state of anxiety because there is no reasonableness in this legislation at all. In fact clause 5 gives tremendous powers, similar to those prevailing in a police state. I invite the Legislative Review and Advisory Committee to look at the construction of the definition of the words "to publish". The Government seems to have covered everything but people winking in the dark as part of an approach to controlling a significant problem in our community. The real problem is that the Government has gone about it the wrong way, and finally it sets out to achieve its objective at the expense of the basic freedoms of the citizens of this State. These freedoms have been tampered with more in this legislation than in any other legislation in this State.

DR DADOUR (Subiaco) [3.03 p.m.]: Since I spoke in the second reading debate on this Bill, a

lot has happened. When I introduced my Bill last year it was similar to this; the intention was to achieve exactly the same thing. I was quite happy to support this Bill, but unfortunately I did not realise the traumas associated with that cause. After listening to some of the speeches last night, and those already today, I am left cold. Everyone is getting away at tangents; no-one has kept to the subject matter. The subject matter, as I see it, is the banning of the advertising of cigarettes and tobacco products. We must make up our minds on two points. Firstly, do we accept the fact that tobacco smoking is harmful? I do not think anybody here in this House would doubt that for one moment. So we accept that.

Then we ask ourselves what induces people to smoke and to maintain the habit. In respect of children, we talk about peer control, the amount of pocket money they have, parental control, and advertising. It has been proved conclusively that advertising does sell the product; it does induce children to smoke. I pointed this out in the second reading debate. There appears to me to be a lot of talk about nothing. This is very wrong. We must stick to the subject matter, which is firstly, tobacco causes these diseases we have talked about, and secondly, advertising does play a big part.

Also with advertising, it is very difficult to provide a good and comprehensive educational programme to counter these lavish tobacco advertisements which appear in the newspaper. If we can stop advertising of that type so that we can have our educational programmes on their own, they would be two, three, or four times as effective.

I feel very strongly about this subject, probably because of my profession. I care for children. I am sure everybody in this House cares for children. We all express our care in different ways, from what I heard today and last night. It worries me no end to think that when we talk about the type of legislation, it is to say that it will take away people's rights. This is the only argument put up so far that I can accept. That argument is: If there is freedom to grow and freedom to sell tobacco, there should be freedom to advertise.

A member: That is another point.

Dr DADOUR: We say this is wrong. That is the most salient argument which has been put up. Some of my colleagues on this side of the House are quite pedantic about it. We talk about the freedom of the individual. Look at the sections which the Opposition caused to be included in the Industrial Arbitration Act when in government. Look at section 54B of the Police Act. Look at the Fuel, Energy and Power Resources Act. Members talk about this legislation as taking away the

rights of the individual. Surely we as a party have shown very poor respect for those rights on occasions. Now we suddenly get very pedantic about it. This argument is spurious.

After my Bill failed in the upper House last year, it left me in a quandary; a quandary where I wondered why my colleagues did not follow the advice they have always followed; that is, the advice of the medical profession.

Mr Crane: They did that with the Tronado machine.

Dr DADOUR: This is the most important thing which has come up in respect of public health since I have been in this House. We heard the same arguments in respect of compulsory X-rays—

Mr MacKinnon: And fluoridation.

Dr DADOUR: Yes, and fluoridation also. We have a big health problem. Each year 10 000 children are taking up smoking, and 40 000 are smoking all the time with the habit becoming more and more entrenched. I smoked on and off for years and I wish I had never seen a cigarette.

I do not want our children to be encouraged, as I was encouraged, to take up smoking cigarettes. When I was young, it was thought to be very manly to take up smoking. We have to prove to our children it is more manly not to do that and that is why we need education and why we should get rid of the advertisements in the sporting arena which have so cunningly hidden this fact.

When I introduced my Bill on this issue, I was approached by two people from the tobacco lobby and offered an inducement.

Mr MacKinnon: What form of inducement?

Dr DADOUR: I was offered an inducement that if I withdrew my Bill, I would have the best public relations officer over from Melbourne or Sydney and I would have free advertising for the election which was held this year.

Mr MacKinnon: Which company?

Dr DADOUR: These two men wanted to talk about the matter, so I took them to lunch at Parliament House and said, "No thank you. I have always paid for my own election campaigns and I am committed to this Bill. I believe in it". We smiled and everybody went off.

Not long after that, an advertisement appeared in the papers which indicated the tobacco companies had asked for certain amendments which were going to be placed on the Notice Paper. About two days later those amendments appeared on the Notice Paper in the name of the member for Mundaring. Of course, it left me as cold as a fish to think somebody would introduce

these amendments which would annihilate the Bill. The amendments were designed purely to annihilate the Bill. I could not believe one of my colleagues would do this.

Then we got a free vote—that was the greatest joke of all time! It was decided that the Cabinet would vote against the Bill and the leader advised the members in the party room he would like to see them vote against it, and yet we had a free vote! It was a funny thing that eight people from my side of the House who voted against the Bill last year were defeated in the last election. Eight seats is a large number to change hands in this House.

I feel extremely strongly about this matter. When I spoke during the second reading debate on this Bill I got a little carried away, and I said, "I wonder what inducements were offered to either side of the House". However, the only people who took umbrage were members on this side. I did not see any members opposite take umbrage. My statement was reported in the newspaper. If members read the *Hansard* report, they will see two areas were involved. In one case I made reference to the member for Mundaring, saying that he was in the hands of the receivers, meaning he received tobacco money for his campaign. There is nothing wrong with that, if that is what he wants.

Mr MacKinnon: Why would the cigarette companies now offer Government members an inducement if they are going to vote for the Bill?

Dr DADOUR: It does not matter, but they took no exception to it.

Several members interjected.

Dr DADOUR: The pedantic members who are interjecting can have their say later.

Mr Laurance: There should have been some responsibility on you to object to that if it occurred.

Dr DADOUR: That is the sum total of what I said. Members will notice the two people who are interjecting. It would do them well to shut up and have their own say later on.

Last night the member for Gascoyne spoke about the Anglican Archbishop of Perth in a disgraceful manner. He used parliamentary privilege to do so—the very thing which I have been accused of abusing. The Anglican Archbishop is the leader of his flock and it appears that, on a public issue of such magnitude, he cannot advise his parishioners as to what is right.

Mr Laurance: He threatened.

Dr DADOUR: It makes no difference whether or not he threatened—

Mr Laurance: And you slandered.



Dr DADOUR: —where there is a bit of blood and thunder. I must dissociate myself from such comments. As far as I am concerned, that has further increased the schism between myself and some of the members of this party. The ones who have taken umbrage are probably the ones whom the hat fits. I do not know.

Mr Rushton: But you are going on with your charges again. You are just a despicable person. That is what you are—a despicable person taking advantage of people.

Mr Laurance: What about the member for Mundaring? You said, "He must have been . . ." He is not here to answer for himself.

Dr DADOUR: Okay, the member for Gascoyne can answer for him.

After I had made my speech in the second reading debate, I obtained copies of the newspapers. It looks as if the reporters pulled out the pieces of my speech which they liked. That is what they always do and I do not blame them for that. We expect that sort of thing—everyone here does—and I have no complaint about it.

By the way, I made no comment outside the House. Every time they rang me and asked me something, I said, "No comment", because I had made a promise that I would not make any comment on it and, indeed, I made no comment.

When the member for Mundaring was defeated, of course, who should get the blame? As if I have that much influence! If one analyses the voting that occurred at the elections for the seat of Mundaring, one will see that during the election in February the previous member for Mundaring had number one position on the ballot paper. At the recent by-election the new member for Mundaring had the number one position. That position is worth about two per cent of the vote, therefore, the defeat of the previous member for Mundaring could be put down to that. I am not trying to take anything away from the present member for Mundaring, but that is likely to be the reason.

An ex-Premier of Western Australia very kindly wrote to *The West Australian* and said I had abused parliamentary privilege. I am talking about the illustrious "Sir Three Times Chuckles Court". I call him that, because of the Langoulant cartoon which appeared in the *Daily News* depicting Sir Charles Court saying, "He never made me laugh".

I had a great teacher when I came here as to how to use parliamentary privilege, and this is a case of the biter being bitten. The pupil has turned out to be better than the master and that is all I have to say about it.

Several members interjected.

Dr DADOUR: It is not my ego.

Mr Rushton: It is ego.

Dr DADOUR: Maybe it is, but anyway, I have not slandered him in any way. As I said, I have very great feelings on the subject. I care for children and, as I said before, we come back to the point I have already spoken about. We start from there and go forward in order that we may find where we are.

On this subject and on a few other subjects I feel that I am the conscience of the people on this side of the House. Maybe that is wrong, but that is the way I feel. I feel that I carry a task which is a bit much.

I have spoken to the Leader of the Opposition about this. He understands my problems and he understands the schisms which have occurred. He understands there are certain people on my side of the House in whom I can have no trust whatsoever.

Yesterday when the media approached me I made a statement. I said—

I was elected in February this year as the Member for Subiaco for my 5th consecutive term. Regardless of Liberal endorsement in the future I will continue as always to vigorously represent the people of my electorate. No party machinery can remove me as the member for Subiaco. It is my intention at the next election to recontest the seat of Subiaco. I have always as my reputation goes before me put my electorate up and above party politics.

Yesterday I received a letter from the Leader of the Opposition saying, in part—

- (1) That Dr. Dadour be suspended immediately from membership of the Liberal Parliamentary Party.
- (2) That Dr. Dadour be called upon to substantiate his claims to the Executive (comprising the Leader, the Deputy Leader and the Leader in the Legislative Council) within 24 hours.

These resolutions, of course, relate to your allegations in the House and outside—

I did not say anything outside the House. To continue—

—about Members of the Joint Opposition Parties.

I referred to all members of Parliament from both sides of the House and members from only one side of the House took umbrage. To continue—

I suggest we meet at 6 p.m. tonight for you to submit your material.

I said I had suspicions. I had suspicions because I had been approached and those two occasions were the only times I had been approached. I noticed that some people who were previously in support of the Bill suddenly were against it. Maybe they saw something I did not, but I became very suspicious, as I think I was entitled to be. I cannot substantiate my suspicions. If I could do so, they would become facts and if they became facts I would make them known. I would not spare anyone. We cannot condone that sort of thing. I was suspicious and I said I was suspicious. That is what has caused some members to take umbrage. If that be their shallow method of thinking and of doing things, I want no part of it.

I have given this matter a great deal of thought and I feel that the schism is so great that I would be far better off not being a member of the Parliamentary Liberal Party. I believe that it is my place to resign from the Parliamentary Liberal Party and the Liberal Party itself, and to continue my term as an Independent and then, at the next election, contest it as an Independent. I think that is my place and my future.

I thank the Labor Party for the form it has given me to complete. I think it is most appropriate. I think the Minister for Education said the fee was \$20, but I am afraid I cannot go that far!

Mr Parker: I will give you the stamp.

Mr Hassell: You are very welcome to him!

Dr DADOUR: That brings me to the greatest character of all time! This would be the most shocking thing I have ever seen or heard in this House. I could not believe my ears when I sat here and heard the Deputy Leader of the Opposition refer to the good women on the Government's advisory council as a lot of hobos. I happen to know quite a number of them. Irrespective of their politics, I can say they are good, solid people and for them to be called hobos is not accepted by me. Why was the Deputy Leader of the Opposition not taken to the party room? Why was he not given a letter? Oh, no, we have the chosen few—that is it.

Mr Bridge: That is a song on my album, "The Chosen Few".

Dr DADOUR: I would like the member to sing me to death one day with that song. I am sure contributions would be made from some of the members over here.

Mr Brian Burke: Do you reckon they would be a chorus?

Dr DADOUR: Yes, and I think the hat would go around and it would end up being quite full.

A great weight has been lifted from me. I am pleased in one sense to have made this decision. The mumbler in front of me, the member for Murdoch, should speak up so that everybody can hear him.

Mr MacKinnon: I will have a turn to speak and I will say what I want to say then.

Dr DADOUR: The question one must ask oneself is this: Does tobacco advertising encourage children to begin smoking, and does it reinforce the habit? It has been proven beyond doubt that tobacco advertising does those things, especially when one considers cricket sponsorship. We must accept that salient point, and if we do, we realise that the rest of the arguments are merely tangential and are of no avail.

I sincerely believe this legislation should be passed unanimously. It would pass if we all cared. It should pass also through the other place; however, as a result of what we have seen in this place, it is patently obvious that the Bill is doomed in the other place. Members will have noted the charade of speakers on this measure. A terrible waste of time has occurred.

My colleagues have got rid of me one way or another. The Labor Party is that much richer for this action. I won my seat by 422 votes at the last election, but my counterpart in the upper House lost his seat by 100 votes. That difference is significant. My electorate is volatile—it can go either way.

It is a sad state of affairs that we have come to this point. A fair amount of disarray is evident on this side. We do not have the cohesion we had when last in Opposition, when our members knew about everything that was happening and was about to happen. Now we have a shadow Executive and a shadow Cabinet. The upper House people meet to decide what they will do; the shadow Cabinet meets to decide what it will do; and the rest of us meet in one. In Opposition we should be one big happy family; we should pool our resources and efforts towards making it harder for the members opposite to succeed. Yet the way things are now I think members opposite will be over there for a long time. The honeymoon is not over. I thought it was, but it is not. Members opposite enjoy good government, and I congratulate the Premier for maintaining that position.

I feel relieved by what has happened, but I am sad. I have lost rapport with a number of the people on this side, although I never did have much rapport with them. As members recall, the

boots were put in when I would not vote in support of the appointment of two extra Ministers. Two honorary Ministers were appointed on that occasion, and on other occasions I have voted against my party, such as when the Mining Act was amended. One might say I am as good as the member for South Perth in crossing the floor.

I regret that I have come to this position. I have no malice towards the Leader of the Opposition. He is doing a good job as far as he can with what he has to work with. There are some wonderful members on this side of the House—there are sincere people on this side. I include in that category the member for Vasse. Not once have I thought of him as anything else but sincere. However, there are some I cannot get along with, and refuse to get along with. I guess that is my stubbornness to some extent. Politicians and me do not seem to get along together. If I have my mind fixed on something, I want to do it straightaway. I want the tobacco Bill passed; I want to see WA lead Australia in a public health measure of this magnitude.

I wish the Minister for Health all the best when the Bill goes before the upper House. I am sure the result will be close in his favour, or the Bill will be defeated. This does grieve me no end because every argument that has been brought up has been spurious or off on a tangent. It has been a waste of time—I cannot understand why.

The clairvoyant members—the more seeing ones—such as the member for South Perth, the member for Merredin, the member for Moore, and others are supporting this legislation.

Mr Jamieson: Are they all clairvoyants?

Dr DADOUR: No, they can see and understand the impact of this legislation. They understand what it is trying to do and what I am trying to do; that is, to get this type of legislation through the Parliament.

I care for kids and I would like to take some members from this side of the House to the Sir Charles Gairdner Hospital to look through the respiratory wards.

Mr Watt interjected.

Dr DADOUR: I realise that, but they are being stubborn in relation to this matter and I cannot understand why.

Members wonder why I have suspicions. As a doctor, I see the evidence every day and I wonder why my colleagues are not doing what I am doing. Some members have had the audacity to say that doctors are lobbying them too much.

Mr MacKinnon: Who said that?

Several members interjected.

Dr DADOUR: Some members actually came to me and said that doctors had lobbied them too much. Doctors have rung me concerning the current legislation and have asked how they can help and I have said, "For God's sake leave it alone, do not push them too hard".

I thank you, Mr Speaker, for your indulgence and before I sit down, I must hand to the Leader of the Opposition my resignation.

Mr Pearce: A very dignified speech.

MR O'CONNOR (Mt. Lawley—Leader of the Opposition) [3.32 p.m.]: I indicate again my opposition to the Bill not for any reason except that I am concerned about its effects on the community and on civil liberties.

I have never been a supporter of smoking and I have never smoked. I believe that smoking does harm to individuals. However, when a commodity is permitted to be sold legally, our making it illegal to advertise it does not make a great deal of sense to me. I know there is some conflict as to whether, or how much, advertising does, in fact, increase smoking in the community.

One of the things we must try to do is to educate young people about smoking to make them aware of the problems that exist.

I am aware that Dr Dadour is sincere in his belief concerning this matter and I am equally sincere in my view, although it is opposite to his. I believe that each of us in this House must vote and work according to what we believe. On this side of the House, members have a free vote. There is no doubt about that, and I made it clear in the party room that, as far as this legislation is concerned, members have the right to vote as they choose. I believe this is correct in legislation such as this and that members should not be committed to vote along party lines. I assure members that members of the Opposition have a free vote and they can vote in whatever way they want in this legislation.

Mr Blaikie: Hear, hear! That should not be overlooked.

Mr O'CONNOR: The reasons I will vote against the legislation have already been expressed. I believe that this legislation is a starting point, or a tip of the iceberg. We have received many other requests to ban advertising of various commodities such as salt, sugar, alcohol, and cosmetics.

I make it clear again that I am voting against this Bill and that I do not in any way support the smoking of tobacco because I believe it does no one any good.

This legislation will put a lot of people in a very difficult position. I say that sincerely because, even at this stage, I am aware of the difficulties which will be faced by those people who have recently purchased neon signs. Such signs are usually purchased by small businessmen over a period of 10 years or so and, when this legislation becomes effective, they will be precluded from using them. Therefore, they will be left with a sign for which they will still be paying. The cost to small businessmen could be substantial and they should be given consideration in this regard.

I indicated earlier that the Opposition believes that too little of the money that will be received from the tobacco tax will be used in an endeavour to reduce tobacco smoking. For instance, the most recent figures that are available show clearly that about \$40 million will be received from the tobacco tax and yet only five per cent will be used to assist in reducing smoking in this State. I believe that a substantial amount of the tobacco tax should be used for education programmes in schools and in the homes. Antismoking kits are available for between \$4 and \$5 each and the Government should consider providing something of this sort in an effort to reduce smoking in this State.

I mention again that if a person who owns a pen that has "Dunhill" printed on it retains it after the legislation becomes effective, he could be convicted. This type of legislation is unworkable in a free country like Australia and a free State like Western Australia. There is no doubt in my mind that many innocent people can, and will be, convicted under this legislation.

I now refer to the comments made by Dr Dadour and indicate that I am sorry for what has happened over the last few days. Many members of our party were extremely concerned about and hurt by the inferences made through the Press that someone from this side of the House was in the hands of the receiver and that some opposition members were receiving trips overseas, jewellery, etc., in connection with opposition to this legislation.

Members were extremely concerned and asked me, as their leader, to contact Dr Dadour and I did that on Sunday. I advised him that a meeting would be held at 8.30 a.m. on Monday. He advised me that he would not be able to attend. I then made further arrangements to hold the meeting on Tuesday at 10.00 a.m. and again he was unable to attend. However, the party met and discussed the issue. Concern was expressed over the allegations made by Dr Dadour and it was decided to suspend him until such time as he could verify the allegations. The party advised him that

if the allegations could be substantiated, it would take action against the individuals who had been involved. It was decided that I, my deputy leader, and our leader in the upper House, Mr Medcalf, would meet with Dr Dadour. Dr Dadour refused to meet with the committee of three, but agreed to talk to me about the matter and he made it clear that, as far as any allegations were concerned, he had no proof and neither did he want to lay any blame on an individual from the parliamentary party for taking anything. In fact, he indicated to me that he had been misquoted in the Press and he intended to write to the Press Council in that regard.

Dr Dadour indicated to me last night that he would clarify this matter in the House and by so doing clarify for the media that he had no positive proof against anyone, although he suspected anyone who voted against the Bill because he believed members should vote for the legislation. I have no qualms at all about Dr Dadour's sincerity in connection with this legislation. He is a dedicated man in this area and he believes that smoking and the advertising of tobacco products are harmful, and that he should do something about it. However, that is no justification for his making allegations against individuals or implications which can be equally harmful. I do not want to take such action against Dr Dadour, but a number of members on this side of the House have been hurt. The comments made by Dr Dadour have been directed only against members on this side of the House because the Labor Party has decided in bulk to vote for the legislation. Therefore, the only people who could be held in conflict were those on this side of the House and the previous member for Mundaring. If I were asked whether I thought the comments made were responsible for the fact that the previous member for Mundaring lost the by-election, I would say, "I don't believe that is so". However, I do believe that it could have had some effect because the margin was so small in that district.

It is a pity that a person with no evidence, or who cannot produce evidence of allegations or implications, can be in a position to hurt other people. I believe that we have tried to be fair in every way and have given Dr Dadour the opportunity to return to this party and justify his allegations. If those allegations had been true, we would have taken some action against any individual involved.

With reference to advertising in connection with this legislation, the lobbying of tobacco companies has been minor compared with that conducted by the Government and other lobby groups in favour of the legislation. I do not deny

grate the Government's efforts for the advertising, but I believe much of its advertising was used as a build-up to the Mundaring by-election in an effort to help its candidate. In the last three weeks, \$257 000 was used for advertising and that fact indicates that a big build-up was effected at the time of the by-election in an effort to advantage the Labor Party's candidate. Lobby groups opposed to this Bill have been scrupulous in comparison. The unscrupulous groups have been those involved with the Government which has gone ahead and used children in its advertisements, children who, in some cases, did not know the reason for the advertisement and whose parents were not aware of the situation. I have received complaints from parents on a number of occasions indicating their concern at the way their children were used by the Government. If the groups who are opposed to this legislation had used similar literature, I am sure a great fuss would have been made about it.

Recently in media circulating in the metropolitan area advertisements have been placed linking a Liberal Legislative Council member with a Labor Legislative Council member in the same district and asking people to ring these members. I believe this is scurrilous advertising and is an attempt to intimidate members of Parliament to vote in the way a particular group wants them to vote. I will not be intimidated by such tactics. I shall vote against the legislation for the reasons I have indicated, not because I believe smoking is good; I do not, I believe it is harmful. However, I believe we must tackle this problem by educational programmes both at home and at school to encourage young people not to smoke. More activity in this area will be better for the campaign.

To ban the advertising of one commodity is the beginning of a move to flow through to other areas. Some people may not believe that will be the case, but in five years it will be so. A trend has been started and it will continue. Where certain people are opposed to a particular commodity, they will press and press to make sure that the commodity is banned in the future.

I do not agree with the tobacco companies as far as this issue is concerned, but I believe civil liberties in this country are worth something to us. The Minister talks about 1 200 deaths a year caused by tobacco products and I do not deny that the number of deaths is substantial. However, I also do not deny that if this legislation is passed, 1 150 people will still die annually because of smoking. The banning of advertising will have little effect on the reduction of smoking in this State. I have been provided with many docu-

ments, some indicating that tobacco advertising has a detrimental effect and some stating it has no such effect. I am not positive in this regard, but I can be positive in saying that tobacco smoking does no-one any good. The legislation before the House is the first move towards a trend that this Parliament and State will come to regret.

I oppose the Bill.

**MR LAURANCE (Gascoyne)** [3.47 p.m.]: I am opposed to the Bill. However, I do support action being taken against smoking. I believe education programmes should be instituted. The Government should demonstrate its sincerity by spending on an antismoking campaign the additional funds raised from increased excise. It would take this action if it were sincere and if it wished to maintain a credible stand on this issue. If the Government takes any other stand, I believe its sincerity will have a very hollow ring about it—not a smoke ring, either. The Government has increased its revenue by \$25 to \$40 million a year, but is proposing to spend only \$2 million of that on additional educational measures. It does not ring true that the Government has the best interests of young people at heart if it is prepared to go through the necessary steps to pass this legislation and yet is prepared to put only an additional \$2 million into the antismoking campaign. I did not agree with the measure taken to increase the excise raising powers from tobacco products when it came before Parliament some weeks ago, but, nevertheless, if the Government is prepared to take that measure, it could redirect the funds from Consolidated Revenue into an antismoking campaign.

I feel very strongly for people like pensioners who will pay extra for cigarettes. They have had a long life, and they have been used to cigarette smoking. It is very rough to ask these people, in the last years of their lives, to pay an additional burden for one of their few pleasures to give the Government extra revenue, when at the same time, the Government does not use that revenue to help stop smoking.

**Mr Bertram:** Which Government introduced a licensing tax on cigarettes initially?

**Mr LAURANCE:** I do not know whether it has anything to do with the argument I am putting forward. Let us see how credible the Government is on this matter when we look at the figures in 12 months' time and find how much additional revenue has been raised from tobacco excise, and how much of that has been spent on education. That will be the day of reckoning. For those reasons, I will not be supporting the third reading of this Bill.

I want to conclude by referring to the emotionalism surrounding this debate. I reject the argument that the only people who hold firm views on this issue are those who support the Bill. It is a ridiculous opinion, and it is unfair to those who have examined their consciences and all the information put before them and who have decided to vote in a certain way. Two people in particular have been at fault more than anyone else. The first is the Premier, who made intemperate—I would even go so far as to say irrational—remarks. The other was the member for Subiaco. I believe those members hold very sincere beliefs on this subject. I believe the member for Subiaco holds very sincere views, but because other people do not agree with him, he says they cannot be sincere. I reject that argument. He is entitled to his views, but he must accept that others are entitled to theirs. It was wrong of the Premier and unfair of him to criticise other people for having views which do not correspond with his, and therefore, to label them in some way as being insincere. People who vote against this Bill have every right to vote the way they do and to support their beliefs by voting in that particular way in this Chamber. Those are the views I hold, and I hold them very strongly indeed.

I would like to follow on from the point made by the Leader of the Opposition that there has been unfair coercion and pressure in this debate. The allegation first came from supporters of the measure. Those allegations, made specifically and unfairly by the member for Subiaco, were that unfair coercion and pressure came from the tobacco lobby. I pointed out previously, and I want to say it again, that that is certainly not the case with me. Everything the lobby did was above board and appropriate in the circumstances. Its representatives sent mail to me, they provided me with information, and on one occasion a representative sought an interview which I granted. No improper suggestions were made. Never at any time did any of the people representing the tobacco lobby indicate to me that they were prepared to coerce me in any way. I have to congratulate them on the professional and ethical manner in which they went about presenting their views.

The medical profession did exactly the same thing. All the letters I received from the medical profession were highly ethical, as one might expect from that profession. There was no unfair pressure or coercion. Any pressure or coercion there was came from the Premier, from the member for Subiaco, and from influences outside, particularly the Anglican Church. I regret having had to raise that last matter, but it was unfair

pressure on members of Parliament by a person pushing a single-issue barrow, and I believe it was unfair.

Let me return to the reason for my speaking in this debate. When I spoke in the second reading debate, I said the Government's advertising represented unfair coercion and pressure to induce members of Parliament to vote in a particular way for that Bill. That is against the Standing Orders of this Parliament, and it was totally unjust and unfair of the Premier to introduce those tactics. He employed taxpayers' funds to do it. I was incensed by the full-page advertisements, paid for by the taxpayer, indicating that if I did not support this Bill, I did not care for kids, and that I would rather see them playing out on the freeway. That was most unfair and unjust.

I did not know that those advertisements were not authorised and that people were used to create an emotional atmosphere and to put pressure on members of Parliament like me. I feel even more incensed now than I did during the second reading debate when I was not aware of this. I did not realise that the advertisement was unauthorised, and that they upset the parents. The children, of course, did not have any way of knowing the purposes for which this advertising would be used, and the parents were not asked for their support or approval.

I take the point made previously by the Leader of the Opposition: What would we have heard from the Government if that sort of unfair, below-the-belt tactic had been used by the tobacco lobby? We would never have heard the end of it from Dr Dadour and Government members. They would have abused the tobacco lobby up hill and down dale if it had used unfair tactics like that. I believe the tobacco lobby was scrupulously fair and the Government was totally unfair. It was a political, emotive campaign, timed very nicely to fit in with the Mundaring by-election. Just how callous can that be? It was a callous disregard for the wishes of members of Parliament, for the wishes of the parents of those small children, for the children themselves, and for the taxpayers of this State to use their funds in that particular way.

I want to dissociate myself from the use of those funds in this very emotive campaign which we have seen. They are deplorable tactics. Every member of Parliament has the right to make up his own mind on these issues.

It may have been discussed in our party room that certain people were going to take various stands. That does not in any way detract from the fact that it was a free vote. I am very proud to

think that Dr Dadour did the right thing in handing in his resignation. It was the only honourable course for him to take. I said that before he resigned, and now he has taken the action, I think it was most appropriate for him to do that. He has every right to criticise his colleagues. He cannot be a member of the club and throw mud at the same time. It would be decent of him to apologise to the former member for Mundaring, who is not a colleague of his. The former member is no longer with us and has no way of answering the allegations made previously. In *Hansard* his remarks look harmless, but they are not harmless. There were innuendos—he mentioned such things as trips, jewellery, and campaign funds. He referred to the former member for Mundaring, saying that he was in the hands of the receiver, indicating that he received funds from the tobacco lobby; he went on to say that he must have been. He was quite inaccurate in that. I would like to dissociate myself from those remarks. I say this on my behalf and on that of my colleagues, and the former member for Mundaring. As I say, I believe the member for Subiaco took the only honourable course in withdrawing from the Liberal Party.

It would not have been possible for a person such as Dr Dadour to exist five seconds in the Labor Party.

Mr MacKinnon: Hear, hear!

Mr LAURANCE: Members opposite have been crowing about the public blood-letting in the Liberal Party in the last couple of days. I am proud to belong to a party in which that can happen. I do not enjoy the blood-letting; it is not a pleasurable experience. In the time that I have been here, I have seen one or two members of the Australian Labor Party who did not like what was going on, but they were dumped out of the party quickly.

On a number of issues, Dr Dadour—and he referred to them himself this afternoon—has differed from his colleagues. He has been allowed to do that, mainly because he stuck to the issue. He disagreed with his colleagues, but he did not denigrate them. That was the difference on this occasion. He denigrated, slandered, and slurred his colleagues. That is why the only proper course was for him to resign, but not because he held different views. He has held views different from mine; and, as I said, I am proud to belong to a party that can have that sort of difference of opinion within its ranks, because it could never have happened within the Labor Party. Members of the ALP sign the pledge, and for ever and a day that is the way they have to vote. I do not have to do that. I did not sign a pledge; and I can make

up my mind on issues when I come to the Parliament.

Before the completion of the second reading debate, I did not know how many members on this side of the House would vote for or against the measure. I say that quite honestly.

Mr Cowan: You still do not know, because a count was not taken.

Mr LAURANCE: I do not know to this day what will be the fate of this Bill in the upper House. I do not know what my colleagues in that place will do when the Bill goes before them.

Government members interjected.

Mr LAURANCE: I have been totally frank and honest there. I have not taken the trouble to go back to Dr Dadour's Bill of last year—

The SPEAKER: Order! Under the Standing Orders, it is more appropriate to address a member by the name of his electorate—in this case, the member for Subiaco.

Mr LAURANCE: Thank you for that direction, Mr Speaker.

The point I was making was that I have not taken the trouble to go back and refer to—I am sorry, Mr Speaker; I am not sure how I offended against the Standing Orders. The previous Bill has been referred to as the "Dadour Bill". Obviously that is what I was referring to. I was not trying to disregard the Standing Orders by referring to him by name. I was referring to the Bill he introduced last year.

I have not checked to find which members of the upper House voted against the Bill on that occasion. I am not even sure whether some members who supported it the last time are still there. The member for Subiaco indicated today that eight people who voted against his Bill in this House last time are no longer here.

Mr Bertram: Is that members of the upper House?

Mr Cowan: He said eight members of the Parliament, not eight members of this House.

Mr LAURANCE: Obviously some of them were in the upper House. I have not taken the trouble to examine how members of the upper House voted at that time. I do not care. I do not know how they will vote when this Bill is put to them. That is as it should be. I am proud to belong to a party in which there is an opportunity for members to make up their minds on these matters, instead of their being bound by the party line.

It is disappointing that the debate on this issue has slumped to a purely emotional level. We have

seen vicious attacks—that is the appropriate word because they have been vicious attacks—on anybody who, for his own reasons, has decided that he will not support this Bill. That is quite unfair. I do not think I have seen the level of debate degenerate to that extent previously in the time I have been in the Parliament.

I respect the views of members. I respect the fact that the Premier smokes, and that is his entitlement and right.

Mr Bertram: What has that got to do with it?

Mr LAURANCE: He has allowed the Government to waste the taxpayers' funds by trying to put undue pressure on me, a non-smoker, to support the Government's Bill. That is quite unfair, and is a deplorable tactic. I respect the Premier's views on the tobacco issue and on other issues; and I respect the views of the member for Subiaco. However, as a member of Parliament, I ask them to equally respect my views. I deserve that, but we have not experienced it in this debate. I ask the Premier to lift his game. He should apologise and lift his game to the level one would expect of a Premier.

The member for Subiaco has made his peace with his party and with the Parliament by doing the honourable thing. So far we have not heard the Premier lift his game to that extent.

I oppose the third reading.

MR MacKINNON (Murdoch) [4.06 p.m.]: I will refer briefly to the comments of the member for Subiaco. He said that all members of this House should care for children. Does the Government care for children? We have heard the member for Nedlands explaining to the Parliament the terrible misuse of children in Government advertisements in support of its political campaign.

Mr Hodge: Don't talk rubbish!

Mr MacKINNON: The advertisements have nothing to do with the Government's trying to stop children from smoking, or educating children not to smoke. They have everything to do with the politicisation of this matter. Therefore, I address questions to the Minister for Health and the Premier. Do they support the use of children in advertisements on behalf of the Government, without the permission of their parents?

Mr Hodge: I am delighted with the advertisements. They are highly successful.

Mr MacKINNON: Does the Minister support them?

Mr Laurance: No answer. He stands condemned.

Mr MacKINNON: The Minister does stand condemned. What will this Government stoop to

next? What will we see in the next campaign? Which children will the Minister for Health dredge up next time he brings a matter before the Parliament, to try to stir up emotion in the public in support of his campaign? He does not have the gumption to rely on fact, arguments, and substance; he has to try to dredge up emotion. We on this side of the House condemn him, as the responsible Minister, for his actions in this regard. He has made no apology; and he stands condemned in the public eye accordingly.

No member of this side of the House doubts the Minister's sincerity in his pursuit of this matter. However, he has seriously damaged his campaign in the public eye because of the misuse of children in support of that campaign. He has used a cheap political trick which has shown him to be the cheap politician that he is.

Dr Dadour referred to members' caring for children. I care for children, and that is why I condemn the Government for committing at least \$250 000 at this stage, and probably up to \$500 000 in due course, on an advertising campaign in support of its political aims. I emphasise that it has nothing to do with the health of children, but with the Government's political aims. Many children in my electorate are disadvantaged because the Government cannot come up with the funds to assist them. During the Address-in-Reply debate, I referred to the needs of a number of schools in my electorate; and all the Minister for Education can do for them is to put on a couple of buses to transport them 10 kilometres in my electorate—a suburban, metropolitan electorate—to school. I ask the member for Melville—the Minister for Health, in whose electorate is the school to which the children will be bussed—whether he would support the children at the Melville High School being bussed to the proposed Leeming high school if it were built, and the closure of the Melville High School. Would he support that?

Deafening silence once again from this mighty Minister! He does not care for the kids in my electorate. He does not care for the kids anywhere. All he is interested in is his own political ambitions.

It will be extremely interesting to see the Treasurer standing up tomorrow and saying, "I have had the most difficult time ever in framing this Budget". What a load of codswallop that will be! Here we see the Minister spending, with reckless and gay abandon, large sums of money on three pages each morning in *The West Australian*, on three pages each afternoon in the *Daily News*, and on television advertisements at night. The public of Western Australia will not abide his



cries at any price when they see such wasteful extravagance.

The great tragedy of this legislation is that if it is to have any impact—and it will be only marginal, in my view—it will be offset completely by the reduction from 18 to 16 years as the age at which children are allowed to buy cigarettes. I have canvassed that argument before. I promise the Minister that when we are returned to Government, I for one will urge my party to reverse his detrimental decision.

I will make very brief comments in relation to the member for Subiaco. Basically, I endorse the comments made by my colleague, the member for Gascoyne. If the member for Subiaco has any honour, he will apologise publicly to the member for Mundaring.

Mr Wilson: Which member for Mundaring?

Mr MacKINNON: The former member for Mundaring. Alternatively, if he has any honour, he will repeat his comments outside these four walls. If not, he stands completely condemned by his own actions.

Government members interjected.

**MR SPRIGGS** (Darling Range) [4.12 p.m.]: I wish to make a few comments on the third reading of this so-called tobacco Bill. I support totally any genuine effort to discourage children from taking up smoking; but I am appalled at the methods by which this Government has seen fit to attack anyone who holds an alternative view in regard to advertising.

The advertising has been offensive to say the least. It is offensive in the sense that it clearly indicates that the Government believes, and has tried to tell the people of Western Australia, that anybody who opposes the legislation is prepared to carry kids out onto the roads and have them killed. I resent deeply that type of advertising. I resent the fact that the Government, which should be responsible, is prepared to use that type of advertising that could be only at the bottom of the barrel.

As the member for Nedlands has said, the Government did not even have the decency to allow the parents of the children used in this illicit advertising to know that they were being used. The Government flagrantly used these people and completely disregarded their civil rights, and this is a Government so wont to talk about civil rights. It did this in an effort to undermine a community and to tell that community that because I am opposed to the banning of cigarette advertising—a lawful product—I am prepared to be a murderer. The Government's actions have been despicable. The Government is deserving of no credit even

though, as I have said, I support any genuine effort to stop or at least decrease the incidence of smoking by children.

Clause 9 of this Bill moved one member to refer to Adolf Hitler, but I believe Hitler would have blushed with shame if one of his Ministers had come up with a clause such as clause 9. The Minister amended the clause by taking out one or two words and replacing them with other words, but this had little impact.

Let us face it, no-one in this Chamber, male or female, as a youth did not do something that was slightly irresponsible. Under this clause, a youth under the age of 16 years who decides to go to a vending machine and obtain a packet of cigarettes will be liable to a fine of \$100.

Mr Bertram: Are you sure clause 9 has been amended?

Mr SPRIGGS: Yes. If that youth happens to give five of those cigarettes to his mate, he will be liable to another \$200 fine for each cigarette. This Minister has said that not all the clauses of the Bill will be implemented, but he is so paranoid about smoking and noise that he would do anything at any time to implement all the legislation.

Mr Bertram: Is he annoyed or paranoid?

Mr SPRIGGS: He is paranoid about smoking and about noise. The next Bill he will introduce will be to control noise and it will probably be 10 times worse than this one. The Bill is so diabolical in its intent that its provisions will never be able to be policed, so it makes a mockery of the Parliament. The Minister, the Premier, the Cabinet, and all members opposite, know that the measure will never be implemented in full, so it does make a mockery of this House for the Government to bring in such legislation. The Minister has said that 40 000 kids engage in smoking, and certainly he knows of 20 000 who do. Every possibility exists that if this measure were ever implemented, 10 000 of those youths would be in gaol next year.

I intend to vote against the Bill, not because I believe that smoking is of any value, but because this Government is prepared to take away the civil rights of everyone in the community and because I know we can look forward to more and more of this restrictive sort of legislation.

**MR TRETHOWAN** (East Melville) [4.20 p.m.]: Both in the second reading debate and in the Committee stage I outlined my strong opposition, first of all, to the reduction of the age at which children can purchase tobacco products, a reduction from 18 to 16 years, and, secondly, to the ban being imposed on the advertising of tobacco products. I find it ironic that a Government which appears to have such a publicly stated

ethical position on the advertising of tobacco products can adopt such an unethical position with its own advertising.

I quote now from an article headed "Ads irk parents" in this evening's *Daily News*—

The advertisement involving Mr Court's son was filmed by the Government's Health Education Unit on the WAIT campus.

The company which is in charge of the government's anti-smoking campaign, Odgers Advertising defended the advertisement.

Managing director, Mr Don Odgers, said an advertisement involving a simulated "class photograph" had been taken in the presence of the school's headmaster.

"I believe the headmaster is the legal guardian and as such can give permission on behalf of parents," he said.

"The advertisement involving those children was arranged by the Health Education Unit at short notice and it would have been impossible to get the permission of every parent."

That is an enormously casual attitude to be adopted by a so-called professional agency. It is my understanding that accredited advertising agencies approach the matter of the authorisation for the use of talent in a most meticulous fashion, the reason being that they can make themselves subject to litigation if they do not do so. If they infringe the guidelines, they might even lose their accreditation.

I wonder at the very casualness of the managing director of the Government's advertising agency in the statement he made to the Press. I cannot believe that anyone would truly believe that a headmaster can give the detailed permission for each child required by an advertising agency in normal commercial practice. I wonder whether the casualness is due to the fact that the Government is the client and the belief exists that because of that and because one of the Government's departments is involved in the organising of the campaign, the agency does not have to follow normal commercial practice and does not have to stick to the guidelines laid down. Those guidelines are there to protect the rights of the individual—the rights of children—in our community. It may well be that because the agency is acting on behalf of the State Government, it believes those rights will disappear and the need to observe those rights will not exist. Perhaps this is an indication of where this State is heading under this Government.

I wonder at the propriety of the involvement of the Government's health education unit in the making of these television commercials. If it had been for the making of educational information about smoking for use in schools under the Government's health education programme, I would have no query provided it was ethical and factual in the presentation of the argument. That is the job of the department; but this is political advertising; this is not health education. This is the Government's trying to win political points and trying to get part of its legislation through the Parliament. It is using a Government department to do this.

This smacks very strongly of a department for propaganda, because that may well be where this looseness of attitude is leading, this looseness with the rights of individuals, especially of children, in our community. It was said in relation to the health education unit that the advertising involving those children was arranged at very short notice and this made it impossible to get the permission of every parent. If that is so, the advertisements should not have been made.

The Government should not ride roughshod over the rights of individuals in our community; it should not be allowed to do this. The Government stands condemned for the way in which it has handled the advertising programme in support of this Bill. This may be a very ominous sign for the future in the way of propaganda in this State. It is likely that this Government will use the resources of the taxpayers to produce its own political effects.

I condemn that action and I oppose the legislation.

**MR CRANE (Moore)** [4.26 p.m.]: My points will be very few, quite pertinent, and I hope to the point. Having listened to the third reading contributions, I believe we have completely forgotten what we are talking about. I understand this legislation is designed to ban tobacco advertising for the express purpose of protecting our youth. We have completely lost our way, and this concerns me greatly. I say to the entire Parliament that we have lost our way.

Over the last few years, we have seen a great fall in the morals of our nation's children, and we have blithely gone along and allowed this to happen. Here we have an opportunity to arrest this slide before we reach the point of no return; here we have the opportunity to look after the health of our youth, but I find we are instead talking about other matters. We should come back on course, because we have drifted many degrees off course. We have lost our way as a Parliament, and as a

responsible group of people in this State of Western Australia. Not only have we lost our way, but also it is quite evident by the debate this afternoon that we have lost the map itself, and this worries me more than anything else.

Members will recall that many years ago as children we were brought up very firmly. I remember my dear old mother, whom I lost about six years ago, many times saying to me before she strapped me, "This is going to hurt me more than it will hurt you". I do not know whether it did, but, by hell, it hurt me. Nevertheless she made her point.

We are neglecting our responsibilities. Only this morning my wife referred to the shocking language heard in front of our unit in Tranby, language from kids who were using words of which they might not have known the meaning.

Mr Gordon Hill: I heard you swear in the Parliament last week.

Mr CRANE: I did not use these sorts of words. We have allowed the situation to happen. We continue to allow the degradation of our youth; we continue to neglect the health of our youth, the point in question. The point is not one of philosophy or ideology, but one of the health of our nation.

Members have spoken about our great freedoms in this country, but these freedoms are on a collision course with our ideologies, and our ideologies should include concern for the health of the nation.

I commend the Government for taking up the cudgels after the member for Subiaco took them up last year. We let him down. We could have introduced legislation in the terms we wanted and with the clauses we wanted, but we failed to do so. Not only did we fail ourselves, but also we failed our Government of the day and the State of Western Australia.

All we should be concerning ourselves with is the health of the nation, not with the Government's blatant advertising, although I agree it has been blatant; but it has been done because the Government has seen it as the only way left open to it to counterattack the blatant advertising from the other side. When two gladiators meet in the field, there is an awful clash of weapons. That is what we have experienced, and it has been quite awful. Let us get back on course and remember the salient point that the member for Subiaco raised it in his address today.

### *Leave to Continue Speech*

I seek leave to continue my remarks at a later stage of the sitting.

Leave granted.

Debate thus adjourned.

*(Continued on page 3004.)*

### **ROAD**

#### *Rochdale Road: Grievance*

**MR MENSAROS** (Floreat) [4.31 p.m.]: The two subjects I want to raise during the first grievance debate in this Parliament concern the Minister for Planning and consequently I would appreciate it if he could lend his ear in the Chamber to my speech.

Mr Brian Burke: Excuse me, if you could take it a little slowly, we will try to find him and bring him in. I am sorry.

**MR MENSAROS**: The first subject is the plight of the people in Rochdale Road, Mt. Claremont. These people did not have the "blessing" or otherwise of emotional and constant attention in newspaper articles and all the rest of it as did people involved in the Servetus Street issue, but their plight was equally as bad, if not worse, because during the 15 or 16 years the problem has existed, it has become much more than an inconvenience and it developed into a situation where one could not hear his associate or friend on the front lawn of any house in Rochdale Road. Oddly enough, one could virtually cross the road only in peak traffic. That seems to be a contradiction, but that is the only time vehicles stop. People today expressed the view that people on the opposite side of the road were not their neighbours any more because they could not communicate with them. A resident could not drive out of his driveway unless he undertook an intricate plot with his friends involving them first in coming up with a car from a side street then leaving their car stationary in front of the person's driveway so that the traffic would be blocked and the resident would be in a position to drive out and then proceed to his destination. These people have tolerated this situation with great patience. For 15 years they have tolerated inquiry after inquiry. I do not think any subject could have been inquired into more than was this subject. Government departments of various descriptions and private companies commissioned by the Government of the day inquired into this matter and the residents waited patiently without any great commotion until they were quite happy when the previous Government made the decision in regard to Servetus Street, a decision which would involve

the whole north-south traffic situation. This solution would not have given them relief for some years: they realised this, but at least something had been decided and they could look forward with certainty to the future.

Unfortunately, that was not to be the case and the present Government immediately announced the cancellation of these plans. Then the residents really got restless. They still suggested a solution, which would not have hurt anyone else, of using a bypass road instead of utilising this dog-leg which all the traffic uses going from south to north, or in the reverse direction.

I asked a question of the Minister in this regard and in his comments and correspondence he indicated that he could not oblige because, firstly, the Nedlands City Council did not support it, and, secondly, he had a knight-type attitude of honouring the previous Government's promises to the golf course and the golf course would be hurt, and, thirdly, the Servetus Street situation would be aggravated by more traffic.

The first two reasons cancel themselves out because since then—the Minister knows this—the Nedlands City Council has supported this action. The Minister knows that the golf course has no objection to the bypass road; in any case, the physical work would not be commenced for a year or two, and such a period would give them plenty of opportunity to do what they have to do. Regarding the alleged increase of traffic in Servetus Street, although the Minister is adamant that the problem still exists, I am quite sure that there is no proof of it. I know there is no proof. I cannot understand why Servetus Street would be more utilised just because, in the journey towards the north, northbound motorists have an easier road.

I ask the Minister: How long will this inquiry last, what are the terms of reference of the inquiry, and who is going to do it who did not do an inquiry before? In some capacity most of the knowledgeable people surely would have been involved in at least one inquiry during the last 15 years. I emphasise that the residents were patient; they did the right thing even when they held the demonstration which finally got them a little bit of publicity. It was 100 per cent legal. There was a "No Parking" sign on two sides of the road. They were entitled to park and that slowed down traffic.

The other subject I want to discuss concerns the northern part of my electorate. It appears to be a small question, but it is important for the people I represent, and we should give to it the same importance we place on other issues. I mention an empty block; that is, lot 111 Valencia Avenue, Wembley Downs. The people in this vicinity have

petitioned the local government that they do not want the area used for business and they do not want a shopping centre because they are perfectly happy with the present facilities in the neighbourhood. The owner of the block, the State Housing Commission, agrees with them, as does the local authority. I ask the Minister what he is going to do about this matter. I think the Minister's reaction in answer to my question was a little bit childish because instead of giving his answer, the Minister stated that—

Many representations have been made to me on this question. This is the first interest shown, of which I am aware, by the member for Floreat.

I ask whether that is necessary. That was a very childish attitude for a Minister of the Crown to take, but that does not particularly interest me. I am interested in his reply which states—

I am in the process of resolving the matter in the terms of my decision in the context of the City of Stirling Town Planning Scheme No. 2.

I asked the town clerk what that meant and he said it meant that the Minister would rezone it residential. At the same time, an article appeared in the Western Suburbs section of *The West Australian* on 28 September. The reporter had apparently made representations to the Minister's office. The article reads as follows—

A spokesman for the Minister for Town Planning, Mr Parker, said that no decision on the rezoning had yet been made.

The decision related to the review of Stirling's town planning scheme No. 2.

There was no indication when the review would be completed.

I ask the Minister on behalf of my constituents whether, instead of indulging in such "funny" statements in his reply, he might perhaps be straightforward and indicate whether he will resolve this problem. Nobody wants the shopping facility the Government says should be provided.

**MR PARKER** (Fremantle—Minister for Planning) [4.41 p.m.]: The member for Floreat has raised two issues in his grievance which come into my planning responsibilities. One is the Rochdale Road issue and the north-south freeway and its effect on it and one's effect on the other, and the other is the question of lot 111 Valencia Avenue, Wembley Downs. Actually, I think it is in Churchlands.

Firstly, regarding the question of Rochdale Road, as the member stated, he has asked questions of me in this regard. He has also written to me about it. Certainly representatives of the

residents of Rochdale Road have written to me about this matter and there has also been a considerable amount of Press comment on it.

Only yesterday I met at their request a deputation from the residents concerned to discuss the issue. Mr Sweet was one of the people who came with three other representatives of the Rochdale Road residents. I am afraid I cannot recall the other residents' names, but Mr Sweet has written to me and has put requests in the newspaper.

I spent half an hour with them yesterday discussing the issues. I told them precisely the situation since we came to Government. The situation is quite clear-cut and there is really not a great deal of argument about it. As the member for Floreat said, the question of the north-south freeway has been a vexed one for a long period. The then Opposition, now the Government, prior to the last election, gave an undertaking that if it were elected to Government, it would institute an inquiry by way of a task force which, in part, would consist of local community representatives to review the so-called Servetus Street option which had been adopted by the MRPA; and ultimately the Parliament would review this and work out whether there was a need for the freeway or parkway and, if there was, whether that was the proper location for it. In that context, of course, we have the situation presently facing Rochdale Road residents.

I concede and acknowledge, as I did to the deputation yesterday, that they have had to face a considerable increase in traffic flow, although it is a bit unfair to compare the traffic flow with that of 30 years ago, as one member of the deputation said. No doubt, there is now a much greater traffic flow than at that time and by current community standards there is a very great traffic flow through Rochdale Road. Rochdale Road residents spoke to me quite openly and said they did not really care about Servetus Street or the freeway. They cared about their houses in Rochdale Road. That is an understandable attitude. As I pointed out to them yesterday, we as the Government have to care not only about Rochdale Road, but also about the whole issue of freeway or parkway areas, where they should be, and about the effects they would have on Servetus Street or on any other street.

The proposal of the Rochdale Road residents is to direct the flow through from West Coast Highway by way of a bypass west of the Cottesloe Golf Course coming through slightly east of Campbell Barracks to the northern portion of Servetus Street.

My advice is—and although there was some suggestion that the Nedlands City Council did not

agree, I noticed recently that the Mayor of Nedlands was reported in the Press as saying exactly the same thing—that there is no doubt the introduction of the bypass would substantially increase traffic flow through Servetus Street. The advice based on road transport planning information and consultations with the MRD is that not only would traffic flow be substantially increased, but also it would be so great as to require roadworks in Servetus Street within the original road reserve, not in the freeway reserve. It would require channelisation at the intersection of Servetus Street and Curtin Avenue, as well as traffic lights at the intersection, and work would be required on some parts of Davies Road in Mt. Claremont.

That is the advice I have been given and I understand it is the view of the Nedlands City Council, although it is true the council has now come out in support of the existing location of the north-south freeway, and of the construction of a bypass for Rochdale Road to take account of the problems there.

Although the previous Government put the reservation for the north-south freeway in the metropolitan region scheme, like most reservations, it did not imply an immediate commitment to commence construction of all or part of it. There are many reservations for roads in the metropolitan region scheme which are long term, which have been there for 20 years, and which are likely to be there for another 20 years. They are not likely to be used in the near future, and while I recognise that it upsets people, it is responsible planning and it is the purpose of our having a metropolitan region scheme and forward planning.

In this particular case, the reservation had been put there and it allowed people to know where they stood. It allowed the Metropolitan Region Planning Authority to purchase houses in the circumstances prescribed under the Act, and to provide for compensation in similar circumstances. A great number of houses have been purchased and compensation has been paid in some circumstances, not in relation to Servetus Street, but in relation to an area to the north of the area I am referring to now.

When those amendments to the scheme were initiated by the then Government last year, we said we would review that decision. There was no commitment on the part of the previous Government to construct a Rochdale Road bypass in either the short or long term. It gave an undertaking to the Cottesloe Golf Club that the Government would give two summers' notice before constructing such a bypass so that the club could realign the greens and carry out other activities

which would arise from the intrusion of the bypass into the golf course.

We have said there was no proposal by the previous Government to build a bypass. The fact that we are proposing to review the north-south free-way option—and I understand the concern it provides, and the uncertainty—carries out an election undertaking we gave, and it will not result in any further delay to the construction of the Rochdale Road bypass. I made that clear to the people who came to see me yesterday.

I turn now to the issue of lot 111 Valencia Avenue, Churchlands. As the member for Floreat said, the State Housing Commission, the local residents, and the Stirling City Council have for some considerable period been pressing this matter. It is not a question of a rezoning of the area for business; it is currently zoned for commercial development. The Housing Commission wants to rezone the whole of the land as residential. The question is not whether it should be rezoned for business, but whether it should all be zoned for residential, or whether a small part should be retained as business.

The Town Planning Board's advice to my predecessor (Mrs Craig) and to me was that provision ought to be made in the Stirling town planning scheme for a neighbourhood shopping centre, not in the sense of a major Target store, but what is often described as a "super deli". It was always envisaged that such a centre would be there, and the board's view is that it should be maintained. Mrs Craig, in response to identical representations from Stirling City Council determined against those representations and decided not to give preliminary approval for rezoning to residential unless a small section was excised for that purpose. That matter went back to Stirling City Council, and when I became Minister the council approached me and asked me to reconsider the matter in relation to that amendment to town planning scheme No. 1.

The board provided me with identical advice and I indicated to Stirling City Council that I was not prepared to vary my predecessor's decision in relation to that amendment to the town planning scheme No. 1. Subsequently, I had a meeting with Stirling City Council about a number of issues and this one was raised again. It has been raised also by other members of Parliament and residents in the area by way of letters and other forms of representation. I indicated that while I had determined the matter in relation to the amendment to town planning scheme No. 1, I would look at the matter anew as soon as town planning scheme No. 2 came before me for final approval.

An application was made under town planning scheme No. 2 for the whole area to be rezoned as residential. Scheme No. 2 has a whole range of submissions in it—hundreds of them—and I have been through the process of determining them. I have been able to give final approval to scheme No. 2—or it is in the course of final approval. One aspect to which I have agreed following representations is that the whole of lot 111 Valencia Avenue will be rezoned residential.

## EDEN: HOSTELS

### *Hardie House: Grievance*

**MR BRIDGE** (Kimberley) [4.50 p.m.]: I direct my grievance to the Minister for Education in connection with a matter that is outside the boundaries of my electorate in the sense that it relates to South Hedland and the hostel known as Hardie House. In recent weeks, the member for Pilbara and I have been approached by a number of people expressing considerable concern about the future of the hostel. I understand from information made available to me that since 1982 Goldsworthy Mining Ltd. has been responsible for the operation of the hostel and until recently, has borne the total operating cost. The company has now taken a decision that it is not prepared to continue to carry the cost of running the hostel, and this has placed the hostel's future in jeopardy.

I have raised the matter with the Minister for Education and my colleague, the member for Pilbara, has done so as well. I seek an indication from the Minister today as to what steps, if any, have been taken by the department to resolve this situation. A number of parents will be affected directly. Students currently residing at the hostel come from towns such as Shay Gap, Telfer, Pannawonica, Goldsworthy, and a number of communities located in my electorate of Kimberley.

They are concerned about planning for their students to travel and be located elsewhere in time for the first term next year. I understand inquiries have been made from places such as Kununurra and Cape Leveque as to the availability of the hostel for students next year. It seems the hostel is serving a very useful purpose in enabling students in that area to be placed so they can attend Port Hedland High School.

The economics of running the hostel apparently have caused the mining company to take the decision to which I referred. I understand it is a fairly costly operation, but the information I have is that it is not beyond the Government's capacity. Perhaps it will be able to look at cutting some of the overheads and taking over the operation so that it may be a goer. The hostel is being used ex-

tensively by students from the Pilbara and Kimberley regions and it is important that the Government consider the matter seriously. I urge that if it is at all possible, the Government should ensure the hostel is allowed to continue for the balance of this year and for coming years.

Presently, 41 students are in residence at the hostel. It is predicted that the likely figure next year will be 47 or 48 students, or perhaps more than 50. It certainly does cater for a considerable number of students from that area. People from Telfer and Tom Price have expressed concern to me, and great concern exists about its future. People want to know whether the Government will look at taking on the cost of operating the hostel. I am seeking from the Minister an indication as to what measures have been taken by the Government following the representations made by me and by the member for Pilbara to the Minister. We would like to know the likelihood of a decision and to have an indication of the Government's position. The parents are very keen to have an indication from the Government as quickly as possible as to the likely decision in order that they might consider alternative arrangements if necessary.

It will be difficult for them to get alternative accommodation. My information is that Geraldton, which is the fairly logical alternative, is full and is not in a position to accommodate additional students. That being the case, it will create considerable difficulties for the many families throughout the area in looking for alternative accommodation.

Difficulties will be created if the Government is unable to take over the operating cost of the hostel and to ensure its continued operation. I am not completely aware of the company's attitude. I do not know whether it wants to bail out altogether or whether it is prepared to meet part of the cost of the operation. I have no doubt the Minister and officers of his department would be able to check that situation.

This is a matter of great concern to people in the area, and one can readily understand why. I ask the Minister: What progress has been made following the representations to him? It is my view and that of the member for Pilbara, and the parents, that a clear statement must be forthcoming in the near future so that planning for alternative accommodation can be undertaken at an early date if it becomes necessary. I hope the Minister will be able to reply so that I am able in due course to advise my constituents that the Government has examined the matter, or is examining it, and that a decision will be forthcoming.

**MR PEARCE** (Armadale—Minister for Education) [5.00 p.m.]: I thank the member for Kimberley for raising this matter. I acknowledge his deep interest in the future of the Hardie House hostel, and the many representations that he has made on this matter in recent months. He has been supported ably in his representations by the member for Pilbara, in whose electorate the Hardie House hostel stands.

Both members are concerned that the closure of the hostel would deny residential accommodation for high school and senior high school students from outlying Pilbara and Kimberley regions. The hostel is of particular interest to the Kimberley region because no senior high school facility is available in the Kimberley.

The facts as set out by the member for Kimberley are accurate, and they touch on all the significant problems. The difficulty is that the hostel is currently running at a loss of about \$200 000 a year. That has been the case for the last couple of years since Goldsworthy Mining Ltd. took over the management of the hostel from the previous Government two years ago, when the intention was to close the hostel because of the deficit that it was incurring.

I am a little mystified as to why the deficit is as high as it is. Of all the hostels that operate throughout the State, only two or three operate at a deficit. Most hostels are able to break even; and the one which incurs the greatest deficit is the hostel in Esperance, which has roughly the same student numbers as the Hardie House hostel—in the low forties. The Esperance hostel operates at a deficit of about \$23 000 a year.

**Mr Peter Jones:** Does the Education Department or the hostel authority pay the electricity bill? That is one of the key areas of loss.

**Mr PEARCE:** My advice is that the electricity bill, which is concerned largely with the air-conditioning of the hostel, amounts to \$30 000 a year.

**Mr Peter Jones:** This problem arose some two or three years ago. Because the hostel was so close to the school, the electricity bill was paid as a form of assistance to the hostel. It was paid from the school account. I am just wondering what the situation became.

**Mr PEARCE:** My understanding is that at the moment the hostel itself pays the electricity bill. That is one of the reasons the deficit is high. The cost of wages is higher in the area; the cost of water is higher; and the cost of fuel and other items is higher again.

One of the issues confronting the Government in this matter is that of finding ways of running the hostel facility and still reducing the cost. Ob-

vously if we can reduce the cost, it will be easier to keep the hostel open.

As the member for Kimberley indicated, some 41 students attend the hostel at the moment. It is projected that 47 or 48 students will attend it next year.

The fees at the hostel are becoming very high. Parents have complained about this because it is difficult to send their children to the hostel and pay the fees that are required. However, if the fees were subsidised any further, that would increase the deficit.

The Government has given serious consideration to the future of the hostel. In fact, a decision is likely to be taken at the Cabinet meeting next Monday. I would be reluctant to see the hostel close, so we are considering every avenue of keeping it open.

Mr Laurance: You said the decision to keep it open or to close it will be next Monday?

Mr PEARCE: Because the decision will be taken next Monday, obviously it is not possible for me to announce what the decision will be.

I put a minute before the Cabinet last Monday, and the decision was deferred to this Monday, because of the absence from the Cabinet meeting of the Minister for Regional Development and the North West, who also has an interest in the future of the hostel.

Mr Laurance: That is my reason for asking you.

Mr PEARCE: It occurred to me that that may have been the member's interest in the matter. Certainly I expect the decision to be taken at the next Cabinet meeting.

In the meantime, I am having two avenues considered. One avenue is an assessment of the nature of the deficit and the cost of keeping the hostel going. One of the considerations is that if the hostel were to close, the students currently attending the hostel would have to have their air fares to Perth paid twice a year. That would be a high cost for the Government. We do not intend to close the hostel and incur equivalent costs at that stage.

We are considering the costs of operating the hostel and of having an analysis made of the deficit of the hostel to see whether it can be reduced significantly by using other management techniques and cutting some of the other costs. It has been suggested, for example, that if the hostel were to be operated on the normal Country High School Hostels Authority basis rather than on the basis on which the Goldsworthy company operates it, it might be possible to reduce the op-

erating deficit to \$150 000 next year, but that would still be a significant charge on the Crown for the 47 or 48 students. However, all the students are entitled to a comparable education, no matter where they live in the State. It will be in the best interests of the students for the hostel to remain open; and I hope the Government will be able to do that.

I appreciate the representations made by the member for Kimberley, and the similar representations by the member for Pilbara. Their concern in the matter is real. They have been very effective in conveying to me the attitude of the parents on this matter; and I appreciate their concern for education in their respective electorates.

As I say, the matter has been looked at closely. Some avenues of reducing the deficit are being investigated, and I am hopeful that the decision will be taken at the Cabinet meeting next Monday.

## EDUCATION: HIGH SCHOOL

### *Rossmoyne: Grievance*

MR MacKINNON (Murdoch) [5.07 p.m.]: I address my comments to the Minister for Education and I refer to the proposal which has been put to him for the construction of a gymnasium at Rossmoyne Senior High School. In doing so, I advise him that the views I address to him are shared by my colleague in this House, the member for Clontarf, and my colleagues in another place, the members for South-East Metropolitan Province.

As the Minister may be aware, the school was built in 1968. At that time, the gymnasium that was built was nowhere near the quality of the facilities constructed at new high schools now. The gymnasium is small; it cannot be used for many purposes; and in my view it is rather dangerous for use for active sports because along one side it has brick-faced columns on which children have been injured. As a consequence of the poor facilities at the school, over a number of years the parents have made representations to the Government for assistance with the gymnasium, but they have not had much success. During that time, they have seen high schools constructed in the area—at Lynwood, North Lake, and Willetton—all of which have the new facilities. Of course, the parents at Rossmoyne Senior High School are desirous of achieving the same sort of facilities for their children.

The P & C at Rossmoyne High School is active, and it has achieved many great results over the years, including the construction of a half-sized swimming school at the school at a cost of



about \$80 000. In my view, that is a great achievement for a very small group of active parents.

The justification for the construction of the gymnasium is as I have referred to in the comments I have made previously in the House and privately to the Minister in relation to Leeming high school. As the Minister would know, the enrolments at Rossmoyne Senior High School are in the order of 1 260 and they are anticipated to increase to approximately 1 400 by 1985, and to remain at a high figure for many years to come. Therefore, the investment being requested by the parents could not be seen to be irresponsible; in other words, the enrolment is not about to decline, so it is not a bad investment for the long term, in my view.

The justification put up by the parents is that this is the largest school in WA without such a facility. I am not sure that that is accurate, but the parents assure me that that is the case. Therefore, Rossmoyne should rank highly among the schools being considered for the installation of a gymnasium facility.

As the Minister would be aware, this Government has adopted the policy adopted by the previous Government; and similar facilities in our area are used actively by the school and the community at large. I have no doubt that this facility would be used during school hours and after school hours by the community for gymnastics activities, drama, music, and as a general hall. As the Minister is aware, that is the case at both Lynwood High School and Willetton High School.

As a consequence of these factors, the parents have examined the options available to them. They ascertained that at City Beach High School the parents, when they were faced with a similar problem, got off their backs, I am pleased to say, and provided their own design, put it before the department, and built the gymnasium. They obtained an exceptional facility at a minimal cost.

Mr Mensaros: They first started it about 16 years ago.

Mr MacKINNON: I hope Rossmoyne High School will take only six years to achieve it. City Beach High School has an enrolment of only 800 students, compared with Rossmoyne High School, with about 1 260.

The parents are happy with the design of the gymnasium at City Beach High School. A site is available for the building of the gymnasium. As a consequence, I met in April with other members for the area from the Government side, the Legislative Council members for the South-East

Metropolitan Province, councillors from the Melville City Council and the Canning City Council, as the school is located on the boundary of the two cities, and members of the community at large. The meeting was also attended by teachers from the school.

At the time, it was agreed that we should proceed with the project on the basis that the parents would make a contribution, that the local councils would be asked to provide some funds, and that the department also would provide some funding.

Following that meeting, I had a meeting with some of the officers of the planning section of the department. We talked about the project in general. In due course, the President of the P & C and I wrote letters to the Minister in support of this request. The letter went to the Minister on 16 June and in due course I received ministerial confirmation of it.

Unfortunately, unlike the Minister, I did not receive a response to that letter until I asked a question in the House on 28 July when the Minister indicated to me that on that day he had written to the parents of the school, advising them of the current situation. I will quote from the letter to the parents to indicate what the Minister said would happen, as follows—

As a first step in actual implementation of this project it is proposed that a working group will be set up in order to plan the project. I suggest that you contact Mr J. Quinn, Director of Planning at the Education Department who will then arrange a meeting with the various parties concerned.

Subsequent to that letter of 28 July, which was the day I asked the question in the House, the Secretary of the P & C (Mrs Morgan) advised me of a meeting at the school, and, subsequently, architects from the PWD visited the school.

The concern I now have, and the reason I am raising this matter today, is that nothing further had been heard by the parents or by me. I remind the Minister that was 11 August, and it is now 12 October, a couple of months later. Neither the parents nor I have received any contact from the department about the matter.

The points I emphasise are, firstly, that the need for the gymnasium is well demonstrated; secondly, that parents are taking a responsible attitude and have done much work to show that is the case; thirdly, that at this stage of the game it seems the situation has bogged down somewhere and I ask for the Minister's co-operation not only in ensuring that the planning is proceeded with as quickly as possible, but also in giving the matter the highest possible priority in the State Govern-

ment's capital works programme to ensure that this, the largest high school in Western Australia without a gymnasium, is soon provided with such a facility.

**MR PEARCE** (Armadale—Minister for Education) [5.16 p.m.]: I thank the member for Murdoch for some notice of the fact that he intended to raise this grievance today which made it possible for me to obtain advice on the sequence of events involved in the matter before I became Minister and to refresh my mind about those aspects which have come up during my period as Minister.

The situation in respect of the provision of a gymnasium at Rossmoyne High School goes back some time and I guess the member is pointing to a difficulty which faces the school system generally which is that as the standard of buildings improves and as the provision of facilities becomes better in new schools, we always have the position that older schools do not have the same standard of accommodation. They miss out on gymnasias and drama centres and they do not have as good administration centres as have new schools. Therefore, while we build new schools to an acceptable model and it is true to say the newest Western Australian school buildings are among the best in Australia, if not the best, and even the oldest schools still stand up very well in comparison with the school buildings in many other States, nevertheless, particularly in a situation like that of Rossmoyne High School where there are newer schools all around, it is not surprising parents feel disadvantaged because their children go to a school which does not have facilities as good as those of neighbouring schools.

When Rossmoyne High School was built, it was provided with a small gymnasium which was the standard provision at that time, but which is now far short of the standard of facility which is provided. From 1979 onwards—that is, during the period of the previous Government—the parents and citizens' group at Rossmoyne High School was advised the school was most likely to receive a large gymnasium through the practice which then operated in conjunction with local authorities; that is, the local authority contributed one-third, the Education Department contributed one-third, and the Department for Youth, Sport and Recreation contributed one-third.

Whether the parents refused to accept that funding arrangement or whether they were forced into a situation because they could not get the support of the local shires, I would not like to say, but the local shires would not co-operate and perhaps the situation was compounded by the fact that the school was near the boundary of two

shire councils—the City of Melville and the City of Canning.

As a result of a lack of contribution by the shires, the parents, between 1979 and almost up to the present time, insisted on an arrangement under which the Education Department would meet the whole cost of the gymnasium.

I emphasise the decision to build school halls-gymnasias on the one-third:one-third:one-third basis was a policy of the previous Government, but I might say it is a policy with which I agree and with which I have continued up to the present.

Under the previous Government, a change of rules occurred where the shire contribution was raised to half and the Government contribution was raised to half the total amount involved and that was undoubtedly a complicating factor with regard to getting approval from the local shires. However, we have now reverted to the one-third:one-third:one-third arrangement and I am pleased to report that, as at the middle of this year, the local government people involved have agreed to co-operate with this venture and so things are finally moving in that area.

If to a large extent the delay has been caused by the difficulties of local people or the shires coming to an agreement to participate in the project, it is not really the job of the Education Department to get all the heads together and make them agree and in these sorts of situations local members have a role to play.

However, between 1979 and 1983, a stalemate existed in this area, but now things are moving. On 7 July, representatives of the Melville and Canning councils met with officers of the Education Department and the Department for Youth, Sport and Recreation to discuss the possibility of financial participation and a subsequent meeting was held on 11 August. On 16 August, representatives of the Public Works Department and the buildings branch of the Education Department conducted a site survey to ascertain the possibilities. The survey covered aspects such as siting, the size of the hall, access, use of existing toilets and change rooms, parental participation, and some of the other aspects which were discussed in general terms at the meeting on 11 August to find ways to make them practicably workable.

I am advised that at that meeting the PWD architect, who was present, indicated it would take between six and eight weeks to have sketches made of the potential plans and, of course, today is almost eight weeks from that meeting. Therefore, it has not yet taken longer than the time in-

dictated by the PWD architect to prepare the sketches, because the eight weeks he stipulated expire this week.

I am informed the PWD architect has completed three potential sketch plans of the site and these have been forwarded to the Education Department which, through the Director of Planning of the planning branch (Mr Quinn) will be discussed soon with parents of students at Rossmoyne High School with a view to getting their approval of the scheme.

Recent communication has occurred between the P & C and the Education Department which has advised the parents that prompt discussions will follow as soon as the PWD sketches and estimates are received by the Education Department.

I myself advised the PCA of that situation on 14 September. I accept the parents have much of which to complain if they started a move for something as far back as 1979 and, in 1983, there is still nothing on the site. I understand the frustrations of parents in those circumstances, because it would mean that a person with a child in year eight in 1979 who started agitating then, would have found his child had gone through to year 12 and still nothing had happened.

However, I have been Minister for seven months now, and in that time everything that has needed to be done has been done. Agreements are now nearly reached and plans have been prepared. The potential to find the Government's share of the money has been made clear and, with the agreement of the parents of the pupils at Rossmoyne High School and the local authorities to the plans which we are making, the Rossmoyne High School hall-gymnasium will become a reality in the very near future.

### QUESTIONS

Questions were taken at this stage.

*Sitting suspended from 6.00 to 7.15 p.m.*

### TRANSPORT: AIR

*Perth Airport: Grievance*

**MR JAMIESON (Welshpool)** [7.15 p.m.]: My grievance deals with Perth Airport. The reason for my dealing with this matter tonight with a degree of urgency is that a Federal works committee will be in Western Australia towards the end of the month, and unless the Government gets ahead and gets its act in order and makes some representations to this group when it is in WA, we may not be assured of development of the airport in as early a time as possible. A further degree of

urgency exists because the America's Cup will be held in Perth in 1987.

It was originally planned that the new terminal, and possibly the parallel runway, would be in operation by 1986. However, all sorts of shillyshallyings have been going on over the years and we seem to be getting further away from completion of the project. Present plans for the new terminal seem to indicate it will be in operation in 1988-89. However, I think with some urging from the Government—

**Mr Rushton:** It should not be 1988-89.

**Mr JAMIESON:** Earlier on when the project was first unveiled completion was supposed to be in 1986, but that hope is getting further and further away. The urgency is for the Government, through its departmental officers, to make special representations to the Federal committee to ensure that urgent action is taken.

A further need associated with the project is the construction of the parallel runway and members have heard me speak on this subject on a number of occasions. The importance of the project cannot be overstressed. A recent meeting in my electorate dealing with the noise factor, which was attended by a committee from the Federal Government, was filled to overflowing by local residents who wished to complain.

During the course of that meeting the headmaster of a local school made an impassioned speech on the basis that many disadvantaged children attending Whiteside Primary School at Cloverdale were further disadvantaged by the noise from the airport. The children were subjected to constant interruptions to their lessons caused by aircraft noise, the headmaster estimating that approximately 20 to 30 minutes of teaching time a day was lost. Taken over a year, that amounts to a considerable period. It is important that a move be made fairly soon to build the parallel runway which will take a flight path away from the affected schools.

Almost the total suburb of Newburn has been resumed by the Commonwealth Government and the area has been left in an untidy and unhealthy state. The area looks like a moonscape because most of the people whose land was resumed first sold the topsoil from the land and then sold the land to the Commonwealth Government. The landowners obtained a double issue out of their properties and one cannot blame them for that. However, the area is in a hideous state with many sandpits and disused sandpits. If the Government does not proceed with the second runway, although I hope it will because it is most necessary, the whole area should be tidied up and in

some way fenced to make it look decent. The area about which I am talking is closer to this Parliament than are Scarborough, Melville, and places like that. It is too close to the centre of the city to remain a vacant lot. People are piling rubbish on it and it is becoming an eyesore.

It is up to the Government to make a report to the Federal committee to make sure provision is made for fencing and tidying of the land. Many fruit trees have been left. The land in question is situated alongside a very heavy fruit-growing area, and nobody is responsible for the fruit trees any longer. I complained about this many years ago at the time of the early extensions to the airport. The then Minister for Agriculture suggested that I was overemphasising the number of fruit trees which had been left in derelict condition and not monitored as far as fruit-fly breeding potential was concerned. However, after he had had the area investigated by his department, he found 150 unattended fruit trees. These were trees liable to cause fruit-fly infestation. That was in a relatively small area compared with the larger areas of Newburn, areas which have been taken over for the purpose of enlarging the airport.

Plans must be made by the Government of Western Australia to warrant the Commonwealth Government taking some early and earnest action. Finance has been allocated to get this thing off the ground. So far they are not going to the length which would be required if we are to have a reasonable airport by the time of that proposed challenge. It was remarkable that when the airport was ready to be re-opened at its present place, Senator Paltridge, from this State, was the Federal Minister for Air. At that time a sporting event came along which caused the necessity to erect a reasonable air terminal—at that stage it was a reasonable one—for the Empire Games. Again we are to have a major sporting activity which looks like attracting worldwide publicity and tourism, therefore we must have our shop front in reasonable condition. Many people are likely to come from Europe and other places, and we must give the impression that we are workmanlike and have something of a modern facility for visitors to arrive at and leave from this country. I would suggest that the Minister correlate all these various things through his department.

Mr Rushton: There will be no excuse for that.

Mr JAMIESON: There is a tendency for the department to excuse itself. People have become rather incensed about the matter. I would like to see the original schedule of 1986 maintained. If we can do anything as a State Parliament to induce and to help the Federal Government to

achieve that objective, we will have served the people of this State in a right and proper manner.

**MR GRILL** (Esperance-Dundas—Minister for Transport) [7.25 p.m.]: I would like to thank the member for sincerely and competently bringing forward this question. I know it is an issue which is of importance to people both within his electorate and surrounding it. It includes Belmont, Guildford, and areas up in the hills—even the former Speaker's electorate is affected by this particular issue. It is one which I can assure the member has been under consideration by the Government for some time. I would like to indicate to him that we have monitored the situation right from its very inception. There has been an ongoing dialogue with the Federal Government. The State Government has made successive submissions to the Federal Government and to the various committees which have been set up along the way. There will be a meeting in Perth shortly, and there was one also in Perth only a week or two ago.

I am well aware that there is now some urgency in respect of both these questions, firstly for the terminal and secondly for the parallel runway. The urgency, of course, is made all the more apparent by the fact that in 1987 we will be defending the America's Cup.

Let me say to the member and to those who are interested that shortly after the Government took office I put forward submissions to the Federal Government and directly to the Minister—the Hon. Kim Beazley, the Minister for Aviation—in respect of this terminal and the parallel runway. The submissions made were received very sympathetically by the Minister from Western Australia. I have no reason to believe that the terminal at least will not be in operation by 1986 as planned.

The member has alluded to the fact that the Commonwealth Public Works Committee will be taking submissions in Perth within a few weeks. Let me assure him that a full submission along the lines he suggested will be made to that committee. A week or two ago a Federal committee dealing with the question of noise was in Perth seeking submissions in respect of noise and noise abatement, and submissions were made to that committee by the office of the Co-ordinator General of Transport.

Mr Rushton: Submissions have been made and accepted, and the programme was to be completed in 1986. There is no reason they should push it out, because finance was organised and committed.

Mr GRILL: In my earlier remarks I have acknowledged this is an ongoing process. The previous Government made submissions on the matter, and those submissions are being carried on by the present Government. I would reiterate at this stage that the present Government would push the Federal Government very hard indeed to ensure that the terminal goes in prior to the 1987 America's Cup challenge.

The question of noise is really of greater importance to people living in the area than is the question of the terminal.

In March of this year, the Government made a submission to the Federal Government requesting that the parallel runway be constructed concurrently with the new terminal. The Federal Minister was not prepared to give an undertaking in that respect, but he gave an undertaking to consider the question and hopefully to put it before the financial gurus in Canberra in an endeavour to bring forward the date for the parallel runway. In the interim, the Government feels strongly that effective measures would need to be taken to reduce noise at the airport. I would not like to be bound by any of the submissions put forward by the Co-ordinator General's office, but one of the suggestions was that flight paths in and out of the airport should be monitored and controlled more strictly. In the past, it was a fairly open secret that aeroplanes—particularly jet aircraft—moving in and out of Perth Airport had not kept strictly to flight paths. We need a more disciplined approach to the Perth Airport and to the control of the use of flight paths by jets. That is one of the matters we put forward to the Federal Government, and one it hopes to follow up.

We have also put forward the question of the F-28s—the older versions, not the F-28 4000s—being equipped with quieter engines. We have suggested changes to the engines so that they will be quieter within a year or two. We hope that that matter can be dealt with fairly quickly.

A host of noise suppression measures could be taken, as they have been taken effectively in airports overseas. We suggested the use of baffles and things like that prior to the construction of the parallel runway.

The last thing we want in Perth is a curfew on flights coming into the airport. If we can introduce these measures to abate noise in and around the airport, a curfew will not be necessary.

I reassure the member that the Federal Minister is sympathetic to the proposals put forward by the present Government. He is well aware of the problems, and he is acting in a fairly effective way to ensure that they are abated as soon as possible.

I have just been reminded that the airport is in the middle of his electorate.

The Government has taken every step that it can to advocate the achievement of the goals put forward by the member—

Mr Rushton: The previous Government did, too.

Mr GRILL: —and I believe that, given the finance, we will have a new terminal prior to the next America's Cup challenge and that a parallel runway will be built shortly thereafter.

The SPEAKER: Grievances noted.

## MINING: DIAMONDS

### *Equity Purchase: Motion*

MR PETER JONES (Narrogin) [7.33 p.m.]: I move—

That in the opinion of this House, the Government should table all relevant and appropriate reports, advice and information available to it, upon which it determined to use available public funds for purchasing equity in the Argyle Diamond project, rather than using any funds available to it for needed capital works and the creation of much-needed additional employment.

The purpose of this motion is to try to carry the emotive and publicly proclaimed arguments regarding the Government's purchase of a company which has an equity in the Argyle diamond project and to bring them back to a basis on which the project can be assessed properly in the light of the financial considerations. More particularly and importantly, the Government should account for the way in which it has gone about undertaking this initiative.

The motion has been moved also in the light of the increasing questioning, today and more particularly yesterday, regarding some of the factors that the Premier and his colleagues did not realise and have so far not explained regarding some of the actions, some of the people, and what will be needed in this matter. The Government should answer the question being increasingly asked as to what is in it for the people of Western Australia in terms of forgone revenue in the short term and the very doubtful additional revenue in the long term.

I remind members of the agreement Act which was debated in this House in November 1981. At the time, the Bill was supported by the Labor Party in general terms; but the present Premier drew attention to one or two areas of the agreement which he felt affected the agreement as a whole, and said that the then Government should

address those problems. One or two other then Opposition members took the same line. The security aspects were questioned by the then member for Swan, and the present Deputy Premier questioned some aspects relating to marketing, processing, and so on.

On that occasion, the major cause of contention had nothing to do with the agreement which passed through this Chamber. It related to the clause in the ratifying Bill which dealt with the pegging of the lease that had taken place. That bears no relationship to the subject matter of this motion, but that subject took much time of the House on that occasion.

The agreement at that time differed in substance on two bases from previous agreements that had been brought before this House. Firstly, it placed into the hands of the Government of the day control over marketing arrangements, and that had never been done before. As the Minister responsible at the time, I felt that such an emotive resource—one which had occasioned considerable comment and speculation as to how much it was worth, and what income we would derive from it—required such a provision. All sorts of suggestions were made by the then Opposition that a range of people would become millionaires, at the expense of the people of Western Australia. Therefore, the Government chose to have control of the marketing arrangements. That was a distinct departure from other agreements of this type, but it was one I did not regret, and I am certain that the present Government does not regret it, either.

Secondly, the agreement introduced, for the first time, a basis upon which the State could share in the profits of the venture, if it was profitable. Everybody made the point that they hoped the venture would be profitable, but there was no certainty of that. A part share in the benefits of the project was to be gained, so there would be a profit-related royalty in that sense. That was defined within the agreement. That does not refer to "profit" as defined in the Commonwealth Income Tax Assessment Act as a sharing of the profits of the venture. It was decided that 22.5 per cent would be available to the State. That agreement introduced the principle of the State's sharing in any profitable resource development project.

Until such time as that occurred—I have been following the projections that were made publicly at the time, and to which I have referred in the last few days—it was to depend upon the tonnage mined, and the price per carat. There was a range of models as to when the 22½ per cent would exceed the 7½ per cent f.o.b.; but the general consensus was that it would occur in 1989 or 1990,

depending on the price per carat, and so on. Incidentally, the price has declined since the agreement was presented to the Parliament.

Part of the agreement which set out the obligations of the joint venturers related to the proposals for various works which they had to put before the Government of the day. In accordance with the agreement, the joint venturers presented their marketing proposals which were approved by the former Government after discussion and they were discussed also with the present Government when it was in Opposition. For example, information was made available to the present Deputy Premier and he received briefings as to what was being proposed, as did the Federal Government and Federal Opposition of the day.

That is one aspect of the matter. The other aspect which now takes on some dominance relates to the proposals which had to be presented by 31 December 1982. Clause 7 of schedule 2 of the Diamond (Ashton Joint Venture) Agreement reads as follows—

The Joint Venturers shall, subject to the provisions of this Agreement, submit . . . their detailed proposals . . . on or before 31st December, 1982 for the mining and recovery of diamonds . . .

It continues—

. . . on or before 31st December, 1983 for the mining and recovery of diamonds from not less than 2 million tonnes per annum of kimberlite ore from the Argyle mining area such plant to be in operation not later than 31st December, 1986.

The agreement spelt out all the matters which the joint venturers had to submit to the Government for its consideration. They included mining recovery, roads, and subparagraph (c) of clause 7 reads as follows—

relevant townsite and relevant town including housing, provision of utilities and services and associated facilities including, subject to the provisions of Clause 26, transitional arrangements;

A range of other services were involved including water supply, power supply, and the like. They were presented within the time frame to the previous Government.

However, the reference to clause 26 is important in that it says—

The Minister may . . . permit the Joint Venturers to enter into such transitional arrangements as he may approve, provided that such arrangements continue only until such time as the quantity of kimberlite ore from

the Argyle mining area treated for the recovery of diamonds exceeds 3 million tonnes in any calendar year or 31st December, 1987, whichever occurs first.

Therefore, the date for the transitional arrangements approved could not be extended past 31 December 1987 which was the ultimate date.

The transitional arrangements related to the way in which the mine work force would be housed during the initial stages of the project and various other matters; but the key issue was the building of a town. Clearly it was the desire of the previous Government that the joint venturers should address themselves very seriously to the establishment of a town.

Members who were in the House when the Bill to ratify the agreement was debated might recall the member for Kimberley spoke in the debate in relation to the economic benefits which would flow to the Kimberley, particularly the east Kimberley, as a result of the measure which would enable the project to proceed. On a subsequent occasion, I had the pleasure to visit the project with the member for Kimberley.

Clearly the provision of a town was important, but the former Government knew that the joint venturers were loathe to build a town in the way in which the Government of the day and the present Government wanted it to be established. The joint venturers took that attitude for several reasons. I do not wish to canvass all of them, but they included the social problems associated with small mining towns of a size similar to that of Leinster and Telfer. The joint venturers had commissioned two studies into these problems and among the issues canvassed were the problems caused by the percentage of married to single persons in towns in the close proximity to Kununurra and whether Kununurra should be expanded.

The Government was aware of the difficulties and it was clear that whichever party was in Government, a very hard option would have to be faced should the joint venturers decide they still wished to pursue the option of workers commuting from Perth. That proposal did in fact come forward and the present Government had to deal with it.

Much of the preliminary work involved in assessing the mining proposal had been carried out before the change of Government and it was just a matter of the present Government quickly finalising some of the latter issues. The new Government chose to pursue two points: One related to Aborigines and that was duly dealt with, and the other was the question of the town.

It boils down to this: The Government rejected the joint venturers' proposal. Straight-out the Government said, "The answer is 'No' ". In effect, the Government said, "If you come to us and want a variation or an extension of the transitional provisions beyond 31 December 1987, we will tell you now that the answer will be 'No' ".

Therefore, the joint venturers were faced with a clear situation which had to be addressed, because the Government said also, "If you want to be relieved of this obligation, we want \$50 million".

In question time yesterday, the Premier referred to what the present Opposition would have done were it still in Government. In case the Premier refers to that issue again, I shall make the position clear. I have indicated already that the Government of the day would have to make a very tough decision in this situation and I point out to the Premier and the public that there is no way the joint venturers would have been released from an obligation to the State of Western Australia had they chosen not to build the town in accordance with the agreement and had they wanted a decision from the present Opposition were it still in Government.

I make it quite clear that the joint venturers would not have been released from their obligation to the State of Western Australia. Clear precedent exists for that. As I am sure the Premier and his colleagues are finding now a whole range of obligations rest on various companies. These obligations are made from time to time to the State and the people of Western Australia. At the present time, companies have those obligations and I presume the Government is still pursuing with various companies their obligations to undertake certain functions and capital expenditure by certain dates.

I shall give members an example of what I am saying. Under an agreement Act, BHP had an obligation to move towards a steel making capacity of a certain size by a certain time. As the date on which that capacity had to be attained approached, given the world steel situation, clearly not only was it uneconomic in terms of the capital expenditure required, but also the size of the plant and mill involved and referred to in the agreement would be uneconomic in international steel making terms. However, there was no way the Government intended to release that company from an obligation to this State.

The Government indicated to BHP that it wanted it to provide the Australian equity in the Worsley joint venture, and when the agreement Act was amended in this House to provide for

that situation, it was the subject of debate. In other words, BHP had to make an investment in one form or another involving certain aspects. They were, firstly, the creation of employment; secondly, assistance to get another project off the ground and to provide Australian equity in another essential resource project; and, thirdly, BHP was required to invest the funds which would have had to be outlaid under its original commitment.

Other precedents exist and you, Sir, and I have discussed some of them during the time you sat on this side of the House when amendments were made to various Acts from time to time.

During the mid-1970s Hamersley Iron Pty. Ltd. was asked by the State to pay royalties in advance in order that the money could be used for roadworks. In other words, the money was put to work.

They are two different issues: One is an obligation and the other is a royalties payment in advance. Nevertheless, the money was put to work in order to assist and to accelerate the road building programme in the Pilbara. In other words, the company did not avoid any obligation; the State got the benefit of the funds in advance and the people of the Pilbara benefited. But that does not apply in this case.

What the Government did was to say it wanted \$50 million. Quite naturally the joint venturers said they would not bow to this sort of blackmail. They were being coerced without any discussions taking place about the kind of alternatives they might embark on.

Mr Burkett: How do you know what discussions have taken place? Are you crooked that the Labor Party had the initiative to do this?

Mr PETER JONES: I mentioned the obligations the company had, but let me give a further example. I have referred to the obligation Hamersley has at the present time and which it has had for a considerable time. Last year it was involved in discussions with the previous Government, at the Government's request, and those discussions dealt with assistance for two other projects if the company could not go-ahead with its obligations. One alternative was the silicon smelter at Wundowie, where there would have been a similar relativity with the amount of funds involved. The company would have assisted in getting a further project off the ground, which would have helped the member for Avon. The other project Hamersley was considering in the mineral sands area was the establishment of a titanium smelter. These were two projects in re-

spect of which the company was told it still had an obligation to the State.

The company was told that if its existing obligation was not a viable operation at that time, the Government wanted it to explore those two other possibilities. Those considerations last year came to nought, but Hamersley's parent company is still pursuing the options.

We now have the situation where the Government is faced with decisions that relate to what government is all about. It is not just a matter of finding a company; it is not just a matter of saying, "If you are not to do this, we want some blood money". It is a matter of the Government's saying to the company, "You have the expertise and the capital; instead of doing this, consider doing something else". The responsibility of Governments is to govern and to administer; it is not to carry on in the way this Government has. The joint venturers do not accept this sort of straight-out coercion.

Various other matters entered into it, including a reference to the environmental review and management programme that would be needed, bearing in mind the company's original proposal was approved. The way the Government would handle this also hung over the whole operation.

As time went on we also had the situation where various contractors—not just some who knew they would get work on the second stage of the project, but some who were involved in the fabrication area—expected that things would get started. We had the factor of the money that would come into the East Kimberley area. All this was held up while the Government was trying to undertake its exercise of extortion and coercion. This has gone on for some time, but something interesting happened a while back.

The money-men entered into the scene and various proposals began to circulate; and there was not much secrecy about the circulation of these proposals among people who had their ears to the ground. One suggestion involved the Government's stated socialist platform of having an equity in Argyle, and how this should be merged in with this situation.

Enter into the scene Mr Laurie Connell. There is no need for me to dwell too long on the way in which some of the matters then emerged. The point is that the joint venturers refused to pay the fee being asked of them by the Government, but an agreement was reached towards the end of last week and over the weekend which provided for an advance royalty arrangement. It still resulted in the Government's getting \$50 million, but not in the way in which it first asked for it.



Merged in with that was the second decision, and we must remember we are talking about two different decisions. The first is the extraction of \$50 million by the Government, and the second is the way in which that money was to be applied.

We then had the situation where the Government over recent weeks, with the benefit of bringing in people such as Mr Connell, Mr John Walsh, Dr Elizabeth Harman, the ministerial advisor to the Deputy Premier, and Mr Naylor from the Premier's office, and based on information available to the Government from different departments, put together various deals.

It is about all those matters that the people of this State have an entitlement to know what the Government has done in their name, and how it has mortgaged the future income of this State, because that is the way it is with the loan which has been given, notwithstanding the kind of discounted cash flow arrangement referred to by the Premier.

It has been put to me that we have a scheme involving straightout "funny money"

Mr Brian Burke: Did Sir Charles put that to you?

Mr PETER JONES: It was put to me by a financial analyst.

Mr Brian Burke: Then it would not have been Sir Charles.

Mr PETER JONES: It is a scheme which the Premier clearly does not fully understand if one reads his Press release, or else he is trying deliberately to mislead us.

The scheme requires tax to be paid to Canberra. It is a scheme which mortgages our future income. Whatever way the Premier likes to explain the scheme, it is one that has already started to draw very serious comment from potential overseas investors, banks, and those organisations on which the State depends, and which the Premier has indicated on many occasions are needed by this State to be involved in its future development.

Mr Brian Burke: Name them.

Mr PETER JONES: Brian Karpon.

Mr Brian Burke: He is the Vice President of Hamersley; he is not an international financier.

Mr PETER JONES: The Premier asked me to name any person.

Mr Brian Burke: And Hamersley is owned by CRA.

Mr PETER JONES: I will come back to this point later.

Mr Brian Burke: Name a few more. Everyone is used to your standing up and saying things without backing up what you say.

Mr PETER JONES: Is the Premier saying there has been no public concern expressed?

Mr Brian Burke: Name the people.

Mr PETER JONES: I understand the London *Financial Times* of yesterday drew attention to the dangerous repercussions that could follow if the international investing public are not able to be sure about where they stand with the Western Australian Government. Does that represent a reputable comment?

Mr Brian Burke: Not by an international financier. That is a newspaper. Don't you know the difference?

Mr PETER JONES: Does the Premier consider it a reputable comment?

Mr Brian Burke: It is not what you claimed it was.

Mr PETER JONES: I make the clear suggestion to the Premier that he cannot escape the fact that comment has been made.

Mr Brian Burke: You have made a comment, and no-one takes any notice of you.

Mr PETER JONES: During the ABC news commentary tonight a good appraisal was made of this scheme as it is known so far. One or two errors of fact were involved, but they did not alter the thrust of the commentary. The comment was that there are hidden dangers which clearly the Premier has not made public. I referred to this this evening.

One area is the situation of the Commonwealth-State financial relationship. Will the State be penalised by the Grants Commission because the State will receive an additional income? The Premier says we will get a benefit over and above what we would have got.

The commentary made the point that there are areas in which the Premier needs to advance argument in support of what he has done, and ensure that in relations with the Federal Government, such as on taxation matters and financial grants, the State will not be disadvantaged by this scheme. He should be able to clarify those points, but he has not done so as yet. That was the point made by this commentary, and it is the point of this motion. We want to try to set out an understanding on just where we will stand.

I now turn to the question of legality. I gather from the Premier, as he indicated in his answer today and as has been indicated by *The Australian*, that the Bond Corporation has not yet acquired shareholder approval to sell. The Premier

indicates, however, that he is sure it will have that approval at the time any deal is consummated. In addition, the Stock Exchange has said the Bond Corporation has not yet fulfilled the requirements of the exchange in regard to holding appropriate meetings. Can the Premier clarify that those meetings will be held before any deal is consummated?

This might seem to be nitpicking—

Mr Brian Burke: Hear, hear!

Mr PETER JONES: —but I do not think it is. Public funds will be used, whether the Premier says they are or are not available taxpayers' funds. These funds are available to the Government.

Mr Brian Burke: You know that the vendor has to warrant in respect of those matters.

Mr PETER JONES: They are funds available to the Government, funds which should have been used to create employment.

Mr Brian Burke: You are changing the point.

Mr PETER JONES: I am not.

Mr Brian Burke: Stop condemning the Government for what might have been done.

Mr PETER JONES: The Government could have used the money for a whole range of works, yet it has chosen not to do so.

Mr Brian Burke: That is for very good reason.

Mr PETER JONES: In entering into an arrangement the Government has not appeared to satisfy itself that all the legalities and other requirements have been attended to. The Premier has said that is the vendor's job, but I do not know whether it is.

Mr Brian Burke: Was it you who asked the question?

Mr PETER JONES: Yes.

Mr Brian Burke: Don't you know what the answer was?

Mr PETER JONES: I know what the answer was.

Mr Brian Burke: In that case you already have the answers.

Mr PETER JONES: The Premier indicated it is the vendor's obligation to do these things.

Mr Brian Burke: Well, isn't it?

Mr PETER JONES: Is it the vendor's obligation?

Mr Brian Burke: Don't you know?

Mr PETER JONES: Will the Auditor General be satisfied with that position? Public available

funds will be used at the discretion of the Government.

A further aspect has aroused some comment, an aspect I have read of in *The Australian Financial Review* and other papers. I sought some advice from financial analysts regarding the value of Northern Mining. This is no secret because it was publicly referred to when the Bond Corporation through its vehicle, Endeavour Resources, purchased the original Northern Mining, and the Bond Corporation was subjected to sophisticated conning. Members may recall some of the questions asked in this House at that time about the value of the production from Argyle. A report was supposed to have fallen off the back of a truck, and the report was published in the Press. It referred to how Mr Albert Joris had produced a sample of diamonds and said they were worth more than others, and so on. All this tended to build up the value of Northern Mining from the value its manager, CRA, had placed on it, and it certainly had a greater share value than the Ashton shares. There is no secret about that; anyone can read about it in the financial Press.

Indeed, the then Government was bombarded by the Opposition, the now Government, over the marketing arrangements and the value of the project overall. It became quickly apparent to the Bond Corporation that it had paid too much for Northern Mining. The corporation made that point clear and set about doing two things: Firstly, it sought to buy additional equity in order to dilute the purchase, and it made it quite clear that it wished to expand its interest in the project. Secondly, the corporation pursued the marketing of its share of the product on a separate basis. Nothing was wrong with that and, indeed, it was approved in the marketing arrangements that that should be so.

Earlier this year the Bond Corporation relieved Endeavour Resources of Northern Mining less some properties Endeavour Resources had left out of the sale. The corporation took Endeavour Resources onto its books at \$43 million, which again was a figure considered to be too high. Originally Endeavour Resources paid \$52.8 million for Northern Mining, although it retained, as I indicated, some of the assets.

That leaves us in the position of trying to ascertain by one method what is the value of five per cent of the Argyle diamond project. If we consider this, firstly, on the basis of Ashton shares, which are now at approximately \$1.65 but which have seen this year a high of nearly \$1.90 and a low of 90c, and, secondly; we consider the issued capital and work the sum through in the way these things are done, using an issued capital

amount of \$129.2 million. From that we come down to a five per cent share of Argyle at \$27.9 million. That is based on the share value of Ashton today, but had it been at the high value for the year the share would be worth \$32 million, and at the low point it would be worth \$16 million.

The Premier's comment will be, "Oh, but this is different because Northern Mining has a separate marketing arrangement". He has referred to this publicly by saying that Northern Mining has obtained 12 to 15 per cent more for its product than the remaining shareholders. I am sure he is aware of the prices obtained, because they must be lodged with the Government for royalty purposes. The Premier knows exactly what the figures are. Certainly I know what the difference was for some of the earlier sales, but the last set of figures is not available to me. The Premier would be right if he said there was a margin, but there is no way that the margin could inflate the price of this five per cent share from under \$30 million to \$40 million.

Mr Brian Burke: A few minutes ago you said five per cent was worth \$50 million. The member for Nedlands and you both said that to buy 15 per cent to fulfil our policy would cost us \$150 million.

Mr PETER JONES: That is correct. I have the Press cutting here somewhere in which I said that. Following the Labor Party's conference at which it wrote this ambition into its platform, I indicated that based on the purchase price of the Northern Mining Corporation NL five per cent by Endeavour Resources it would cost the ALP \$150 million for 15 per cent.

Mr Brian Burke: You weren't even right then because it would be closer to \$160 million if that were the position. The truth is you didn't use that base.

Mr PETER JONES: I have already explained—and I do not want to get into all this detail—

Mr Brian Burke: I bet you don't.

Mr PETER JONES: —the further prices of some assets were left out. It cost \$52 million-odd in order to purchase the total. It is correct that some assets were left out in the second sale.

Mr Brian Burke: You haven't even got our purchase price right. You haven't even looked at it. You are still quoting \$42 million.

Mr PETER JONES: I repeat so the Premier can be quite clear in what I have said: Any marketing margin that is currently enjoyed—I stress the word "currently"—cannot inflate a five per

cent share in Argyle from some \$27 million or \$28 million to a figure of \$42 million-odd. There is no way that can be done. I know the Premier will question the value of \$27 million or \$28 million. The consultant brought in by Endeavour Resources—that is, Barings—advised that the \$42 million for Northern Mining Corporation NL in June of 1983 was very good for the share-shareholders—and I quote from a comment which has been published in the last two or three days—"even allowing for the additional value" or any future net worth. We have the position of Ashton Mining having 87 million shares being traded—and all this information is publicly available—how many shares are issued, and all the other assets of the company. If the Government had \$42 million-odd or whatever to buy an equity in Argyle, it would have got more value if it bought shares in Ashton Mining.

Mr Brian Burke: You would have paid \$2.50 a share if you tried to buy \$250 million worth. No wonder you are a member of the Country Party. If a person paid \$50 million on the Stock Exchange it would kick the shares above \$2.50.

Mr PETER JONES: I know that, but I am making the point that we cannot value on any basis of that nature because we do not know what the price will be.

Mr Brian Burke: But you have just been doing it. You have been valuing on that basis and telling us we should have bought shares in Ashton.

Mr PETER JONES: I have not been valuing; indeed, I am just making the point that it cannot be done that way because we cannot calculate what price shares will obtain. However, we can speculate on what the shares are today, and that is the whole point of the exercise. That is how Barings would do their sums. Barings advised Endeavour Resources that it was being very well paid, particularly after allowing for the additional value.

Other indices can be used. We have had the situation where the CRA issue valued the project at \$426 million. An amount of five per cent of that would bring us back further to \$21.3 million.

Mr Bertram: Are you going to show us how you worked out your share value?

Mr PETER JONES: No problem. That is all listed there.

Mr Bertram: No, you mentioned some calculations as to how you would strike the value of shares. Are you going to produce those?

Mr PETER JONES: How do we strike the value of a share?

Mr Bertram: Yes.

Mr PETER JONES: The value of a share is struck by the market.

Mr Bertram: That is one way.

Mr PETER JONES: Perhaps the member did not listen. I have made the point that I have given three figures, the share value now, the high value for the year and the low value. The CRA issue valued the project at \$426 million. An amount of five per cent of that makes it \$21.3 million. An Ashton valuation was done in relation to Argyle and a Melbourne valuer produced a report on that.

Mr Hassell: When was that?

Mr PETER JONES: It was done last year in relation to some financing arrangements. It said that if 80 per cent of the Ashton price was attributable to Argyle—because the company engaged in other activities—the project would be valued at \$460 million and five per cent of that is only \$23 million. In May of 1982 a Melbourne company analyst did a valuation of the whole project based on 10 per cent inflation and \$330 million further capital costs. That was in 1982 dollars and inflation at 20 per cent with a 19 per cent discounted cash flow to give a requirement for \$450 million for AK1 at 14 per cent borrowings and it valued the project at \$421 million, so five per cent of that comes back to \$20.6 million.

Mr Brian Burke: If you keep going you will get to nothing.

Mr Burkett: We will get a discount. We will get cash back for Christmas, a big fat turkey!

Mr PETER JONES: One valuation done at the time was as low as \$12 million or \$15 million at five per cent. Leaving all that aside, and even allowing for the fact that two things have occurred since at least two of those valuations of the project were undertaken—namely, the approval of the marketing arrangements—

Mr Brian Burke: Hear, hear!

Mr PETER JONES: The approval of the marketing arrangements did not bring in any more dollars but it removed an area of uncertainty. If we assume that there could well have been some uncertainty as to whether the marketing arrangements would meet the approval of the Federal Government, and whether or not that uncertainty was reflected by the share price—let us assume it was—again we reach a situation where against some of those valuations the Government has paid a price that is nearly double what some of them are valued at. The second influencing factor would be the approval now for stage 2 of the project and the fact that any uncertainty has been re-

moved. None of those factors bring in any more money, but they do, in all fairness, remove a doubt. The doubt is removed about, "Look, we are not sure that the Government of the day is going to approve stage two. It might want some fancy scheme. It might not approve of some particular thing unless we contribute additional dollars for something or other". That is fair enough, but those uncertainties have now been removed. If there was a margin, a loading or an uncertainty because of those factors, it would have been removed and by any financial yardstick—I am referring predominately to the market valuation as reflected in Ashton shares and also the various valuations that have been done in relation to share issues from time to time and financing arrangements—the Government has paid too much.

Mr Burkett: In your opinion.

Mr PETER JONES: No, it is not my opinion. I have been quoting from opinions by someone else. I am directing the House's attention to what others have said on this matter. The whole point is that the Government has some obligation to provide all this information and let the Parliament and the people of this State understand exactly what it has done in the name of this State.

Mr Bertram: You have already worked it all out; that is what you are saying.

Mr PETER JONES: We need to know the way that this is done because some statements that have been made in the last two or three days by some Government advisers who are unquoted, but who are referred to as Government advisers, really should be explained by the Premier. For example, someone referred to as a senior Government adviser has admitted that, "The Government had the AJV over a barrel and they had little room to move". In this State we have a Government which is prepared to deal with the developer of that project. It is not good to have that sort of comment read by others whom the Government is trying to attract to WA.

The Premier has made no secret about the fact that the Government is seeking to attract investors from overseas companies, and then it comes up with statements like this. We have dealt also with a situation regarding the relations the Government has with the Ashton Joint Venture and the so-called fact that the Malaysian Government has a share in the project. Mr Speaker, the Malaysian Government has no direct equity in the project whatsoever.

Mr Bertram: Has it got any shares?

Mr PETER JONES: Let me repeat that the Malaysian Government has no direct equity in the project whatsoever. It has a shareholding in one of

the equity partners, and so do a lot of other people. If one looks at the list of the top 20 shareholders in Ashton one will find a considerable number of Australians on that list.

Several members interjected.

The SPEAKER: Order! I ask the member for Gascoyne and the Minister for Employment and Administrative Services to stop interjecting.

Mr PETER JONES: That list is freely available if any member cares to take the trouble to look at it, but the Malaysian Government—

Mr Burkett: I would rather listen to the member for Gascoyne than this.

Several members interjected.

Mr PETER JONES: —has some 22.4 per cent share in Ashton. The London Tin Corporation has 22.7 per cent and one will see various Australian nominee companies such as life assurance companies on this list.

The Malaysian Government, through this company, is a shareholder in one of the equity partners; and as such it receives a return from the investments or undertakings of Ashton Mining in two ways. Firstly, it receives a return from any dividends that Ashton may have and which, so far, have not been satisfactory. Secondly, it receives its return through any increased value in the shares.

I have not had time to obtain the exact figures, but as one of the analysts put it to me, the WA Government has already done better than the Malaysian Government in relation to the Argyle project from the royalties it has received already. As Ashton Mining has other partners, we have a situation where it is subscribing capital funds for its development of the project and it has certainly not been reaping any such rewards as the Premier has been insinuating. Why cannot the WA people have a share in the project in the same way as the Malaysian Government has. Certainly in the first 20 years of the project we have done better—but more particularly, we stand to do somewhat better—than the Malaysian Government. I have not been able to obtain the figures to compile a financial model based on the various prices and changes to extend it beyond that period.

It is wrong to say that the Malaysian Government has attracted an equity partner. It is a substantial shareholder. In referring to the Malaysian Government, this Government, and the Premier in particular, should not be implying it is a direct equity partner and that it is receiving substantial profits from the project. In fact, all the shareholders of the companies involved, as with all the Australian and WA shareholders in Ashton, will

enjoy the dividends and share prices in years to come, as will the people of this State through the royalty arrangements.

Let us make sure that this is put on the correct basis and that the Government is not implying something that is not the case.

I refer to an interview between the Premier and Mr Maumill on a radio programme earlier this week. I have the transcript with me and the implication was that the Government intended to be an equity participant in order to control the project and, in fact—

Mr Burkett: Come on, control the project with five per cent!

Mr PETER JONES: The inference was that the Government needed to control the project and again, as you will recall, Mr Speaker, the question of control over the project and the exercising of statutory control was clearly canvassed and supported when the agreement Act was before this House. I have referred to this already tonight. The Act gives the Government of WA—whichever party might be in power—more control in terms of approval over this project than any other resource project in this State. Marketing is a prime example. Surely the Premier will not say that the statutory control the Government has over this project is insufficient and that it needed to be a participant in the project in order to exercise adequate control.

Mr Brian Burke: Who said that?

Mr PETER JONES: In the implication—

Mr Brian Burke: What do you mean by implication? You have the transcript, read it to us.

Mr PETER JONES: If I may continue, the other point quoted by the Premier relates to the fact that if one is a participant in a project then perhaps one can obtain some better understanding in matters such as international marketing and finance associated with resource development.

Mr Brian Burke: Do not try to find a way out of it with some praise. Read the transcript where it says we need five per cent to control the project.

Mr PETER JONES: I do not—

Mr Brian Burke: You said the implication was that I said we wanted five per cent to control the project. Read it out.

Mr PETER JONES: I do not want to take up my time in reading the transcript, but I will come back to it.

By control, I am not talking about financial control; I am talking about exercising control over the project—

Mr Brian Burke: Whatever control you are talking about, find the words to support your claim.

Mr PETER JONES: Let me repeat—

Mr Brian Burke: Read the transcript and do not make things up.

Mr PETER JONES: The Government needed to get into this project in order to exercise adequate control over it.

Mr Brian Burke: Read out the transcript.

Mr PETER JONES: I now come to the second point—

Mr Brian Burke: You make things up.

Mr PETER JONES: —which relates to the question that the Government needs to have an equity participation in order to understand the facts about marketing.

Mr Burkett: No, in order to control.

Mr Brian Burke: You said to control.

Mr Burkett: Get the member for Gascoyne to help you.

Mr PETER JONES: I said also that there was some validity to the comment regarding the fact that if the Government or any equity partner has, for example, a five per cent equity in this project and Northern Mining has a voice in this—

Mr Brian Burke: Can I interrupt you and ask the member for Floreat to read the transcript. He has looked at it twice. Let us hear it. It appears he cannot find it. Make something else up.

Mr PETER JONES: It is valid that equity participation gives the Government or an equity partner a share and means it has a voice in the management as distinct from statutory control and financial interest. The point I make is that the Government did not need a five per cent equity or any equity in order to obtain the information that will presumably now come its way.

Mr Burkett: You said that Maumill said on his radio programme that they needed five per cent to control the company. The member for Gascoyne made more sense when he was talking to Mr Parker.

Mr PETER JONES: I am sure the Premier and his advisers are well aware of some of the ramifications of diamond marketing and production because most, if not all of that information was available to the Government. It had been collected over recent years, and provided the background upon which the marketing proposals were approved. I do not see why additional information was required by the means of purchasing a five per cent equity. I understand something about diamond marketing and it is clear that in-

formation had to be available to the Government in order that it might approve the marketing proposals in the first instance.

I hope the Premier in due course will either clarify or refute the headline in a recent newspaper which indicated that the Government wished to be an international diamond marketer. In a sense it will be that, and in a sense it already is; but it will be a little more so as a result of its having an equity participation in the project. The Government did not need to acquire five per cent at an inflated value to find out how diamonds are marketed. That information was not only readily available, but also had been collected by various Government officers and others available to the Government, such as the Government-appointed valuer from England, Treyfus. It would have provided the Government with significant information, particularly items on confidential trading which is very much associated with this type of resource development, without the Government's having to acquire five per cent.

All the motion seeks is for the Premier to provide the Parliament and the people with all the financial assessments and the feasibility work that was done for the Government, and the details and supporting material put forward by Mr Connell and Mr Walsh and others who provided the basis on which the Government made its decision.

We are seeking that information in view of the fact that the Premier in due course will ask Parliament to consider legislation associated with this matter.

All these aspects become more important when one appreciates that two things have happened. The first is that the Government by coercion and extortion—

Mr Brian Burke: Oh, come on!

Mr PETER JONES: —obtained from the joint venturers funds in advance which virtually have mortgaged the royalty income from the project for many years to come. The second decision was to purchase a company which gave the Government a five per cent equity. It has purchased that company at what various analysts who would value the project consider to be an inflated price for a five per cent share. By any stretch of the imagination, that share could not be worth the sum the Government has paid.

Surely the people of this State are entitled to know why the Government has done something it did not need to do and at a price it did not need to pay.

MR MENSAROS (Floreat) [8.34 p.m.]: I second the motion, and in approaching the subject, I do not want to deal with details such as why or

how the purchase was made and executed. I would rather query the propriety and desirability of the whole deal, and question whether the end result will be as beneficial to the State as the Premier painted it. I would question whether it might not even be detrimental to the State. From the point of view of whether the deal is desirable or proper, I ask whether this endeavour fits into the system of government as we know it—the Westminster system—and not only whether it fits, but also whether it meets the legal requirements of the system and of the working of our Government.

According to the Westminster system, the Government exists to receive revenue, and to guide the spending of the money according to the yearly appropriations by the Parliament. The Government undoubtedly is the custodian of the taxpayer in collecting revenue and guiding its expenditure, but I do not think the Government is the taxpayers' banker or broker, according to the system to which we all subscribe. Least of all should it be the taxpayers' bookmaker, spending considerable amounts in risk capital that ought to be used for revenue. To tie down the money for future prospects of calculated dividends and to say to the taxpayers and electors of the State that it is a magnificent deal which will be to their benefit, is not good enough.

If the Bill proposed to be introduced by the Premier were examined by a constitutional lawyer, it is questionable whether it would be found to be within the spirit and indeed the legal framework of the Constitution under the Westminster system. We are not talking about moneys which from time to time are there as a cash surplus waiting for the proper expenditure according to the appropriations of the Parliament, and those moneys being invested in absolutely safe securities in the short-term money market.

We are talking about a commercial deal which although it will have the Parliament's blessing inasmuch as a Bill will be passed, is still quite a different method of dealing with revenue generated for the taxpayers within the yearly appropriations both for the revenue and expenditure side. Government instrumentalities and utilities such as the SEC, the MWA, and the transport utilities such as the railways and the MTT, usually have a Statute governing their existence which states that they have the right and power to acquire property, and to own it and sell it, but that that right is restricted to the purposes of the instrumentality itself.

That is the reason I asked some time ago whether news items in the papers to the effect that the Government intends to sell the East Perth

power station site or utilise it for an entirely different purpose are correct. I ask whether the Act will be amended because the Act clearly says the SEC can own land only for the purpose for which it exists.

The other concern I have apart from the question of whether the deal is desirable and proper according to the constitutional system, is whether from a practical point of view it will have beneficial results. The Government has adjudged this deal to be popular and it can say to the people it will ultimately reap more money, but it has said very little about the risks involved. Who knows how many roads the Government will have to follow as a joint venturer with five per cent equity? Who knows how much more of the taxpayers' money will have to be used in the future?

The question is whether the Government has the confidence so badly needed to keep the investment in development in Western Australia by way of overseas capital. I say this quite sincerely and on the basis of having the longest experience in this House in dealing with development projects.

Mr Brian Burke: What about Bunbury Foods? You were very insistent on that one.

Mr MENSAROS: It could have been a success; it was a guarantee, not equity purchased.

Mr Brian Burke: I wish it had not even been a guarantee because it is costing us \$5 million.

Mr MENSAROS: I am talking about the actions of the Government and the fact that the previous Government and many other Governments have guaranteed private enterprise which did not turn out to be right, but that did not lessen the confidence of people who invested from outside. If anything, and it may have had a bad end result, it increased confidence because it indicated the Government was helping private enterprise. In this case, the Government is embarking on a road which is exactly opposite to and a reversal of the actions taken by countries which are socialistic or communistic. The Government from a private enterprise economy is going over to acquiring business, being the owner or proprietor of business, and if the Premier would examine what happens behind the Iron Curtain he would observe exactly the opposite course.

Mr Brian Burke: You are talking about the Westminster system and whether this purchase is compatible with the Westminster system. Have you heard of British Petroleum, the British steel industry, British Rail, and the British Coal Board? The home of the Westminster system does not appear to have the problems with which you are grappling.

Mr MENSAROS: These are Government instrumentalities. British Petroleum, in which the Government has equity, is just as questionable. I am sure that investment in Britain was affected and the confidence of people who had invested in development projects was hurt by the action of the UK Government in connection with British Petroleum, as I am suggesting the action of this Government might hurt the confidence of future investors in Western Australia. The present UK Government is selling out its equity.

Mr Brian Burke: You don't think you might be a little presumptuous by challenging the home of the Westminster system.

Mr MENSAROS: I approach the whole problem from two points of view. The first I have already dealt with; it is questionable whether the whole action is desirable or proper according to the system in which we work. Secondly, I query whether it would be as advantageous as the Premier paints it because it could take away the confidence of investors. I base this opinion on my experience. I query the Premier's judgment when he says, in reply to a question, that the Chamber of Commerce is misjudging the situation and he has been told by businessmen that he has a good Government, an entrepreneurial Government, and this is a good approach.

I warn the Premier that after a few months' experience of being Premier of the State, businessmen will come to him, and tell him that kind of flattering thing. No-one will come and say to him that what he is doing is not right.

Mr Brian Burke: Some have already done that.

Mr MENSAROS: I draw a parallel: I detect in the behaviour of the Premier two different sides of him. When the Premier is on television, he appears to be moderate and objective, and he convinces the electorate he is almost a father figure. However, when he loses his temper in the House, he lapses into the situation that existed when he was sitting on the Opposition side before he was elected as leader. At that time, he rarely wore a suit and tie and mostly wore a jumper.

Mr Brian Burke: The clothes I own are not a major conviction against me. I happen to have five children and they need feeding. How many children do you have?

Mr MENSAROS: If one refers to *Hansard*, one finds that scarcely one speech was made by the Premier in opposition when he did not attack someone personally, either a Minister or a member of the then Government.

Several members interjected.

Mr MENSAROS: Referring to the State Government Insurance Office, the Premier has said he knew what the previous Government had considered in Cabinet. I query how the Premier had this information. During my nine years in Cabinet, on only one occasion was an outsider present at a Cabinet meeting and the subject discussed was different from the SGIO. Therefore, the Premier must have received his information from a public servant's guess. Does the Premier think that such a public servant, who breached the confidence of the previous Government at a time when his role was to serve the Government of the day faithfully and loyally, can be trusted in the future?

Several members interjected.

Mr Brian Burke: What has this to do with the motion?

Mr MENSAROS: It has this to do with the motion: Those people who went to the Premier and told him he had the best Government acting in the best interests of the economy may have been playing to his ego and might not have been telling him the truth.

Mr Brian Burke: I accept that may be so, but I wonder whether the business people going to Opposition members might be telling them something to play to their egos.

Mr MENSAROS: I am talking from my own experience and what I have slowly learned from negotiating previous projects, and were it not for my negotiations, many of those projects would not be here. I do not wish for any kudos, but I remind the Premier of—

Mr Brian Burke: I have never criticised you for that.

Mr MENSAROS: I have learned from many people that private enterprise does not take kindly to a situation where the Government wants to come into business.

Another argument put forward by the Premier was that we need to acquire knowledge and expertise and the best way to do that is by acquiring this equity. It is well known that by acquiring equity even in a joint venture structure, not necessarily in a single company structure, one will have access to inside knowledge. One can acquire this insight in many other ways. In some cases I was successful when I was doing the job of two present Ministers, as Minister for Industrial Development, Mines, Fuel and Energy, with the Department of Industrial Development, to exchange public servants with employees from private industry, banks, and mining companies. Instead of public servants, many consultants came from private industry, precisely for the reason that they



should know how Government works and the Government should know how private industry works. However, it looks suspicious if one gets into an arrangement only to acquire that know-how. This is what some Japanese companies do. They do not purchase large equity because they know their strength is in being the large purchasers of the product. However, by going in with a five per cent equity they could have someone on the board and they can be fully informed of the everyday situation.

I set out only to make these brief comments and my suggestion is that it is not proper, according to our system, to enter into such a deal. It could have very detrimental effects if we alienate the capital, and I am referring to the bankers and the developers. Nothing can be more strongly emphasised from Western Australia's point of view than resources development. No matter how strong the Deputy Premier might be on science and technology, we cannot foster our economy in any other way than by resource developmental projects. The simple fact is that everyone will learn very quickly that we do not have the markets, which, in today's scales of economy—no matter what high technology we have—would be big enough if it were based on the local Western Australian market only. Even if sometimes unpopular, there are two ways only to emphasise resource development. The other way is to look after the overseas markets. From that point of view the building industry product promotion in Hong Kong is very desirable and commendable. High technology, while very desirable and very commendable, because of the economy of scale, is only worthwhile if we find other markets. To receive investment we have to have the confidence of the investor. That confidence demands that even though Governments change in Western Australia, as they do in other parts of the world, the WA Government can be trusted to keep whatever arrangements the previous Government has made. It will not interfere with business arrangements, and it does not necessarily want to acquire equity in order to know what the company is doing.

I am not querying what the member for Narrogin has queried—whether the deal was right or not; whether the purchase price was low enough or not—but what I am querying is what will an investor think if he sees that the Government is acquiring an equity share? An investor could even be malicious and say, "I would rather have my share expropriated or subjected to resumption", but I know that is a long bow to draw, because if something is resumed under the terms

of the Public Works Act, one has to pay whatever the value is plus ten per cent.

So while it might seem to be funny, to some extent it is a nationalisation, or almost an expropriation minus the benefits which are prescribed under the resumption laws. I am not saying that is so in this case, and I am not trying to contradict the member for Narrogin because I did not examine the figures. I am simply saying that might be the appearance from outside—from the point of view of investors. So my second suggestion was that this deal could, in the future, prove to be fairly harmful to Western Australians. Many investors and bankers will start to talk amongst themselves. They will not go first to the Premier and say, "Do not do this because you will lessen confidence." They will say it amongst themselves and by the time it gets to him, either directly or indirectly, it will be too late because the confidence will have been lost. I support the motion.

**MR BRIAN BURKE** (Balga—Premier) [8.55 p.m.]: Parliament has been treated to a very novel and not very well substantiated exposition of the anguish of the Opposition in the face of what has been an excellent commercial acquisition by the Government in the name of the people of the State.

**Mr MacKinnon**: Time will show that not to be the case.

**Mr BRIAN BURKE**: I will refer firstly the point made by the member for Narrogin when he spoke about the price to be paid by the Government for the five per cent equity in this project; that is, the Northern Mining Corporation NL's share of the project. The traditional way to value an investment is, I would suggest, the prospective return from that investment once it has been made. On the best information available to us, that return in this case amounts to 14 per cent on the investment involved.

But leaving that aside, I would like to look carefully at what the member for Narrogin had to say and to consider the contradictions inherent in it, when first he postulated that we should more profitably enter into equity ownership by purchasing part of Ashton mining company's shares.

In that way, he said that by multiplying five per cent by the current value of the shares we would arrive at a shareholding variously estimated by the member for Narrogin to cost between \$27 million and \$31 million. When it was pointed out to the member for Narrogin that anyone entering the market seeking—and I said \$50 million worth of stocks for Ashton Joint Venture—would kick the shares past \$2.50, the member for Narrogin said, "Of course it would, I know that." But he

did not bother to calculate what a five per cent equity would be on the basis of shares having attained a new, higher level of, say, \$2.50.

Not only that, he also then tried to convince the Parliament that he realised he could not get an equity that way, but that it was still legitimate to value an equity by multiplying the price of Ashton shares by the number of shares which comprised five per cent of the project.

Mr Peter Jones: No, not equity.

Mr BRIAN BURKE: That is nonsense, because one can only buy something if it is for sale. There needs to be a seller. It is fairly irrelevant to talk about an acquisition of five per cent when one cannot buy it. It is naive to calculate a value on the basis of an equity investment which is not available for purchase.

What the Government has done, at a price which the member for Narrogin has not yet grasped himself, is to purchase a five per cent equity. For the edification of the member for Narrogin, let me explain to him as clearly and simply as I can that the purchase price of \$42 million to which he refers has diminished by the issue of \$50 million partially through the prepayment of royalties. That is, Northern Mining's responsibility for funding part of the \$50 million is discounted to a net present value from the share which is \$2.5 million to \$1.4 million. Subtracting \$1.4 million from \$42 million one arrives at the purchase price paid by the Government for Northern Mining's shareholding in the Ashton Joint Venture. That is \$40.6 million.

According to the hypothesis of the member for Narrogin, this naive, incompetent, unworldly, commercially-ignorant Government waltzes around the countryside doing better deals than Alan Bond—the Alan Bond who paid \$50 million plus in the name of Endeavour in the first instance, and \$43 million in the name of the Bond Corporation in the second instance, according to the member for Narrogin.

Mr Peter Jones: Slightly different properties, though.

Mr BRIAN BURKE: That is not true in the case of the second sale.

The \$43 million converted to \$40.6 in the case of the Government's purchase. In the eyes of the member for Narrogin, that amounts to a situation in which the Government, which is so roundly condemned for being financially naive and capable of being duped, is less capable of being duped than is the Bond Corporation, which is recognised across this country, liked or otherwise, as one of the nation's great trading companies.

To imply the level of financial competence to this Government that is possessed by the Bond

Corporation is hardly the sort of insult that is commercially sustainable; but in any case, the Minister, by virtue of his primitive calculation of the value of five per cent purchased by the Government, is trying to perpetrate upon the Parliament a nonsense that does not stand examination.

Mr Peter Jones: It was not my valuation.

Mr BRIAN BURKE: Thus we have the member for Narrogin standing and quoting valuations, and then saying that we paid too much for this five per cent equity. Now, when confronted by the truth, he attempts to say, "That was not my valuation".

The member for Narrogin used those valuations. If he does not agree with them, if he does not believe them, he should not use them. I am about to tell him some of the things that impinge upon the price and which should be taken into account by anyone seeking sincerely to analyse the situation objectively.

Firstly, we have the prospect of the marketing arrangements that are unique to the share of the Northern Mining Corporation NL in the Ashton project. The member for Narrogin admitted that the arrangements were unique, and admitted that a margin should be accorded to the Northern Mining shareholding because of that uniqueness. Then he did not bother to make any allowance for that.

Mr Peter Jones: Yes I did.

Mr BRIAN BURKE: I did not hear the member quantifying that allowance. Perhaps he will do it now.

Mr Peter Jones: I also quoted the additional value.

Mr BRIAN BURKE: It was the additional value of the proportion accrued to the marketing agreement.

Mr Peter Jones: I quoted Bearings who were the consultants for Endeavour. Even with the additional value allowed for, the Endeavour shareholders had done extremely well.

Mr BRIAN BURKE: Let us pin the member down. A moment ago, he said that he quantified the value of the marketing arrangement unique to Northern Mining.

Mr Peter Jones: I did not. I said that the additional value could not make it up.

Mr BRIAN BURKE: The member for Narrogin said that he quantified the unique marketing arrangements possessed by Northern Mining. He now says he did not say that; but I invite him to quantify it. Is the member prepared to quantify the value of the marketing arrangements?

Mr Peter Jones: The way I referred to it was to say that there was no way that additional value could be placed on the unique selling arrangement—and it is not unique; it is just separate.

Mr BRIAN BURKE: It is certainly unique for this project.

Mr Peter Jones: It does not bring it up to \$40 million.

Mr BRIAN BURKE: I will ask the member for Narrogin again. We will pin him down on each one of these matters. I ask him to quantify the value of the marketing arrangements.

Mr Peter Jones: I cannot quantify it.

Mr BRIAN BURKE: That is the point I wanted to make. He is unable to quantify the additional value accruing to the marketing arrangements. The member for Narrogin knows that the Bearing Brothers completed their report at a time when hanging over the brow of this project was the uncertainty attaching to the environmental review and management programme.

Mr Peter Jones: I mentioned that.

Mr BRIAN BURKE: That is right, and also the approval for the mining proposals. They were major uncertainties. In fact, lacking the ERMP approval by the Government and the approval of the mining proposals, this project would not get off the ground. Those two uncertainties were referred to by the member. I wonder whether he is prepared, knowing the Bearing Brothers did not consider those things, to quantify the value inherent in those two approvals.

Mr Peter Jones: I indicated they should be referred to, because they raised an uncertainty that might be, but not certainly, reflected by the share value.

Mr BRIAN BURKE: The financial journalists the member is wont to quote so often have been blaring out during the last couple of days, explaining, even to the member, that the lifting of those two uncertainties was a major plus for the project.

In fact, they meant, with those approvals, that the project would get off the ground. I simply ask the member to be honest about his assessment, and to quantify the allowance he would make for those approvals. How many dollars in hundreds of thousands or millions, I suspect, do those two approvals add to the purchase price of Northern Mining?

Mr Peter Jones: I have told you. The point is that they removed—

Mr BRIAN BURKE: Of course, the member for Narrogin hits the nail on the head. He cannot quantify it. If he cannot quantify it in assessing

the valuation I say is the legitimate one, how can he quantify it to attack that valuation?

Mr Peter Jones: You have quantified it, because you have made it worth 33 per cent.

Mr BRIAN BURKE: I say that the price paid for the five per cent equity purchase by the Government from Northern Mining is an eminently fair price. It represents a return of 14 per cent on invested capital to the people of this State. That is the basis on which I claim that the price paid is a fair one.

I point out to the Parliament that the member for Narrogin does not even know what price was paid, because he is still quoting \$42 million as the price paid, when I have just explained to him, as he could have found out for himself from the stories about the matter, that the purchase price is \$40.6 million.

Mr Peter Jones: Produce the reports.

Mr BRIAN BURKE: It is not a matter of my producing the reports, because the figure that has been published in the Press has been referred to by me in this Parliament, and has been known broadly for the past four days.

Mr Peter Jones: Will you table the financial assessments?

Mr BRIAN BURKE: In a moment, I will do something that will surprise the member. However, he should not change the subject. That is what he usually does.

Mr Peter Jones: Give us the information.

Mr BRIAN BURKE: I will take the opportunity to touch on one or two matters raised by the member for Narrogin. He has had information supplied by someone outside the Parliament; but I will deal with that in a moment. I do not want him to have the opportunity to wriggle out. I will take up each of the points he made, because he had a great deal of difficulty in covering the ground over which he walked.

Let us start with the most glaring error. The member picked up a transcript of a radio interview—

Mr Peter Jones: I will correct that. I made a mistake in the transcript. You did refer to control, but not in the context I mentioned.

Mr BRIAN BURKE: That is right. With due respect, getting the member to retract anything is like pulling a tooth.

Mr Peter Jones: You referred to it; but I was wrong in my reference.

Mr BRIAN BURKE: What I said in the interview was that the Government did not seek to

control. That is what I said; and the member now acknowledges that that is the truth.

Mr Peter Jones: That is right.

Mr BRIAN BURKE: Thank you.

We believe that the price paid for Northern Mining is eminently fair. Leaving aside the speculation on which the member for Narrogin attempts to base his claim, and taking the more substantial and demonstrably worse basis or projection as the price, the 14 per cent rate on investment is enough to satisfy us that the investment is a sound one.

For that reason, leaving aside the speculation embarked upon wrongly by the member for Narrogin, there is adequate proof of the wisdom—

Mr Peter Jones: What was wrong in my referring to people who had valued five per cent of Argyle at various figures?

Mr BRIAN BURKE: There was nothing wrong with the member for Narrogin's referring to that, in the same way as I might say, but I do not choose to do so, "Look how smart we are. Mr Bond paid \$50 million and we are paying \$40 million". I would not say that, because it is as senseless as the member for Narrogin's drawing strength for his argument by saying that similar arguments of estimated values are worthwhile comparisons. One cannot make those comparisons. I would not say that this Government is smarter than Alan Bond or the principles of Endeavour Resources Ltd. or Northern Mining Corporation as they have changed from time to time. What I would say is this: If it is possible to assess the return to this State at 14 per cent, it is possible to attach a value to the investment that is made in the name of the public and that is the solid basis on which the claim is made.

I would not say, as the member for Nedlands said, "If you want to buy 15 per cent in the Ashton Joint Venture, it will cost you \$150 million", because that is playing politics. When the member for Nedlands puts a price on the Ashton Joint Venture which suits his political ends, what he does, and what everybody in this place does, is to exaggerate the cost saying, "Our 15 per cent, in order to satisfy our policy, costs \$150 million, but hang on, the Government has bought five per cent for \$42 million". One does not have to be Einstein to work out that 15 per cent costs \$126 million on that basis and all of a sudden we have the possibility of drawing strength from the member for Nedlands' argument by saying, "Aren't we smart? We have done better than he thought we could do. We have shaved the price of each five per cent by \$9.4 million".

However, that indicates the fraudulent nature of that sort of comparison and we cannot do it, because we now have demonstrated to the Parliament figures ranging down from \$53 million which was paid by Alan Bond initially, to \$12 million to \$15 million which, I think, was the lowest estimate referred to by the member for Narrogin. Thus we have a range of figures from \$12 million to \$53 million from which one can make one's choice.

Mr Peter Jones: Neither of those was quoted by me as being the source which had actually valued it. The only reference to \$53.8 million was to the purchase price.

Mr BRIAN BURKE: When referring to the \$12 million to \$15 million as being the price tag at the lower end of the range, the member for Narrogin said that a valuation was done.

Mr Peter Jones: The main ones were \$27 million and \$29 million.

Mr BRIAN BURKE: I do not think it is fair that the member should make his speech again during my time.

Mr Laurance: Which is unlimited.

Mr BRIAN BURKE: I know my time is unlimited, but I do not think the member for Narrogin should go back and correct everything he said incorrectly in his speech during my time, because if he does that, perhaps unlimited time will not be enough!

Mr Laurance: You can use it all.

Mr BRIAN BURKE: What I am saying is that, between the extremes referred to by the member for Narrogin, first of all, he said the figures at the lower end of the scale were supported by a valuation. He said that was obviously ridiculous and then spoke about the upper limit of the range of \$53 million. He did not say a valuation had resulted in that figure being paid, but presumably Endeavour Resources Ltd. had a valuation carried out or purchased Northern Mining Corporation on the basis of some value that it accorded to it. Obviously Endeavour Resources Ltd. did not simply say, "Well, go over and ask Northern Mining how much it wants and give it an extra \$10 million". Endeavour assessed the value and paid it.

The member for Narrogin took us from one extreme to the other and ignored the one way in which we can truly assess the worth of an investment and that is by calculating the return which will be earned on it. He left out that completely. Why did not the member for Narrogin refer to it?

Mr Peter Jones: We are going to have a Bill to discuss, are we not?

Mr BRIAN BURKE: We will have a Bill to discuss.

Mr Peter Jones: I had a cash flow table here relating to that.

Mr BRIAN BURKE: But when the member for Narrogin talks about valuations, would it not be passingly honest for him to talk about the other side of the matter?

Mr Peter Jones: You may recall I said I looked at some of the figures and the information available to me through this knowledge and down through the years and given certain factors, such as price per carat, yield per tonne of ore, and tonnes of ore mined, you produce a whole range of models to show the profitability. The State has those figures and you have access to them in relation to determining what might be the case in respect of royalties and how the matter should be dealt with.

Mr BRIAN BURKE: On the most conservative estimates incorporated into a model by the joint venturers, not referring to Northern Mining, but as assessed by the joint venturers' bankers, the return to the State will be 14 per cent on the money invested and the cash flow generated by the year 2007 will be \$270 million. Those figures have been quoted; they were available for the member for Narrogin to address himself to, but, in a purely political way, he addressed himself only to the other side of the equation and, as a result, his contribution suffered.

Mr Peter Jones: We are going to have the advantage of a Bill to address this in some detail.

Mr BRIAN BURKE: Of course, but the member for Narrogin chose to address himself in detail to all these other matters.

Mr Peter Jones: I referred to it.

Mr BRIAN BURKE: The member for Narrogin may have referred to it, but he did not attempt to develop any valuation basis which may have been a significant contribution to the debate and I know why he did not do so; it did not suit his argument. That is the trouble with this place. Members stand up and argue according to the conclusion they want to rationalise. That is one of the big problems and in the contribution made by the member for Narrogin he did not bother to refer to the fact that, on the basis of the return on the investment, a value could be calculated. I do not want to delay the House, because I do not think it is necessary.

Mr O'Connor: Are you prepared at some stage to let us look at the documents in connection with this?

Mr BRIAN BURKE: I shall answer that when I come to the end of my speech; but the Government has nothing to hide. Believe it or not, the Government is quietly proud of what it has achieved and we know that, outside the public arena, the member for Narrogin has been wont to remark to people, "Well, it does not seem to be a bad deal".

Mr Peter Jones: I have never said that.

Mr BRIAN BURKE: If the member for Narrogin says he has not said that, I accept it; but it is strange that we have reported back to us as emanating not only from the lips of the member for Narrogin, but also from other quarters, the remark that—

Mr Peter Jones: Everything I have got and that has been brought to my notice cannot find a \$40 million valuation for five per cent of Argyle.

Mr BRIAN BURKE: As I indicated to the member for Narrogin, what he brings to his attention conveniently ignores the most empirical of evidence and that is the return on the investment.

Mr Peter Jones: I have one of those models which values it at \$27.9 million.

Mr BRIAN BURKE: That is one of the aspects of the way in which the previous Government negotiated matters. Believe it or not, resource developers do not see themselves as being part of the Government, obsessed with the spirit of public service. They are generally responsible corporate citizens who see as their primary obligation the making of profits for their shareholders. I know it is strange that we cannot believe that these national and international developers are not obsessed with the need to wear sack cloth and ashes while they give all their money to the State, but they are not.

Some of the models to which the member for Narrogin refers as reposing within Government departments do not bear the slightest resemblance to the truthful models which represent the project. It is strange that, when we began to investigate the profitability of the project and compared the models for the project that were considered by financiers who were asked to fund the participation of the joint venturers, we found that the models considered by those bankers bore absolutely no resemblance in crucial aspects to the models which the previous Government was fed so readily.

Mr Peter Jones: So you did not accept the Treasury model. Treasury did a model.

Mr BRIAN BURKE: It may be strange to learn that about this whole matter—and I heard the member for Floreat say that he witnessed one occasion when a person came into Cabinet—that it was all consigned to the Under Treasurer, and at the Cabinet meeting at which the decision was made, the Under Treasurer was in attendance.

Mr Peter Jones: I said the previous models and the various financial projections were Treasury opinions—are you saying you reject them?

Mr BRIAN BURKE: All the models we obtained through the joint venturers were referred to the Treasury, and Treasury was then asked, as represented by the Under Treasurer, to attend on Cabinet, at which Cabinet meeting the decision was made to proceed and the Under Treasurer was asked the result of his investigation. His view was that it was a good deal. I know what the member was referring to, but all I am saying is that if the model of the Treasury and the model of the joint venturers are combined, they are models that resulted in that opinion being offered.

Mr Laurance: You are gloating over this and you—

Mr BRIAN BURKE: I am not gloating at all.

Mr Laurance: You think it is a brilliant deal.

Mr BRIAN BURKE: I said it was a prudent and wise investment on the part of the people of this State.

Mr Laurance: I understand your wanting to put it that way, but these people had \$100 million in the ground and you were able to negotiate that deal. I will acknowledge your brilliance when you can make such a deal when they have nothing in the ground. We got them on the hook—

Mr BRIAN BURKE: The member cannot do this. He is saying his Government was a partner in this crime—his Government got them on the hook and we reeled them in. What sort of immoral Government was it that put resource developers on the hook? The member for Narrogin had them over the barrel and the member for Gascoyne had them on a hook. It was a particularly cruel Government. The member cannot say that this arrangement is immoral and is an example of extortion and blackmail and, anyway, his Government did the job because it got them on the hook.

Mr Laurance: We got them to put the money in the ground. You get the next lot with nothing in the ground.

Mr BRIAN BURKE: There may never be another lot.

Mr Laurance: There will not be if you go on this way. Then show us how brilliant you are.

Mr BRIAN BURKE: John Tonkin used to say that if he had a frying pan, some fat, a fire, and a fish, he could have fried fish.

Mr Laurance: You said it was a brilliant deal.

Mr BRIAN BURKE: The member keeps saying that, but I keep saying it is a prudent investment on the part of the people of this State.

Mr Laurance: A minute ago you said something about how proud you were of it.

Mr BRIAN BURKE: That is so. When we do it with nothing in the ground the member should write it out and pass it on to me. There is not much point in our talking about nothing in the ground.

Mr Laurance: That will be the big test for you.

Mr BRIAN BURKE: Claude de Bernales has never supported the Labor Party.

Mr Laurance: I think he used to say that a mine is a hole in the ground with a liar on top.

Mr BRIAN BURKE: I think he used to spread a little salt as well.

The joint venturers approached the Government—we did not seek them out. I will tell members what happened. They came to see the Deputy Premier, and the Deputy Premier, about to leave for overseas—

Mr Thompson: As usual.

Mr BRIAN BURKE: —asked that I take over the carriage of this matter. The joint venturers came to see me and I will tell members exactly what they said and what I said. They sat down and said that they did not want to build a mine town. I heard the member for Narrogin saying that his Government would have made them do this or it would have made them start a fishing company or something else.

Mr Laurance: What is wrong with fishing companies?

Mr BRIAN BURKE: I do not know that the Ashton Joint Venture has to be told to do this or that. But they said to me they did not want to build a mine town. They indicated very strongly that if they were forced under the terms of the agreement to build the mine town, the project might not get off the ground. They went on further to say that the Court Government had blackmailed them into putting in the clause that referred to the mine town. I do not know whether that is true, but that is what they said to me.

Mr Thompson: The member for Kimberley wanted the town.

**Mr BRIAN BURKE:** I told them I understood that if they were forced to build the mine town the project might not go ahead but that they should understand my problem. As the Premier of a Labor Government committed to the establishment of the rights of the public in these areas, how would I go about saying publicly that after a call on me I had permitted the joint venturers to pocket \$83 million, which was the saving from the mine town, and had let them fly in their workers from Perth. Politically, what would members opposite have done to me?

**Mr Laurance:** It was a dilemma for you.

**Mr BRIAN BURKE:** Members opposite would have criticised me.

**Mr Laurance:** Not at all.

**Mr BRIAN BURKE:** Does the member know what my second son says to me when I say things like that? He says, "Control tower to Mr Pig". Pigs would fly in the same way as members opposite would not criticise me if I had made a deal like that.

**Mr Laurance:** The member for Narrogin raised that point in his speech and said that there was a problem and that a hard decision had to be made.

**Mr BRIAN BURKE:** But members will have noticed that he did not say what the decision would be.

**Mr Laurance:** No.

**Mr BRIAN BURKE:** That is right. That is one of the comforts of being in Opposition. Members can say it is a hard decision—let us have another beer.

**Mr Laurance:** I do not think he went into Opposition to miss the decision.

**Mr BRIAN BURKE:** No, but the member for Narrogin said a hard decision was involved and now let us talk about the quality of diamonds in the ground. I said much as the member for Narrogin said. I told the joint venturers that the savings to them equalled \$83 million. I told them the State would be happy to amend the agreement upon the payment of \$50 million as its share of the savings. I said that share was calculated on the jobs lost, on their not building the town, on the economic activity related to the building of the town that would not occur as a result of the decision not to build a town, and on the general multiplier effect through the economy. That is what I said.

**Mr Laurance:** We can be reasonable enough to say that we would have encouraged them to invest funds in something else and you are saying you want public equity.

**Mr BRIAN BURKE:** Let us not jump too quickly to the public equity bit. I said \$50 million would be the State's share of the savings. All this occurred about the end of July—remember, we are talking about a massive delay. The joint venturers approached us; we did not approach them. I said to them exactly what I have told members tonight, and they replied in the terms I have indicated on their behalf tonight.

Then I said that the easiest thing for the Government was for them to go away, to build the mine town according to the agreement, and for them not to try to change the agreement. I said that would suit us fine. I said that for the next three weeks. I told them we would be perfectly happy if they decided to build the mine town, because then we would not have to make the hard decision referred to by the member for Narrogin.

They came back and offered the State what amounted to \$27.5 million net present value expressed in the amount of \$50 million as a partial prepayment of royalties. I almost did not accept it. They flew over and I almost said, "No, I am not interested. Go and build the town". It took me two days to accept that offer. I do not apologise for that. If I had been using extortion or blackmail I would have been lying down in front of the steamroller they use to flatten obstacles they perceive to be in their way. That is not on. No-one on the other side would do that either.

The next point was this: Knowing that in effect the partial prepayment of royalties reflected certain payments to the State, I could not do as this motion suggests, and that was to take the money and spend it to buy this job here for six months, to put a bandaid on that problem there, or do something else on a short-term basis. What I tried to do was, on the part of the people of this State, to secure compensation for a loss suffered as a result of that prepayment of royalties. The purchase of Northern Mining presented the ideal opportunity to do that. By investing that \$40.6 million in Northern Mining between now and the end of the project—on the most pessimistic figures available to even the joint ventures, and leaving aside the marketing arrangements unique to Northern Mining—there will be no less paid to the State in any year than would have been paid had there been no prepayment of royalties. After the period during which those royalties are repaid, the State will be left with its full benefit of royalties plus Northern Mining. It is all very well for the member for Narrogin to carry on as he does without knowing or talking about what we have already made clear, and that is that our interest in Northern Mining will be sold to the people of this State in as widely a dispersed

shareholding as it is possible to make, with the Government keeping only an interest in not the total five per cent. That is what we plan to do.

Mr Laurance: That still does not make it acceptable to me personally.

Mr BRIAN BURKE: I do not care whether that makes it acceptable to anyone personally. The member is not inside my skin; he does not have to answer my conscience. I do not have to weigh up what is in his mind, and he does not have to weigh up what is in my mind. He may like cheese and I may not.

I have stated exactly, step by step, the process through which the Government went to arrive at the point we are now. I understand the Opposition's point of view about wanting to know the details. I do not think anyone expects me to say I will table in this House all of those commercially sensitive details that do not even relate to any ownership we have, because they are still Northern Mining interests to which those marketing sensitivities relate. But I am prepared in response to the interjection of the Leader of the Opposition to provide to him every detail he requests, and access to everybody who was involved in any way or who represented the Government in any way, and I will arrange for him to talk without prejudice to the joint venturers themselves. I will make available to him any information he thinks is appropriate so that he can satisfy himself that the State has acted wisely or unwisely.

I am prepared to do that on the normal basis of confidentiality; that is, that he does not then stand up and say what arrangements these people have with De Beers, or what arrangements De Beers have with these people, or how the joint venture is looking. Provided he accepts those normal bounds of confidentiality, everything the Government has he can have.

Debate adjourned, on motion by Mr O'Connor (Leader of the Opposition).

## TOBACCO (PROMOTION AND SALE) BILL

### *Third Reading*

Debate resumed from an earlier stage of the sitting.

MR CRANE (Moore) [9.34 p.m.]: Before the tea suspension I referred to the advertising to which we have been subjected over the last few weeks related to this controversial Bill. I explained that while I do not agree with the manner in which the Government has expended money on advertising, I accept that this is probably the only way to counteract the advertising campaign forced upon us by tobacco companies.

When the member for Subiaco spoke this evening he referred to how almost the entire medical profession—in fact, 100 per cent—opposed tobacco smoking. I have not heard many people, and certainly have heard no-one in this Chamber say that smoking is not harmful to health. I have heard no-one say that young children should not be discouraged from taking up the habit.

It seems most people agree on those points. However, I am concerned that the Opposition has taken note of the opinion of the medical profession when it has seen fit to do so, yet disregards that opinion in these circumstances.

When I was first elected to this Parliament, in 1974, a motion was put before the House by the Hon. John Tonkin, the then Leader of the Opposition, in an endeavour to have the Tronado cancer machine made available to the Sir Charles Gairdner Hospital. I suppose I was young in Parliament at that time—some said I was wet behind the ears—but I felt it was my responsibility to support the motion even though it was contrary to the opinion of the medical profession. I felt that people with a disease such as cancer who were at the end of the road in looking for something that could give them relief from their illness had the right to use that machine. It was his or her life. I did not feel I had the right or that anybody had the right to deny them the opportunity to use that machine if they felt it could help them.

I still stand by that opinion, and the point I make now is that the Opposition, the then Government, based its arguments on the so-called facts and the opinions of the medical profession, but now this Opposition does not support the medical profession, dentists, and all others associated with medicine, who have shown us conclusively that smoking is injurious to health, and is the most prevalent cause of premature death which can be eliminated. That is a good example of a contradiction in attitudes. I remind members on this side that they have erred in judgment in one of those instances, but they cannot be right on both occasions.

The other evening the member for South Perth referred to the death toll from tobacco-induced diseases, and he compared it with the death toll over the 10 years of our involvement in the Vietnam war. I have not been able to check his figures, but I presume they are correct. We know how tragic war is. Those of us who were unfortunate enough to have been associated with it between 1939 and 1945 remember only too vividly how tragic war is, and we would not in any way condone it.



My point here is that over that 10-year involvement in the Vietnam war, Australia as a whole lost 400 people. That shocked the Australian public to the extent that there were great cries to prevent the slaughter. During 12 months in this State we lose 1 200 people as a result of tobacco-related diseases, and we are not concerned about that toll—or are we? I believe we are. The example I have drawn is worthwhile to remember.

In my summing up tonight I am putting the case as to why we should ban the advertising of tobacco products. Today I received a letter—I do not usually receive letters from this organisation—from the Trades and Labor Council of Western Australia. I presume that many other people would have received this letter. It says—

Dear Mr Crane,

This is rather important because some members may have screwed the letter up or put it in the round file. The letter continues—

At its meeting on the 6th September 1983 the Trades and Labor Council resolved—to support the Government's campaign against smoking and legislation introduced to Parliament in support of a comprehensive smoking control programme including a complete ban on all forms of tobacco advertising and promotion.

This represents some 160 000 workers in Western Australia—a fair slice of the community—who were of the opinion that this proposed ban on tobacco advertising has a lot of merit. I do not give the present Government the credit for this; I give it to the member for Subiaco, who introduced a private member's Bill last year. However, we did not agree to it in the upper House.

Mr Gordon Hill: Hear, hear!

Mr CRANE: However, some members did. The WA Sports Federation, which has a tremendous number of members, also supports the ban. A lot of Western Australians support this ban on the advertising of cigarettes and tobacco products.

The reasons for their support of the ban are spelt out in the letter from the TLC—it is part of an overall programme, as was said here tonight, I believe by the member for Subiaco. How can we expect a programme to discourage people from smoking to be effective if at the same time as we put this programme before them we see tobacco blatantly advertised on television or on banners—I mention television because of sports promotion, as tobacco products are not allowed to be advertised on television as such? How can we expect such a programme by the Education Depart-

ment to be effective if on the one hand we are saying, "You must not do this because it is bad for you" and, on the other hand, almost simultaneously we are being bombarded by advertising which says, "Smoke Winfield" or some other brand? They go hand in glove and we cannot have one without the other.

I must speak in support tonight of His Grace the Most Reverend Dr Peter Carnley. Unfortunately the other evening the member for Gascoyne drew to our attention the remarks made by the Anglican Archbishop of Perth. It was unfortunate, but when we speak in this place sometimes we get carried away and wish to push our argument fairly strongly. The Most Reverend Dr Peter Carnley does not have anyone to defend him in this place and, as an Anglican and, more importantly, a Christian, I want to take this opportunity to defend him myself and, in doing so, merely remind the House that the Archbishop of Perth bases his findings on his own doctrine and teachings which have been derived from that very important book which, no doubt, we have all read, if not in total, in part, which starts with the words, "In the beginning"; of course I mean the Holy Bible. Some members may remember the teachings, one of which was a lesson by Christ himself who said, "Suffer little children to come unto me". There is a message in those words of the Lord which we would do well to remember. I remind the House of the teachings of Christ in the Bible. This legislation is also aimed at "suffering the little children to come unto us", although they may not be so little. Therefore I believe it has its honourable aspects.

I do not intend to speak for very long tonight. I could go on and ask for an extension of time because I have so much to say. However, that would not be appropriate in this instance. In concluding my remarks I remind the House—I admit I could be wrong but I do not think I am—that we in the Opposition are very much out of step. We have heard plenty of examples about smoking being harmful and addictive—this is why so much pressure has been put on us to ban it. Some people have asked us why do we not ban sugar or salt because they are bad for our health. Sugar and salt are not addictive but nicotine is. From the very first puff damage becomes evident, but this is not the case with the first teaspoon of sugar or salt. How many times do we hear people say, "I smoke very heavily; I wish I didn't but I can't give it up"? How many doctors have reported on pregnant patients coming to them during their confinement saying, "I wish I could give up smoking. I know it is bad for my unborn baby but I cannot give it up"? How much evidence shows

that smoking is in fact very bad for the unborn child? However, because of its addictive nature, the prospective mother cannot give it up, so damage is being done to her unborn child.

I said we in the Opposition are out of step. I say that in the light of what I consider to be very learned reports by many people. The Anglican Archbishop of Perth has reported on this matter, and all church bodies have commented on it and are in support of this legislation. We heard comment by the WA Sports Federation. Tonight we mentioned the TLC. We have mentioned so many big organisations which are opposed to this legislation, yet we automatically oppose it because of our philosophies. I said earlier that our philosophy is on a collision course with our ideology. It would be ideal to have a healthy nation, yet we find ourselves in a position of being so much out of step.

I am reminded of old Patrick McGinty, an Irishman, who was very proud of his family. On this particular day he went to the passing-out parade of his son Sean. Sean, unfortunately, was one of those lads who had two left feet and it was extremely difficult for him to keep in step.

Mr Gordon Hill: Is this an Irish joke?

Mr CRANE: On this occasion Patrick, bursting with pride said to Biddy, as the troops came marching by, "Tis a fine sight, Biddy. Look at our fine son Sean. He is the only one in step". That, I believe, is how the Opposition looks at this legislation.

Mr Gordon Hill: Hear, hear!

Mr CRANE: We are the only ones in step.

In conclusion, I remind the House of the remarks I made earlier tonight. I did not make them in a derogatory way but rather in a constructive, critical way. I said we had not only lost our way but also in this instance we had lost the map. I support the third reading.

MR GRAYDEN (South Perth) [9.50 p.m.]: I had not intended to speak on the third reading but we have had so many speakers that I will join the throng, but I do not intend to speak for very long.

The member who has just resumed his seat made reference to the support for this measure in the community and this is a matter on which I want to touch.

A number of members are not aware of the extent of the support for this legislation. We know that two thirds of the community do not smoke; but it was just a few years ago that we had the situation where the majority of people smoked. One would attend meetings anywhere and would find the majority of people were smokers. Today irrespective of what sort of meetings one attends

it is seldom that one finds a single person who smokes.

One of the wonderful things about the controversy that surrounds this legislation is that it will serve to increase public awareness of the dangers of smoking. In Britain some time ago all sorts of campaigns were conducted to emphasise the dangers of smoking. One of the most effective posters that was displayed dealt with the human lungs and the statement on it read: "The lungs are like a sponge designed to soak up air. Wring out the lungs of an average smoker once a year and you wring out a cup and a half of cancer-producing tar". It was a graphic sort of poster and it had great effect.

As a consequence of the advertisements that have appeared in the press and the references to the controversy that has surrounded this legislation, we have this added bonus, this increase of public awareness of the dangers of smoking. While only one third of the population smokes at present, we may see a dramatic drop in that number. If one wants an indication of the community support for this legislation one only has to read the list of organisations which have appeared in one of the advertisements in the press over the last few weeks.

It is a most impressive list and I have it with me. I will not read out the names of all the organisations because there are no fewer than 67 of them on the list. We are not merely talking about two thirds of the people in the community that do not smoke, but about 67 organisations which have come forward and said they want to put their names on this list as an indication that they are in favour of this legislation.

Let us look at the list and I will only read out some of the more important organisations. Firstly we have the Australian Pensioners' League of WA (Inc.). I would imagine that in virtually every electorate in the metropolitan area there would be two branches of the Australian Pensioners' League. In my electorate I have one in Manning which has 400 members and another in South Perth which also has 400 members. This is something that has been discussed by all the branches and not just something the head office has passed as a resolution. It is as a consequence of discussions by various branches of the Pensioners' League. If I have two branches which each has 400 members in my electorate, how many members would there be in the metropolitan area and how many would there be in the country areas of Western Australia?

The next sponsor listed is the Anglican Archbishop of Perth. He is speaking for a church

which has wide ramifications in Western Australia. The State School Teachers' Union of WA (Inc.), is next on the list and it is an organisation which has 14 000-odd members.

The next sponsor, and this is a most important one, is the Seventh Day Adventist Church in Western Australia. It, of course, has missions and other establishments throughout Western Australia. The next sponsor is the Trades and Labor Council of Western Australia. The member for Moore, who has just resumed his seat, read a letter which I think most members received today from the Trades and Labor Council which represents 160 000 workers in Western Australia. Of all organisations I would have thought that that would have been one that would have opposed the legislation. However, the spokesman for 160 000 workers has come forward in support of the legislation. If one adds the 160 000 members represented by the Trades and Labor Council to the members represented by the Western Australian Sports Federation it would total a large number indeed when one takes into consideration that that Federation represents 360 000 sports people in Western Australia. Therefore we have 360 000 plus 160 000 people from those two organisations alone. The Western Australian Sports Federation is on this list.

Another organisation is the Australian Public Health Association which is a most responsible body. We have also the Australian Democrats, an Australian political party which is now, of course, of consequence.

The Australian Council of Health, Physical Education, and Recreation is a very responsible organisation and is also listed. Another one is the World Health Organisation which is the most reputable health organisation in the world. This organisation, some time ago, published the fact that one million people die annually throughout the world as a consequence of diseases caused by cigarette smoking.

Next on the list we have the International Union Against Cancer, which is a highly regarded international organisation, the Cancer Society, Community Aid Abroad, and the International Association and Federation of Cardiology. Another organisation of great consequence is the National Heart Foundation of Australia.

Other organisations listed are the Australian Medical Association, the Cancer Foundation of WA (Inc.), and the Western Australian Sports Federation which, as I have already mentioned, represents 360 000 sports people in Western Australia.

I said that I would not read out all the organisations because there are 67 highly responsible organisations on this list. However, there are a few more to which I should refer before I conclude.

Those that I will mention are the Australian Sports Medicine Federation, the Doctors Reform Society, and the Western Australian Public Health Department. All members would agree that these are most responsible organisations and it indicates the extent of public support in Western Australia for this legislation.

They include the West Australian Public Health Department and the Alcohol and Drug Authority; the Tuberculosis and Chest Association of WA (Inc.) and all the most important medical organisations in this State. There is also the Royal Australasian College of Physicians, the Royal Australasian College of Surgeons, the Royal Australian College of General Practitioners, The Royal Australian College of Obstetricians and Gynaecologists and the Royal College of Pathologists of Australia. I refer now to a most important organisation and one which commands the respect of every individual in this country—The Salvation Army. Of course, every other organisation I have mentioned would command virtually similar respect.

The churches are represented including the Churches of Christ in Western Australia, the Baptist Churches of Western Australia, and the Uniting Church Synod of Western Australia which is a very big church indeed.

Dr Dadour: It must be just about the total population.

Mr GRAYDEN: I am wondering who is not on the list.

Mr Crane: The Opposition.

Mr GRAYDEN: The list includes the YMCA and the YWCA and every department associated with medicine at the University of Western Australia. I will not read them out because there are too many, but they include the departments of surgery, pathology, the Faculty of Medicine, etc. I could go on and if I did I would have to read the names of 67 highly responsible organisations in this State representing a huge number of people. I hesitate to hazard a guess at the number. When one thinks of the churches alone, the West Australian Sports Federation representing 360 000 people, and the TLC representing 160 000 people, one must conclude a tremendous amount of community support exists for this legislation.

In the last few days I have had quite a number of letters from very responsible people. I will not read them but I would like to refer to one from the National Heart Foundation which states that

in 1980 more than twice as many deaths occurred in Western Australia from coronary heart disease attributable to cigarette smoking—634 deaths—than from motor vehicle crashes of all causes which caused 293 deaths. In fact, nearly 1 300 people died in Western Australia, as the member for Moore pointed out, from diseases caused by cigarette smoking—four times the number of people who died as a result of road accidents. The National Heart Foundation says that twice as many died from heart disease related to cigarette smoking as were killed on the roads. That emphasises the importance of this legislation.

I received another letter from the Dental School of the University of Western Australia which states that the risk of death from cancer of the mouth is four times as great for those who smoke as it is for those who do not. I also received a letter from the Cancer Foundation of Western Australia (Inc.). This letter gives details of the percentage of smokers in various countries. I think I should quote one or two figures to indicate what is happening overseas.

In Italy the percentage of smokers among girls is 55 per cent, and among boys 51 per cent. In Australia the figures are 45 per cent of girls and 32 per cent of boys. In Norway, however, it is only 28 per cent among girls and 22 per cent among boys. The significant fact about the figures for Norway is that they are constantly declining whereas in every other country where legislation does not restrict cigarette advertising the figures are increasing.

Mr Williams: There is no advertising in Italy, just as there is no advertising in Norway.

Mr GRAYDEN: I am sorry, that is not quite correct. In Italy the ban was introduced for the purpose of protecting local manufacturers against foreign imports. There was no intention to affect tobacco consumption.

I do not want to go through these letters because members have had a very late night and are anxious to conclude. Recently we have had a pretty fair test of public support for this legislation. I refer to the Mundaring by-election. No doubt exists that all sorts of issues came into that by-election and some would have had a greater effect than others. However, that by-election took place while this controversy was raging in the media. For months, page after page in our newspapers extolled the merits of the legislation or opposed it. The public were fully aware where the candidates stood on this issue. They knew one candidate supported the legislation and they knew as a consequence of some unfortunate events

which were referred to earlier today, where the other candidate stood.

Putting all other issues aside, if the public were opposed to this Bill the Mundaring by-election was their opportunity to indicate their opposition; they did not do so. The present Government had done everything in its power to make itself unpopular in a short space of time. It introduced a cigarette tax which, to my mind was staggeringly severe, and increased all sorts of charges. Those increases were extraordinarily unpopular. We accused the Government of breaking promise after promise. Notwithstanding all that, the people of Mundaring who were thoroughly acquainted with the issues in this controversy, and were conversant with what each candidate felt about the legislation, returned the member who supported the Bill.

I draw attention to that point to indicate that, to my mind it is a very good reflection of where the public stand on this legislation.

Recently a cigarette smoking seminar was held in Perth attended by a number of international authorities. I took the opportunity of contacting Dr Kjell Bjartveit who was one of the Norwegians largely responsible for the introduction of restrictive legislation on cigarette advertising in Scandinavian countries.

I listened to Dr Bjartveit at the seminar and the one salient point that emerged was that while Western Australia has an infinitely better health education system than Norway and other Scandinavian countries—I was surprised to hear that and I queried it with Dr Bjartveit who was adamant that it was the position—the incidence of smoking, particularly among children, is falling dramatically in Norway, whereas in Western Australia it is increasing at the rate of 10 000 additional children a year taking up the habit. At the same time adults are giving up smoking. Dr Bjartveit said the only difference between the situation in Norway and Western Australia is that Norway has restrictive legislation and Western Australia does not. The incidence of cigarette smoking is falling in Norway and it is rising in Western Australia. Every single medical authority is in favour of restrictive legislation and it is for that reason I support this legislation.

MR WILLIAMS (Clontarf) [10.12 p.m.]: I speak on behalf of those Opposition members, who oppose this Bill. In doing so I wish to point out that we who oppose the Bill agree with the Government in its efforts to stop young people smoking, particularly in the schools, and in its educational programme. As has been mentioned tonight, people are becoming aware of the

dangers of smoking and are giving it up. However, 33 speeches have been made on this subject in the second and third reading debates—that is apart from the committee stages of the Bill—so it has been widely and fairly canvassed.

Contrary to what some people say, we believe that the majority of Western Australians want the advertising of tobacco products to remain and that has been clearly borne out in the arguments put forward. Our main argument has been simply this: If the Government is honest it will stop the sale of cigarettes and tobacco products in this State. However, it will not stop those sales because it wants the income from the taxes raised. Therefore, the Government is hitting the next best thing in its opinion, which is advertising. That is not the correct thing to do.

I believe we have proved conclusively throughout the world that where advertising of tobacco products is not permitted, including Norway, the reason for the decrease in smoking has been excessive tax on cigarettes. I also point out that cigarette smoking has increased in Italy, where there is a ban on advertising. In Russia advertising has been banned since 1917, but the incidence of tobacco and cigarette smoking has increased measurably.

Let us compare two countries such as Singapore and Hong Kong. In Singapore advertising has been banned since 1971 and the increase in cigarette smoking per head of population is double the rate of that in Hong Kong, which has no ban on advertising. In that situation where is the argument for a ban on advertising?

The most important point in our argument has been the censorship contained in this diabolical Bill, and I refer to clause 4(2), which reads—

The Minister may, by notice published in the *Government Gazette*, declare that any newspaper described in the notice that would otherwise be an exempt newspaper shall not, for so long as the declaration remains in force, be an exempt newspaper for the purposes of this Act.

In other words, the Minister has the right either to stop the printing in this State of any periodical or newspaper that contains advertising of cigarettes and tobacco, or to stop the import from the Eastern States of magazines such as *The Bulletin*, *The Australian Women's Weekly* or *House and Garden*, which may contain advertisements for smoking. We believe the Minister could use that power for political ends if he does not agree with the editorials or what is printed in the magazines. Under those circumstances, he could prevent them from coming into the State and that is an

infringement on the rights of the individual. I refer to this right because after all the educational programmes, if we cannot convince young people not to smoke, the final decision must be theirs.

Sufficient Gallup polls have been conducted to demonstrate that the majority of people want the advertising of tobacco products to remain, because most of them believe allowing an infusion of tobacco industry money into sport will enable young people to benefit. Young people will build healthy bodies and perhaps will not want to smoke.

I refer to clause 5, which makes it an offence to advertise tobacco in any way, on T-shirts or whatever, or to offer a friend a cigarette, and provides a penalty of \$1 000. This is certainly an infringement on the rights of the individual.

Last night in the Committee stage the Government and those in favour of this Bill were put to the test and they fell down badly, because this Bill, which supposedly will be passed tonight, will reduce the age limit at which people are allowed to smoke officially from 18 years to 16 years. Clause 8 is hypocritical and we moved an amendment to it last night because we are sincere and honest, and we do not want young people to smoke or to be given the opportunity to smoke. We believe that between the ages of 16 and 18 young people will be tempted to start smoking, because they have the money. Our amendment to clause 8 was defeated. Therefore, as far as we are concerned, the whole argument went out of the door.

I believe the argument has been canvassed properly, fairly and honestly, but the rights of the individual are paramount. We do not believe in censorship and this is the beginning of the end. It is the most diabolical Bill put through this House since I have been a member. The censorship contained in it is worse than the censorship of Goebbels and Hitler, and we do not want it in this State. Freedom of choice and the rights of the individual are of paramount importance and, on those grounds, we oppose the Bill.

**MR GORDON HILL (Helena)** [10.20 p.m.]: I rise to speak on this Bill and to round off the Government's position. I would like to comment on a few points raised by previous speakers during the third reading of this Bill. In particular I would like to refer to a couple of points made about sponsorship by the tobacco industry. There has been a lot of huffing and puffing by the Opposition.

**Mr O'Connor:** By smokers!

**Mr GORDON HILL:** It has been suggested that if this Bill is successful, as we expect it will

be, this will be the end of test matches for Perth, it will be the end of many sporting activities round the State.

When one looks at the total sponsorship for sport by tobacco companies, it is in the vicinity of \$500 000 a year. That is peanuts when compared with the contribution made by many other organisations which contribute to sport sponsorship. These organisations were listed last week in *The West Australian* newspaper. They do not make a great deal of fuss about sports sponsorship, but they contribute large amounts of money. I was talking recently to a director of the Swan Districts Football Club.

Mr Davies: Get on with your speech!

Mr GORDON HILL: I will talk about the grand final to the Minister in a moment! The director suggested to me that the club is not particularly concerned about this legislation because that particular director recognises that Australians will not allow Australian football or any other sport to fall by the wayside for want of funds for sponsorship. We all know that plenty of organisations contribute substantial amounts of money to sport sponsorship. An enormous number of companies are waiting to take up the market vacated by the tobacco companies.

Of course the Amatil company, which has made a great deal of noise about this legislation, not only advertises tobacco products but also advertises a large number of products such as beverages and food. Many companies would be interested in taking up sports sponsorship. It is pleasing to see that the R & I Bank has indicated that it will be interested in coming into this area.

In a recent discussion a constituent of mine said the R & I Bank ought not to be doing that; he said it ought to be providing blankets and houses for destitute people. I suggested to him that the tobacco companies are not interested in doing good for people, they are interested in selling a product, and that is the reason the companies advertise. It is for no other reason but to increase their portion of the market. There is plenty of evidence to show that tobacco advertising does just that.

Comments were made in particular by the member of the Opposition who has handled the Bill on behalf of the Opposition. It was not handled by the shadow Minister for Health—he has a more sensible attitude.

Mr O'Connor: Just because it is your attitude—surely other people are entitled to their views. I do not criticise you for yours.

Mr Old: You are an absolute nut.

Several members interjected.

Mr GORDON HILL: Every time someone says anything the member for Katanning-Roe does not like, he resorts to personal abuse.

Mr Old: You are just a nut, the same as the bloke in front of you.

Mr GORDON HILL: When the member has an opportunity to make a speech he can do so.

A Government member: Ask him to say "Baa".

A member: Absolute bilge!

Mr GORDON HILL: The Leader of the Opposition commented that the member for Clontarf, who has handled the Opposition's stance on this, is entitled to his view. That is quite correct. So is the member for South Perth, who has an intelligent view on this piece of legislation.

Mr Old: He must agree with you!

Mr GORDON HILL: The Leader of the Opposition referred later to a Select Committee of the Senate and quoted the findings of that committee. This committee examines legislation—that is all it does; it is not an expert committee in any particular area, it simply examines legislation.

Mr O'Connor: That is correct.

Mr GORDON HILL: The Social Welfare Standing Committee of the Senate, which really does have some expertise in this area, was very supportive of this Government's position on tobacco advertising. I can recall the Leader of the Opposition making the comment that the Senators are not experts on health issues, and for that matter neither am I. But I can say, and the Leader of the Opposition cannot refute this, that large numbers of organisations and doctors in this State have given unequivocal support to this legislation. That was outlined tonight by the member for South Perth. They are the experts and they support the Government on this legislation. I cannot suggest that the member for Clontarf, the Leader of the Opposition, or any other Opposition member who is not a medical practitioner is an expert. The one medical practitioner on the other side of the House supports the Government's position.

Mr Williams: You want to listen to what has been said. We are not talking of health, we are talking about free people.

Mr GORDON HILL: The two cannot be divorced.

Mr Williams: You can divorce the two.

Mr GORDON HILL: I never heard any such comment from the honourable member during his speech.

Mr Williams: You should have listened to my opening speech. It is in *Hansard*.

Mr GORDON HILL: I will read it with interest in *Hansard* if I can make sense of it.

Mr Williams: You will find it hard going.

Mr GORDON HILL: The experts on health in this State, the medical practitioners, the people from the Medical School at the University of WA, and others, have supported the Government unequivocally on this legislation.

Comment was made by the member for Clontarf about the Morgan Gallup poll which he claims shows that the West Australian public is in support of advertising and tobacco sponsorship of sport. The member for Clontarf might acknowledge this, but the question asked in that survey of something like only 500 Western Australians—

Mr Williams: They said it was 500.

Mr GORDON HILL: The answer was that they would support tobacco industry sponsorship; not sponsorship of sport, not sponsorship of anything in particular. It was along those lines: "Do you support the tobacco industry's sponsorship?" There was some sport in that. It could well mean in the minds of those 500 people the sponsorship of sport. It might have been sponsorship of opera or anything else, but it does not necessarily mean advertising in support of that sponsorship. One has to really search out the facts. One cannot put in a biased point of view and suggest that the figure arrived at in the survey is representative of the views of Western Australians.

There was some comment about the effect this will have in respect of deterring young people from taking up smoking. I refer to a letter I received today from the Cancer Foundation of WA (Inc). The director, Clive Deverell, wrote to me, as well as other members, and supplied statistics relating to the percentage of boys and girls aged 13, 14, and 15 years in a number of countries. It is interesting to see that since the advertising ban became effective in Norway in 1975, the number of juvenile smokers has become significantly lower than that in other countries listed. I am sure members of the Opposition will have received a copy of that letter. For the life of me, I cannot understand how, when the facts are looking them in the face, they cannot recognise the sense in the Government's putting forward this legislation.

On behalf of the Government, I thank the members of the Opposition and the independent member for Subiaco for their support for this legislation. In anticipation of support in the Legislative Council, I thank members in that House also.

This legislation is to the everlasting credit of the Minister for Health who introduced it into this place.

Question put and passed.

Bill read a third time and transmitted to the Council.

*House adjourned at 10.31 p.m.*

# QUESTIONS ON NOTICE

## MINING: DIAMONDS

### Lake Argyle: Stage 2

1262. Mr PETER JONES, to the Minister for Economic Development and Technology:

Adverting to the answer given to question 1186 of 1983 respecting the Argyle diamond project, will he please provide answers to part (3) and part (4) of the question and indicate the persons involved?

Mr BRYCE replied:

The negotiations in respect of permanently discharging the Joint Venturers from their mine town obligations under the agreement and the payment of \$50 million to the Consolidated Revenue Fund were principally conducted by the Premier and myself, supported by advice from the Minister for Mines, the firm L. R. Connell and Partners, Treasury, the Department of Resources Development, the Department of Mines and the State Energy Commission.

The Premier and I were also assisted by members of our ministerial staff, principally Mr Michael Naylor and Dr Elizabeth Harman.

## REGIONAL ADMINISTRATION

### Administrators: Duties

1374. Mr LAURANCE, to the Minister for Economic Development and Technology:

- (1) How have the duties of regional administrators changed now that they are called regional managers?
- (2) Do the regional managers act as chairmen for the regional development committees?
- (3) Are the regional managers and the regional development committees responsible to him?
- (4) Will he list the current regional offices, the regional managers and the staff in each of the regional offices?
- (5) How does this staff establishment compare with the position as at 19 February this year?

Mr BRYCE replied:

- (1) The duties of the regional managers are—  
to manage the affairs of the Department of Industrial Development in the regions;

to provide services for Government departments not represented in their region; and

to supply administrative and secretarial support, where needed, for officers representing other departments in the region.

- (2) Yes. The committees are now titled "Regional Development Advisory Committees".
- (3) (i) Regional managers are responsible to the Minister for Economic Development and Technology.  
(ii) Committees are responsible to the Minister for Regional Development and the North West.

(4) Central region—	Regional Manager	C. J. Jordan
	Regional Officer	M. I. Drenth
	Regional Officer	Vacant
Kimberley region—	Clerk	Vacant
	Regional Manager	S. J. Edwards
	Regional Officer	A. D. Graham
Gascoyne region—	Clerk	Vacant
	Regional Manager	D. J. Clancy
	Clerk	G. P. Arthur
Pilbara region—	Clerk	C. M. Cooper
	Regional Manager	R. H. Pigott
	Regional Officer	D. T. Langley
South-west region—	Regional Officer	J. A. Dalziel
	Clerk	P. M. A. Nugent
	Clerk	J. H. Leonard
Great southern region—	Typist	C. G. Fitzgerald
	Clerk Typist	S. G. May
	Regional Manager	G. W. Watt
Greenough region—	Regional Officer	S. G. Yule
	Clerk	M. J. Hickson
	Clerk Typist	R. Watt
Goldfields region—	Regional Manager	I. D. Johnston
	Regional Officer	C. Smits
	Clerk	Vacant
	Clerk	M. E. Howden
	Clerk Typist	M. F. Carson
	Regional Manager	D. C. Daws
	Asst. Regional Manager	A. F. Bright
	Regional Officer	Vacant
	Clerk	Vacant
	Clerk Typist	R. L. Abbott
	Clerk Typist	D. B. Braggins

- (5) The only staff establishment changes since 19 February are those relating to the south-west office where staffing for that office is under review at present.

1394. This question was further postponed.

## ABATTOIRS

### Number

1415. Mr OLD, to the Minister for Agriculture:  
What number of—

(a) export;

(b) local consumption,

abattoirs were licensed for the years 1979, 1980, 1981, 1982 and 1983?



Mr EVANS replied:

(a) and (b)

	Export	Local
1979	14	53
1980	11	52
1981	11	51
1982	11	52
1983	11	51

#### MINING: DIAMONDS

##### *Northern Mining Corporation NL: Purchase*

1416. Mr O'CONNOR, to the Premier:

- (1) Who were the business and financial consultants appointed by the Government to advise it on the purchase of Northern Mining Corporation NL and referred to by him in his news release?
- (2) What fees either were, or are, payable to the consultants used?

Mr BRIAN BURKE replied:

- (1) The firm of consultants advising the Government on the financial aspects of the mine town obligation of the Joint Venturers under the agreement and the royalty payment of \$50 million to the Consolidated Revenue Fund was L. R. Connell and Partners.

As a consequence of these negotiations the same firm was requested to present a report to the Government on options for acquiring a direct participating interest in the Argyle diamond project.

- (2) The Government is presently finalising consultancy arrangements with L. R. Connell and Partners and no fees have yet been paid or will be paid until that arrangement has been concluded.

#### MINING: DIAMONDS

##### *Northern Mining Corporation NL: Purchase*

1417. Mr O'CONNOR, to the Premier:

What is the total amount of taxpayers' funds which will be involved in the purchase of Northern Mining Corporation NL, including any prepaid royalties?

Mr BRIAN BURKE replied:

The transaction price on the acquisition of Northern Mining Corporation NL is \$42 million the return on which is esti-

mated to yield a cash flow of \$270 million to the State and its taxpayers by the year 2007.

#### ANIMALS

##### *Cats: Stray*

1418. Mr HASSELL, to the Minister for Agriculture:

- (1) Which department, if any, is responsible for control of stray cats in the metropolitan area?
- (2) What action, if any, can be taken by a householder to remove stray cats from his property?
- (3) Is help available to a householder plagued by large numbers of stray cats, especially in view of the health risk associated?

Mr EVANS replied:

- (1) No Government department is responsible for the control of stray cats in the metropolitan area.
- (2) There are no specific laws governing cats, their registration or control in Western Australia. Common law provisions of ownership and trespass therefore prevail.
- (3) Some local authorities have live-capture cat traps available for loan or hire to ratepayers.

#### EMPLOYMENT AND UNEMPLOYMENT

##### *Perth Professional Practices*

1419. Mr HASSELL, to the Minister for Employment and Administrative Services:

- (1) Did Perth Professional Practices, a group of unemployed professional people (self help) apply for funding under the Commonwealth employment programme?
- (2) Was the application refused?
- (3) If so, why?

Mr PARKER replied:

- (1) Yes, assuming the member is referring to the joint State-Commonwealth community employment programme.
- (2) No, it is still being assessed by the community employment programme joint secretariat.
- (3) Answered by (2). It should be noted that the group has made many previous approaches to the Government and has in-

deed claimed to have "associations" with Government departments. All assessments that have been done on the group—which actually appears to consist mainly if not exclusively of a Mr R. Broinowski—have been largely negative and I welcome the opportunity to clearly state that this group has no association with or approval from, the Government.

## EMPLOYMENT AND UNEMPLOYMENT

### *Perth Professional Practices*

1420. Mr HASSELL, to the Minister for Employment and Administrative Services:

- (1) Did Perth Professional Practices, a self help group of unemployed professional people recently apply for an employment agents licence?
- (2) Has this been refused?

Mr PARKER replied:

- (1) No.
- (2) Not applicable.

## HOSPITAL

### *Royal Perth: Microscopes*

1421. Mr GRAYDEN, to the Minister for Health:

- (1) Is it a fact that—
  - (a) surgeons performing microsurgery at Royal Perth Hospital are using a microscope that is hopelessly outdated;
  - (b) the new microscopes have significant improvements that lessen the risks of intricate microsurgery;
  - (c) they are easier to operate because the quality of the optics and focussing is better;
  - (d) while the outdated microscopes have to be moved by hand the new ones are automatic;
  - (e) in a lengthy operation having to move the microscope by hand causes the surgeon a lot of frustration and it can increase the operating time significantly;
  - (f) the new microscopes throw direct light onto the operating site while the microscope now in use throws oblique light so that the surgeon is often working in shadow;

(g) the lighting on the current microscope is too hot and this can dry out tissue in a lengthy operation;

(h) Royal Perth Hospital will not know until the State Budget is presented if it will be given enough money to buy it?

- (2) Is adequate money provided in the State Budget for this top priority equipment and, if not, will he arrange the additional funds required?

Mr HODGE replied:

- (1) (a) to (h) Yes. The machine is not the latest model. It was purchased in 1974.
- (2) The hospital has been provided with a budget which incorporates an amount for purchase of equipment. The decision for priority is the responsibility of the hospital.

## HEALTH

### *Medical Practitioners: Qualifications*

1422. Mr GRAYDEN, to the Minister for Health:

- (1) Has any consideration been given to amending section 12(9) or any other relevant section of the Medical Act 1894-1968 in order to overcome anomalies created by the Medical Act Amendment Act 1979 in respect of those medical practitioners whose medical qualifications were acceptable before the coming into force of the amendment to section 11 of the principal Act, but which ceased to be so thereafter?
- (2) If so, with what result?
- (3) If not, will he give consideration to the matter?

Mr HODGE replied:

- (1) to (3) A review of the Medical Act is in progress and amendments of this and other sections will be considered.

## HOSPITAL

### *King Edward Memorial: Clinical Research*

1423. Mr GRAYDEN, to the Minister for Health:

- (1) Is he aware of recent comments by Professor Laurence Beilin of the University of Western Australia to the effect that—

- (a) hospital staff at King Edward Memorial Hospital were working continuously at what was virtually crisis level;
- (b) junior medical staff had very little time for clinical research or for careful consideration of factors relating to patients;
- (c) important research into hypertension had been and was continuing to be delayed;
- (d) research in that field was being held up because, despite the best co-operation of the hospital's administration, beds could not be made available during the week to admit volunteer pregnant women with normal blood pressure to act as controls in clinical trials;
- (e) all that is required for the research is a bed for one or two women once a week for 48 hours;
- (f) a 30 bed ward at the hospital was closed this year and now the strain is too great?

- (2) In view of the situation in respect of this research what action does the Government plan with a view to overcoming the problem?

Mr HODGE replied:

- (1) (a) to (f) Yes. I am aware of the newspaper report in *The West Australian* on 7 October 1983 conveying the comments mentioned by the member.
- (2) Beds were made available to Professor Beilin at weekends for his research into hypertension following his request to the hospital. I believe this arrangement is the subject of further discussion between Professor Beilin and the hospital.

## HEALTH

### *Aborigines: Eye Operations*

1424. Mr GRAYDEN, to the Minister for Health:

In view of the statement to the annual congress of the Royal Australian College of Ophthalmologists by Professor Fred Hollows that general surgeons often removed the eyes of Aboriginal patients suffering from serious eye infections without first giving a specialists examination—

- (a) will he investigate the possibility that similar happenings could occur in Western Australia;
- (b) take whatever action is necessary to ensure an examination by an ophthalmologist whenever possible?

Mr HODGE replied:

- (a) and (b) Yes.

## DRAINAGE

### *Collier Pine Plantation*

1425. Mr GRAYDEN, to the Minister for Water Resources:

When is it expected that the required notification of the proposed declaration in respect of the extended Collier pines main drain will be published in the *Government Gazette*?

Mr TONKIN replied:

The declaration of the drainage area extension is expected to be published in the *Government Gazette* in November.

## WATER RESOURCES

### *Accounts: Property Transfers*

1426. Mr GRAYDEN, to the Minister for Water Resources:

- (1) Is it a fact that before Metropolitan Water Authority customers can pay accounts when property transfers have taken place, they must first pay for the issue of a statement of account in addition to a charge for reading the meter?
- (2) Are there any other Government departments or authorities which require payment for services but make a charge before the customer can ascertain the amount he is required to pay?
- (3) What is the rationale for such a procedure?
- (4) Is it intended to extend the practice to other Government departments or authorities?

Mr TONKIN replied:

- (1) Charges are made for the issue of a statement and requests for specific meter readings in connection with the proposed sale of a property. The statement includes the position of the account in regard to rates and excess water charges.

- (2) I understand that some local authorities make a similar charge as do most major water authorities throughout Australia.
- (3) The supply of such information and the necessity to carry out meter readings outside the normal programme adds to the financial burden of the general ratepayer and it was considered that such burden would be eased if the requester of that information was required to contribute to cover these costs. The authority guarantees an early response for the supply of the information.
- (4) With regard to the only other relevant department in my portfolio no decision has been made in this matter.

1427. *This question was postponed.*

## HEALTH

### *Tobacco: Electorate Guide*

1428. Mr GRAYDEN, to the Minister for Health:

- (1) Has the Public Health Department been supplied with the report by the Australian Council on Smoking and Health containing an electorate guide to death and smoking and children and smoking?
- (2) What were the statistics for each of the electorates involved?

Mr HODGE replied:

- (1) Yes.
- (2) I am advised that the statistics supplied by the Australian Council on Smoking and Health are being distributed to all members.

## TOWN PLANNING

### *Manning: Tip*

1429. Mr GRAYDEN, to the Minister for Planning:

Will he please advise what stage has now been reached in respect of negotiations between the South Perth City Council and the Metropolitan Region Planning Authority regarding the old tip at the corner of Goss Avenue and Manning Road, Manning?

Mr PARKER replied:

The Metropolitan Region Planning Authority wrote to the South Perth City Council on 8 April 1983 indicating interest in the prospect of leasing the

subject land to council. Council was requested to submit a concept and management plan for consideration.

The authority is awaiting council's response.

## HEALTH

### *Thalidomide*

1430. Mr GRAYDEN, to the Minister for Health:

- (1) Is thalidomide used in Western Australian Government hospitals for the treatment of Bechet's syndrome, rheumatoid arthritis or other diseases?
- (2) If so, what controls are exercised to minimise possible adverse side effects?

Mr HODGE replied:

- (1) Yes.
- (2) Medical practitioners who are not leprologists wishing to use thalidomide for conditions other than erythema nodosum leprosum may request approval by writing to the Commissioner of Public Health. If the commissioner approves the use of thalidomide the medical practitioner is advised that he/she must seek authorisation and must abide by the conditions set out by the Commonwealth Department of Health for the use of thalidomide.

## WATER RESOURCES: METROPOLITAN WATER AUTHORITY AND COUNTRY AREAS WATER SUPPLIES

### *Amalgamation: Steering Committee*

1431. Mr MENSAROS, to the Minister for Water Resources:

Notwithstanding his reply to question 787 of 1983 in the Legislative Assembly, to what extent and in which order or priorities does the steering committee, charged with recommendations towards the execution of the merger of the State water authorities, direct its investigation and recommendations to the cost efficiency of the future functioning of the new authority and the interest of the consumers for better services for lower cost and consequently charges?

Mr TONKIN replied:

The steering committee has not set out any specific order of priorities in carrying out its tasks.

**WATER RESOURCES: METROPOLITAN  
WATER AUTHORITY AND COUNTRY  
AREAS WATER SUPPLIES**

*Amalgamation: Staff Cuts*

1432. Mr MENSAROS, to the Minister for Water Resources:

With the proposed new amalgamated water authority, could it be expected that efficiency will be executed in the public interest by cutting staff—even if only by wastage—as it happened with the South Australian Engineering and Water Supply Department, or will union demands prevail in the whole number of staff retained thereby not demonstrating efficiency and only taking on at best additional non-essential work?

Mr TONKIN replied:

It is expected that following the merger of the major water authorities the staff will be used more effectively and a duplication of effort will be reduced. There will, however, be a period of adjustment immediately following the merger, with increasing benefit as adjustment proceeds. No deliberate cutting of staff numbers is contemplated. Staff numbers in the future will be adjusted to the needs which eventuate. If these needs are not great, some reduction of staff by wastage or by transfer to other Government departments may result. In any case, however, staff overtime will be reduced and in the longer term staff numbers are expected to increase at a reduced rate.

**WATER RESOURCES: METROPOLITAN  
WATER AUTHORITY**

*Building: Extension*

1433. Mr MENSAROS, to the Minister for Water Resources:

Has a final decision been made regarding extension of the Metropolitan Water Centre to accommodate the proposed single State water authority?

Mr TONKIN replied:

Yes, the Metropolitan Water Centre will be extended.

**WATER RESOURCES: METROPOLITAN  
WATER AUTHORITY AND COUNTRY  
AREAS WATER SUPPLIES**

*Amalgamation: Statutory Authority*

1434. Mr MENSAROS, to the Minister for Water Resources:

Has it been decided yet whether the new amalgamated water authority will function as an independent statutory authority or as a Government department?

Mr TONKIN replied:

It will function as a statutory authority.

**WATER RESOURCES**

*Accounts: Outstanding*

1435. Mr MENSAROS, to the Minister for Water Resources:

What recovery action is being taken by the Metropolitan Water Authority regarding outstanding domestic accounts as far as—

(a) owner/occupiers;

(b) tenants, other than State Housing Commission tenants

are concerned, and for how long is the amount allowed to be outstanding before recovery is started?

Mr TONKIN replied:

Currently the authority is sending letters to owners of properties on which arrears of rates and charges, including excess water, are still outstanding for the 1982-83 period advising that the authority intends to take direct recovery action by way of legal action or restriction of service if the account remains unpaid one month after the date of the advice. In all cases the authority takes action against owners.

Accounts are issued for rates and charges in July of each year indicating that arrears are overdue. A further statement advising the owner of the current position of his account is also issued in December of each year. If the account is still unpaid after completion of the above actions then direct recovery action is instigated.

In all cases owners are advised that interest of 18 per cent per annum is accruing on overdue amounts on a daily basis. It is considered that generally the charging of interest is a sufficient deterrent to late payers.

## INDUSTRIAL RELATIONS

*Pilbara: Seminar and Strategy Plan*

1436. Mr MENSAROS, to the Minister for Economic Development and Technology:

In view of the recently announced seminar and strategy plan in connection with the chronic industrial problems in the Pilbara, will he make the workers familiar with the true Japanese views as expressed in the daily published trade exploitation report, viz: "Japanese party's concerned are now reminded of the problemed instability of Australia as a supply source . . . to reduce working hours . . . is to lead to the loss of international competitive power of Australian industries as a whole"?

Mr BRYCE replied:

The Government anticipates that full discussion of the actual situation with regard to the competitiveness of Pilbara mineral suppliers will occur in the forthcoming seminar and talks. Industrial relations are only one of the many factors which must be taken into account.

## JUSTICES OF THE PEACE

*Applications: Electorates*

1437. Mr MENSAROS, to the Minister representing the Attorney General:

- (1) During the first seven months of the Government's office, how many applications for appointments to the Commission of the Peace have been dealt with?
- (2) (a) How many of these have been recommended for appointment to the Governor;
- (b) how many have been rejected?
- (3) Would the Attorney General please show next to the numbers asked for under (2) (a) and (2) (b) the electorates where the applicants are enrolled or are entitled to be enrolled?

Mr GRILL replied:

- (1) to (3) The information will be collated and forwarded to the Member.

## DRAINAGE

*Rates: Revenue*

1438. Mr MENSAROS, to the Minister for Water Resources:

Would he please give—

- (a) the aggregate amount of revenue budgeted to be derived from land drainage rates during the 1982-83;
- (b) the total amount of revenue which would be lost by applying the 40 per cent ceiling on individual land drainage rate increases based on the 1982-83 rates, and
- (c) the arrangements under the new system for 1983-84 calculated including the 18 per cent aggregate revenue increase decision?

Mr TONKIN replied:

- (a) The actual revenue in 1982-83 was \$649 986;
- (b) nil;
- (c) after allowing for the 40 per cent ceiling, the rate per hectare for the respective benefits will be set at a level sufficient to provide the required 18 per cent increase in revenue.

## DRAINAGE

*Urban Properties*

1439. Mr MENSAROS, to the Minister for Water Resources:

- (1) What is the total number of urban properties (compared with the 5 985 shown as rural under 10.1 of the Public Works Department's report on country drainage rating) in the 13 drainage districts?
- (2) How many of those are currently rated on the minimum charge?
- (3) What is that minimum charge?

Mr TONKIN replied:

- (1) 11 771
- (2) 11 712
- (3) \$10.80

**PUBLIC WORKS: DEPARTMENT***Country Areas Water Supplies: Subsidy*

1440. Mr MENSAROS, to the Minister for Water Resources:

(1) How much was the subsidy from general revenue fund to the operating cost of the country water undertaking of the engineering division, Public Works Department, in 1982-83?

(2) How much of this falls to country water supplies?

Mr TONKIN replied:

(1) A total financial deficit of \$36 762 951.

(2) A total financial deficit of \$25 735 607.

**MINING: DIAMONDS***de Beers Central Selling Organisation and Diamond Trading Corporation*

1441. Mr PETER JONES, to the Premier:

Is the Government intending to become associated with the de Beers Central Selling Organisation and the Diamond Trading Corporation, in its stated desire to become more involved in international diamond marketing?

Mr BRIAN BURKE replied:

One of the major benefits to the State of the acquisition of Northern Mining Corporation NL is its strategic position within the Argyle diamond mines joint-venture to market independently its share of diamond production.

The Government plans to continue the existing marketing arrangements with the diamond merchant Arslanian Freres PVBA.

**MINING: DIAMONDS***Equity Purchase: Ongoing Costs*

1442. Mr PETER JONES, to the Premier:

(1) What provision has been made by the Government to provide its 5 per cent share of all ongoing costs associated with the Argyle diamond project, including its share of the capital costs of stage II of the project?

(2) Is it correct there will need to be paid some \$25 million in dollars-of-the-day between now and June 1986 for capital costs associated with the Government's proposed equity?

Mr BRIAN BURKE replied:

(1) Northern Mining Corporation NL is expected to continue to operate with a positive cash flow after the payment of its share of all operating costs associated with diamond production at Argyle.

Financial arrangements including a loan facility have already been negotiated to provide for the capital requirements of its participation in the project.

(2) The figure quoted is approximately correct and is already included in the company's cash flow projections.

**FUEL AND ENERGY: ELECTRICITY***Power Poles: Replacement*

1443. Mr THOMPSON, to the Minister representing the Minister for Fuel and Energy:

(1) Does a red cross painted by commission workers on transmission line timber posts indicate that the particular post should be replaced?

(2) If the red cross does not indicate replacement, what is the significance of the mark?

(3) What is the annual replacement rate of such posts?

(4) Is the replacement rate keeping pace with pole failure?

(5) What is the reason for what appears to be a new practice of driving sections of angle iron around the base of commission posts?

(6) What is the cost of this procedure and how does it compare with the cost of replacing the post?

(7) By what period of time does the angle iron reinforcing procedure extend the life of the post?

Mr BRYCE replied:

(1) The red cross indicates that the pole is suspect.

(2) See above.

(3) During the past 12 months the annual replacement has been approximately 6 000 poles.

(4) The replacement rate varies throughout the system and in some locations is keeping pace with pole failure and in other areas the replacement rate needs to be increased. With the contributory extension scheme approaching completion in county areas, the com-

mission's construction crews are being progressively diverted to line maintenance work which includes either pole reinforcement or pole replacement.

- (5) Pole base reinforcement is a practice of strengthening a suspect pole at the ground line when the top section of the pole is in good condition. This practice avoids the costly mains changeover that would be necessary.
- (6) When the top section of the pole is in good condition the practice of pole base reinforcement is by far the cheapest method compared with pole replacement. The cost saving depends on the type of mains configuration.
- (7) The angle iron reinforcement procedure is used when the top section of the pole is estimated to have at least 15 to 20 years of serviceable life remaining.

### PENSIONERS

#### *Assets Test*

1444. Mr COURT, to the Premier:

Will he give an assurance that when the Federal Government introduces its assets test for pensioners, those people who lose part or all of their pension will not lose the State Government-given privileges they currently receive?

Mr BRIAN BURKE replied:

State Government concessions for age pensioners are linked to entitlement for Commonwealth fringe benefits including health benefits. Thus people over 70 years who now receive a pension on account of age are still subject to a means test to determine entitlement to fringe benefits and therefore State concessions.

At this stage I see no reason why that principle should not continue to apply.

### LOTTERIES

#### *Raffle: University of Western Australia*

1445. Mr COURT, to the Minister for Police and Emergency Services:

- (1) Are raffles permitted under the name of guessing competitions?
- (2) Was such a raffle held recently by the University of Western Australia, ALP branch?

Mr CARR replied:

- (1) The definition of lottery under the Lotteries (Control) Act includes all schemes or devices for the disposition of property known as art unions, raffles, guessing competitions and the like.

To conduct a raffle a permit is required from the Lotteries Commission.

- (2) Not known.

### HEALTH: TOBACCO

#### *Advertising: Advertisement*

1446. Mr COURT, to the Premier:

Was parents' permission obtained for the use of school children in both newspaper and television advertising as part of the "give kids a chance" campaign?

Mr BRIAN BURKE replied:

A newspaper advertisement was published including a picture of a group of school children from Subiaco Primary School.

The principal, Mr Bevan Hadlow, was approached for permission for the photo to be taken. Mr Hadlow, after speaking to the President of the school's Parents and Citizens' Association and to three parents who were at the school that day (two of the parents have children in the photograph) agreed that the photograph could be taken. The next day Mr Hadlow wrote a letter to all parents advising them of what he had done. Mr Hadlow pointed out that he had asked for parental reaction, and he had invited them to respond.

The school received only one adverse reaction and Mr Hadlow has established that the parent concerned works for a tobacco company.

Two television commercials using school students were produced. The first was utilising the use of a crowd scene where children from the following schools were involved—

Christ Church Grammar School  
Methodist Ladies College  
Como High School  
Aquinas College.

The crowd scene involved over 1 000 people including school students, doctors and many interested individuals.

The principals of each of these schools were contacted and permission was



granted for students to be involved in the television commercial.

Mr Hill, the Principal of Christ Church Grammar School has today confirmed that his permission was given and has reaffirmed his support for the campaign.

Mrs Moore, the Principal of Methodist Ladies College has confirmed today that her permission was granted and that parents were informed before the event and could have objected to their children's involvement. No objections were raised. The students of Methodist Ladies College were accompanied by a media-studies teacher and the event was followed up in a media-studies option as a relevant education experience.

Mr Piggett, the Principal of Como High School confirmed today that he gave his permission for the students' involvement in the advertisement. He felt that this was a worthwhile campaign which was supported by the Education Department. The students were supervised by members of the teaching staff.

Brother Terry Hann, the Headmaster of Aquinas College has also confirmed today that his permission was given. The matter was discussed with senior staff prior to a decision being made and the presence of the boys was to show support for the campaign.

The second advertisement involved a small group of children from Sutherland Primary School. The children were making personal statements relating to their views about cigarette advertising. Parental permission was sought and given.

#### MINING: DIAMONDS

##### *Northern Mining Corporation NL: Purchase*

1447. Mr HASSELL, to the Premier:

- (1) Has the Government satisfied itself that Bond Corporation Pty. Ltd. has obtained the necessary approvals of its shareholders to sell Northern Mining Corporation NL?
- (2) Have the shareholders of Endeavour Resources Ltd. approved the purchase of Northern Mining Corporation NL by Bond Corporation?
- (3) If not, how has the Government been able to conclude an agreement without being satisfied that the necessary shareholder approvals have been given in ac-

cordance with the requirements of appropriate legislation?

Mr BRIAN BURKE replied:

- (1) It is the responsibility of the vendor to ensure that any such requirements are met and the corporation has assured the Government that all necessary approvals will be in place at settlement.
- (2) Approval was obtained.
- (3) Not applicable.

#### MINING: DIAMONDS

##### *Northern Mining Corporation NL: Purchase*

1448. Mr HASSELL, to the Premier:

In considering the financial projections associated with the purchase of Northern Mining Corporation NL, what provision has been made for taxation liability to the Federal Government and what is the estimated amount of taxation liability?

Mr BRIAN BURKE replied:

The financial projections considered by the Government make provision for all expected tax obligations based on applicable rates.

The company will continue to operate in the normal manner and will pay all taxes required by law as they become due and payable. The company has no current taxation liabilities.

#### MINING: DIAMONDS

##### *Northern Mining Corporation NL: Purchase*

1449. Mr LAURANCE, to the Minister for Regional Development and the North West:

With regard to the Government's proposed purchase of Northern Mining Corporation NL, what consideration was given to the effect upon Kununurra of the Government's decision not to require permanent location of the work force in the east Kimberley?

Mr GRILL replied:

The decision not to build a new town will result in significant growth and additional development in Kununurra.

About 112 workers will reside in the town of whom 50 will be new residents. With the multiplier effects, employment will be greater still.

The State Government and Joint Venturers will together contribute \$4 million for new facilities and the expansion of existing ones. \$2 million of this will be used for State level infrastructure, such as hospital, police, education and water supply headworks. Some \$2 million will be available to meet shire needs for recreational and community facilities.

## EDUCATION

### *Primary School: Gidgegannup*

1450. Mr LAURANCE, to the Minister for Education:

When is it intended to provide a school at Gidgegannup as promised during the Mundaring by-election campaign?

Mr PEARCE replied:

A survey of parents in the Gidgegannup area has been conducted in order to determine the viability of a school in Gidgegannup. Preliminary results of the survey are currently being considered.

## EDUCATION

### *Non-Government School: Sacred Heart*

1451. Mr LAURANCE, to the Minister for Transport:

- (1) Is it intended to provide a bus service for students attending the Sacred Heart School at Mundaring?
- (2) If so, when is it expected that this service will commence?

Mr GRILL replied:

- (1) The MTT is proposing to introduce a "shopper service" serving Chidlow, Mt. Helena, Stoneville and Parkerville terminating at Mundaring. One of each of the morning and afternoon services will accommodate students from the Sacred Heart School and Mundaring State School as well as other commuters.

The member for Mundaring has again liaised with the MTT this week on a final timetable and discussions are proceeding with the Sacred Heart School, Mundaring State School and MTT officers for an optimal time on services coinciding with school commencement and completion times.

- (2) The commencement date is scheduled for 24 October.

## HEALTH: NURSING HOME

### *War Veterans Home*

1452. Mr JAMIESON, to the Minister for Health:

- (1) What was the reason for the refusal of the RSL request for funding by State and Federal Governments of the proposed 40-bed nursing home at the War Veterans Home, Mt. Lawley?
- (2) Is he aware that since 1971 it has been necessary to transfer 290 residents from the War Veterans Home complex to outside nursing home accommodation?
- (3) In view of the desirability to keep those senior citizens, failing in health, as near as possible to the environment they have become accustomed to, will he request the co-ordinating committee to again review this application for funds?

Mr HODGE replied:

- (1) Capital subsidy for such projects is a matter for consideration by the Department of Social Security after approval to erect additional nursing home beds has been given by the Commonwealth Minister for Health who has not yet granted any such approval to the RSL.
- (2) No.
- (3) The Commonwealth-State Co-ordinating Committee on Nursing Homes in the past has acted in an advisory capacity to the Commonwealth Government pending the establishment of new guidelines for the committee's operations. These are expected to be issued shortly and the Commonwealth Department of Health suggests that the RSL should study these new guidelines, when they become available, with a view to submitting an application for the establishment of a nursing home at Mt. Lawley.

When the new guidelines are available and the RSL makes its formal application, I will lend my support to the request of a nursing home at Mt. Lawley.

**EMPLOYMENT AND UNEMPLOYMENT***Job Creation Scheme: Universal Brotherhood of Balingup*

1453. Mr BLAIKIE, to the Minister for Employment and Administrative Services:

- (1) Would he advise whether he has received an application from the Universal Brotherhood of Balingup for assistance under the job creation scheme for Western Australia?
- (2) What was the nature of the application?
- (3) What was the total amount of money sought?
- (4) How many jobs were to have been created and for what length of time?
- (5) What decision has been made in regard to this project?

Mr PARKER replied:

- (1) Yes, an application was received from the Universal Brotherhood of Balingup for a grant under the wages pause programme.
- (2) Restoration of the former "Brooklands" homestead.
- (3) \$106 000.
- (4) Eighteen positions for periods ranging from four weeks to 22 weeks.
- (5) The matter has yet to be finally determined, although a decision is imminent.

**MEAT: LAMB***Marketing Board: Referendum*

1454. Mr BLAIKIE, to the Minister for Agriculture:

- (1) How many lamb producers are expected to vote in the forthcoming referendum?
- (2) What are the requirements of eligibility to vote?
- (3) Who will conduct the referendum?
- (4) Will a roll of eligible producers be prepared and where will that roll be held?
- (5) Who will prepare the—
  - (a) "Yes";
  - (b) "No" case?
- (6) What is the closing date of voting?
- (7) Will scrutineers be permitted at the count and what are the criteria?
- (8) If "No" to (7), why not?

Mr EVANS replied:

- (1) Approximately 1 800.

- (2) I refer the member to recent Press advertisements, for example, *Western Farmer* 29 September, page 87, *Countryman* 29 September, page 53.

Eligibility has been further widened to enable producers, who consigned lambs directly to an abattoir operator or wholesale butcher, without the involvement of an agent, to vote. In such cases documentary evidence of the transaction must be presented.

- (3) The State Electoral Department.
- (4) Yes; at the State Electoral Department.
- (5) (a) and (b) Cases will not be prepared.
- (6) 1 November 1983.
- (7) Yes. Approaches should be made to me by those organisations concerned.
- (8) Not applicable.

**CONSERVATION AND THE ENVIRONMENT***National Conservation Strategy for Australia Conference*

1455. Mr BLAIKIE, to the Premier:

- (1) Was Western Australia represented at the June 1983 National Conservation Strategy for Australia Conference?
- (2) Who were the delegates and what is the association or involvement with Government or Government agencies?
- (3) Was the Western Australian Forests Department represented and, if so, by whom?
- (4) Has the Government as a result of the States' participation with the national strategy conference made any changes to the Forest Department's forest management programme?
- (5) If "Yes" to (4), what were the changes?
- (6) Would he table all papers relating to the June 1983 conference?
- (7) When will the next conference be held and who will be the Western Australian delegates?

Mr BRIAN BURKE replied:

See attached.

*The answer was tabled (see paper No. 321).*

## MINING: DIAMONDS

*Northern Mining Corporation NL: Purchase*

1456. Mr MacKINNON, to the Premier:

- (1) Does the joint venture agreement between the partners in the Argyle diamond venture provide for pre-emptive rights when a partner is considering selling all, or a portion, of its share in the venture?
- (2) Did Northern Mining Corporation NL offer its share in the project to the other equity partners before entering into negotiations with the Government?
- (3) What consideration has been given by the Government to its obligations under the joint venture agreement between the partners in the project?

Mr BRIAN BURKE replied:

- (1) Yes. However, the member will realize that no joint venture partner has sold its participating interest in the joint venture.  
The composition and constitution of the joint venture remains exactly the same as it was before the change of ownership of Northern Mining Corporation NL.
- (2) Not applicable.
- (3) Northern Mining Corporation NL will continue to honour all its obligations under the joint venture agreement.

## MINING: ACT

*Inquiry: Additional Matters*

1457. Mr MacKINNON, to the Minister representing the Minister for Mines:

- (1) Has the Minister received any requests for additional matters to be referred to the Mining Act inquiry committee as provided for under the committee's terms of reference?
- (2) If so, has the Minister agreed to refer any of these matters, or any others, to the committee of inquiry?
- (3) If not, has the Minister decided not to refer any further matters to the committee of inquiry?

Mr BRYCE replied:

- (1) Yes.
- (2) Not at this stage.
- (3) The Mining Act inquiry committee was established to consider submissions on six specific terms of reference. It was

never intended that a complete review of all sections of the Act would be undertaken.

## BUSINESSES: SMALL

*Government Regulations Review Committee: Report*

1458. Mr MacKINNON, to the Deputy Premier:

I refer to question 258 of 28 June 1983 and question 973 of 13 September 1983 and ask, when does he feel that the "near future" will be, bearing in mind that in both questions, seven weeks apart, he replied that the announcement relating to decisions from the Government regulations review committee will be made in the near future?

Mr BRYCE replied:

An announcement is being prepared at this time. The Minister's absence in Korea has delayed proceedings.

## FUEL AND ENERGY: ELECTRICITY AND GAS

*Charges: Inquiry*

1459. Mr MacKINNON, to the Minister representing the Minister for Fuel and Energy:

I refer to question 165 of 27 July 1983 and ask when will the Minister be announcing the make-up of the team to review State Energy Commission Western Australian tariffs and its terms of reference?

Mr BRYCE replied:

The matter is still under consideration and an announcement will be made as soon as possible.

## FUEL AND ENERGY: GAS

*Markets: Additional*

1460. Mr MacKINNON, to the Minister representing the Minister for Fuel and Energy:

What action has the Government taken since 19 February 1983 to establish and expand gas markets within Western Australia, overseas and in the Eastern States?

Mr BRYCE replied:

Considerable action has been taken by the Burke Government to expand gas markets including the formation of the

task force to co-ordinate the State's initiatives in encouraging the establishment of an aluminium smelter in WA. In addition the State Energy Commission has opened a new advisory centre in Perth as part of its marketing campaign.

Officers of the Departments of Industrial, Commercial and Regional Development and Resources Development are in close touch with private industry representatives.

Officers of the State Energy Commission and Department of Resources Development have been working closely with representatives of the joint venture participants which are developing the North-West Shelf gas field to identify and develop potential gas markets.

Also, the joint venture participants are actively pursuing the sale of liquified natural gas to Japanese buyers.

#### MINING: COAL

##### *Griffin Coal Mining Co. Ltd.: Writ*

1461. Mr MacKINNON, to the Minister representing the Minister for Mines, and Minister for Fuel and Energy:

- (1) Will the Minister instruct the State Energy Commission to withdraw its writ lodged with the Supreme Court against Griffin Coal Mining Co. Ltd.?

(2) If not, why not?

Mr BRYCE replied:

(1) No.

(2) The member has advanced no reason that I should.

#### MINING: COAL

##### *Griffin Coal Mining Co. Ltd.: Writ*

1462. Mr MacKINNON, to the Minister representing the Minister for Mines, and Minister for Fuel and Energy:

- (1) Since the meeting between the State Energy Commission Board of Commissioners and the Board of Directors of Griffin Coal Mining Co. Ltd. on 13 September, has the dispute between the two parties now been settled?

(2) If not, will the Minister intervene in an effort to resolve the dispute?

Mr BRYCE replied:

(1) No.

(2) No.

#### FUEL AND ENERGY

##### *State Energy Commission: 37½-hour Week*

1463. Mr MacKINNON, to the Minister representing the Minister for Fuel and Energy:

- (1) When was a 37½ hour working week introduced for employees at the State Energy Commission?

(2) What was the estimated cost, including additional employees, vehicle expenses, etc., of that introduction during the year of introduction?

Mr BRYCE replied:

(1) 7 June, 1981.

(2) The commission's estimated cost in September 1980, for the first year of the 37½ hour week, as presented to the West Australian Industrial Commission, was \$3.8 million.

#### EMPLOYMENT AND UNEMPLOYMENT

##### *State Employment Task Force: Financial and Technical Assistance*

1464. Mr MacKINNON, to the Minister for Employment and Administrative Services:

- (1) Referring to question 99 dated 26 July 1983, has the State employment task force completed its detailed report on the provision of financial and technical assistance for small business co-operative ventures?

(2) If so, what are the recommendations of the report, and what action has been taken on the report?

(3) If not, when will the report be completed?

Mr PARKER replied:

- (1) to (3) I have been informed by the director of the State employment task force that the report to which the member refers is expected to be completed by the end of this month.

The preparation of the report has involved extensive research into similar work in other States as well as other countries and will consider a range of options for self and co-operative business venture programmes.

## FUEL AND ENERGY

*Tree Lopping*

1465. Mr MacKINNON, to the Minister representing the Minister for Fuel and Energy:

- (1) When did the State Energy Commission suspend its tree lopping and replacement programme, as reported in *The Western Mail* of 1/3 October?
- (2) Who ordered the suspension?
- (3) Why was the order issued?
- (4) Was the Minister advised that the programme was to be suspended?
- (5) What action has the Minister taken as a result of this decision?
- (6) Is the programme to be resumed?

Mr BRYCE replied:

- (1) to (6) The programme was not suspended. Contractors continued to carry out clearing work for the commission in the hills areas during this period. It is an ongoing activity which is accommodated within normal work commitments. It is not a continuous daily activity and tends to be started and stopped in each region as work permits, bearing in mind that tree lopping is not a statutory responsibility of the State Energy Commission. Tree lopping is the responsibility of private land owners and the local authority and the commission is concentrating on encouraging their co-operation. If the co-operation is not forthcoming the commission will have no alternative but to intensify its own tree cutting in the interests of public safety and charge property occupiers and local authorities for such work.

## RESOURCES DEVELOPMENT: REVENUE

*Levy and Collection: Study*

1466. Mr MacKINNON, to the Premier:

- (1) Referring to question 699 of 17 August 1983 and question 925 of 23 August 1983, has the position of director of the mineral revenues study group yet been advertised?
- (2) If so, when?
- (3) When is it likely that the director will be appointed?
- (4) Who are to be the other members of the mineral revenues study group?

- (5) When will it begin receiving submissions?

Mr BRIAN BURKE replied:

- (1) No.
- (2) It is expected that the position will be advertised shortly.
- (3) Before the end of this year.
- (4) A research officer, a secretary and officers seconded from the Departments of Mines, Resources Development and Treasury as appropriate.
- (5) It is expected that a call for public submissions will be made shortly.

## IMMIGRATION

*Noalimba Migrant Hostel*

1467. Mr MacKINNON, to the Minister for Multi-cultural and Ethnic Affairs:

- (1) Did he recently meet with staff employed at the Noalimba migrant hostel in Bateman?
- (2) If so, when was the meeting?
- (3) Did he give any undertaking to the staff in relation to their future employment position?
- (4) If so, what were those undertakings?
- (5) Has any action been taken since his meeting with the staff to honour those undertakings?

Mr DAVIES replied:

- (1) Yes.
- (2) 23 September 1983.
- (3) Yes.
- (4) To provide alternative employment as close as possible to existing employment should services be no longer required at Noalimba.
- (5) A report from the Public Service Board on the future of Noalimba is being prepared. Until this has been completed it is not possible to take specific action.

## FUEL AND ENERGY: GAS

*Pipeline: Kalgoorlie-Perth*

1468. Mr MacKINNON, to the Minister representing the Minister for Fuel and Energy:

Referring to question 1027 of 14 September 1983, when was the study into proposals for the building of a gas pipeline from Perth to Kalgoorlie—

- (a) begun; and
- (b) completed?

Mr BRYCE replied:

- (a) and (b) The commission's studies of the technical and economical feasibility of a gas pipeline from the main Dampier to Perth pipeline to the Kalgoorlie area was undertaken during the months of July and August 1983.

## CONSUMER AFFAIRS: DEPARTMENT

### *Prices Commissioner: Complaints*

1469. Mr MacKINNON, to the Minister for Consumer Affairs:

- (1) How many complaints have been received by the Prices Monitoring Committee—working under the Bureau of Consumer Affairs—since its inception in the following categories—

- (a) telephone complaints;
- (b) written complaints;
- (c) other referred complaints, e.g., newspapers?

- (2) What was the general outcome of these complaints?

Mr TONKIN replied:

	No. of Complaints Received	Salaries & Wages Freeze to 24/3	Prevention of Excessive Prices Act 1/1 to 25/3 to 30/9
		Act—	Act
(1)			
(a)	Telephone .....	229	417
(b)	Written .....	31	118
	Other referred complaints .....		
(c)		54	24
	TOTAL .....	314	559
(2)	Outcome of Complaints		
	Outside our jurisdiction .....	33	34
	Investigations not considered warranted .....	129	224
	Prices justified by vendor .....	152	284
	Inquiries continuing .....	—	17
	TOTAL .....	314	559

## POULTRY

### *Eggs: Narrogin Egg Board*

1470. Mr PETER JONES, to the Minister for Agriculture:

- (1) Adverting to his answer to question 1378 of 1983, why did he write to the Narrogin Shire Council, when it was the Narrogin Town Council which approached him, and presented him with a submission for consideration?
- (2) What consideration was given by him to the submission?

- (3) How would the WA Egg Marketing Board's long term costs be significantly increased?

- (4) Will he provide the House and the Narrogin Town Council with a detailed assessment of its submission, instead of the perfunctory dismissal it has received so far?

Mr EVANS replied:

- (1) The letter was written to the Narrogin Town Council. Reference to the shire in my answer to question 1378 of 1983 was due to clerical error.
- (2) The submission was considered by the Egg Marketing Board and the Department of Agriculture which advised me on the matter.
- (3) and (4) My reply to the Narrogin Town Council showed that there would be an overall increase in operating costs of \$56 130 or 14.03 cents per dozen on eggs handled through Narrogin. These were the key costs identified. I do not consider my reply to the council perfunctory.

## TRANSPORT: TAXIS

### *Control Board: Industry Representation*

1471. Mr LAURANCE, to the Minister for Transport:

- (1) With the proposed increase in industry representation on the Taxi Control Board, what arrangements will be made to ensure that the four elected industry members will represent the various private interests in the industry, such as the radio companies, the owners and the drivers?

- (2) From which areas will the two ministerial appointments come?

Mr GRILL replied:

- (1) It is proposed that the present democratic method of electing industry members to the board will continue. The current provisions of the Taxi-Cars (Coordination and Control) Act ensure that of the three industry members elected at least one is an owner, one is a driver and not more than one is a person not actively engaged on the road in the operation of a taxi car. Increasing the elected membership to four merely provides the bodies representing the industry with greater scope for representation on the board.

- (2) It is not the intention to select any specific areas of the taxi industry from which these two appointments will be made, other than to ensure that as a prerequisite for appointment, the persons must be actively engaged in the taxi industry. However, I appreciate that certain minority groups within the industry may from time to time need their voice to be heard.

### TIMBER

#### *Shannon River Basin: Withdrawal*

1472. Mr BLAIKIE, to the Minister for Forests:

- (1) With the Government's decision to cease hardwood logging in the Shannon River basin and the commitment to ensure the timber milling industry intake of hardwood sawlog is maintained from other sources, what timber will be now cut, and the amounts, from—

- (a) road reserves;
- (b) river and stream reserves;
- (c) scientific areas;
- (d) fire control areas;
- (e) other areas,

in each year of working plan 87 of the Forests Department?

- (2) As the Shannon River Basin area has provided a significant proportion of the State's hardwood production will he give details of the Government's current policy on the long term effect of hardwood production in this State?
- (3) Is it the long term policy of his Government to have hardwood timber cutting cease?

Mr BRIAN BURKE replied:

- (1) (a) to (e) Details of how and where the resource from the Shannon River basin is to be replaced for the remaining period of working plan 87 are nearing completion. The plans will consider options from the areas in question.
- (2) It is the Government's long term policy to improve production from the hardwood forest and maintain the total hardwood cut at levels that can be sustained.
- (3) No.

### QUESTIONS WITHOUT NOTICE

#### FUEL AND ENERGY: PETROL

##### *Price: Inquiry*

351. Mr THOMPSON, to the Minister for Consumer Affairs:

- (1) Has he received the report following the inquiry into petrol prices which his Government commissioned earlier this year?
- (2) Is it not a fact that the report has been with the Government for some time?
- (3) Is it not also a fact that the delay in its release is because some of the findings are embarrassing to the Government and its earlier release would have harmed the Government in the Mundaring by-election?
- (4) When will the report be released?

Mr TONKIN replied:

- (1) to (4) Yes, the Government is studying the report and will continue to study it. I cannot think of anything in the report that would be embarrassing to the Government either before or after the Mundaring by-election. We hope to release the report shortly. When it is released, certain confidential pieces of information will need to be excised from it, because we cannot divulge certain commercial information that is confidential to the companies concerned and which the companies have released to the inquiry on the understanding that it remain confidential.

With that caveat in mind, I would imagine the vast majority of the contents of the report will be released in due course after the Government has completed its study.

#### HEALTH: TOBACCO

##### *Medical Practitioners: Survey*

352. Mrs HENDERSON, to the Minister for Health:

Does the Minister have the results of the survey conducted by the antismoking committee of the health education unit of doctors' views on the smoking and health issue?

Mr HODGE replied:

The survey was by way of letter to doctors and the answers are still being received so progress results only are available so far.



Of the approximately 250 replies received to date the answers to the questions were as follows—

	Yes
"Do you believe that tobacco smoking significantly increases morbidity and mortality in the general population?" .....	98 %
"In your experience, do established smokers have great difficulty in quitting the smoking habit?" .....	97 %
"Do you think that a ban on advertising and promotion of tobacco products would result in a fall in the number of children taking up smoking?" .....	83 %
"Do you think that advertising and promotion of tobacco products increases total consumption?" .....	82 %

Those results are very significant and in view of the great interest shown in the tobacco smoking issue over the last couple of days by members of this Chamber, I thought it would be of benefit to members to have that information before them.

### CONSUMER AFFAIRS

#### *Electrical Safety Industries Pty. Ltd.*

353. Mr O'CONNOR, to the Minister for Consumer Affairs;

Two weeks ago in Parliament the Minister attacked a company called Electrical Safety Industries Pty. Ltd. I have been advised that neither the Minister nor the Department of Consumer Affairs had contacted the company in relation to its activities. I ask—

- (1) Is it true that neither the Minister nor the department contacted ESI prior to the Minister's attack in Parliament two weeks ago?

- (2) Does he believe it would have been fairer to contact the company prior to that attack in order to get its side of the story?

- (3) Does the Minister intend in future to attack companies without giving them prior notice of reasons for the attack?

Mr TONKIN replied:

I thank the Leader of the Opposition for no notice of the question and reply as follows—

- (1) It is true that I had not contacted the company and it is not normal to contact companies before questions are answered in the Parliament by the Minister concerned, but I understand that the department normally contacts the companies concerned.

Mr O'Connor: I have advice in this case from the company that there was no contact from the department indicating that the company had done something wrong.

Mr TONKIN: My information is—I can check it out more thoroughly if a question is put on notice—that an officer of the department spoke to one of the directors of the company. I understand that is the situation; however, I can ascertain the position more clearly. To continue—

- (2) and (3) Yes. When it was alleged the department had not contacted the company—I think this occurred at a Press conference which the Leader of the Opposition was the only member of Parliament to attend—I discussed the matter with the Commissioner of Consumer Affairs, pointing out I would have thought it was the normal practice to contact the company first and saying I certainly preferred that course of action to be followed. However, I understand contact had been made in any case with the company.

Mr MacKinnon: Don't you think you should have checked the position before you answered the question in the Parliament?

Mr TONKIN: I am not checking the position now before answering a question in the Parliament. I do not know whether the member thinks Ministers should say,

"Hang on a minute, Ray; I will go out and make a phone call".

Mr MacKinnon: I certainly think you should check the position before answering Dorothy Dix questions.

Mr TONKIN: It is my understanding that the department has contacted the company. To put this matter in context, I must make it clear that something like 200 complaints have been made about this firm to the department. The department believed it was essential for it to warn the public people were being telephoned in the way outlined.

I have letters to substantiate this point. If I had received notice of the question, I could have brought those letters with me. They substantiate that telephone calls have been made to people by someone implying that he is an officer of the SEC. Mention is made of a survey, and no suggestion is made that a product is being sold. In fact, the product is being sold for, I believe, \$279. I understand that with installation the product can be obtained from ordinary shop outlets for \$120 or \$130. That point must be made about this commodity.

When the sales person goes to the house he does not present a card to indicate who he is, which would of course indicate that he is not from the SEC. Possibly these people are not contravening the Door to Door (Sales) Act. The previous Government's dereliction of duty in regard to the Act makes it deficient in this respect. It allows bogus soliciting by visitors, which enables a person to pretend to have been invited to a place when in fact he has solicited the call. We will tighten up the provisions of the Act, and I hope to have appropriate legislation before the Parliament in a short time. Approximately 200 complaints have been made in a short space of time.

Mr O'Connor: Two hundred?

Mr TONKIN: Approximately 200 complaints have been made.

Mr O'Connor: You would have thought the department would have contacted the directors of the company.

Mr TONKIN: My understanding is that the department did.

Mr O'Connor: Both directors firmly advised that no contact was made with them.

Mr TONKIN: I will check that point. I understand contact was made with the company. Whether it was made with the directors or an employee I am not sure. I thought the name that was given to me was that of a director.

Mr O'Connor: Was it either Tutungis or Menchetti?

Mr TONKIN: No, I understand the person contacted is called Elphinstone. An inordinate number of complaints have been made. The department believed that it was in the interest of the public to warn them that this kind of practice was carried out.

Many bona fide companies carry out door-to-door sales, but their work is made difficult by people who do not operate properly. I have been alarmed by the unsavoury practices creeping into door-to-door sales, which make it difficult for bona fide companies to operate. The Act states that immediately a person enters a house he shall show his business card or other means of identification. Unfortunately, that provision is not being complied with by all operators, and that probably is because the Act is deficient. It is not clear as to when a call is solicited.

I make it clear that a large number of complaints have been made. It is the Government's duty to ensure that people are alerted if, say, unfair representations are made about the SEC. It certainly is the policy of the department, and it is my policy, that vendors should be contacted after complaints have been made to and before further action is taken by the department.

## EMPLOYMENT AND UNEMPLOYMENT

### *Northern Jarrah Reserve*

354. Mrs BEGGS, to the Minister for Forests:

In the Government's moving to create a jarrah reserve in the northern jarrah forest, has it taken any steps to protect employment generated by industries in the region?

Mr BRIAN BURKE replied:

An important aspect of the reserve plan is that Alcoa of Australia Ltd., while retaining conveyor access across the Murray River to bauxite reserves south of the Murray valley, agreed to relinquish its right to mine in the conservation zone of the reserve. It agreed to

this despite its not having any legal obligation to forego access to any reserves in its mineral lease.

I have been assured that the reserve's formation will not have a significant impact on hardwood mills in the area. I am optimistic that State Government initiatives to improve hardwood forest productivity and utilisation will compensate for any loss of timber resources.

Most Western Australians will applaud the formation of a jarrah reserve. It is a significant advance for conservation, while recognising the need to continue to provide resources for important employment creating industries. It will also provide an invaluable recreation resource, making a major contribution to the tourist potential of the Peel district. Tourism is a major employer.

The Government inherited a situation in which the community was polarised on forest management and conservation issues. The creation of the jarrah reserve demonstrates the Government's commitment to resolving complex problems of conflicting land use through consultation and negotiation rather than confrontation.

Major contributions have been made to the development of the jarrah reserve by the Environmental Protection Authority; Government officers who worked on the System 6 study, which laid the groundwork for the reserves; the Conservation Council of Western Australia (Inc.), which developed the proposal for a contiguous jarrah reserve in the Murray valley; and Alcoa, which provided technical assistance as well as foregoing access to part of its lease.

Mr Blaikie: Where is the reference to the Forests Department in those comments you have made?

Mr BRIAN BURKE: The Forests Department was closely involved.

Mr Blaikie: You ought to be ashamed. As the Minister for Forests, you have made no reference to that organisation.

#### HEALTH: TOBACCO

##### *Advertising: Advertisement*

355. Mr COURT, to the Minister for Education:

(1) Will he give a public apology to those parents whose children have been used

in the Government's "Give Kids a Chance" campaign without the permission of those parents?

(2) Will the relevant advertisements be withdrawn immediately?

Mr PEARCE replied:

(1) and (2) After the member raised allegations in the House yesterday afternoon in reference to a parent complaining about her child being used in a newspaper advertisement without her permission, I had my ministerial officer make an investigation into the circumstances surrounding this matter. My officer spoke to the co-ordinator of the antismoking project team and the principal of the school concerned.

I express my appreciation to the member for Nedlands for the way he handled this matter. After he raised it in the House with me and I had sought the tabling of documents and later withdrew that request, he came to speak with me to outline in detail the complaint concerned. I will not mention the complainant's name because my not doing so is part of the undertaking I gave to the member at that time.

The investigation in the short term demonstrated that the co-ordinator of the project team made an approach to the principal of the school for permission to take a posed photograph of certain school children for use in the antismoking campaign. The principal, after receipt of that request—he was asked to make a decision in a fairly short time—telephoned the president of the PCA of that school to seek advice on whether the course of action suggested would be acceptable to parents, and he consulted three parents who were at that time at the school, two of whom had children to be in the photograph. He received no complaint from those people, and he agreed to the photograph being taken.

The next day he circularised all parents to outline what had happened and to seek a response in terms of the specific photograph and generally to that type of request which may be made in the future. He received one response, and that was from a parent who worked for a tobacco company, and not the person to whom the member for Nedlands

referred. This tobacco company employee has not made a complaint to the principal and, I understand, it is not her intention to do so.

I have an ambivalent attitude to this issue. There is no doubt that the principal of the school acted legally in allowing the photograph to be taken, although I believe that permission from parents ought to be sought in a thorough-going way before photographs of this sort are taken. I have taken one step, and I intend to take another step with regard to this matter: I will issue a written apology to the lady whose child's photograph was used in the advertisement without permission. There is no legal obligation on me to do so, but I think it is the moral thing to do in these circumstances. In addition, I have asked the director general to have discussions with school principals about this issue of photographs taken of students in a whole range of circumstances, so that the principals will be aware of the Government's belief that parents should be consulted in circumstances of photographs being taken or other use being made of children in a way to which parents might object.

As a touch of light relief, I inform members that a complaint was made by a parent about the photograph taken for this advertisement. The parent was annoyed that her child had not been included in the photograph.

#### LAND: NATIONAL PARK

##### *Jarrah Reserve*

356. Mr BERTRAM, to the Minister for Forests:

What advice, apart from normal departmental advice, will the Government receive on the management of the proposed jarrah reserve.

Mr BRIAN BURKE replied:

Management plans will be drawn up by the Forests Department with the help of an advisory committee including representatives of the Murray and Waroona councils, the Conservation Council of Western Australia (Inc.), a private landowner in the Murray valley, and relevant Government departments. They will be available for public comment.

In addition, the interdepartmental committee that currently supervises bauxite mining plans will be expanded in membership and scope. It will include representatives of Alcoa of Australia Ltd., the timber industry and the conservation movement, and will review proposals for the creation of more reserves in the jarrah forest.

It will report to Cabinet on the best compromise between recreation, conservation and resource development in each reserve proposal. This process will lead to the resolution of conflicts between reserve proposals in the jarrah forest and resource utilisation.

#### PUBLIC SERVANTS AND GOVERNMENT EMPLOYEES

##### *Wages: Increases*

357. Mr HASSELL, to the Premier:

- (1) Does he recall that as long ago as 2 August the Hon. Gordon Masters of another place asked the Minister for Industrial Relations about the number of exemptions from the wages freeze under the Salaries and Wages Freeze Act? If the Premier thinks it unreasonable that he should remember that question, I inform him that I refer to it because he referred to it in response to a further question I asked.
- (2) Does he recall that on 16 August I asked him in his capacity as Treasurer about the amount of money involved in paying additional wages in the 1982-83 and 1983-84 financial years?
- (3) Does he recall that I have since twice asked him when the information requested would be available?
- (4) Does he acknowledge that the information will be available as a result of the finalisation of the figures for the last financial year and the estimates of the figures for the Budget for this financial year?
- (5) Does he think it is acceptable that he has withheld this information from 2 August to date without any indication of when it will be available?

Mr BRIAN BURKE replied:

- (1) to (5) I do not want to engage in any slanging match with the Deputy Leader of the Opposition. I will contact the Minister for Industrial Relations to ask

him why the information has not yet been forthcoming. I must admit I do not recall all of the dates mentioned. It is not my wont to nitpick. I will try to ensure the information is forthcoming—

Mr Hassell: The subsequent questions were directed to you as the Treasurer, not to the Minister for Industrial Relations. They concerned financial matters.

Mr BRIAN BURKE: I will ensure the Minister for Industrial Relations compiles the information as soon as possible and forwards it to the member.

### RECREATION: YACHTING

#### *America's Cup: Venue*

358. Mr READ, to the Premier:

(1) Has he seen the article by David McNicoll in the *The Bulletin* dated 11 October 1983, and headed "Western Cup venue is a wrong tack", in which that person states that there is no way Perth could handle all the intricacies of a challenge, and suggests that it is rather like proposing the Melbourne Cup be run in Darwin?

(2) Can he reassure Mr McNicoll of Western Australia's ability not only to win the America's Cup, but also to hold it against any challenge.

Mr BRIAN BURKE replied:

(1) It seems a strange feeling of *bonhomie* pervades this place.

Mr Clarko: Yes, because you have changed your normally arrogant style.

Mr BRIAN BURKE: It is my Catholic upbringing, Mr Speaker.

Mr Williams: You could have fooled us.

Mr BRIAN BURKE: Members opposite make it really hard for me—they really do! I have read the article referred to by the member, who on behalf of his constituents has made a strong plea that the challenge be sailed off Mandurah.

Mr Parker: An equally scurrilous suggestion!

Mr BRIAN BURKE: I can say about the suggestion by Mr McNicoll only that it was a light-hearted suggestion made with the intention of attracting attention to his column, which I understand is rather poorly read, mainly because of the extreme positions he adopts in his articles.

(2) There is no prospect that the America's Cup challenge will be sailed off Brisbane, Sydney, Melbourne, Hobart or Adelaide—it will be held in the waters off Perth. If Mr McNicoll can suggest that the Melbourne Cup should be run in Perth, we will accommodate that suggestion. It is my intention to write to him to offer that we will stage the Melbourne Cup in Perth in concert with the America's Cup challenge.

### PUBLIC SERVANTS AND GOVERNMENT EMPLOYEES

#### *Wages: Increases*

359. Mr HASSELL, to the Premier:

My further question to the Premier relates to the same matter I have already raised. I ask—

(1) Does he consider that his indication that he will have the information requested, compiled and provided as soon as possible is reasonable or adequate in view of the fact that on four previous occasions he has indicated that the information would be compiled and made available?

(2) Is the Premier deliberately withholding the information?

Mr BRIAN BURKE replied:

(1) and (2) The member asks me a question that relates to my consideration of something which I would understand to be seeking an opinion. I can only say, as quietly and as helpfully as I can, that if the Deputy Leader of the Opposition continues to try to take this school-teacherish attitude towards members of the Government—I am trying to be as reasonable as possible—he will continue to provoke the sorts of occasions he provokes not only from members of the Government, but also from members on his own side.

We are all grown men in this place, with the exception of some very competent women members and it really is, Mr Speaker, a question of maturity.

Mr Hassell: It is a question of whether you will answer a simple question put to you. You are withholding the answer because it embarrasses the Government.

Mr BRIAN BURKE: If the Deputy Leader of the Opposition continues—

Mr Hassell: We do not want a lecture from you. Why don't you simply answer the question?

The SPEAKER: Order!

Mr Hassell: You can carry on like an old woman for as long as you like.

Several members interjected.

Mr Tonkin: Sexist!

Several members interjected.

Mr Tonkin: Apologise to the women of the State.

Mr BRIAN BURKE: I am simply trying to say that if the Deputy Leader of the Opposition wants to continue in that manner, he will provoke the sort of tumult that his intemperate remarks have provoked now on two or three occasions.

Mr Hassell: Don't be pathetic. Simply answer the question.

Mr BRIAN BURKE: In respect of the Women's Advisory Council and the grant to aid the homosexual counselling, implicit in all the questions the Deputy Leader seeks to ask is some bad faith that he alleges continually on the part of the Government. I can say to him and other members quite honestly that when the question to which he referred were asked, the information sought and the question asked were referred to the Minister responsible. There is no conspiracy on the part of the Government to conceal the information. It may have been—and I am not to know because I have not checked that—that there has been some inordinate delay. If on checking I find there has been that delay and that it is our fault, I will apologise to the Deputy Leader of the Opposition. But let him not allege there is bad faith or malevolent intent in what the Government is trying to do in providing the information that he seeks.

It is not that I am trying to instruct the Deputy Leader of the Opposition but he should realise that while he has the right to frame questions, he does not have the right to answer them for himself. What makes him so upset is that the Government does not choose to answer the tricky questions that he sets in the way he thinks they should be answered. Now we may stay here until hell freezes over, but we will not allow him to write the answers to the questions he asks. It is

the responsibility of the Government to answer questions as it believes they should be answered; it is the responsibility of the Opposition to frame the questions in the way presumably that the Opposition thinks will cause the Government some problem.

## MINING: DIAMONDS

### *Northern Mining Corporation NL: Purchase*

360. Mr GORDON HILL, to the Premier:

- (1) Did he see reports that the Perth Chamber of Commerce has stated that "international investors are likely to react to the Government's purchase of Northern Mining by withdrawing funds in this project as well as others in the future"?
- (2) Has the Government had any indication that there are any grounds for these fears?

Mr BRIAN BURKE replied:

- (1) and (2) I did see the Perth Chamber of Commerce's comment to which the member refers. It really is a fairly disappointing comment based on the scant and incomplete information the chamber had available to it at the time of making the comment. Nevertheless in order to substantiate part of the question, we have had absolutely no indication from any State, national or international company involved in resources development, or in any other area of economic activity within this State that they intend to withdraw from or diminish their effort in regard to resources development or any other sphere of economic activity in Western Australia. Quite the contrary: It may surprise members to know that there have been substantial and suitable assurances from very significant business people and major resource developers—

Mr Court: Trying to sell you a quid. I see you have a queue a mile long.

Mr BRIAN BURKE: —who appear to understand, as the Chamber of Commerce appears to fail to understand, and as the Opposition appears to fail to understand, that the five per cent equity of resource development production does not mean that the product has been nationalised, socialised, or in any other way has been taken over by this State.

That five per cent equity is equivalent to one-twentieth of the joint venture involved and that is consistent with what is an enlightened approach towards getting that sort of window in to resource development projects. Inevitably there are developers within the Government ranks with the sort of expertise which is thought to be highly desirable for those people who deal with the Government in this area.

Mr Laurance: A window into Russia.

Several members interjected.

Mr BRIAN BURKE: In addition to that it is seen by many of the business leaders, whom I presume to be Liberal supporters in this community, that this Government is at last approaching resources development in a more enlightened and intelligent fashion than was the approach that caused less than the best deals to be done during the 1960s and 1970s.

# HEALTH: TOBACCO

## *Advertising: Advertisement*

361. Mr MacKINNON, to the Minister for Health:

- (1) Bearing in mind the real concern expressed by the Minister for Education about the parents whose approval had not been sought for the use of their children in cigarette advertisements, will he immediately order the withdrawal of the advertisements that include children?

(2) If not, why not?

Mr HODGE replied:

- (1) and (2) I will discuss the matter with the Minister for Education and examine the advertising programme. Off the cuff, I think that those particular advertisements to which the member refers and is excited about are due to finish in the next day or so. I think there is no need for action to be taken.

Mr MacKinnon: There is every need for action to be taken.

# LAND: NATIONAL PARK

## *Jarrah Reserve*

362. Mr BLAIKIE, to the Premier:

Following the announcement by his Government to create the Murray valley

jarrah national park, the Press comment in today's *Daily News* saying that the park will initially cover 49 000 hectares, and the statement made by the officers of the Campaign to Save Native Forests that they will push for the size of the park to be increased to 100 000 hectares in line with ALP policy, I ask—

How does the Premier reconcile these comments and those of his party's policy and the Government's already committed action in withdrawing areas of hardwood supply from the Shannon River Basin as giving confidence to the timber resource industry and its employees?

Mr BRIAN BURKE replied:

I am not sure that the question posed by the member for Vasse makes a great deal of sense in that I do not believe that one can draw from the first part of the question the conclusion the member reaches in the second part of the question. In answer to what I perceive to be the question, the major change that has occurred in respect of the forest policy under this Government is that instead of approaching on a confrontationist basis the various parties interested, for different reasons, in forest management the Government will have sought to consult widely about various controversial issues. In the event of a real solution it is true that represents a compromise; nevertheless it is a satisfactory one to the people of this State and the parties involved in what has been a controversial issue.

Referring specifically to hardwood timber to which the member referred, he would know that we have publicly stated, on numerous occasions, that we stand by the Forest Department's working plan in its provision of resources to the industry about which he asks his question and so we are not talking about the depletion of resources to the industry in any sense by the reservation of the Shannon River basin.

Mr Blaikie: What is the policy?

Mr BRIAN BURKE: I will answer that, but it is interesting to note it was the Court Government which decided to drastically reduce most of the hardwood resources in this State.

Mr Blaikie: That is very unfair.

Mr BRIAN BURKE: We supported it.

Mr Blaikie: That is unfair without saying it is land that the Forests Department provided.

Mr BRIAN BURKE: Yes, and the Forests Department recognised that we supported the previous Court Government's decision to drastically reduce hardwood resources to the timber industry.

Mr Blaikie: As part of the management programme.

Mr Evans: You did nothing to supplement it.

Mr BRIAN BURKE: I agree it was part of a management programme, but the mills that were closed were closed in response to the decision by the Court Government to implement the programme that we supported, and which was recommended by the Forests Department. The programme makes good sense.

Mr Blaikie: The Forests Department does not agree with what you are doing.

Mr BRIAN BURKE: That is where the diminution of hardwood resources to the industry really occurs. We have guaranteed a resource base in light of our decision to restrict the Shannon River basin to other than timber industry utilisation. In respect of the question of 100 000 hectares for the jarrah park, it is in the Liberal Party's policy and it is not something the Labor Party believes it can do at this time.

Mr Blaikie: Will you do it tomorrow?

Mr BRIAN BURKE: No; does the member want to ask me about Friday?

Mr Blaikie: You are concerned and I am concerned.

Mr BRIAN BURKE: To alleviate the concern of the people interested in the welfare of this Government, let me say that we know what our policy is and we know what we believe we can achieve, what is desirable and what means good sense.

Mr Blaikie: Does it mean it will stay at 49 000 hectares?

Mr BRIAN BURKE: We have chosen and established a jarrah national park of approximately 49 000 acres because we believe that can be sensibly achieved at the present time. Members opposite cannot keep asking questions that have been asked 16 times already. We have no plans to announce next week, next year, or at any appropriate time in the future to extend the jarrah national park to 100 000 hectares. We do have a commitment to conservationists, and that was lacking under the previous Government. We intend to constantly monitor our policy to comprise all of the uses that relate to land resource management. We are moving down that path cautiously and responsibly. If the member's intention is to instil fear in the good people who already fear for their jobs in the timber industry, let me say that the Court Government adopted plans that affected the timber industry in a manner that certainly was not the result of any decision we have made.

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