

LEGISLATIVE ASSEMBLY

Thursday, 23 March 1995

MEETING OF THE ASSEMBLY

The Legislative Assembly met at 2.30 pm.

THE SPEAKER (Mr Clarko) took the Chair, and read prayers.

PROCLAMATION

The Clerk of the Assembly (Mr P.J. McHugh) read the proclamation of His Excellency the Governor (Major General Philip Michael Jeffery, AO, MC) summoning the third session of the Thirty-fourth Parliament.

SUMMONS FROM THE GOVERNOR

The Speaker and members, in response to summons, proceeded to the Legislative Council Chamber and, having heard His Excellency deliver the opening speech (see Council report preceding), returned to the Legislative Assembly Chamber.

PETITION - MOTOR VEHICLE REGISTRATION, \$50 LEVY

MRS HENDERSON (Thornlie) [2.57 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned people of Western Australia, wish to express our opposition to the unnecessary and unwarranted increase in Government charges in the form of the fifty dollar levy on motor vehicle registration. We believe this increase places an unfair financial burden on ordinary citizens.

We therefore call on the Government to immediately abolish the fifty dollar levy on all vehicles.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 3 188 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 1.]

PETITION - POLICE, SOUTH PERTH, PATROLS INCREASE

MR PENDAL (South Perth) [2.58 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned citizens of the Electoral District of South Perth request the State Government to combat rising crime in the area, to increase police patrols to ensure greater visibility of that police presence, and to ensure that punishments imposed by the judiciary adequately reflect the seriousness of the crime.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 125 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.
[See petition No 2.]

PETITION - FUEL LEVY

MR CATANIA (Balcatta) [2.59 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned people of Western Australia wish to express our objection to the Court Government's decision to increase the State Government Fuel Levy by four cents per litre from February 1, 1995.

This tax will place further burdens on families in this state. This tax is unnecessary and unfair:

recent increases in water charges, drivers licence charges and bus and train fares,

the Premier's statement in the 1994 Budget that he would not introduce any new taxes or increase taxes and,

the fact that the State Government has refused to spend \$141.4 million, earmarked by the Grants Commission to fix our roads, over two years.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 255 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

A similar petition was presented by Mr Marlborough (165 signatures).

[See petitions Nos 3 and 10.]

PETITION - JANDAKOT AIRPORT

MR BOARD (Jandakot) [3.00 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, request the Parliament to urge the Federal Treasurer, the Minister for Finance and the Minister for Transport to use their best endeavours to ensure that Jandakot Airport is retained as a General Aviation Airport in perpetuity whether owned and operated by a Government Instrumentality or Private Enterprise.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 4 133 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 4.]

PETITION - STATE SCHOOL TEACHERS UNION, INDUSTRIAL DISPUTE

MRS HALLAHAN (Armadale) [3.01 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned call on the Minister for Education to immediately resolve the industrial dispute with the State School Teachers Union, so that students at Kelmscott Senior High School are not denied learning experiences provided through outside school hours activities, such as outdoor education, musical and theatrical performances, sporting carnivals, camps, excursions, school balls, graduation ceremonies, inter-school competitions, the rock eisteddfod and other important developmental opportunities.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 755 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 5.]

PETITION - WESTRAIL, PASSENGER SERVICE ASSISTANTS; SECURITY

MRS HALLAHAN (Armadale) [3.02 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, supporters of the Westrail Suburban Passenger Rail Services, call on the State Government of Western Australia to abandon plans to abolish the positions of 88 Passenger Service Assistants who we rely on for vital quality service in Customer Care.

We also call for improved Security on our trains, with back up support from the WA Police Authorities.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 2 438 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 6.]

PETITION - FUEL LEVY

MR AINSWORTH (Roe) [3.03 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned

Request the Premier Mr Richard Court reconsider and abolish his proposal of a rise of four cents per litre on motor vehicle fuel on 1 February 1995 as we feel this proposal will create further hardship on country Western Australians especially in rural areas.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 751 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 7.]

PETITION - HEALTH SERVICES, CONSUMER COMPLAINTS AND CONCILIATION SYSTEM

MR KOBELKE (Nollamara) [3.04 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned petitioners call upon the State Government to legislate for an independent, accessible and structured complaints and conciliation system for consumers of health services as a matter of urgency.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 34 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

A similar petition was presented by Dr Gallop (Deputy Leader of the Opposition) (452 signatures).

[See petitions Nos 8 and 12.]

PETITION - PHYSIOTHERAPISTS BILL, AMENDMENT

MR MINSON (Greenough - Minister for Works) [3.05 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, request that the Physiotherapists Bill 1994 be amended to:

1. Exempt qualified masseurs from the requirement to register under the proposed Bill.
2. Define qualified masseurs as persons who have attained the Associate Diploma in Health Sciences (Massage) or equivalent qualification recognised by the State Employment and Skills Authority.
3. Permit qualified masseurs to apply massage or heat to the human body in his/her practice of the profession of massage.
4. Permit qualified masseurs to provide therapeutic massage to the public, and ensure the health and safety of members of the public is safeguarded.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 68 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 9.]

PETITION - GIACCI BROS, QUARRY LICENCE APPLICATION

MR D.L. SMITH (Mitchell) [3.07 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We the undersigned petitioners call upon the Parliament of Western Australia to ensure that the Ministers for Local Government, Planning and the Environment use their powers to prevent approval being given to an application by Giacci Bros for a licence to quarry basalt rock and extract sand on Boyanup Agricultural Area Lots 251 and 327, Lot 2, Allenville Road, Gelorup.

In particular we ask that -

1. The Minister for the Environment upgrade the level of assessment to a much higher level than a works licence approval - preferably a full consultative Environmental Review or E.R.M.P.
2. The Minister for Planning not rezone the land.
3. The Minister for Local Government extend the time for objections to the application and not consider any appeal by the applicant against any Shire decision to refuse approval or to defer considerations of the matter.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 20 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 11.]

PETITION - POLICE, BELMONT, ADDITIONAL OFFICERS

MR RIPPER (Belmont) [3.09 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, call on the State Government to take urgent action to combat crime in Belmont by:

1. Implementing its election promise to employ 800 additional police officers;
2. Allocating extra police officers to the Belmont station;
3. Arranging more frequent police patrols in known trouble spots in the City of Belmont;
4. Establishing a truancy patrol in Belmont;
5. Establishing an anti-theft squad in Belmont;
6. Relocating the Belmont Police Station to central Belmont.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 147 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 13.]

PETITION - JUSTICE, MINISTRY OF, INDEPENDENT JUDICIAL INQUIRY

MR BROWN (Morley) [3.10 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We the undersigned call for the establishment of an independent judicial inquiry into the Ministry of Justice.

In support of this call we note that serious allegations have been made by the Attorney General and the Director General of the Ministry of Justice about the conduct of prison officers. Prison officers have been accused of stealing by cheating on sick leave, participating in a drug ring and intimidating staff into not

conforming to government directives. Extensive enquiries into these and other serious allegations have so far failed to substantiate any truth of these claims.

An independent judicial inquiry which focuses on the competence and professionalism of everyone involved in the Ministry of Justice is needed rather than the piece-meal enquiries which have excluded vested interests in the Ministry.

Such an independent judicial inquiry should examine:

- the competence of the Director General to properly manage the Corrective Services division of the Ministry of Justice;
- interference in the staff selection process;
- incoherent decision making in the Ministry;
- collusion between administrative and criminal investigations;
- the manner in which the enquiries have been conducted, including breaches of the Prison Act and Regulations and the denial of natural justice;
- causes of the huge turnover of very senior administrative officers;
- plummeting staff morale.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 90 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 14.]

PETITION - DEATH PENALTY

DR WATSON (Kenwick) [3.11 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned citizens of Western Australia, are most concerned that the Western Australian Government is considering introducing the Death Penalty as,

- (a) All research indicates that the death penalty plays no deterrent role whatsoever;
- (b) with the fallibility of the justice system there is always the risk that an innocent person will be killed;
- (c) the death penalty would not affect all members of society equally. It would impact most devastatingly on those unable to afford the best legal representation;
- (d) the cycle of violence can be broken - not by meeting violence with violence but by love, compassion and understanding.

We urge the WA Government to show responsible leadership and reject the death penalty as an option for Western Australia.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 965 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 15.]

**PETITION - TRAFFIC LIGHTS, MARMION AVENUE-SHENTON
AVENUE AND BURNS BEACH ROAD INTERSECTIONS**

MR W. SMITH (Wanneroo) [3.13 pm]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, do respectfully request the Minister to enter into consultation between Main Roads, City of Wanneroo and land developers in the area to progress the installation of traffic control lights at the Shenton Avenue and Burns Beach Road intersections with Marmion Avenue.

These intersections are the scenes of many accidents and are causing much stress to the community. Marmion Avenue is carrying a vast amount of commuter traffic as it is the only major arterial road in the district. Considering that Wanneroo is now the fastest growing district in Australia the situation is only going to escalate.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 686 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

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

[See petition No 16.]

MINISTERIAL STATEMENT - PREMIER

Ministry, Western Australian Government - Changes

MR COURT (Nedlands - Premier) [3.33 pm]: I take this opportunity to inform members of the following changes to the Ministry which came into effect from 10 February -

Hon H.J. Cowan: Deputy Premier; Minister for Commerce and Trade; Regional Development; Small Business.

Hon S.G.E. Cash: Minister for Mines; Lands; Minister assisting the Minister for Public Sector Management; Leader of the Government in the Legislative Council.

Hon N.F. Moore: Minister for Education; Employment and Training; Sport and Recreation; Parliamentary and Electoral Affairs.

Hon C.L. Edwardes: Attorney General; Minister for Justice; Women's Interests.

Hon P.G. Foss: Minister for the Environment; Water Resources; the Arts; Fair Trading.

Hon G.D. Kierath: Minister for Health; Labour Relations.

Hon K.J. Minson: Minister for Works; Services; Disability Services; Minister assisting the Minister for Justice;

Hon K.R. Lewis: Minister for Planning; Heritage.

Hon P.D. Omodei: Minister for Local Government; Multicultural and Ethnic Affairs.

Mr F.C. Tubby: Parliamentary Secretary to the Minister for Education; Employment and Training; Sport and Recreation; Parliamentary and Electoral Affairs; to assist with the parliamentary business of the Minister for Education; Employment and Training.

Mr W.J. McNee: Parliamentary Secretary to the Minister for the Environment; Water Resources; the Arts; Fair Trading; to assist with the parliamentary business of the Minister for Water Resources.

Mrs R.K. Parker: Parliamentary Secretary to the Minister for Education; Employment and Training; Sport and Recreation; Parliamentary and Electoral Affairs; to assist with the parliamentary business of the Minister for Sport and Recreation.

Mr D. J. Shave: Parliamentary Secretary to the Minister for Education; Employment and Training; Sport and Recreation; Parliamentary and Electoral Affairs; to assist with the parliamentary business of the Minister for Parliamentary and Electoral Affairs.

I also take this opportunity to table the Ministers' representation in the other House and allocation of portfolios list for the information of members.

[See paper No 11.]

BILLS (23) - ASSENT

Messages from the Governor received and read notifying assent to the following Bills -

1. Health Services (Quality Improvement) Bill
2. Taxi Bill
3. Interpretation Amendment (Australia Acts) Bill
4. Stamp Amendment Bill (No 2)
5. Victims of Crime Bill
6. Criminal Law Amendment Bill
7. North West Gas Development (Woodside) Agreement Amendment Bill
8. Acts Amendment (Fines, Penalties and Infringement Notices) Bill
9. Fines, Penalties and Infringement Notices Enforcement Bill
10. Dairy Industry Amendment Bill
11. Appropriation (Consolidated Fund) Bill (No 1)
12. Appropriation (Consolidated Fund) Bill (No 3)
13. Appropriation (Consolidated Fund) Bill (No 4)
14. Appropriation (Consolidated Fund) Bill (No 2)
15. Loan Bill
16. State Supply Commission Amendment Bill (No 2)
17. Pawnbrokers and Second-hand Dealers Bill
18. Firearms Amendment Bill
19. Voluntary Membership of Student Guilds and Associations Bill
20. Freedom of Information Amendment Bill
21. Hospitals Amendment Bill
22. Planning Legislation Amendment Bill (No 2)
23. Young Offenders Bill

CORPORATIONS (WESTERN AUSTRALIA) AMENDMENT BILL

Leave to Introduce

MR COURT (Nedlands - Premier) [3.34 pm]: In order to assert and maintain the undoubted rights and privileges of this House to initiate legislation, I move, without notice -

That leave be given to introduce a Bill for an Act to amend the Corporations (Western Australia) Act.

Question put and passed; leave granted.

Introduction and First Reading

Bill introduced, on motion by Mr Court (Premier), and read a first time.

GOVERNOR'S SPEECH

Distribution of Copies

THE SPEAKER (Mr Clarko): Accompanied by the honourable members of this Chamber, I attended His Excellency the Governor (Major General Philip Michael Jeffery, AO, MC) in the Legislative Council Chamber to hear the speech which His Excellency was pleased to deliver to members of both Houses of Parliament. For the sake of greater accuracy, I have caused printed copies of the speech to be distributed among members of this Chamber.

ADDRESS-IN-REPLY - MOTION

MR DAY (Darling Range) [3.35 pm]: I move -

That the following Address-in-Reply to His Excellency the Governor's speech be agreed to -

May it please Your Excellency -

We, the Legislative Assembly of the Parliament of the State of Western Australia in Parliament assembled, beg to express loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the speech you have been pleased to address to Parliament.

In speaking to the motion it is my intention to raise a number of issues which both directly affect my electorate of Darling Range and which also have wider implications. In particular I will comment on the proposed Darling Range regional park, tourism in the hills region, water catchment management, and bushfire awareness in the community, and will conclude with some more general comments.

As members may be aware, for some years now there has been a proposal to establish a Darling Range regional park in the hills region. The proposed park would extend from the Walyunga and Avon Valley national parks in the north to the Serpentine national park in the south and would better link the existing park and reserves areas. Implicit in the proposal is a greater degree of utilisation and promotion of the many natural assets in the region. During 1994, at the request of the Minister for Planning, I was pleased to chair the Community Consultative Committee which has been involved in the proposal, and the final version of the report is being prepared by the Ministry for Planning.

It was against this background that I recently made arrangements to visit the Brisbane Forest Park in Queensland, which is regarded as a model for the proposed Darling Range park. It is notable that one organisation has been given the responsibility and funding to manage and coordinate various areas of land which are vested in three separate government authorities, namely those responsible for forestry, water catchments and national parks. The park has a budget of \$1.7m a year - \$1m for operating purposes and \$700 000 for capital works. Of this \$1.4m is contributed from the consolidated revenue and \$300 000 is from self generated receipts. It receives about two million visitors a year, the majority of whom come from south east Queensland.

The various forms and extent of visitor facilities which have been developed are very impressive; for example, a substantial visitor's centre, numerous picnic and recreation areas, including undercover shelters, interpretive signs, access points, walk trails and a formal camping area. My point in mentioning all of this is to inform the House that I believe a great deal more can be done by government authorities, as well as the private sector, in the Darling Range area both to improve facilities for visitors and to encourage responsible use of the area.

What has been commenced by the Department of Conservation and Land Management in

establishing the hills forest activity centre near Mundaring Weir is excellent and the recreational programs are well attended. However, many more opportunities exist and I hope it will be possible for the Government to progress the establishment of the Darling Range regional park to the point of implementation during this year.

I am not suggesting that, as has been done in Brisbane, a separate authority be established with its own Act of Parliament to manage the area. Although I would not be averse to such a structure, I can well understand that the Government would not be keen to establish a new authority. It is proposed that CALM be given the responsibility of managing the park. Two criteria must be fulfilled: Firstly, CALM should be provided with sufficient funds to adequately manage and develop the park and, secondly, an appropriate advisory committee should be established comprising community, local government and state authority representatives to ensure both adequate coordination and accountability to the community. This matter is closely related to the next subject on which I will comment - that of tourism in the hills region.

As I said in my maiden speech two years ago, more can be done to make the best use of the recreational and tourist potential of the hills. Recently, a Perth hills tourism strategy was prepared for the Kalamunda and Mundaring Tourism Associations. The study involved two aspects: Firstly, the identification of existing tourism assets and, secondly, the preparation of a strategy and recommendations designed to encourage the development of a hills based tourism industry.

Although there may well be debate about some of the fine detail, the general thrust of the report is appropriate and worthy of support by government at all levels. The report notes that, based on figures supplied by the WA Tourism Commission, in 1993 87 per cent of visitors to the State were from intrastate and of those 58 per cent originated in the Perth metropolitan area with the remaining 42 per cent coming from various other areas of the State. The report states -

This suggests the market segment most likely to utilise the Perth hills tourism product will be Perth based, self-drive day trippers or those requiring limited overnight accommodation only. It is likely to comprise family groups seeking to experience the different environment and lifestyle available in the Perth hills.

Tourism is clearly important to the economic future of Western Australia and it could be argued that local family based groups are one of the most important sectors to which the Government should be giving attention. It is important that the potential of the hills is recognised in developing policies; for example, its proximity to the city, topography, natural vegetation, agriculture and historical features. The area has obvious attractions from a nature-based tourism perspective.

The strategy recognises a number of essential elements which include conserving the existing natural and cultural environment of the hills so that the area's identity is preserved and concentrating tourist activity on particular themes and places, both for the benefit of visitors and to minimise the impacts on the environment and local residents who are, of course, very keen to ensure that their existing lifestyles are not diminished.

A range of benefits is identified in the strategy including economic development and diversification for the region, generation of income for the conservation and management of the area's parks and reserves, increased employment opportunities and the development of a strong local identity. Included in the recommendations is the creation of the Darling Range regional park to further protect the natural assets of the hills. This of course relates to my previous comments. I commend this strategy to the House and the Government as a means of both encouraging local enterprise and providing facilities for the people of Perth and Western Australia.

There are many historical sites in the Darling Range area which are of significance to the people of the State. One of the most significant in my view is the Victoria Dam in Canning Mills. This dam was the first to be built to provide a reticulated water supply to Perth and was opened in 1891. In 1991 it was completely rebuilt and enlarged with some very impressive visitor and recreation facilities. Also of significant interest is the original

dam wall which is still present with a large cross-section cut through the centre of it. Despite these excellent facilities the Water Authority discourages members of the public from visiting.

The access road has two gates - one is 800 metres from the site with the other one a further kilometre away. On week days the outer gate is opened and the inner one closed. In other words, there is an 800 metre walk to the dam, albeit a very pleasant one. On weekends, for those intrepid enough there is about a two kilometre walk.

I realise that the area is part of a water catchment, and as a member of the Select Committee on Ground Water Supplies and Metropolitan Development last year, I am also well aware of and strongly support the need to take adequate precautions to protect the quality of our water supplies. Nevertheless, I feel more can be achieved for the public at this site while still acting responsibly. On the other side of the coin I congratulate the Water Authority for its recent construction of excellent new visitor facilities downstream at the Bickley Reservoir.

One of the recommendations made by the select committee was that a suitable education centre be established to inform the community about the need to protect our ground water supplies and to explain their significance to the residents of Perth. It would be appropriate also to establish a similar centre in relation to surface water catchments and the Victoria Dam appears to be an ideal location.

The question of what is appropriate at Victoria Dam raises the issue of recreational use of water catchments and storages generally. There are many examples elsewhere of greater use being made for recreational purposes of water storages and catchments. One example is the Lake Wivenhoe Dam near Brisbane where I noticed the presence of a yacht club together with other recreational facilities in the upstream region.

I am not suggesting that the Darling Range yacht club be established on Canning Dam or Mundaring Weir next week. However, there is room for community debate about how we manage our catchment areas. Obviously the cost implications should be considered as part of any reassessment, as should the potential benefits to the community.

We must also acknowledge the current water shortage problem in the South West of the State. However, the issue I have raised is a broader one. There is evidence of changing attitudes in Western Australia, in particular at the Big Brook Dam near Pemberton which was constructed in 1986. This dam has been designed to allow for recreational activities in the upstream area and on the reservoir, including swimming, canoeing, sailboarding and fishing. To some extent a more open attitude has been adopted at the new Ten Mile Dam near Margaret River which was opened last December. Having visited the area, I compliment the Water Authority and CALM for the facilities that have been provided.

It is valid to say that demands for leisure based and recreational areas will increase as our population grows and we will best be able to deal with these demands by planning ahead and determining appropriate strategies in advance. I quote from a book entitled "Issues in the Management of Australia's Water Resources" by J.J. Pigram -

Outdoor recreation is a major in-stream use of water in Australia, yet has been given little consideration in water resource decision-making.

Water management authorities must accept that recreational use is a legitimate, even vital, function of water, so as to ensure that opportunities for outdoor recreation are maximised at existing sites and facilities, and provision for water related recreation is incorporated into planning for multiple use of resources in the future.

Members will be aware that the Darling Range area has again this summer been vulnerable to bushfires. One of the most potentially serious occurred last month on the escarpment in Lesmurdie. Unfortunately, however, there are many other examples including Greenmount where substantial property damage occurred, Gooseberry Hill, Pickering Brook, Bedforddale, Kelmscott and the Avon Valley.

I place on record a tribute to those many men and women who make up our firefighting

services, both volunteer and permanent, and who have shown a great deal of dedication and bravery in dealing with this very serious threat this summer both in the hills area and in other parts of the State.

Dr Watson interjected.

The SPEAKER: Order! The member for Kenwick will not interject out of her seat.

Mr DAY: Last year I had the pleasure of chairing a ministerial committee which investigated the Darling escarpment fire hazard and recommendations covering a wide range of subjects were made. I recently attended a briefing at the WA Fire Brigade headquarters together with the Minister for Emergency Services and the Minister for Energy, at which changes which have been implemented to improve water and electricity supplies were outlined. In addition, procedures have been implemented to improve interagency communication and coordination.

One of the more significant issues dealt with by the committee concerned that of community awareness of bush fire threat and knowledge of what to do in an emergency. The report concluded that a substantial deficiency exists, both within the Darling Range community and elsewhere in the State, in knowledge about the potential for rapid destruction caused by bushfires and that more needs to be done to educate the community about appropriate preventive actions and responses.

Dr Watson interjected.

Mr DAY: This Government significantly boosted the funding to firefighting services, particularly the bushfires brigade. I suggest the member have a look at last year's Budget.

Several members interjected.

The SPEAKER: Order!

Mr DAY: This problem was manifested during the recent Lesmurdie fire in which I noticed some residents trying to deal with the fire while dressed in inadequate clothing. I hope the Government will be able to take some additional action in this area this year. One program introduced by the Country Fire Authority in Victoria is Community Fireguard. It is similar in principle to the Police Department's Neighbourhood Watch and in relevant locations perhaps the two could be combined.

The introduction to the Community Fireguard booklet summarises this program and states -

It is about local people taking responsibility for their own fire safety. These people work in small community groups to develop strategies to cope with the local fire threat. These strategies are based on a solid understanding of wildfire safety issues.

In this respect it was with interest I noticed in a recent press article that residents in the vicinity of Ronneby Road in Lesmurdie have combined to better protect themselves from fire. This is very much in accord with the intentions of the Community Fireguard program, and I congratulate the residents involved for their initiative.

It is frequently claimed that Western Australia is a land of great opportunities and potential. The validity of that claim was brought home to me very much in the past week. On Monday I had the privilege of attending, on behalf of the Premier and the Minister for Resources Development and Energy, a function organised by Woodside Offshore Petroleum Pty Ltd to mark the commissioning of the Goodwyn A gas production platform as part of the North West Shelf gas project, the facilities for which are now complete. As part of the function a documentary film entitled *Against All Odds*, which tells the story of the project, was shown for the first time.

The completion of the Goodwyn A platform represents the conclusion of a project of enormous magnitude which commenced in the mid 1960s with the first exploration of the region and the first significant find in 1971, 24 years ago. Over that time the project has had to overcome significant engineering, technical, financial, industrial relations and

political challenges to succeed. In total approximately \$11 billion has been expended which includes \$2 billion for ships to transport the gas overseas.

A few days prior to the Woodside function I attended a breakfast meeting of the Kalamunda Chamber of Commerce and met with the proprietors of a small company, Flocode, which is based in Kalamunda. I was fascinated to learn that Flocode has produced the labelling system for the pipes in the onshore gas condensation plant on the Burrup Peninsula which is an integral part of the North West shelf project.

Anyone who knows Kalamunda will be aware that it is very much a residential area and not where one would expect to find industry directly involved in such a project. The point is, of course, that this is an excellent example of the very significant multiplier effects of such development on the economy of Western Australia.

It is important that we do whatever we reasonably can to encourage downstream processing of our raw materials. It is encouraging to know, for example, of the consideration being given to the establishment of direct reduced iron plants in the Pilbara. However, the point was made to me on Monday that such developments will put a strain on our skilled labour resources and it is important that we do what is required to ensure we have an education and training system in place to provide well educated and trained graduates from our schools, colleges and universities who are able to meet the challenges. I draw this point to the Government's attention.

I wish the House well in its consideration of the issues which will come before it this year and I look forward to making a contribution to the process.

MR BOARD (Jandakot) [3.50 pm]: I formally second the motion.

Debate adjourned, on motion by Mr Ripper.

DEPUTY CHAIRMEN OF COMMITTEES

Appointment

THE SPEAKER (Mr Clarko): I wish to advise members of the appointment of the following members as Deputy Chairmen of Committees during the present session: The member for Darling Range (Mr Day), the member for Perth (Ms Warnock), the member for Roe (Mr Ainsworth), and the member for Whitford (Mr Johnson).

[Questions without notice taken.]

ADJOURNMENT OF THE HOUSE - SPECIAL

On motion by Mr C.J. Barnett (Leader of the House), resolved -

That the House at its rising adjourn until Tuesday, 28 March at 2.00 pm.

STATEMENT - SPEAKER

Television File Footage of Parliament

THE SPEAKER (Mr Clarko): I advise members that filming of television file footage will take place on Tuesday, 28 March 1995 from 2.05 pm for approximately 20 minutes.

House adjourned at 4.11 pm

QUESTIONS WITHOUT NOTICE

LAND (TITLES AND TRADITIONAL USAGE) ACT - HIGH COURT DECISION
New Legislation; Tribunal Appointments

1. Mr McGINTY to the Premier :

I refer to the High Court's decision to strike down the Government's Land (Titles and Traditional Usage) Act on the grounds that it is racist and contravenes the federal Constitution, and ask -

- (1) When will the Premier repeal the State Act?
- (2) When will the Premier introduce legislation complementary to the federal Native Title Act to establish a State native title tribunal which would allow -
 - (a) land management issue affecting Western Australian land to be dealt with in Western Australia;
 - (b) the appointment of Western Australians to the tribunal; and
 - (c) give the State control over the land claims procedures of the tribunal?

I can assure the Premier and this House that such a Bill would have the support of the Opposition and if this Government will not introduce such legislation, the Opposition will.

Mr COURT replied:

- (1)-(2) As outlined in the Governor's Speech, we will be introducing legislation in relation to the validity of titles until 1993. As far as the establishment of a tribunal goes, the Leader of the Opposition has supported the Federal Government's legislation the whole way through. He was prepared to surrender unconditionally to Mr Keating.

Several members interjected.

The SPEAKER: Order! The member for Mitchell.

Mr COURT: The Opposition has been quite prepared to accept the Federal Government's legislation.

Several members interjected.

The SPEAKER: Order! The Leader of the Opposition.

Mr COURT: I know what the people in this State want. They do not want Canberra taking over land management in this State.

Several members interjected.

The SPEAKER: Order! There are far too many interjections. It is not possible to hear the member answering the questioning. He must be given an opportunity to do so, otherwise I will have to intervene.

Mr COURT: It is interesting that senior members of the Labor Party support the position we are taking. In relation to the establishment of a state tribunal -

Several members interjected.

Mr COURT: What, is Mr Graeme Campbell not one of your people?

Dr Gallop interjected.

The SPEAKER: Order! The Deputy Leader of the Opposition.

Mr COURT: The day after the High Court ruling the president of the tribunal was quoted as saying that the tribunal needed a sweeping overhaul. The Federal Government itself is now saying it wants to bring in legislation to amend its

tribunal. Before members of the Opposition come rushing in supporting Mr Keating I suggest they look at their legislation.

KOBE EARTHQUAKE - MINISTER FOR RESOURCES DEVELOPMENT VISIT

2. Mr DAY to the Minister for Resources Development :

I understand that as part of his recent visit to Japan the Minister had the opportunity last Friday to visit Kobe city to see first-hand the damage caused by the January earthquake. Given the sister city relationship with the Hyogo prefecture, which dates back to 1981, I ask the Minister to advise on the progress of reconstruction and the impact of the earthquake on the Western Australian resources industry.

Mr C.J. BARNETT replied: .

I am sure members will be interested to have some report of the state of devastation of Kobe city and the prefecture.

Mr Graham interjected.

Mr C.J. BARNETT: Perhaps the member for Pilbara will be interested to know that our sister city has suffered extreme damage. The damage in Kobe included the loss of 5 400 lives. Two hundred and fifty eight houses collapsed and another 7 500 houses were destroyed by fire. At the time of visiting, 80 000 people remained homeless in that area.

Mr Leahy: Did you tell them it was built in an earthquake zone?

Mr C.J. BARNETT: I thought members of this House would have respect for the existing community of Kobe.

Mr Marlborough interjected.

The SPEAKER: Order! I formally call to order the member for Peel.

Mr C.J. BARNETT: What is not old news is the impact on Western Australia. The damage to the Kobe steelworks, which imports about 4.8 million tonnes of steel, is estimated at \$1b. Remarkably, the shipments from Western Australia will meet their contracted volumes with use of smaller ships and equally remarkably the Kobe steelworks expect to return to normal production by around September this year. With respect to LNG, essential services in Kobe - water, power and gas -

Mr Marlborough interjected.

The SPEAKER: Order! I formally call to order the member for Peel for the second time.

Mr C.J. BARNETT: - the gas supply has been the most severely affected. At present, 100 000 households in Kobe still do not have gas reconnected. As a result one LNG shipment from Western Australia has been deferred, but that will be replaced in October. Ironically perhaps, the impact of rebuilding Kobe, which will cost \$US100b is estimated to boost the Japanese economy during the reconstruction phase by between 0.5 and 0.75 per cent. Perhaps that is a forlorn gain, but that will mean increased energy and iron ore sales by this State.

Mr D.L. Smith interjected.

The SPEAKER: Order! The member for Mitchell once again.

LAND (TTILES AND TRADITIONAL USAGE) ACT - HIGH COURT DECISION *Compensation for Titles Issued after 1 January 1994*

3. Mr McGINTY to the Premier:

I refer to the High Court's decision to strike down the Government's Land (Titles and Traditional Usage) Act and to the possibility that titles issued after 1 January

1994 to resource companies may be invalidated by subsequent successful native title claims, giving rise to claims for compensation from the State. In particular I refer to the article in *The Australian Financial Review* of 20 February which quotes the Minister for Mines as saying -

If the issue of an existing or replacement title results in a successful claim for compensation because of the existence of native title, the Government will, where determined, accept liability for compensation.

Will the Premier confirm that the State will accept liability for such compensation?

Mr COURT replied:

The High Court ruling did not invalidate any titles as the Leader of the Opposition knows only too well. Any titles issued during that period to which he referred fall into the same category as all titles issued in Australia.

Mr McGinty interjected.

The SPEAKER: Order! I formally call to order the Leader of the Opposition.

MENTAL HEALTH SERVICES - SPECIAL TASK FORCE MEETING

4. Dr HAMES to the Minister for Health:

What will be the outcome of the first meeting of the special task force he appointed to examine mental health in Western Australia?

Mr KIERATH replied:

There is no question that mental health services in this State have been in crisis.

Dr Gallop interjected.

Mr KIERATH: It is interesting to hear the member for Victoria Park because a former director of mental health services in this State said the real problem began in 1984 when all the divisions were amalgamated. Who was in power in 1984? That is when the former director said the problem started. I have tried in this debate not to blame the Opposition even though I know it is to blame. However, we have said we will not sweep this issue under the carpet. I appointed a mental health task force. The Leader of the Opposition yelled out today, "What about being positive for a change?" My challenge to the Opposition is that it should try to be positive on this issue for a change. Everybody else in the State, whatever avenue of mental health service provider, has congratulated the Government on establishing a task force and almost every man, woman and child has volunteered to be on it. Yet the Opposition is negative, carping and attacking. I am pleased to report that that task force met last Friday for the first time. It made two recommendations: Firstly, that there should be a statutory mental health service in this State which should report directly to the Minister and not be snowed by some bureaucracy. It should have direct channels to the Minister so the Minister of the day will know the state of the mental health services. I fully support that first recommendation.

The second recommendation it made was that there should be two consumer representatives - one male and one female - on that task force, despite the fact it is already 18 strong. I accepted that recommendation and two consumer representatives have been added to that task force. Incidentally, I have pleasure in reporting that those members of the task force wanted to meet on a fortnightly basis. They are very busy people, and in many cases highly qualified, but they have given up their time at no charge to the State to sort out the mental crisis in this State. It behoves all people in this State to congratulate and thank in advance the members of the task force for all the time and effort they are putting in to resolving the mental health crisis.

NEDLANDS CITY COUNCIL - PECUNIARY INTERESTS ISSUE

5. Mr MARLBOROUGH to the Minister for Local Government:

I refer the Minister to today's report in *The West Australian* headed "Prosecution off: Omodei", in which the Minister is quoted as saying that four Nedlands city councillors would not be charged with alleged pecuniary interest offences because Crown Law Department advice indicated that while a breach may have occurred, there were factors that "could have made prosecution inappropriate or not in the public interest".

- (1) How does the Minister explain his reported comments given that Crown Law advice provided by the senior assistant Crown Solicitor for the Minister's department on 22 February 1994 makes no reference to "factors that could have made prosecution inappropriate or not in the public interest"? The advice in that letter to the Minister made it quite clear: There was no such advice that it was not in the public interest.
- (2) Is the Minister's decision based on new advice or is this a case of the Minister protecting supporters of the Premier in the electorate of Nedlands and the Liberal Party?

Several members interjected.

Mr Court: I wish they were.

Mr MARLBOROUGH: Is it not a fact that David Caddy was a treasurer of the Liberal Party?

Mr Court: You tell me.

Mr MARLBOROUGH: I am telling the Premier that it is a fact. The Premier does not know! For the National Party's information, David Caddy was the treasurer of the Liberal Party.

- (3) If there is new advice, will the Minister table it today?
- (4) If there is no new advice, how does the Minister explain his decision, given that the senior assistant Crown Solicitor's advice made no reference to those issues and drew attention to a breach of the pecuniary interest provisions in the Local Government Act?

Mr OMODEI replied:

- (1)-(4) The member knows that it is not the practice of this House for members to table Crown Law advice. However, if the member had read *The West Australian* article properly - it was quite accurate - he would understand that the allegations of pecuniary interest were dealt with by me on the advice of the Crown Solicitor.

Mr Marlborough: You did not follow that advice.

Mr McGinty: It was not the Crown Solicitor's advice. It does not say that in today's paper. You have misled people.

Mr OMODEI: The member has that advice but we do not know about the validity of that advice. I take a lot of advice from the Crown Solicitor. The issue of pecuniary interests was dealt with on the advice of the Crown Solicitor and the results are now public.

ABORIGINAL ART AND ARTEFACTS - INTELLECTUAL PROPERTY PROTECTION

6. Mr OSBORNE to the Minister for Aboriginal Affairs:

- (1) Do many retail and information outlets sell imitation Aboriginal artefacts from overseas?
- (2) Is it now common practice for cultural and intellectual property to be protected from copying and imitation?

- (3) Will the Minister take action to protect the integrity of Aboriginal art, thereby enhancing the prestige of these articles and the financial return to genuine, domestic producers?

Mr PRINCE replied:

- (1)-(3) The member for Perth and I know because we were both at an art gallery opening last evening that there is available today a large quantity of very good Aboriginal art and artifacts, some of which commands very high prices which is to the benefit of the artist. Unfortunately, there is a growing practice of copying overseas the better of the art, ascribing it to Aboriginal artists and then importing it into Australia. I regret to say that, to a large degree, international tourists are buying it believing it to be the genuine article. Unfortunately, current federal copyright legislation does not prevent the importing and sale of imitation artifacts. That is being addressed and is the subject in part of a discussion paper released by the Commonwealth. The discussion paper is entitled "Stopping the rip-offs: Intellectual property protection for Aboriginal and Torres Strait Islander peoples".

In this State discussions are under way between the Western Australian Tourism Commission and the Department for the Arts on a strategy which is aimed at providing education and information to the people within the tourism industry so they will be aware of the forms of birthmark that have been developed to identify genuine Aboriginal artefacts. They will be in a position to ensure that the artefacts they sell to tourism outlets are genuine and the international tourists will know that they are receiving the genuine article. This procedure will be of benefit to the people who created the artefacts; namely, the Aboriginal people.
