

# Legislative Council

Wednesday, 13 March 1985

**THE PRESIDENT** (Hon. Clive Griffiths) took the Chair at 4.30 p.m., and read prayers.

*Sitting suspended from 4.33 to 7.16 p.m.*

## DENTAL PROSTHETISTS BILL

### *Conference of Managers: Report*

**HON. Lyla Elliott** (North-East Metropolitan) [7.17 p.m.]: I am directed to report that the conference of managers met at Parliament House on Wednesday, 13 March 1985 from 9.30 a.m. until 5.00 p.m.

Generally speaking, the matters requiring agreement were—

- (1) what is known as the "grandfather" clause which enables those who practised as dental prosthetists—see clause 3(3) of the Bill—to continue to do so, and
- (2) the proposition as to whether dental prosthetists should be permitted to provide; that is, supply and fit partial dentures as well as full dentures.

After lengthy deliberation the conference of managers agreed that the amendments set forth in the schedule hereto be dealt with as follows—

- (1) Legislative Council's amendments Nos. 6, 7, and 8, as agreed to by the Legislative Assembly, shall stand part of the Bill.
- (2) The further amendments Nos. 1 and 2 made by the Legislative Council shall not stand part of the Bill.
- (3) The amendments Nos. 2, 3, 9, 10, 15, 16, and 17 disagreed to by the Legislative Assembly and insisted upon by the Legislative Council shall not stand part of the Bill.
- (4) The amendments Nos. 1, 4, 5, 11 to 14, and 18 to 46 disagreed to by the Legislative Assembly and insisted upon by the Legislative Council shall stand part of the Bill.
- (5) The Bill is further amended in the following respects:

Clause 18.

Page 11, line 25—To insert after "subsection (1)(b)" the following—

if he undergoes an assessment of proficiency by written, oral or practical examination or any one or more of those kinds of examination

as may be required by the person holding the office of Director of Dental Health Services in the Health Department of Western Australia established under the Public Service Act 1978, and performs to the satisfaction of that person in that assessment.

Page 11, lines 26 and 27—To delete subclause (3).

Clause 19.

Page 12, lines 1 to 30—To delete the whole of paragraph (b) and subclauses (2) and (3).

I move—

That the report do lie on the Table of the House and be adopted.

Question put and passed and a message accordingly returned to the Assembly.

## JOONDALUP CENTRE AMENDMENT BILL

### *Second Reading*

Debate resumed from 28 February.

**HON. P. H. WELLS** (North Metropolitan) [7.21 p.m.]: It is with pleasure that I rise for a couple of reasons to speak to this Bill. One reason is that the Joondalup Development Corporation project forms a large part of my electorate. The original legislation was introduced in 1976 by a Liberal Government and we have come to see it develop into one of the success stories of our State.

Recently it was my pleasure, and that of my colleagues, to be briefed once again on the achievements of the corporation. The brief was a clear demonstration of the wisdom of those people who put together the corporation with a mixture of both Government and private enterprise. It was a pleasure to hear that its financial position is very sound and that much of the credit for this can be attributed to its chairman, Mr Robert Holmes a Court, a man who has provided sound financial advice and assistance which has seen the corporation arrive at some very sound decisions.

One such decision was to go ahead with its country club estate designed around an 18-hole champion golf course which is expected to be of international standard. I suggest that any member who has not gone out to the site should do so to see how the corporation has changed the quarries which previously were there into this golf course which abuts a country club estate. It has been quite an achievement involving orderly development providing for residential, retail and light industrial areas.

The decision by the previous Liberal Government to move the MTT depot to that area was another commitment that certainly was necessary because of the rapid development of the Wanneroo area.

The success of the corporation, to some degree, is responsible for this rather small Bill being brought forward. I say "small Bill" because it consists of only one page. One might say that a Bill of this size presents no problem. Certainly the Joondalup Development Corporation faces no problems in its ability to go forward and handle the challenge which Parliament presented to it in 1976. It is interesting to note that, when one looks at the debates at that time, there were divisions as to whether some parts of the Bill should be accepted. However, it is not those areas of contention that have come forward in this Bill.

The problem which has caused this Bill to be brought to Parliament relates to land transfers and the requirement for the Minister's signature to be on large numbers of transfers. For instance, the country club estate has a large number of lots. Some country members who need to find a nice place for their city home might like to take the opportunity to purchase a fairway lot or a luxury lot.

Hon. Graham Edwards: And the opportunity for good upper House representation!

Hon. P. H. WELLS: I am certain my colleague Graham Edwards would recognise the achievement of the development corporation and the fact that we have on the corporation people from the Shire of Wanneroo, as well as developers and private enterprise people.

This Bill deals with a problem which has arisen in section 9 of the Joondalup Centre Act which states—

9. (1) A Corporation shall be established for the purposes of this Act, and the Corporation shall, by the operation of this section, be incorporated as a body corporate by the name of "Joondalup Development Corporation".

(2) Under its corporate name, the Corporation—

- (a) has perpetual succession;
- (b) shall have a common seal;
- (c) may sue and be sued in any court;
- (d) may take, purchase, and hold real and personal property including property devised, bequeathed, or given to the Corporation;

(e) may, with the approval of the Minister, sell, alienate, mortgage, charge, and demise real or personal property; and

(f) may do and suffer all things which bodies corporate may by law do and suffer.

We are told that the requirement of section 9(2)(e) which refers to the Minister's approval being given to sell and otherwise deal with personal property has been interpreted to mean that the Minister is required to sign each and every one of the documents. I want the Minister to explain to me—and I am checking which Minister is handling the Bill so that he may deal with my request—why we are taking this particular approach.

I want members to think about the words in this section. It has been interpreted to mean that the Minister's personal signature must appear on every document. The amendment proposed in this Bill states—

(3) Where, by reason of subsection (2) (e), the approval of the Minister is required to the doing of any thing, the common seal of the Corporation fixed to any document for the purpose of giving effect thereto is evidence that the approval of the Minister so required has been given. "

This amendment is saying that a transfer bearing the common seal of the corporation has, for all intents and purposes, the approval of the Minister, whether he has seen it or not. I refer members to the make-up of the corporation. Three members form a quorum, and they could give authority for the seal of the corporation to be put on any document. I have no objection to the principle behind this amendment; there must be some way of handling the problem so that the Minister does not have to sign the transfer of 300 blocks of land at one time. Why are we saying that the transfer is deemed to have his approval if the seal is affixed, regardless of whether the Minister has approved?

It is a sloppy way to draft a piece of legislation. It is wrong to expect that a precedent will be set whereby the Minister must sign every document.

The State Housing Commission is continually selling land and there is no requirement under that Act for the Minister to sign every document involved with the transfer of the land. The R&I bank works under ministerial direction and the Minister does not have to sign every transfer document related to the sale of land in connection with that bank.

I refer also to the Urban Land Council which sells a large number of blocks and it is not necess-

ary for the Minister to sign every transfer document and no-one says that once the common seal is affixed to the document it is assumed that the Minister has signed it.

It is stupid to be saying that a board's quorum consisting of three members who approve a transfer of land by putting the corporation's seal on the document needs the Minister's approval or that its action can be said to imply that the Minister has given his personal approval. I question the requirement in the Bill and the way in which the Government has gone about it. It appears that the Minister's approval should only be required in certain situations. In the case of the Joondalup Development Corporation, how would approval be obtained in regard to a subdivision?

This Bill makes a laughing-stock of executive government. The Minister has not given enough thought to this legislation and I ask him to give it further consideration in order to ascertain if there is a better way of drafting the legislation.

It may well be that the approval of the Minister to sell land may need to be predefined in terms of large tracts of land, but we, as a Parliament, should not be willing to give a *carte blanche* approach and accept that a transfer has been approved by the Minister even though he has not signed it. If this is the attitude of the Government the next thing we know is that the Parliament will be asked to approve legislation whereby any document signed by the Under Secretary will automatically be regarded as being approved by the Minister. If there is no necessity for the Minister's signature to be on certain documents surely we should not pass this legislation.

The Minister owes it to the Joondalup Development Corporation, which happens to be a successful project and one which both this Government and the previous Government have supported, to make a further investigation of the legislation. Why foul up the project with crooked drafting and ask this Parliament to accept it?

I believe the Government should amend this clause and not go down such a stupid road by implying that the Minister's approval is given for every transfer that has the common seal, even though he does not personally approve it. I will be interested to hear the Minister's reply and I ask him to give serious consideration to amending the Bill or to having it redrafted.

**HON. PETER DOWDING** (North—Minister for Employment and Training) [7.35 p.m.]: I rise not because I believe there is a very significant issue that requires reply, but because the honourable member has simply raised his personal belief that this measure is inappropriate. I do not know that I can contribute much more than say that the

proposal in the Bill is to make the affixing of the common seal evidence of the approval of the Minister. That does not preclude all evidence of non-approval of the Minister being given if there were ever any dispute on that issue. What it does is to simply give rise to a situation that was contemplated when the Act was introduced by the Hon. Peter Wells' own party.

The Liberal Party introduced this legislation which was intended not to require the Minister's personal visible intervention in respect of every housing lot sold at Joondalup. It was intended that the Minister's consent should be given to the actions of the Joondalup Corporation. That was the way in which the intention was understood to be expressed, but an interpretation of the words of the Act by the Titles Office has required specific evidence on each occasion on which a transfer is registered of that particular sale by the Joondalup Corporation being the subject of ministerial consent.

The Joondalup Corporation is charged with a job of developing an area, subdividing it and selling it. It is subject to the Minister and it reports to him and in broad terms the Minister gives his or her approval to the procedures which the corporation is adopting. It was never envisaged that each single transfer document should personally bear the Minister's signature.

I see no compelling reason in anything the honourable member has said as to why there should be evidence on every single transfer document that the Joondalup Corporation is doing its job.

**Hon. P. H. Wells:** I did not say that.

**Hon. PETER DOWDING:** That is the effect of the honourable member's query.

All that is being suggested is that if the Joondalup Corporation is selling these home blocks—there will be over 200 of them sold during the next few months—every time it sells a block of land which is a normal commercial block, it does not have to go to the Minister to get his personal signature for each sale. All we need to do is to say that the evidence of affixing the seal is evidence of the consent of the Minister.

The Joondalup Corporation which was established by a Liberal Government is doing a fine job and this is a very minor administrative technical problem which we have sought to overcome in a robust and sensible way. It is simply to demonstrate the approval of the Government by the affixing of the Joondalup Corporation's seal. What is wrong with that escapes me and the Government and I would believe honourable members opposite.

Question put and passed.

Bill read a second time.

*In Committee*

The Chairman of Committees (Hon. D. J. Wordsworth) in the Chair; Hon. Peter Dowding (Minister for Employment and Training) in charge of the Bill.

**Clause 1 put and passed.****Clause 2: Section 9 amended—**

Hon. P. H. WELLS: It is usual for the Minister to misunderstand what I have said. There is no reason for the Minister's signature to be on every sale of a block of land. I suspect that is not the position when the sale goes through the State Housing Commission, the R & I Bank or the Urban Lands Council. In those areas we do not say that the seal or other action means that the Minister has approved. We do not say, regardless of whether he has approved, that he has approved of it.

The principle I am raising is that regardless of whether the Minister does it or not, this Act is interpreted to mean that he has approved.

Hon. Peter Dowding: It does not say that.

Hon. P. H. WELLS: It says—

Hon. Peter Dowding: I know what it says, but it does not say that.

Hon. P. H. WELLS: Does the Minister tell me that the interpretation of section 9(2) of the Act is that the Minister is required to sign every document? That is what the Minister said in the second reading speech, and that is what he said in discussion just now. So the approval of the Minister is required. I am saying that despite what the Minister says, his signature should not be required on every block of land. The Bill provides that if the common seal is fixed to any document, that is evidence of the approval of the Minister.

Correct me if I am wrong, but I understand that a quorum of the corporation is three people. Am I correct in believing that those three people can make a decision that proposes to have the common seal attached to a document? That document may never be sighted by the Minister and may never have his authority, because it may be one of several documents concerning a sale. The Minister, in the normal business of the corporation, has no need to and does not sign or approve of the individual documents relating to that title which come before that meeting of only three people. This Bill provides that those three people—a small por-

portion of the Joondalup Corporation dealing with the sale—may say that the Minister has approved.

Hon. Peter Dowding: What is wrong with that?

Hon. P. H. WELLS: The Minister may never have approved, in actual fact. We are saying this is the legal position. That is not the position under the State Housing Commission Act, or the Urban Lands Council. This is making a farce of the legislation.

Hon. Peter Dowding: Perhaps we should amend them as well.

Hon. P. H. WELLS: One of the difficulties with this Minister is that he does not bother to read the legislation before coming into this Chamber.

Hon. Peter Dowding: I suggested the thing.

Hon. P. H. WELLS: Now we have blamed the draftsman!

Hon. Peter Dowding: I did not draft it; I suggested it.

Hon. P. H. WELLS: The Minister has some training in this area. I do not suggest he suggested such a cumbersome approach. It may well be he has forgotten some of his training. It is stupid to say of an Act that the Minister had nothing to do with it because he had no need to have something to do with it. This is dealing with small sales at some \$20 000 per block. We find that to all intents and purposes the Minister has approved each sale. It is a joke.

We are going to bring in legislation to say the Minister has approved the sale when it has the corporation's stamp on it. Anyone can put a stamp on and say the Minister has approved.

If the Minister does not have to approve the sale of every block, why not say so? Why say that the Minister has approved it? If one is honest one will say the reason it has been brought into Parliament is that the Minister wanted it. He does not intend to become bogged down with fine detail, therefore the Minister does not need to sign it.

Why does the legislation not say that? Why does it have to say that this seal means the Minister has approved?

I am still a learner, but I think I could draft a better Bill myself. I have not done the first year in legal training, like the Minister.

Quite often it is shown, when tested by law, that these things do not come up to scratch. It is a cumbersome way of saying what one means. The Minister does not have to approve each document, so why does he not say so? Why does he not say this when he means most of the time he will not do it? In fact, the Minister may well be overseas.

Ministers are often overseas, which could hold up many of these projects.

I am asking the Minister to look at the wording and see if he cannot say clearly that this is not meant to mean that his signature is required to be on every sale. Why not say it in those words? The trouble with the legal profession is that it wants to write things in such a way that one needs a QC's opinion to obtain an interpretation. That is quite evident when one looks at today's situation and the costs involved. If I sent this Bill to the Law Society it would want to know whether a trainee wrote it, not that it had been suggested by the Minister. I would be ashamed to say that I suggested that approach.

Despite the fact that the Minister does not like to be questioned by someone not on his side, I ask him whether he should not look at it and see that the words mean what they say. It might be better to look at it and say that this does not mean the Minister has to sign every sale.

Hon. PETER DOWDING: One cannot but admire the fervour with which the honourable member has approached this issue. It may well be illustrative of either a complete misunderstanding of it or the most penetrating analysis of problems which have not occurred to the majority of us.

My interjection as to my involvement in this legislation was intended to indicate to members that, while I was Minister for Planning, it became apparent that an unintended result would occur when the subdivision got under way. Thus, the matter was sent to the Parliamentary Draftsman for him or her to find a solution, which he or she did, and it is a solution which can in fact be found in many legislative provisions.

The transferee of land is entitled to obtain a title without having questioned the mechanism by which the transferor made out that title. In other words, this simply says: If, on the face of it, the matter is regular and all the necessary consents, as far as the transferee is concerned, have been obtained, that is the evidence in which he is interested. If there is evidence of some malfeasance, fraud, or non-compliance with the terms of the Act, there is room for that to be raised; but the transferee is entitled to take, on the face of it, that certain things have occurred if the seal is affixed to the document.

That is all there is to it. All the evils at which Mr Wells has shadow-boxed are not there. The reason it is said it is inappropriate to indicate that the Minister's consent be not required is that the scheme of the Act is that the Joondalup Corporation must do the things which the Minister directs it to do. If the Minister directs it to subdivide

the land and sell it, once it has affixed its seal the seal evidences just that; that is, the Minister has directed the sale and, in other words, the transaction has had his approval.

If the approval is given in the broad—that is, "Please sell all blocks of land"—it is sufficient for the corporation to affix the seal. If his consent is given in the specific—that is, "Sell the block overlooking the golf course"—then it is evidenced by the seal. However, no-one suggests that the Minister's consent must be obtained in respect of each block, or that the Minister's consent should be other than in the general.

I am unable to advance the position further. I suggest that the honourable member record his displeasure with the legislation in the normal way. I cannot give any further justification for what appears to be one of the more simple, straightforward, and appropriate pieces of legislation which ought, in most circumstances, to attract the least controversy.

Hon. P. H. WELLS: I take up the two points the Minister made in his reply. One is that I see evil in this. I was not talking about evil or questioning the Minister's actions. I was questioning the way in which we interpret the wording of the amendment.

I believe Justice Kirby stated that it was time legislators said what they meant in their legislation. I suggest that this Bill does not say what it is meant to say. A number of approaches of this nature have not been successful, but there is no way that this one will not succeed. Therefore, it is clear that the Act should not be cluttered up with inappropriate wording. The language is out-of-date and the legislation should say what it means.

I do not say that what the Government seeks to achieve is wrong. Indeed, its purpose is in line with what was intended originally by the Liberal Government. All I question is the wording of the Bill. The Minister is giving a wrong impression in this Bill and, if he consulted the draftsman further, better wording could be used. The wording of the Bill indicates that the Minister has done something, regardless of whether in fact he has done it. This transaction could be completed by someone affixing a seal and a quorum passing the matter at a meeting.

**Clause put and passed.**

**Title put and passed.**

### *Report*

Bill reported, without amendment, and the report adopted.

*Third Reading*

Bill read a third time, on motion by Hon. Peter Dowding (Minister for Employment and Training), and passed.

**DENTAL PROSTHETISTS BILL***Assembly's Further Message*

Message from the Assembly received and read notifying that it had agreed to the conference managers' report.

**AGRICULTURE: RURAL SECTOR  
HARDSHIP***Government Inaction: Motion*

Debate resumed from 7 March.

**HON. J. M. BROWN** (South-East) [7.59 p.m.]: The motion states—

That this House condemns the Government for its failure to address the financial and social plight of rural communities in Western Australia, and calls on Governments both State and Federal actively to support rural industries and country businesses against the effects of greatly increased Government taxes and charges, tariffs, and other factors which are severely damaging the viability and quality of life in rural areas.

When Hon. Colin Bell moved this motion I was pleased to see that the Opposition was showing interest in what is happening in the rural community. While I am very disappointed in the wording of the motion, I agree with many points the honourable member raised when he spoke to it, because largely they were based on commonsense.

I certainly do not agree with the motion; it reflects on the activities of the Government in the two years it has been in office. The now Opposition held the Treasury benches for 21 years and if things are a mess within the rural community, I say they have not occurred in the last couple of years; they have happened over a long time. I think evidence of that was the confidence of the people of Western Australia in voting the Burke Government into office.

The motion begins, "That this House condemns the Government for its failure to address the financial and social plight". I went to great lengths to find out the exact meaning of the phrase "address the financial and social plight". *The Macquarie Dictionary* gave some credence to the word "address". The dictionary states, "He addressed himself to the work in hand". That was the most appropriate definition I could find.

I say respectfully that it would have been far better for the Opposition, if it wished to condemn the Government, to use the word "redress". It would have been far more appropriate to use that expression when referring to the rural community. It would have been better to say, "redress the financial and social plight". That would have been the best expression in an attempt to put right what has occurred.

I am well aware of the newspaper publicity which has come forth in the last few weeks. A Sunday newspaper reported that 2 000 farmers were in a serious plight. That was the subject of the Primary Industry Association conference. I am well aware of the heading of the lead article in *The West Australian* which Hon. Colin Bell used as his introduction to the subject of "Farming Woes".

I wonder whether Opposition members have examined the situation in its full context. Indeed, the President of the Primary Industry Association was reported in the publication the Hon. Colin Bell referred to—*The Countryman* of 7 March 1985—and the heading on the front page was "Crane condemns talk of farmer exodus". The article stated—

Primary Industry Association president, Winston Crane this week called for planned, constructive action to resolve any serious farmer problems in Western Australia.

He condemned growing speculation and reports of a mass exodus of farmers who were being forced off their land because of financial difficulties.

Mr Crane said such talk was destroying the credibility of the industry, the confidence of financiers who serviced it, and government in its ability to run its own affairs.

He emphasised the need for a balanced presentation of the true situation and solid facts to support any hard luck stories.

It was probably unfortunate that that statement of the President of the Primary Industry Association was not heeded. An air of gloom and doom is pervading the rural community. While we accept the fact that there will always be some people in a difficult financial position, the suggestion of a 2 000-farmer exodus is not a true figure. Indeed, out of the 9 000 farming population there would perhaps be five per cent or a little more who would find themselves in serious plight. The Government has been mindful of the situation that has been created within the rural communities and has done something about it.

Later during my comments I will bring to the attention of the members of this Chamber exactly what this Government has done.

Great store was placed in the Outlook conference which was held in Canberra. The Hon. Colin Bell related to the Chamber some of his observations and said that no State member of Parliament attended that conference. While I acknowledge that fact, it does not mean that there is no knowledge of what took place at the conference. An opportunity was given to the people of Western Australia to follow the national Outlook conference, and this was indicated by way of television and media reports. Notes of the conference will be made available. Indeed, mine should be in Kalgoorlie when I return there on Friday, because Graeme Campbell, the Federal member for Kalgoorlie, attended the conference as he was in the fortunate position of being able to do so. He has a keen interest in the rural industry. Not everyone was as fortunate as Graeme Campbell.

The questions raised by the Hon. Colin Bell, in support of his motion of condemnation, did not go far enough in my opinion. The member evidently overlooked what David Asimus, the Chairman of the Australian Wool Corporation, had to say about the Outlook conference. The Australian Wool Corporation has played a significant part in the production of wool in Australia. Mr Asimus said that Australia had a sound demand for wool and that the price was positive. He said that combing mills in Europe were in full swing and that there was a recovery in Japan and for 1984-85 fine wool was required, with record prices being paid. The 4.5 kilogram per head production in 1984-85 beats the previous year's yield of 4.3 kilograms per head.

We are now returning to our normal flock and Mr Asimus told the conference that we were increasing our stock numbers from 135 million to 145 million. I am pleased to say that it appears that Western Australia will increase its flock from the 30 million of several years ago to 35 million. We are capable of producing and running that number of sheep in this State.

There was a great deal of enthusiasm within the wool industry. There was alarm about what would happen if we increased our stock numbers above 145 million. There could be difficulty with the Wool Corporation meeting its budget management policy in relation to the reserve price. However, we know how beneficial that has been for the wool producers of Western Australia and, indeed, the producers of Australia. So, there is a bright outlook and a great demand for wool. That not only reflects on the farmers but it reflects also on the whole community right through to the

shearers, shed hands, the people involved in the transport and export of wool, and others. One has only to look at the stock market to see how well sheep have held their price at a time when there are financial restraints within the community.

The member also took the opportunity to comment on the dairy industry, a subject that he knows well. I do not think any other person would have more knowledge of that industry than Hon. Colin Bell. He was objective in his remarks in *Hansard* of 7 March 1985 when he said—

An objective view of the future of this industry in Western Australia has never been taken. In the past we have staggered from crisis to crisis, from decision to decision, and from expedient comment to expedient comment. I do not condemn only the present Government for that.

I believe that the Western Australian milk industry is very sound when compared with the Eastern States industries and the crisis they now find themselves in.

I listened to Mr Malcolm Vawser of the Australian Dairy Corporation who was also at the Outlook conference. He said that there needs to be Government policy guidelines. We know of the crisis point that was reached in Victoria, particularly on the election eve, and we know of the deliberations that took place and suggestions which were made that the industry should be supported with a levy of 2c per litre on all milk produced in Australia. While there is a capacity to handle 5.3 billion litres of milk—these are Malcolm Vawser's comments at the Outlook conference—the production was closer to 6 billion litres. It was therefore necessary to produce an entitlement management arrangement.

Hon. C. J. Bell: Unfortunately, the situation appears to be that that is unlikely to occur.

Hon. J. M. BROWN: I do not agree with the member's suggestion any more than I disagree with it because we do not know what the outcome will be for the industry, nor do we know what the attitude of the Australian Government will be following the meeting between Mr Kerin, the Minister for Primary Industry, and Mr Cain, the Premier of Victoria.

Hon. C. J. Bell: My understanding is that the Victorian resolution objects to the proposal outlined in January.

Hon. J. M. BROWN: That could be so; I do not deny it. I am relating what came out of the national Outlook conference in relation to the milk industry and the agreements that were reached between the Federal Government and the indus-

try, and the recommendations that are to be finalised.

There was an awareness at the Outlook conference that a crisis had developed in Victoria but that perhaps the Victorians had themselves to blame for part of the situation they found themselves in. We are all aware of the Heytesbury programme whereby the Victorian Government embarked on a very ambitious programme of establishing another 300 dairy farms in Victoria. That has caused some of the problems.

Western Australia produced 232 million litres of milk in 1983-84 and will produce 243 million litres this year. I think the industry is progressing very satisfactorily. I believe that the quota system that operates on a daily basis is a good one. It allows Western Australian producers an average quota of 507 litres of milk per farmer.

Mr Deputy President (Hon. John Williams), you would understand that the number of farmers with entitlements in the milk industry has decreased from 1 200, 10 or 12 years ago to 615 today. They have, with the quota system, been able to continue their operations and, I believe, to continue them quite successfully bearing in mind that while we have the capability of greater production, we still import 85 per cent of our butter and 65 per cent of our cheese. The true operation of our industry is as a milk market operation. That gives the most beneficial return to the producers. I think the producers are entitled to a return for their efforts.

I believe the industry has been placed on a very sound footing. I am sure that the Government will confront any problems that arise in consultation with the industry as it has always done and that they will overcome any problems together.

A further matter raised at the Outlook conference which the member failed to mention or did not have the opportunity to mention was the very important subject of transport. Hon. Fred McKenzie has shown a very keen interest in the transport industry. Dr Paul Grimwood of Westrail, Dr John Taplin from the Western Australian Transport Commission, and Mr Max Moore-Wilton who was the manager of the Australian National Line, as a panel, explained to the audience what was going on in the transport industry. Indeed, it was very refreshing to hear their comments. I think it was an excellent contribution.

For argument's sake—and I know that comparisons can be odious—a comparison of rail transport in Canada and Western Australia demonstrated that the freight rate in Canada was 2.3c per tonne per kilometre and in Western Australia it was 6c

per tonne per kilometre. It must be understood that the distances travelled in Canada were 1 300 to 2 000 kilometres and in Western Australia on an average it was 280 kilometres.

This was the proposition put forward by Dr Paul Grimwood and I believe that those who watched the television programme, as well as those who were at the conference, understood exactly what he was conveying. He said that there was lack of utilisation of rail and that it was his Minister's wish that this be utilised to the fullest extent so that all Western Australians could share in a transport system which would be beneficial to all. He told of the dispute between the AFULE and the Australian Railway Union with respect to the introduction of a two-man crew. While there was strong opposition, in the long term the Government was able to convey the necessity for the two-man crew if the industry was to be competitive. Eminent men in the transport industry, such as the Commissioner for Transport and people from Westrail, knew what the transport arrangements were all about.

Mr Max Moore-Wilton with his general knowledge of the transport industry and the Australian National Line made some very appropriate comments to the audience when they queried shipping costs and related activities which will continue to be monitored.

I believe the national Outlook conference was not the boom and bust situation that has been portrayed by members of the Opposition and by the newspapers generally. We have just completed the best year in the history of Western Australia for the production of grains, fibre, and meat. It has been said that the stock component figures have been achieved by default because it was such a lush season and we do not cater for stock in a manner which would give these returns. That is why wool production is also up this year—for the very simple reason that there was adequate feed for the animals. It is very important to understand the whole situation.

With regard to transport, not so long ago when the joint plan for transport was mooted—and Hon. D. J. Wordsworth as a former Minister for Transport, and Hon. E. C. Rushton MLA following him, would be well aware of what takes place—on 4 May 1982 a 30 per cent fall in freight costs was predicted. We all know what happened. If we look at the situation on 1 November 1980—and we know that the Opposition was in Government then—it can be seen that there was a 20 per cent increase in grain freights. On 1 November 1981 grain freights increased by 15 per cent and on 1 November 1982 they increased by a further 13.4 per cent. During those three years the



Opposition members sat on the Treasury benches. Looking at the overall period, the 20 per cent increase in the first year meant a total cost of 120 per cent; a further 15 per cent was added in the following year; and finally 13.4 per cent was added in the third year. That indicates quite some escalation in costs.

When the Labor Party took over the Treasury benches there was an estimated deficit of \$30 million which was ultimately reduced at 30 June to approximately \$20 million. In its first Budget the Government had the responsibility of clearing the deficit before it raised revenue in order to carry on the work of operating as the Government of this State. When the Labor Party assumed office it increased grain freights in November 1983 by 10.5 per cent. What happened on 1 November 1984? I can tell members that there was no increase whatsoever in grain freights. Indeed, costs were reduced in some areas. We are well aware of what happened in the Lakes district; there was a reduction in grain carried by road transport.

I want to make it clear that road transport plays a very important part in the overall transport industry and is an integral part of it. I have been referring to rail services but I also wish to emphasise the role played by the road transport industry; it is essential that these two services be co-ordinated so that we do not duplicate facilities and reach a situation where road and rail transport compete on the one route with the result that the user pays a higher price. It is essential to keep that in mind when considering both forms of transport.

The rates were reduced, for example, in the electorate of Mr Gayfer, who is the Chairman of Directors of Co-operative Bulk Handling Ltd. It is true that it was only a small reduction of 27c per tonne in the Corrigin region, which is one of the most productive areas of the State, but it was very significant. Despite the inflationary trend of 5.9 per cent, this Government, which is condemned in the motion before the House, kept rail freights at their existing levels and in many cases reduced them.

Hon. C. J. Bell: In the full knowledge that there was a much bigger harvest.

Hon. J. M. BROWN: In the full knowledge that the Government knew what it was doing. Mr Grill, the present Minister for Transport and member for Esperance-Dundas, has had to shoulder a great responsibility for the rail system and the transport system generally. He took this responsibility from the Opposition members who were turned out of office because of their mis-handling and mismanagement of these matters.

Since he has been in office Mr Grill has overcome many difficulties to ensure that an adequate road and rail transport system is provided for the rural communities. In fact, the system is for the benefit of all people in Western Australia, including the people in the Kimberley, and not only the rural communities.

That is the current situation in respect of grain freight and the improvements have been worth many hundreds of thousands of dollars to the producers.

Moorine Rock, for argument's sake, was particularly disadvantaged. The farming community in the area paid \$22.74 in both the 1983-84 and 1984-85 seasons. A subsidy is paid to the railways—unfortunately I do not have the figure with me—to make it more competitive and viable for the producers in the area. There was a reduction in the Yilgarn region and that was brought about by the Minister for Transport, through his officers in the Transport Commission.

So, it is very important to understand how we tackle the rail freights. The motion condemns the Government for its taxes and charges, but there is a very important facet to the operations of rural communities in regard to grain freights.

Superphosphate has seen equally dramatic reductions in its freight charge. There has been a concerted effort on behalf of the Minister, the officers of Westrail, the manufacturers of superphosphate, the distributors of superphosphate, and equally importantly, the users of superphosphate, to have it carted by rail and so reduce freight. What has Westrail achieved in this direction? It has reduced the charge by up to \$4 a tonne.

I rang Westrail to ask what the position was and I was sent information headed "Save \$4 a tonne on super at Merredin". That is what applies if the superphosphate is bought from the depot which usually charges an extra rate for handling into and out of the depot. However, there has been a reduction of \$4 in the freight rate there; the farmer can go to a railway siding where there is a bulk load of superphosphate in excess of 200 tonnes and receive a \$4 a tonne discount. Not only is the discount given to the users of the superphosphate, but it is also taken from the rail and placed on the farmers' trucks without further cost.

A member interjected.

Hon. J. M. BROWN: I have explained to the House how there has been a reduction in grain freights. After having explained it in full, the honourable member should not question me. With the time that I want to use it would be inappropriate to try to advise the honourable member what

freight rates have been agreed to between the freight rates steering committee of the Primary Industry Association and Westrail. They agreed on a freight rate, and this is where there has been a reduction.

Hon. E. J. Charlton: There has been no action to get fertiliser rates down, and the freight is a lot lower than grain.

Hon. J. M. BROWN: Why has the situation become doom and gloom in the rural communities in Western Australia? To a large extent, it is because of the activities of Opposition members portraying the situation. I wonder how many members are aware of how much has been paid per tonne for wheat. The first advance was \$130.08. Despite the doom and gloom that pervaded the industry, and the misrepresentations to farmers that there would not be a payment in March of the balance of the GMP—guaranteed minimum price—of \$145.35, the additional payment of \$14.27 went into growers' banks yesterday.

The Australian Wheat Board has come under sharp criticism from Opposition members. Indeed, they have done a great deal of grandstanding throughout the eastern wheatbelt in particular, but the influence travels from Geraldton to Esperance. That has been done particularly by the Federal member for O'Connor who was, I believe, undermining the efforts of the Australian Wheat Board to carry out its responsibilities and obligations to growers.

Perhaps it is appropriate at this stage to pay a tribute to Co-operative Bulk Handling Ltd. The management, and particularly the workers, handled a record crop in a record time. Equally, tribute must go to Westrail and its workers, drivers and guards, for their handling of a record crop and the record tonnages they achieved—220 000 tonnes in a week. The previous best record was 140 000 tonnes. That is what Westrail managed to haul on rail. I do not think anyone gives Westrail the credit it deserves. That was done without any industrial disputation. That goes a long way towards providing a competitive operation in grain handling, both from a receival point of view and from a transport point of view.

When dealing with the export aspects of transport, it is probably appropriate to remind members that there was a dispute between the foremen stevedores and the shipping companies—so much so that the foremen stevedores withdrew their labour because the shipping companies refused to consult with them about their log of claims. I remember Mr Green, the General Manager of CBH, saying on television how concerned

he was about it, particularly in relation to Geraldton, Albany, and Esperance, because of the hold-up in shipping with the record harvest and the need for every square metre of space. He condemned the foremen stevedores. I also read in the paper that, to his credit, he withdrew those comments the next day because the foremen stevedores had exempted Geraldton, Albany, and Esperance.

Of course, where Mr Green went wrong was that he did not know that there were no ships in Esperance. As a matter of fact, Esperance was badly served with shipping. I believe the priority was given to the Geraldton region; and the Wheat Board made that decision in the best interests of the growers generally. Members would understand the proposed Budget expenditure for the Port of Esperance that is to take place, and at Geraldton as well, to ensure that such hold-ups do not occur in the future.

Where is the doom and gloom that is said to exist within the agricultural industries? I suggest respectfully that Opposition members contribute quite substantially to the gloom and doom within the rural communities.

Members opposite should know that farmers have been paid in total \$911 million for the 1984-85 harvest, and that includes \$87.6 million paid yesterday, the final commitment on the guaranteed minimum price for grain.

Let me refer now to a recent comment by Mr A. V. Crane—it must be his first public announcement as a Liberal member. The announcement was on 16 February and it concerned the Australian Wheat Board. Mr Crane, as a previous National Country Party member, was quite out of character in his statement because he took a shot at this organisation which has catered for and provided benefits to the farming community over the years. He condemned the Australian Wheat Board and suggested that growers were being hit twice in relation to General Purpose Wheat. It seems he does not realise that while there has been a deduction—which information was conveyed to growers by Sir Leslie Price, the Chairman of the Australian Wheat Board in his newsletter to growers—that situation has now been rectified. A final analysis of receipts of General Purpose Wheat by the Australian Wheat Board reveals that a payment was made yesterday of \$20.52 a tonne. So there was an increase of over \$6 a tonne for growers for General Purpose category wheat as against Australian Standard White.

Just to expand a little more in order to show up the doom and gloom which members opposite predict for the wheat industry, they should realise

that 12 months ago the price for f.o.b. export wheat was \$155 a tonne. With the fluctuation of the dollar that figure has risen to as much as \$210 a tonne. Before Christmas it was \$188 a tonne. Although the price fluctuated throughout the year, it did not go back to that previous figure, despite the forecast by the Bureau of Agricultural Economics in Canberra. On 19 December last year it presented us with a statement—not a very good Christmas present—as follows—

Export prices for Australian wheat could drop by \$20 a tonne next year because of a record world surplus.

Hon. C. J. Bell: Argentina exported wheat at \$120 a tonne, which makes one a little nervous about the international marketplace.

Hon. J. M. BROWN: That might make Hon. Colin Bell nervous, but I can tell him that there was also a surplus of butter from the US which New Zealand went and bought up. I do not know who bought the Argentine wheat, but someone obviously did, and I bet that person sold it at a nice profit by taking it and getting Argentina out of a financial difficulty. We are probably talking about \$1 000 million. The Bureau of Agricultural Economics forecast that it "could" drop, not that it would drop. But when that statement was made we had seen the price rise from \$155 a tonne right up to \$190 a tonne. Because of currency fluctuations it has even reached \$217.50 a tonne. Today's price, because of the improved Australian dollar, is \$210 a tonne.

I would like to take the time of the House to explain these matters fully because a lot of people are involved in the industry; not just those who grow the wheat, but those who handle it, those men and women of the working community. They have a lot at stake. The Australian Wheat Board, instead of having a projected carry over of seven million tonnes last year, expects to have a projected carry over of five million tonnes.

The shipping programme is on schedule. Indeed the board has exported over 1.3 million tonnes from this year's harvest and at competitive shipping rates. This reflects on the overall price of wheat. With very competitive rates the Australian Wheat Board exported in excess of 1.3 million tonnes this year.

Members opposite should not try to bring in boggy men when there is plenty of evidence to show that the wheat industry is in a sound and viable state, and I can tell members why it is in that state. All the hard grain in Western Australia has been sold and just 200 000 tonnes remain, and this has been sold. Russia has bought 900 000 tonnes of which 600 000 tonnes is from New

South Wales and is an inferior quality grain. It was a great achievement for the board to sell that grain. Japan has bought in excess of 900 000 tonnes.

Hon. C. J. Bell: How much has gone to India and China?

Hon. J. M. BROWN: At present China has not bought any grain. China is the country that Mr Doug Anthony said was the country to which he would not sell his soul. Nevertheless, it is going to be one of our most valuable customers for iron ore which it wants to service the needs of its people who number in excess of one billion. China is traditionally a market in the April-onwards period. The Australian Wheat Board expects to be successful with sales to China. Having had the opportunity to visit that country, and despite knowing it has had a record production, I have never known it to produce a quality grain comparable to any wheat produced in Western Australia or Australia generally. China is a future purchaser of our grain and the same applies to countries in the Middle East and South-East Asia.

Hon. E. J. Charlton: It is a great organisation.

Hon. J. M. BROWN: The member should remember that comment when next it pits grower against grower during harvest periods, as was suggested it did by the Federal member for O'Connor and the member for Mt. Marshall. They have suggested that interest should be paid because there was a delay in some instances on the payment of wheat received at sidings. But that does not stand up to any test when we examine all the facts and look at what really happens in the industry.

The Government has been mindful, all the way through, of what is happening in Western Australia, particularly in the grain industry and particularly as it affects rural communities. The Government has been mindful of the way all this affects, as the motion mentions, country businesses. The motion calls for support to be given to country businesses.

It does not say anything about the workers, the people who live in the area, the teachers, the hospital staff and those who work in shops, etc. It just talks about country businesses. The Deputy Premier, Mal Bryce, gave all members' secretaries the opportunity to attend the seminar on what is happening with small business. I know that about 60 members took advantage of that opportunity. He wanted to get the message out to country people in particular about what was happening with the Small Business Development Corporation. That one object alone is a recognition of a need to help small business in Western Australia. I

think most members would appreciate what the Deputy Premier is doing in that regard.

Hon. Colin Bell commented on the income received by family farms and the people who work on them. If there are people working in distressed circumstances, as he mentioned, avenues are available from which relief can be obtained. I point out a family income supplement is available from the Department of Social Security. For a man and his wife and three children who meet the criterion, which is approximately \$1 000 a month income, the family income supplement is \$96 a fortnight. If there are four children, the amount is \$112 per fortnight. In addition a health care card is available. That is quite significant for people in the lower income bracket. I make that observation so that members will know what is available to their constituents who find themselves in distressed circumstances.

I appreciate there is a financial problem with about five per cent of the farming community, and I want to explain in detail one of the problems so that perhaps members will be better able to judge these matters. Perhaps the Leader of the Opposition would appreciate the figures so that when we are talking of rural adjustment schemes and rural reconstruction schemes and the condemnation of the Government in this motion, he will have a better appreciation of the situation.

I would like to tell the House about a farmer from Bodallin. I would be happy to disclose his name to any member who wishes to discuss the matter later, but I will call him John because that is his Christian name. In March 1984 he had a rural adjustment loan of \$90 000. In addition, his existing drought loans from 1976 onwards and a flood loan totalled \$85 000. His bank, Westpac, gave him a farm development loan of \$50 000 at 16 per cent which he obtained in 1978. He has only paid the interest. His bank overdraft is \$10 000, but the crunch is that he has \$100 000 as a commercial bill. That farmer has met all his hire-purchase commitments of \$47 000 after this harvest, but he has all those other commitments. His problem is not only the repayment of the loans but the \$100 000 commercial bill which he is trying to consolidate into a long-term loan. He is asking the Rural Reconstruction Authority to make a contribution, notwithstanding that he has had drought and flood relief loans of \$85 000 and that he received \$90 000 in 1984 for the 1984-85 harvest.

The situation that man finds himself in will be very difficult to solve, but I suggest to members there is a way. He has \$332 000 of known debts, including a \$100 000 commercial bill at 14.5 per cent with a 1.75 per cent service charge which is

rolled over every month. He is going to see the Rural Adjustment Authority tomorrow. He came in and saw me because his bank manager advised him to do so. I suggested he go back to his bank and that the bank apply to the Commonwealth Development Bank to refinance outstanding debts and consolidate them. At a meeting at Perenjori in February 1984 the CDB said it could do that refinancing. One can see from those figures why people are in financial difficulties. I can tell the House about a farmer in Kalgarin who put in an additional 1 000 acres. He rang up about his financial problems. He was \$120 000 in debt and spent a further \$50 000 on spraying the 1 000 acres, which land was going salty. His five bushel return put him in a situation where his bank suggested he should sell. I have no doubt other members could give similar examples.

Many farmers do not have drought, flood, or Rural Adjustment Authority loans and are working on bank overdrafts. Many farmers do not extend themselves with hire-purchase commitments with costs of 25 per cent or more. Some people have brought these situations on themselves. I see members opposite nodding their heads in agreement. They probably understand that the motion is far from satisfactory in so far as it relates to the activities of the Western Australian Government.

I want to refer briefly to several other matters. The Premier, Mr Burke, was asked to go to Perenjori in February last year. Unfortunately, he could not do so because of commitments. I went there at the invitation of the Liberal Party's Perenjori branch. A person well known to some members opposite, the Secretary of the Liberal Party, Mrs Margaret Kuhne, organised the public meeting. She sent a very impassioned plea to us to come and listen to their problems. The branch also asked Graeme Campbell MHR to go as he is the Federal member for that area. We both attended, each not realising the other had accepted the invitation. Also present was the then newly elected leader of the Opposition, Mr Hassell; Hon. Margaret McAleer; the member for Greenough, Mr Tubby; and the member for Katanning-Roe, Mr Old, who was then a member of the National Country Party.

The hall was packed and the meeting was capably chaired by the shire president. However, there was one uninvited guest, and he was the Federal member for O'Connor.

Hon. Margaret McAleer: I do not think he was uninvited.

Hon. J. M. BROWN: For the information of Hon. Margaret McAleer I advise that I received a letter from Mrs Kuhne, the Secretary of the Lib-

eral Party branch apologising for his attendance. I could produce the letter if necessary, but that is the reason I said that he was uninvited.

Members who attended the meeting will know the trouble that the member for O'Connor tried to cause by making wrong accusations. However, what was worse were the efforts by the Leader of the Opposition. The meeting was organised by the Liberal Party and Labor Party members were invited to attend to listen to the problems being encountered and the first thing that occurred was that Liberal Party members distributed pamphlets on the industrial relations Bill. That was the kind of reception we received, and we had a genuine desire to help where possible. That afternoon, in 40 degree heat, we carried out an inspection of salt affected land because of our keen support for the rural industry.

The meeting was well chaired by the Shire President of the Perenjori Shire Council, but the Liberal Party tried to undermine the Government by political point scoring. The Leader of the Opposition also tried a similar tactic at the Primary Industry Association meeting when he distributed pamphlets on Aboriginal land rights.

The Government is being accused of not doing anything for the rural communities in this ill conceived motion and I believe the situation must be redressed. Perhaps we should consider what happened in regard to the Minister for Local Government and his attitude to rural communities. I attended a meeting at Norseman with Mr Jeff Carr at which the President of the Country Shire Councils Association, Mr Ritchie Maslen, said that he had received a great deal of co-operation from the Minister for Local Government. He said that although he had not agreed with everything Mr Carr had said, Mr Carr had been of great assistance to his organisation. Members do not have to ask the President of the Country Shire Councils Association if that is correct; they should ask the local authorities themselves to ascertain the inroads that were made. This Government gave adult franchise, particularly to farmers' sons and daughters, which enabled them to vote in local government elections.

Another example I can give which clearly demonstrates what the Government is doing for the rural industry concerns the Minister for Education. He does not hesitate to go into the rural communities and listen to the problems being experienced—not just in Labor areas. The Minister is always ready to listen to complaints regardless of whether they concern school buses or the highest level of education. In regard to school buses a situation which recently existed has been satisfactorily resolved. Who caused the problem in

the first place? It was the Liberal Government because it commissioned a secret inquiry into the operation of school buses. The Minister for Education negotiated with the Road Transport Association and endeavoured to come up with a solution and we are all aware of what occurred.

I am pleased to say that this Government is very mindful of its responsibilities. I could go on and mention every member of the Cabinet, from the Premier downwards. They all spare no effort to ensure that the people of Western Australia get an equitable and fair deal. I do not doubt for one minute that we have a long way to go. I am dissatisfied with many things, but I know they can be rectified. However, a motion such as this condemning the Governments, both State and Federal, does not deserve to be presented to this House, especially when the facts are not known by the Opposition.

Debate adjourned, on motion by Hon. W. N. Stretch.

## **PARLIAMENTARY PAPERS AMENDMENT BILL**

### *Report*

Report of Committee adopted.

## **CONTROL OF VEHICLES (OFF-ROAD AREAS) AMENDMENT BILL**

### *Second Reading*

Debate resumed from 7 March.

**HON. D. J. WORDSWORTH** (South) [9.07 p.m.]: This Bill sets out to make it necessary to fit and wear seat belts in four-wheel-drive vehicles. This will apply to vehicles that are being driven not only on a gazetted reserve, but also in a prohibited area. It will also be necessary for passengers who sit in the vehicle where a seat belt is provided to use it.

The Bill also provides that persons riding on motorbikes must wear crash helmets. I understand that this legislation has been introduced to prevent a recurrence of a nasty fatal accident. It involved the new sport called off-road crossing which involves four-wheel-drive vehicles being driven on sand dunes.

I would question whether this Bill should be included with other Bills which the public are now criticising as coming under the category of overgovernment. In fact, I have been told that this Parliament passes three times as many laws as the British House of Commons. I do not know if we think that it is some way of justifying our salary, but I am beginning to get the message that the public do not share our enthusiasm for introducing more and more legislation.

This Bill is a typical example of overlegislating because it is designed to look after the person who drives a four-wheel-drive vehicle on very rough sand dunes in such a dangerous manner that the vehicle is liable to overturn. The intent of the legislation is that if the vehicle overturns the seat belts will hold the driver and passengers in place and the vehicle will not fall on top of them. The Bill does not make any effort to prevent a driver from driving dangerously—it appears that this is acceptable to the Government.

If he does drive dangerously he had better strap in. It seems to me a strange way of policing this. If the same person drives that vehicle on private property where there are sand dunes and he has the permission of the owner he can do what he likes. He can turn the vehicle over and squash himself flat, but it is important that he does not do it in a national park or reserve.

I can see the scene where the police or the ranger will chase these drivers up and down sand dunes to see if they are wearing seat belts. They have some hope on the road, because the police pass one way or the other and can see from quite a distance whether a seat belt is worn. But these off-road vehicles roar up and down the sand dunes, and I wonder how this will be policed.

I do not feel there is much wrong with the Bill. The Control of Vehicles (Off-road) Act is very difficult to understand at any time, but the addition of these amendments will make it much harder to understand. Those who participate in this sport will find it practically impossible to understand.

When the original Bill came before Parliament it created quite a controversy amongst those who drove vehicles off the road, but I do not think those clubs and groups have any idea what is coming before them in this Bill. We have not heard much from them.

It may seem that the penalties are not in line with those applicable if one breaks the law on the road. The penalty for not putting on a seat belt on the sand dunes is \$400. I think it is \$40 on the main highway. Perhaps the Minister can explain why he feels the need to differentiate to this extent.

Farmers in particular are still able to drive four-wheel-drive vehicles on their own properties without the necessity for wearing a seat belt. Most farmers would object very strongly if they found themselves in this position, because it takes a lot of time to put on and take off seat belts when opening gates and hopping out to move livestock and so on.

Private land, conditional-purchase land and other such leases are excluded from the provisions of this Bill.

With those reservations, I support the legislation.

**HON. W. N. STRETCH** (Lower Central) [9.15 p.m.]: I rise briefly to deal with a problem raised by a president of a four-wheel-drive club. It relates to the fitting of inertia-reel seat belts in four-wheel-drive vehicles, particularly in the rear seats. Some of these vehicles can be fitted with two rows of seats behind the driver. On rough terrain this type of seat belt tends to tighten up with every bump. This can happen to such a degree as to cause considerable distress and danger, particularly to children in a rear seat of such a vehicle. Even in the front seats the passenger may find the belt tightening, and causing heavy pressure on the abdomen and considerable strain on the person.

Most adults, of course, recognise the onset of these distressing symptoms and take action to loosen the belt. I ask the Minister if it is not worth conferring with the people who manufacture or import these vehicles to see whether it would not be better to ban the fitting of these types of belts at least in the rear seats of such vehicles. While we are discussing this Bill, this matter could be looked at with regard to overall safety.

The thrust of the legislation is acceptable. I support the Hon. David Wordsworth as regards the difficulty of policing the regulations because I have been out with these four-wheel-drive clubs, and they go to places where I would not like to send any traffic enforcement officer. I urge the Minister in charge of this Bill to consider this point while the legislation is before the Parliament.

**HON. TOM KNIGHT** (South) [9.17 p.m.]: I wish to speak out extremely strongly on clause 5 and its provisions. In particular it talks of fitting seat belts in a vehicle. It provides a penalty of \$200 for a first offence and \$400 for a second or subsequent offence.

We must be consistent in these things. We have a Road Traffic Code, and the penalty provided for driving without a seat belt fitted results in a yellow sticker and the vehicle being put off the road. If one is then caught driving, one is charged with driving an unlicensed vehicle.

That is the way to work it here. If one is to use these vehicles as dune buggies, or whatever the case may be, on the first or subsequent occasion a sticker should be put on them, the same as applies to a vehicle on the road.

Under the proposed section 9B in the same clause, the following is provided—

9B. (1) A person shall not, while occupying a seat position in a motor vehicle to which this section applies and to which a seat belt has been fitted for that seat position, drive or travel as a passenger in an area to which this section applies unless he is wearing that seat belt and the seat belt is properly adjusted and securely fastened.

For not wearing a seat belt on a road vehicle, a fine of \$40 is provided. It is ridiculous to look at a figure 10 or 20 times more than for a similar offence on an open road. If we are to be uniform we should look at putting a sticker on a vehicle, and treating seat belts on the same basis as in a vehicle on the road.

I feel extremely strongly about this. If the fine is \$40 for not wearing a seat belt on the open road, it should be \$40 on a dune buggy or a beach buggy. We appeal to the Government to consider changing this penalty to bring it in line so that people understand.

Getting caught is the major thing. The penalty in these cases is out of all proportion. I will fight against this; I will speak against it. I hope the Minister will see the stupidity of providing for such a fine in the case of off-road vehicles before we reach the Committee stage. Here is a situation where the fine is 10 or 20 times more than if one is caught not wearing a seat belt in a vehicle on the road.

Some cases might involve a driver travelling over a sand dune and there would not be another driver within 20 miles, but a ranger happens to be there at the time.

I support the Bill, apart from the clauses which relate to these penalties. The principles the Government is trying to achieve are admirable. The amendments will probably stop accidents and they will certainly make people aware of what they are doing. However, I shall oppose the clauses which relate to penalties.

The proposed penalties will annoy a number of people. I have talked to the drivers of four-wheel-drive vehicles in the Albany region and none of them knew anything about the legislation. Nothing was circulated from the head office of their club and they do not believe that the people at their head office would agree with a Bill which contained penalties such as these; they would put up some sort of opposition to them.

I would like the Minister to look at this matter and to contact the four-wheel-drive people. The Government is doing everything right in this legis-

lation, except for the action it proposes to take in respect of penalties. The Government should ensure that reasonable penalties are contained in this Bill. People should know that, if they are caught committing an offence of this nature, the penalty will be exactly the same as it would be were they caught committing the offence on the road. I referred earlier to a penalty of \$40 which applies on the road and I maintain a penalty of \$400 is out of all proportion.

I oppose those two clauses.

**HON. J. M. BERINSON** (North Central Metropolitan—Attorney General) [9.22 p.m.]: Mr Wordsworth raised a serious question to which there is no ready answer. He asked: What is the dividing line between adequate regulation and over-regulation? That problem arises frequently and it is not made easier in the present case by the fact that we are dealing with a safety issue.

All I can say is that the nature of the issue is such that if we are to go on one side or the other of that dividing line, we are justified in going on that side which fosters safety rather than that which relaxes the requirements in respect of safety.

I have noted the question raised by Hon. Bill Stretch. It is not a matter which can be dealt with in this Bill; therefore, there is no point in delaying it on that account. I shall ensure his comments are brought to the attention of the Minister and I shall ask that he provide a direct response to the member in respect of the likely action which may be taken.

Mr Wordsworth and Mr Knight raised questions in regard to the level of penalties proposed in the Bill. My advice in respect of the penalties set out in clause 5 is that they are consistent with penalties for a similar offence in the vehicle standards regulations. In respect of proposed new section 9B, to which both members referred, my advice is that the penalty for this offence is consistent with a penalty for the same offence under the Road Traffic Code. That has been questioned and I cannot at this stage do any more than relate the advice I have.

**The PRESIDENT:** Order! I ask Hon. W. N. Stretch to cease enticing Hon. G. C. MacKinnon to breach Standing Order No. 69.

**Hon. J. M. BERINSON:** I am quite happy to leave this Bill at the completion of the second reading and I shall take further advice before we deal with the Committee stage.

Question put and passed.

Bill read a second time.

**OCCUPIERS' LIABILITY BILL***In Committee*

The Chairman of Committees (Hon. D. J. Wordsworth) in the Chair; Hon. J. M. Berinson (Attorney General) in charge of the Bill.

**Clauses 1 to 4 put and passed.**

**Clause 5: Duty of care of occupier—**

Hon. I. G. MEDCALF: I move the following amendment—

Page 3—To insert after line 17 the following:

(1) A person who is on premises with the intention of committing, or in the commission of, an offence punishable by imprisonment is owed only the duty of care referred to in subsection (2).

I shall briefly reiterate what I said during the second reading debate in order to summarise the purpose of the amendment.

I express concern that, as a result of this Bill, the Act will include criminal trespassers; that is, an occupier will be liable should a burglar, thief, or someone who is in the act of committing a crime by some mischance injure him or herself in the course of committing that crime. That is the case by virtue of this clause which applies to any person who enters premises, as distinct from the English Act which excludes the criminal trespasser and some other Acts which make further exceptions. It is for that reason that I have placed my amendment on the Notice Paper.

It has been said by the Attorney General, and I also addressed the fact, that there are one or two other parts of the Bill which tend to reduce liability in certain cases; but I observed, along with the report of the Law Reform Commission, that other places in the Commonwealth, such as some of the Canadian provinces, have quite deliberately inserted the same kind of provision I seek to insert in the Bill to ensure that a person committing a criminal offence or act, such as the burglary of premises, or carrying out some other crime should not in all circumstances have a right of claim against the occupier.

It is true that the trespasser would have certain rights and those rights are given to him in any event; that is, the common law rights that the occupier cannot act with careless disregard in respect of the burglar, nor can he deliberately set some trap which will injure the burglar.

Those common law rights which are now in our law will be preserved, so that one cannot deliberately injure another. However, it seems most unfair and inappropriate that anyone could be committing a burglary, and, as I instanced

earlier, slip on a cake of soap, hit his head on the bath, and then claim damages from the owner of the premises. Alternatively, the burglar could fall over a roll of carpet, stretch out to the telephone, ring the police and say, "I am here committing a crime. I want you to pick me up and I intend to claim \$100 000 damages, because the owner of the house left the carpet rolled up".

In New Zealand there is a national compensation scheme and everyone is entitled to complete indemnity. The first thing a criminal may do when he gets out of prison in New Zealand is sue the owners of premises for any damages or injuries he, the criminal, may have suffered. He gets paid under the national compensation scheme.

For those reasons, it would be prudent for the Chamber to agree to my amendment.

Hon. J. M. BERINSON: In a way this debate is really a rerun of the comments made at the second reading stage. At that stage Mr Medcalf foreshadowed the present amendment and indicated his reasons for it. In reply to that debate I suggested that the amendment was not necessary and that the area of the member's concern was already adequately met by a number of existing provisions. These include the provision in clause 5(1) that what is required is "Such care as in all circumstances of the case is reasonable". Perhaps more particularly the provision of clause 5(3)(b) which requires that consideration shall be given to the circumstance of the entry onto the premises.

The position of the Government on this matter is, therefore, that it is most doubtful that the amendment will add anything that is necessary to the Bill as originally drafted. As against that there is no great principle involved in the sense of seeing anything in this amendment which would seriously detract from the general negligence provision which we propose to bring to the general area of occupiers' liability. With what I can only describe as the most luke-warm of attitudes, I would therefore indicate that the Government does not propose to oppose this amendment. We are quite happy to see this area of the law substantially modified in the way the Bill as proposed to be amended would do, and to rely on emerging experience to guide us as to whether any further change might be necessary at some future stage.

Hon. I. G. MEDCALF: I appreciate the point made by the Attorney General in that the Government does not intend to oppose the amendment. I think that is desirable. However, I do not regard my amendment as redundant in any sense at all. Indeed, it was suggested by the Law Reform Commission in the last paragraph of the paper which it



prepared as a result of my request that it look into this matter, and which paper has been used as the basis for this legislation.

So, I believe it is desirable and it is better to be sure than to be sorry. For this reason I appreciate the fact that the Government has not opposed the amendment and I ask the Committee to support it.

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clauses 6 to 10 put and passed.**

**Title put and passed.**

**Bill reported with an amendment.**

### COMMERCIAL ARBITRATION BILL

#### Report

Report of Committee adopted.

### ADJOURNMENT OF THE HOUSE: SPECIAL

**HON. J. M. BERINSON** (North Central Metropolitan—Attorney General) [9.36 p.m.]: I move—

That the House at its rising adjourn until Tuesday, 19 March at 4.30 p.m.

Question put and passed.

### ADJOURNMENT OF THE HOUSE: ORDINARY

**HON. J. M. BERINSON** (North Central Metropolitan—Attorney General) [9.37 p.m.]: I move—

That the House do now adjourn.

#### *Disabled Persons: Dwarf Throwing Contest*

**HON. GRAHAM EDWARDS** (North Metropolitan) [9.38 p.m.]: I wish to draw the attention of members to a publicity stunt which is to be held in two venues over the next few days. The publicity stunt takes the form of a dwarf throwing contest. This dwarf throwing contest has its origins in Queensland. It is designed to see how far a bouncer can throw a dwarf. I believe that not only the act, but also the place is objectionable; the act has no place in a sideshow, let alone in a hotel. The act is somehow or other supposed to reflect the attitude of our society. I cannot understand the mentality of people who would involve themselves in such a publicity stunt either as a spectator, promoter, or participant.

I say this because I had the pleasure to be chairman of a task force, on behalf of this Government, to look at equal opportunity for disabled

persons. I had the opportunity the other day to talk to a young woman who was intelligent and effervescent and who happened to be a dwarf. I asked her how she felt about the publicity which was given to the dwarf throwing contest and she said she believed it had set back 50 years the fight of dwarfs to be recognised and treated as people, not as something to be considered fit for a sideshow. I think it is a terribly sad thing to see happen.

The attempt to hold this stunt is a very sick and sad act. It is an attempt to make money out of a person's disability. I refer to an article which appeared in *The West Australian* of 28 February this year under the heading "Dwarf lands in big row". It states—

Brisbane: Australia's first dwarf-throwing contest has landed in a row.

A former Queensland Liberal MP, Mrs Beryce Nelson, launched a strong attack on the event—held at a Surfers Paradise night club on Tuesday—and called for the State Government to intervene.

"It's not 20th century show business . . . it's an 18th century freak show," she said.

But 1.2-metre-tall "Wee Robbie" Randall defended the contest.

The former actor was thrown through the air five times in round one of a bouncers' contest.

"It's not a freak show. It's a straight-out publicity stunt," he said.

"I'll be back again next week. It was fun and didn't hurt a bit."

But Mrs Nelson said that dwarfs had fought hard for their rights and Mr Randall should consider this.

"It's set Queensland right back, especially coming after the beer-belly contest," she said.

I agree with her comments. We have dwarfs in this State. If this contest is allowed to go ahead it will no doubt set their cause back many years. I call upon the people behind this stunt to think of those who will be hurt because of it and to immediately withdraw from it. I hope I have the support of members in this House in this matter.

Question put and passed.

*House adjourned at 9.41 p.m.*

## QUESTIONS ON NOTICE

614 and 615. *Postponed.*

### MINERAL: NICKEL

*Agnew Mining Co. Pty. Ltd.: Royalties*

617. Hon. N. F. MOORE, to the Attorney General representing the Treasurer:

What royalties have been paid by Agnew Mining Company to the State Government from its Leinster mine for each financial year since the inception of the mine?

Hon. J. M. BERINSON replied:

The following are nickel royalties paid by Agnew Mining Company for each financial year since inception:—

1978-79—\$10 057.81  
1979-80—\$628 963.13  
1980-81—\$1 123 032.69  
1981-82—\$1 150 428.27  
1982-83—\$1 151 763.70  
1983-84—\$966 819.63

### GAMBLING: LOTTERIES

*Instant: Distributions*

620. Hon. TOM McNEIL, to the Minister for Employment and Training representing the Minister for Sport and Recreation:

Further to the reply to parts (1)(a), (1)(b) and (1)(c) of question 602 of 6 March 1985—

(1) To which organisations, individuals or special projects of State importance was the—

- (a) \$1 000 000;
- (b) \$4 000 000; and
- (c) \$3 350 000;

disbursed and how much was received by each?

(2) What proportion of the—

- (a) \$1 000 000;
- (b) \$4 000 000; and
- (c) \$3 350 000;

was applied towards—

- (i) administration;
- (ii) other?

Hon. PETER DOWDING replied:

(1) Details of grants made from the Sports Instant Lottery fund are provided in the

Department for Youth Sport and Recreation annual reports of 1982-83 and 1983-84.

For grants to sports associations since 1 July 1984 the member is advised that details of monthly approvals are provided as a matter of course to the Parliamentary Librarian.

Special projects of State importance approved since 1 July 1984 are—

\$

Western Australian Sports—	
Women in Sport	4 290.00
Australian Institute of Sport	19 228.71
State Shooting Centre	863 000.00
Western Australian Cricket Association	350 000.00
Western Australian Sports Federation	45 500.00
Albany Senior Mens Golf Club	2 350.00
South West Games	36 000.00
Western Australian Rugby League	82 805.60
Western Australian Amateur Football	1 377.00
State Cycling Centre	2 082.89
Western Australian Rugby Union	8 000.00
WA Disabled Sports Association	24 000.00

- (2) (i) Nil;  
(ii) nil.

### EDUCATION: SCHOOLS

*Air-conditioning*

621. Hon. H. W. GAYFER, to the Minister for Employment and Training representing the Minister for Education:

What is the Education Department's policy with regard to the installation of air-conditioners in Government schools?

Hon. PETER DOWDING replied:

The policy of the Education Department in respect of the provision of air-conditioning in Government schools has been formulated in terms of data provided by the Commonwealth Bureau of Meteorology.

Priorities have been established in accordance with the data provided with respect to the relative strain index, which provides a means of assessing climate in

terms of strain imposed on man. A relative index of 0.3 indicates the level of human discomfort at which air-conditioning is desirable.

Schools in areas where the relative strain index exceeds 0.3 for 50 days, or 25 per cent of the school year have highest priority for air-conditioning, whilst a lower priority has been established for those schools in areas where the strain index exceeds 0.3 for 25 days per year.

#### EDUCATION: HIGH SCHOOL

##### *York District: Demountable Buildings*

622. Hon. E. J. CHARLTON, to the Minister for Employment and Training representing the Minister for Education:

Will funding be provided to replace the demountable buildings at York District High School in the next financial year's allocation?

Hon. PETER DOWDING replied:

These buildings are being considered for inclusion in the 1985-86 Budget.

#### WATER RESOURCES: AGATON

##### *Development*

623. Hon. E. J. CHARLTON, to the Leader of the House representing the Minister for Water Resources:

- (1) Does the Government intend to develop the Agaton water supply?
- (2) If "Yes", when?

Hon. D. K. DANS replied:

- (1) and (2) The matter is still under consideration.

#### SPORT AND RECREATION: INDOOR SPORTS CENTRE

##### *Operating Loss: Projected*

624. Hon. TOM KNIGHT, to the Minister for Employment and Training representing the Minister for Sport and Recreation:

- (1) Can the Minister advise what the projected annual operating loss will be for the proposed indoor sports centre scheduled to be built near the McGillivray playing fields, Graylands?
- (2) How will the loss be funded?
- (3) If the deficit is to be financed from the Sports Instant Lottery Fund will the 15

to 18 sports associations using the indoor sports centre continue to be eligible for programme funding from the Sports Instant Lottery?

- (4) Will the WA Hockey Association use the proposed indoor sports centre for indoor hockey?
- (5) Is it the Government's intention to fund a separate indoor hockey facility at WAIT or any other location within the foreseeable future?
- (6) Why has the Government not sought funds from the Australian Government's International-Standard Sports Facilities programme for the proposed indoor sports centre?
- (7) What is the forecast interest on the loan moneys that will be used to fund the proposed indoor sports centre?
- (8) Would the projected operating loss be considerably less if the proposed indoor sports centre was located in a more accessible position?
- (9) Has the Minister seen the articles appearing in *The West Australian* of 13 and 19 December 1984, and 9 February 1985, with regard to the locating of the proposed indoor sports centre adjacent to the Government-owned Entertainment Centre?
- (10) Does the Government agree with each and every factor in those three articles, raised in favour of the city location?
- (11) Could the initial capital outlay and the projected operating loss be reduced if the proposed indoor sports centre was built adjacent to the Entertainment Centre?
- (12) Were the State sports associations consulted about the location of the proposed indoor sports centre prior to the announcement of the McGillivray site?
- (13) Does the shelving of the international-standard cycling facility at Noranda mean that another sport has gained priority over cycling for the construction of a facility?
- (14) If so, what is the sport, and what is the proposed facility and where would it be built?
- (15) If not, will the Government give a firm guarantee that the cycling facility will be the first facility to be funded following the WACA, Equestrian Centre and Shooting Centre projects?

Hon. PETER DOWDING replied:

- (1) The programmed use of the proposed sports centre is currently being planned to ensure the anticipated shortfall is minimised. It is therefore not possible at this stage to state what that shortfall will be.
- (2) It is likely to be funded through SILF.
- (3) Yes.
- (4) Yes.
- (5) The Government has given no commitment to fund a separate indoor hockey facility.
- (6) A provisional approach has already been made to the Commonwealth, and this will be formalised in the near future.
- (7) Subject to market variations, it is anticipated the interest rate will be approximately 13.5 per cent.
- (8) Given the principal purpose of the sports centre, there is no evidence to suggest this.
- (9) Yes.
- (10) No.
- (11) I am advised that there would be no saving to the capital cost of the sports centre if it was built in the city and that any savings to the operating costs that may result are outweighed by the advantages of locating the centre elsewhere.
- (12) Sporting associations were first consulted, and indicated their support for the development of a major sports facility in the general McGillivray/Perry Lakes area in 1978.

Since the announcement the support for the McGillivray site has been confirmed at meetings of the WA Sports Federation and in discussions with individual sports associations.

- (13) The international standard cycling facility has not been shelved.
- (14) Not applicable.
- (15) The Government has already indicated its position on this matter.

The negative attitude so evident in the line of questioning adopted by the member ill befits one who would claim to support the improved provision of sporting facilities in this State.

Rather than attempt to raise obstacles in the path of this important development, the member would serve sport better if

he were to properly acquaint himself with the needs and aspirations of the State's sporting organisations, and try to make a positive contribution to their achievement.

625. *Postponed.*

## STRATA TITLES: DISPUTES

### *Referees: Appointment*

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

- (1) Is he considering the appointment of one or more referees to handle disputes that arise in strata-titled buildings between the management councils of bodies corporate and owners?
- (2) Is he aware that such referees already exist in the States of New South Wales and Queensland?
- (3) If he is considering such appointments would he also consider appointing such referees from the ranks of retired people such as ex-lawyers in order to keep costs to a minimum and, at the same time, give a greater range of opportunities for community service for elderly people?

Hon. J. M. BERINSON replied:

- (1) A Strata Titles Bill will be introduced into the Parliament shortly. The Bill provides for a strata titles referee.
- (2) Yes.
- (3) Appointments will be considered when the Bill has been enacted.

## CRIME: HOUSE-BREAKING

### *Attadale*

627. Hon. P. G. PENDAL, to the Attorney General representing the Minister for Police and Emergency Services:

- (1) What statistics, if any, are available regarding the level of house-breaking in the Attadale area in the past four years?
- (2) Will the Minister give full details to the House?

Hon. J. M. BERINSON replied:

- (1) Statistics relating to house-breaking are not available prior to 1983 nor are they broken up into categories.  
1983—39 offences of breaking and entering.

1984—38 offences of breaking and entering.

These figures include all types of premises for the Attadale area.

- (2) Answered in (1).

#### CRIME: HOUSE-BREAKING

##### *Mt. Pleasant*

628. Hon. P. G. PENDAL, to the Attorney General representing the Minister for Police and Emergency Services:

- (1) What statistics, if any, are available regarding the level of house-breaking in the Mt. Pleasant area in the past four years?
- (2) Will the Minister give full details to the House?

Hon. J. M. BERINSON replied:

- (1) Statistics relating to house-breaking are not available prior to 1983 nor are they broken up into categories.

1983—24 offences of breaking and entering.

1984—51 offences of breaking and entering.

These figures include all types of premises for the Mt. Pleasant area.

- (2) Answered in (1).

#### FISHERIES: LICENCES

##### *Levies*

629. Hon. TOM McNEIL, to the Leader of the House representing the Minister for Fisheries and Wildlife:

- (1) On what date did the new Fisheries Licence Levy Bill take effect?
- (2) What guidelines are used in establishing the amount of the levy?
- (3) How is the levy to be imposed on foreign fishing boats?
- (4) Are there any exemptions to the levy?

Hon. D. K. DANS replied:

- (1) I understand that legislation has not yet been proclaimed.
- (2) to (4) Not applicable.

#### INDUSTRIAL RELATIONS: TERMINATION AND REDUNDANCY

##### *Non Full-time Workers*

630. Hon. TOM McNEIL, to the Minister for Industrial Relations:

Would the Minister advise whether any redundancy provisions currently apply for people employed on a part-time, casual or seasonal basis?

Hon. PETER DOWDING replied:

In Government service—no.

In the private sector, it is unlikely, however, it would depend upon private arrangements entered into between individual employers and the organisations concerned.

#### HOUSING: PURCHASE

##### *Application: Exmouth*

631. Hon. P. H. LOCKYER, to the Minister for Employment and Training representing the Minister for Housing:

- (1) Has the State Housing Commission received an application from Mr and Mrs B. Adamson to purchase their SHC home at 9 Davidson Street, Exmouth?
- (2) If so, is the SHC arranging a price on the home?
- (3) What is the current SHC policy concerning the sale of SHC houses in Exmouth?

Hon. PETER DOWDING replied:

- (1) to (3) It is longstanding State Housing Commission policy not to divulge the personal particulars of tenants or applicants.

A written response will be forwarded to the member in the near future.

#### ROADS: CONTRACTS

##### *Kimberley and Pilbara*

632. Hon. N. F. MOORE, to the Minister for Employment and Training representing the Minister for Transport:

Will the Minister provide details of all road works contracts let by the Main Roads Department in the Pilbara and Kimberley regions since the beginning of 1985?

**Hon. PETER DOWDING replied:****PILBARA AND KIMBERLEY CONTRACTS****AWARDED SINCE 1 JANUARY 1985**

Contract	Description	Contractor	Amount
97/84	Road and bridge construction Great Northern Highway, Laura River to Halls Creek section	Henry & Walker Contracting Pty. Ltd.	\$13 328 437.63
109/84	Road and bridge construction Newman-Port Hedland Road (Newman section)	Thiess Contractors Pty. Ltd.	\$2 394 094.59
154/84	Supply of universal beams for Willare Crossing	Kewdale Structural Engineering Pty. Ltd.	\$174 323.00
155/84	Supply of steel piles for Willare Crossing	Steel Mains Pty. Ltd.	\$307 188.00
156/84	Supply of bridge bearings Willare Crossing	Repco Engineering (NZ) Ltd.	\$33 626.00
171/84	Load and cart gravel Kimberley Division	P. E. Jess & Sons	\$24 800.00
174/84	Load and cart aggregate Nillibubba to stockpiles Kimberley Division	Brambles Manford	\$15 276.38
			<hr/> \$16 277 745.60 <hr/>

**FOOD AND HOTEL ASIA '84 EXHIBITION***Participation*

633. Hon. NEIL OLIVER, to the Minister for Employment and Training representing the Minister for Industrial Development.

- (1) Did the department participate in or assist local exhibitions at the Food and Hotel Asia '84 Exhibition held in the World Trade Centre, Singapore?
- (2) If "Yes", what subjects were promoted?
- (3) What was the aim of the display?
- (4) Has a report been compiled as to the results and recommendations?
- (5) If "Yes", is it available for general dissemination?

Hon. PETER DOWDING replied:

- (1) No.
- (2) to (5) Not applicable.

**FOOD AND HOTEL ASIA '84 EXHIBITION***Participation*

634. Hon. NEIL OLIVER, to the Leader of the House representing the Minister for Agriculture:

- (1) Did the department participate in or assist local exhibitors at the Food and Hotel Asia '84 Exhibition held in the World Trade Centre, Singapore?
- (2) If "Yes", what subjects were promoted?
- (3) What was the aim of the display?
- (4) Has a report been compiled as to the results and recommendations?

- (5) If "Yes", is it available for general dissemination?

Hon. D. K. DANS replied:

- (1) No.
- (2) to (5) Not applicable.

**LOCAL GOVERNMENT: WANNEROO SHIRE COUNCIL***Departmental Investigation: Advertisement*

635. Hon. P. H. WELLS, to the Attorney General representing the Minister for Local Government:

- (1) Has the Minister seen the advertisement placed by the Shire of Wanneroo in connection with the Report of the findings of investigations by officers of the Department of Local Government into the Council's past management and the administration of certain town planning schemes?

- (2) Will the Minister table a copy of the report?

- (3) If not, why not?

Hon. J. M. BERINSON replied:

- (1) Yes.
- (2) No.
- (3) It was never intended that the report would be made public.

Representations were made to me for a Royal Commission to inquire into specific allegations of mismanagement of the Shire of Wanneroo's affairs between 1970 and 1980.

In order to properly consider this request I instituted a high level Local Government Department inquiry to make recommendations to me on the appropriate course of action.

The recommendations were that there should not be a Royal Commission but that immediate action to rectify certain serious problems should be taken. It is important to appreciate that the inquiry was undertaken to enable me as Minister for Local Government to form a view on what should be done in response to certain allegations which were the basis for the call for a Royal Commission. The inquiry was limited to a matter of record in view of the possibility of a Royal Commission and was never intended to be a public inquiry directed at pronouncing on the culpability of individuals.

I am confident that the action now being taken will lead to a resolution of problems that have been identified in the inquiry report.

Proposed legislative and administrative action is in train to ensure that these problems cannot recur and to protect former councillors and former officers who acted in good faith in administering the shire between 1970 and 1980.

I have offered, on three occasions, to discuss and make available, relevant details of the report to Wanneroo councillors and staff and to make the departmental officers who conducted the inquiry available to discuss the detail in the inquiry report.

#### PORTS AND HARBOURS: MARINA

##### *Sorrento: Survey*

636. Hon. P. H. WELLS, to the Minister for Employment and Training representing the Minister for Planning:

Further to question 554 of Wednesday, 27 February 1985, concerning a Government survey on the subject of the proposed Sorrento Marina, would the Minister advise—

- (1) On what other subjects were the people's views canvassed during this survey?
- (2) Over what period was the survey conducted?
- (3) How many people were interviewed?
- (4) Was the survey by telephone or personal interview?
- (5) What was the cost of the survey?

Hon. PETER DOWDING replied:

- (1) Extensions to the Mitchell Freeway.  
Observation City.  
Casino development.  
Joondalup Country Club Estate.
- (2) 2, 22, and 23 February 1985.
- (3) 800.
- (4) Telephone.
- (5) \$23 000.

#### EMPLOYMENT AND TRAINING: EMPLOYMENT SCHEMES

##### *Projects: Expenditure*

637. Hon. P. H. WELLS, to the Minister for Employment and Training:

In each of the three schemes run by the Department of Community Employment, namely—

1. Co-Action;
2. Self Employment Business Ventures Scheme; and
3. Local Employment Strategies—

- (1) How many projects have been approved?
- (2) What is the total and individual scheme expenditure?
- (3) What is the planned expenditure?
- (4) How many unemployed have been assisted?
- (5) What staff numbers are allocated to the total areas covering these schemes?

Hon. PETER DOWDING replied:

- (1) to (5) The information requested by the member will take some time to collate. I will provide the information by letter in due course.

#### COMMUNITY SERVICES: GRANNY SPIER COMMUNITY HOUSE

##### *Closure: Government Assistance*

638. Hon. P. H. WELLS, to the Minister for Employment and Training representing the Minister for Community Services:

- (1) Is the Minister aware that the only emergency relief agency in the north-west region of the Shire of Wanneroo, the Granny Spier Community House which is co-ordinated by the Ocean Ridge Women's Community Group, is in danger of closing because of lack of funding support?
- (2) Has the department or the Minister received an application for funding of this group?
- (3) What assistance and funds are available for this group?

- (4) Does the Government support the philosophy of welfare service delivery being centred around community houses meeting the special needs of the local community?

- (5) If so, what avenues are there for financial and practical support?

Hon. PETER DOWDING replied:

- (1) Yes. The Minister is aware of the funding problems of the Granny Spiers Community House. However there are other outlets for emergency relief in the north-west region of the Wanneroo Shire. They are the Salvation Army in Heathridge and four other emergency relief outlets in Wanneroo.

- (2) Yes.

- (3) At this time the Department for Community Services has no funds for ongoing costs and salaries.

- (4) Yes.

- (5) The Government is working towards implementation of the recommendations of the welfare and community services review in the area of funding and practical support of non-Government organisations.

## ARGENTINE ANTS

### *Burswood Island*

639. Hon. P. H. WELLS, to the Leader of the House representing the Minister for Agriculture:

- (1) Is it correct that Burswood Island is infested with Argentine Ants?
- (2) How is it intended to get rid of these ants?
- (3) Will this have any effect on the Swan River?
- (4) Have the following people/groups been consulted on this problem—
- (a) the Government Entomologist;
  - (b) the Swan River Management Committee;
  - (c) the Environmental Protection Authority; and
  - (d) the Health Department?

Hon. D. K. DANS replied:

- (1) Yes.
- (2) Surface barrier sprays of insecticide.
- (3) No.
- (4) (a) Yes;
- (b) no;
  - (c) no;
  - (d) yes.