

## Legislative Assembly

Thursday, 23 October 1986

**THE SPEAKER** (Mr Barnett) took the Chair at 10.45 a.m., and read prayers.

### PARLIAMENTARY SUPERANNUATION FUND

#### *Appointment of Trustees*

On motion by Mr Hodge (Minister for Conservation and Land Management), resolved—

That, pursuant to the provisions of the Parliamentary Superannuation Act 1970, the Legislative Assembly hereby appoints the member for Dale, Mr Rushton, and the member for Perth, Mr Terry Burke, to be trustees of the parliamentary superannuation fund as from this day.

### SELECT COMMITTEES: LEGAL FEES

#### *Standing Orders Committee Report*

**MR BURKETT** (Scarborough) [10.48 a.m.]: I present the report of the Standing Orders Committee on reimbursement of legal fees incurred by witnesses before Select Committees and move—

That the report be received.

Question put and passed.

### GOVERNMENT CHARGES

#### *Northern Areas: Matter of Public Importance*

**THE SPEAKER:** Honourable members, I have received today the following letter from the member for Nedlands—

In accordance with the relevant Sessional Orders of the Legislative Assembly, I give notice that at the commencement of the sitting of the House today, Thursday October 23, 1986 I wish to move the following Motion as a matter of public interest.

“In view of the strike action taken this week by employees in the north of this State and the disruption to community services caused by this action, the Government should:

1. Take immediate action to relieve the hardship that Government induced cost increases are causing employers and employees in both the public and private sectors of this State's rural and remote areas.

2. Urgently re-examine its policies on taxation, Government charges, Government housing rentals, fuel levies and transport costs to lower their burden on these people.
3. Examine the increases in Shire rates due to the introduction of the fringe benefits tax.
4. Ensure that policies are introduced to provide incentives, not disincentives, for people to live and work in these areas.”

Mr Speaker, this is a matter of public interest and in my view is properly brought forward within the Sessional Orders of the House.

Yours sincerely,  
Richard Court M.L.A.

Eight members having risen in their places,

**THE SPEAKER:** I rule that the motion has been correctly brought forward under the Sessional Order and indicate that a half an hour will be allocated to each side of the House for the purpose of this debate.

**MR COURT** (Nedlands) [10.52 a.m.]: I move—

In view of the strike action taken this week by employees in the north of this State and the disruption to community services caused by this action, the Government should:

- (1) take immediate action to relieve the hardship that Government induced cost increases are causing employers and employees in both the public and private sectors of this State's rural and remote areas;
- (2) urgently re-examine its policies on taxation, Government charges, Government housing rentals, fuel levies and transport costs to lower their burden on these people;
- (3) examine the increases in Shire rates due to the introduction of the fringe benefits tax, and
- (4) ensure that policies are introduced to provide incentives, not disincentives, for people to live and work in these areas.

During the last week we have witnessed an extraordinary event in which many public servants in the north of this State went against their normal track record on industrial matters and went on strike.

The Opposition does not condone the action these people took by going out on strike, particularly as it caused considerable disruption to the many community services provided by them.

The important point we must examine—we are asking the Government to accept this—is that the concern which finally made these people take such action has been brewing for some time. It simply highlights the fact that the Labor Government is completely out of touch with the electorate.

Members opposite have shown during the four years they have been in Government, that they really have no empathy with the people living in the remote and rural areas to which I have referred in my motion. They simply do not understand, or do not seem to want to know, the problems that these people are facing, particularly those problems which were highlighted this week; that is, that Government employees living in the north of the State are living under quite different circumstances from those under which they would live in the metropolitan area.

Government employees in the north have to live alongside employees engaged in the mining and gas industries and they compare their relative situation with those of their next door neighbours. They have found themselves in a position where they can no longer stand back and do nothing about the situation.

I will concentrate on the situation existing in the Pilbara and the Kimberley. I believe that the Labor members representing the north are simply not fighting for the well-being of their constituents and in the last four years the standard of living of these people has declined considerably.

In all the criticism about previous Governments, members opposite cannot criticise the Opposition's commitment to the north.

Mr Peter Dowding: We certainly can.

Mr COURT: One certainly cannot.

The situation has become untenable, not only for Government employees who have been working under these new cost burdens, but also for the many private sector employers and employees who are being pushed over the brink as a result of the cost increases.

The member for Maylands no longer represents the interests of the people in the north and if he were to go back to the north today the people there would tear him to pieces. They

have had enough. He certainly got out before they threw him out.

Mr Taylor: You would get two out of 10.

Mr COURT: The Minister for Health might make that sort of comment, but he should talk to some of the Health Department of Western Australia employees who live in some of the remote areas of the State and hear what they think about the cost pressures which they are now being asked to bear.

With the recent action, the Government tried to divert attention to home in on one or two particular issues, but I think that Mr Meacham from the Trades and Labor Council of WA summed up the situation very well.

Mr Pearce: I do not think I would say that.

Mr COURT: Is it not interesting that just because Mr Meacham attacked the Deputy Premier about the situation concerning submarines, we hear this sort of response.

I refer to an extract from a radio broadcast of 22 October in which Greg Newbold said—

Rent increases, manning levels and long service leave were issues which the combined Union Council identified as reasons for members of fourteen unions going on strike last Thursday.

Most of the unions involved are not known for being strike happy. They tend to solve their problems by less controversial means. Mr Meacham said the cause of the unprecedented strike was likely to be found in the host of increases in Government taxes and charges earlier in the year, the inability of the Government to bring prices down when fuel prices dropped, and the general perception of the Burke Government as one which favoured businesses ahead of workers.

Mr Meacham said that there had clearly been a build up of frustration over some time and its release in strike action was not surprising.

Here we have one of the Labor Government supporters saying that the cost burdens these people can no longer bear are the result of a host of increases in Government taxes and charges earlier this year and the inability of the Government to bring down prices when fuel prices dropped.

What are some of the cost burdens? Many have been mentioned and the member for Pilbara, in her maiden speech, spoke about grocery prices. It is not just grocery prices which concern the people of the north, it is a

combination of a number of different costs which is cause for concern. The fringe benefits tax, in a multitude of ways, is having an effect on this particular structure. I believe that it is the one single issue that will bring this Government down; it certainly will result in the Government losing members in the remote areas of the north. Both the State and Federal Governments have totally misread the situation in connection with this tax. When this Government had the opportunity to do something about the situation last year, it did absolutely nothing.

Belatedly the Government is now trying to get onto the bandwagon to change that tax to lessen its effects. Members of the Government knew what that tax would do to people living in the remote and rural areas, but did nothing. In fact, they went the other way and supported it. We are not speaking only of mining people in the north. We are speaking of all the people living there, including those operating small businesses and those operating and servicing the pastoral industry.

Mr Peter Dowding: When were you up there last?

Mr COURT: I will get on to that point. I happen to spend a bit of time up there. I spend a bit more time up there than the Minister.

Mr Peter Dowding: When were you last up there?

Mr COURT: I was up there last about four weeks ago.

Mr Peter Dowding: For how long?

Mr COURT: I spent a week there. Does the Minister want any more information?

We do not have the ability to travel extensively through the north, but it is interesting that despite that, members of the Opposition spend a lot of time in the north. The Leader of the Opposition and the member for Gascoyne are participating in the Northern Development Conference and will also meet different groups of people who cannot get satisfaction from the Government. Those people are coming to the Opposition for help because they know that when we represented that area we looked after their interests. The Minister for Industrial Relations should be very sensitive about this, because he would not be well-received if he went north now.

The State and Federal Labor Governments had an unprecedented opportunity to lower fuel prices. When oil prices dropped quite dramatically, this Government and the Federal

Government had the opportunity to relieve the inflationary pressure of high fuel prices, the effect of which was greater in remote and rural areas. However, those Governments squandered that opportunity. I was in this Parliament when the Government introduced legislation supposedly designed to lower petrol prices. What a farce that was! When the Government had a genuine opportunity to lower fuel prices when oil prices dropped quite dramatically, it did not do anything. Instead, the Governments, State and Federal, increased taxes on fuel so that people in remote areas continued to pay high fuel prices.

No member on the Government side of the House could truthfully say that the Government has tried to relieve the fuel price situation because when it was given a prime opportunity to lower fuel prices it squandered that opportunity. Fuel prices have a dramatic effect on the cost structure under which people in remote areas work. The point I make is that there has been a large increase in taxes and charges. I am sure that the member for Pilbara must be very concerned about what is taking place in that area because people in the Pilbara realise the problem and that could affect her political future.

The Minister has said that we must be joking when we talk about the increased cost pressures and their associated burden. Today the Consumer Price Index figures for the quarter from June to September 1986 were released. The general inflation rate for the quarter was 3.4 per cent in Western Australia and 2.6 per cent Australia-wide. Thus the inflation rate in Western Australia is running considerably ahead of the Australian average. We hear now only silence from members opposite. The figures are broken up into two components: The contribution to the inflation rate made by the private sector and that made by the Government sector. The private sector contribution to the inflation rate for the last quarter was 1.2 per cent compared with a State Government inflation rate contribution of 5.1 per cent. That is an appalling record. There it is in black and white. This Government's increased taxes and charges have had a massive effect on inflation in this country.

Mr Troy: Are you going to give the figures over a wider term?

Mr COURT: We can talk about it on a year to date basis, if that is what the Minister wants.

According to the official figures, the State Government charges which were increased in July contributed to the inflation rate five times more than private sector price rises. The Minister for Transport would be only too well aware of the effect that fuel prices are having. The figures that I just cited for the private sector inflation rate and the public sector inflation rate did not include the State's fuel tax levies. As the Minister knows, the petrol tax which is accounted for outside the Budget is adding something like \$1 to \$1.50 per tankful of petrol. The State fuel levy now accounts for 18 per cent of a truck's running cost and six per cent of the total cost of owning and operating a truck—a significant cost factor.

When members opposite had the opportunity to lower the price of fuel, to lower the cost burdens on people operating in remote areas, they did not. Some very real problems affect the people in these remote areas. Some of those problems arise from taxation policies and the fringe benefits tax. Members opposite will rue the day that the fringe benefits tax was introduced, because the backlash will occur most in rural and remote areas. People in remote areas have problems with housing rentals. It is not enough to compare house rentals in the north with those in the metropolitan area. We must compare the relative costs of people who live next door—someone who gets water, power and other essentials subsidised by a mining company. Such people can see that their conditions are being eroded. People in remote areas also have problems with increased transport costs. The fringe benefits tax, even indirectly, is affecting shire rates. Shires have to put up their rates so that they can cover their payments for the fringe benefits tax.

Government members have spoken of the need for incentives, particularly tax incentives to get people to live and work in the west, the north and the rural areas of the State. Although they have been given the opportunity to perform, they have failed to do so. The Opposition has no members representing electoral areas in the north, but it is interesting that, as I mentioned earlier, the people in that area are now turning to the Opposition because they got a far better deal from the Liberal members than they are getting from Labor members. They are turning to the Liberal Party, the conservative party, to get help. The Minister for Industrial Relations saw the writing on the wall and got out in time. He came to Perth to grab a safe seat in this area. The newspapers report that people in the north are concerned about that

particular Minister. They are concerned that he does not want to talk to them or to understand their problems. The CPI figures that I cited are living proof that this Government's savage increases in taxes and charges are having a cruel effect on those people.

The Government, even by selling off its assets and changing its accounting procedures, cannot hide the fact that it is bungling the economy.

I think we should spare a thought for, and not take too lightly, the problems facing people living, operating, and investing in the rural and remote areas of this State.

I certainly do not support the recent occurrences, but the actions taken highlight the fact that these people appear to have nowhere to turn. I gave a summary earlier with regard to the burdens building up to the point at which these people will no longer accept the situation.

I urge members opposite to appreciate the situation and support the motion today.

**MR LIGHTFOOT** (Murchison-Eyre) [11.11 a.m.]: I second the motion and in doing so would like to add my comments to those expressed by the member for Nedlands.

There is no doubt that this Government and the Federal Government are out of touch, either by design or by accident, with the people in rural and outback areas, particularly those in Western Australia.

**Mr Peter Dowding**: And how do your Gucci suits go down in the outback?

**Mr LIGHTFOOT**: The Minister would know all about Gucci suits, his Prime Minister tells people to buy Australian goods and then buys a suit in Hong Kong. What double standards! The Prime Minister does that, and his wholly-owned subsidiary in Western Australia, the Burke Government, probably does the same.

**Mr Peter Dowding**: And your Gucci boots.

**Mr LIGHTFOOT**: I wear R. M. Williams' boots and have done for most of my life.

**The SPEAKER**: Order! I can understand the member's desire to answer the interjections, but I am not convinced that it has a great deal to do with the motion. It would be better if we kept to the motion.

**Mr LIGHTFOOT**: I accept, Mr Speaker, that the interjection had nothing to do with the motion and I will try to restrain myself.

There is no doubt that the fuel prices that this Government and the Federal Government have so savagely increased affect the people in

the rural and outback areas much more than people in the urban areas. Those fuel prices bear on the vast distances we have to travel. For example, witness the children who came to Perth from the Central Reserve this week to visit this House; they travelled 2 000 kilometres each way. The impost of the fuel tax on bringing those children to Perth is enormous considering that 65c in every dollar spent on fuel goes to the State or Federal Government. It is a wicked tax.

Let us consider the fringe benefits tax that so vitally affects people in the country. I wish to comment on the effects, some of them quite ludicrous, which this tax has on the people in my electorate. For instance, station hands have normally and traditionally for the last 100 years been given store sheep and eggs by the station; the cost of those items will now be subject to the fringe benefits tax.

Mr D. L. Smith: And have otherwise been underpaid.

Mr LIGHTFOOT: The member for Mitchell would not know what hard work is. He has never had dirt under his fingernails.

It is certainly a sore point with members opposite and manifest in those interjections is guilt—and so there should be guilt when they consider what they have done to people in the country. A fringe benefits tax is now paid on sheep and eggs given as stores, it is paid on housing, which has traditionally been provided free, on return fares to the city, and even on the electricity generated on the station and supplied to the station hands' cottages, an exercise which cost no more than generating electricity for the homestead. Fringe benefits tax will be paid on the water used by the employees in the cottages, on the furniture, and even on the tools.

Mr D. L. Smith: There would not be very much paid on your guts.

Mr LIGHTFOOT: I do not know what the member means by that comment; he is way above me.

Mr Peter Dowding: Did you get your car made in Australia? Did you get your Range Rover made in Australia?

Several members interjected.

Mr LIGHTFOOT: If the Minister had worked hard when he was a youth he would be able to drive an imported car too.

We suffer other imposts as a result of this high taxing Government. This Government has paid no heed to decentralisation. The towns in

my electorate have few high schools and there are no universities outside Perth in the whole one million square miles of WA, as a result of high taxing policies. We have no public transport outside Perth, or subsidised buses or trains.

Mr Peter Dowding: What about Bunbury?

Mr LIGHTFOOT: Well, I am sorry about Bunbury.

Mr Peter Dowding: Did the Liberal Party do anything for Bunbury?

Mr LIGHTFOOT: I do not know; the Minister will have to ask previous members.

Let us consider the issues. Let us consider the effect of the Government's high taxing policies on Leinster. Tax is the only thing that closed Leinster, and that closure is one of the greatest mining tragedies of the twentieth century. Let us look at the appalling announcement made by the Premier when he said that Peko-Wallsend was not welcome in Western Australia. Let us look at the sale of the abattoir site at a fraction of its value, a sale which the people of Western Australia have to subsidise. Let us look at purchasing at double its value, the Fremantle Gas and Coke Co Ltd. They were all paid for with taxpayers' money, from the people who work hard and from the sweat of those in the bush and the country.

Let us consider the Prime Minister, and I quote from the *South China Morning Post*.

Several members interjected.

Mr LIGHTFOOT: I will quote from this newspaper if I can get a word in edgeways over the worried member for Welshpool. This is an indication of where the taxpayers' money goes and I quote from this newspaper from Hong Kong—

Spectacular enough perhaps to be able to afford the suite of kings, the Mandarin Suite, a snip at just \$9 750 a night!

It's this kind of luxury that is sought after by the likes of the King of Tonga, Queen Margarethe of Denmark, Prince Rainier, Prince Bertil and Princess Lillian of Sweden, ex-US presidents Nixon and Ford—

And wait for it—

—Australian Prime Minister Bob Hawke, the Rockefellers and the Rothschilds when they are in residence in Hongkong.

Little Bob is over there spending up big at the taxpayers' expense. This is a time for austerity and yet, while he was there, he bought a Hong Kong suit too. The Minister talks about Gucci suits and shoes, the fool!

Several members interjected.

Mr LIGHTFOOT: If the Minister had worked as a youth instead of swanning around he could have bought a car too.

Several members interjected.

Mr LIGHTFOOT: I do not hide behind that, it came from hard work.

Several members interjected.

The SPEAKER: Order! I will make two points: Firstly, I am not convinced that the member is debating the subject before the House and I would like him to come back to it; and secondly, I am convinced that we are not setting a very good example.

Mr LIGHTFOOT: Thank you, Mr Speaker, I have a compulsion to answer those interjections that perhaps are not true.

I will finish my brief address to the House this morning by saying very sincerely that the people in the country are fed up and they have had enough. There are manifestations of their frustration everywhere in the bush, and it is time it stopped. The taxation, the increase in housing rents, the FBT, and the fuel price taxes must be reviewed. The Government cannot alienate the people in the bush any longer.

MR PETER DOWDING (Maylands—Minister for Employment and Training) [11.20 a.m.]: The last member on his feet falls out of his Jaguar into his Range Rover, drives to Dalkeith where his local member, the member for Nedlands, is desperately trying to help him, and his R. M. Williams boots are his only Australian-made components.

I would like to address the subject before the Chair, if I may. I realise that that is a bit of a departure from procedure today, but the member for Mt Lawley is having an attack of something. The issue raised by the member for Nedlands is the most rank hypocrisy one can imagine. Either that, or he has done absolutely no research before bringing his motion before the House.

The situation is that in 1982 the then Liberal Government set about a programme of standardising rents amongst Government workers in GEHA and instrumentality accommodation.

Mr Lightfoot interjected.

Mr PETER DOWDING: The member's problem is that he has taken an interest in politics only recently, so he would not know. In 1982 the procedure was to try to achieve some standardisation of rents across the board. This would achieve equality in two areas.

A large number of Government workers do not receive Government housing. Even people in the same job classifications do not necessarily have housing available to them. So one has a person receiving subsidised rent, while another person in the same job pays a different rent, yet both are occupying Government-owned housing. A third person doing a similar job may be living in State housing, and another, also doing the same job, may live in private accommodation. Some people working for the SEC pay rents different from those paid by prison officers and different again from those paid by people employed by the Water Authority.

In 1982 the Government of the day set about a rent standardisation programme in respect of which schoolteachers made an application to the commission and received a \$6 per week rent allowance, foreshadowing this move in rents. When we came into power we felt—and I think quite rightly—that there had not been adequate negotiation between the Government and Government unions on that issue, so we set about those negotiations.

A long period went by, and we agreed that rents would not move during the period of the negotiations. And they did not, apart from a \$1.70 increase in 1985. After four years of negotiation, we said to the Government unions that we had modified our position so completely that it was necessary for us to proceed to implement it.

It was at that point that the Civil Service Association and a number of other unions accepted that the Government had modified its position tremendously. We had modified our position to ensure that no existing tenant would be disadvantaged because the increases would be by \$6 each year until 1990—that is hardly disadvantaging people—together with an applicable CPI movement to keep the whole thing on target. In respect of new tenants, they would come into those houses and pay the full GEHA rent, and the full GEHA rent for 1987 would be the present GEHA rent adjusted by the CPI rate since the last increase. In fact, for standard housing the rent would be \$58.70 for a house which, in many cases, would have cost \$100 000 to build.

An increase from \$45.70 to \$58.70 is not a massive one. What concerns me most of all is that so much misinformation has been peddled around about this issue. Those few workers—and it was not universal in the north; a core of people in Port Hedland and some other places were involved, but it did not affect the services except in schools—were told at a number of meetings that rents would double.

That is frankly untrue. Furthermore, they were told that the substandard accommodation rents would double. Last night I saw a television clip—it was from a Channel 7 programme of the previous night—in which one of these people involved in organising this dispute pointed to a house and said, "The rent of this house will double."

I was able to get GEHA to check the rent of that house and I was told, "Yes, the rent will go up next year by \$1.40."

I ask the Opposition this question: Leaving politics aside, or accepting politics, members opposite do not like to admit this whole process started off with their determination in 1982. Are they seriously saying to the public of Western Australia that people are being disadvantaged if they are being supplied with accommodation, which is air-conditioned and furnished, for \$58.70 a week? It does not behove members on the other side of the House to encourage the view that that is unfair. Bear in mind State Housing Commission tenants are paying more than that for unair-conditioned and unfurnished accommodation.

We would all like free housing. That is an objective I can imagine some people opposite would enjoy. I have never seen such a greedy lot as those opposite. They would like anything for nothing. I would like to know, if the member for Murchison-Eyre will tell us, who paid for his hotel bills and drinks when he was tripping through South Africa and Namibia, or whether he is claiming those as a tax deduction.

In any event, let us look at the realities. It is not only that this is a cost to society; it is a subsidy of \$13 million a year by which the taxpayer of Western Australia is subsidising the GEHA system. Furthermore, it is inhibiting the ability of the Government in straitened times to make those additional payments.

The question of Government rents and the outrage which is apparently the result of misinformation and lack of information about the north is something that one has to deal with. The Government values the workers in the north. We have done far more for them than

the Liberal Party ever did. The people in the north had no air-conditioning. If they had three bedrooms they had no third air-conditioner. I agitated very strongly for that system to be rectified, and we did rectify it. We are in the process now of implementing that. It is a very important benefit.

The second element of the package which we have offered the people in the north to try to improve their situation is that we have undertaken a review of every single GEHA and instrumentality house to determine whether the rent ought to be fixed for standard housing, or whether there should be a discounted rent.

Like the house shown on television in the clip I mentioned, the rent will be significantly discounted because it is substandard. It was substandard because it was built during the Liberal Administration. That is what is wrong with it.

Mr MacKinnon: Blame the previous Government.

Mr PETER DOWDING: One can blame anything. My kids watched Alice in Wonderland the other evening. I remember seeing it when I was a kid. It is so typical of the Opposition.

The Queen is running around screaming "Off with his head, off with his head", which sounds very much like the Deputy Leader of the Opposition who runs around saying those sorts of things. Then there is the Cheshire cat, who sits over there and talks about health occasionally. He smiles a lot in the film and members can work out who that is meant to be. A whole range of people in Alice in Wonderland are representative of the Opposition. There are people who just cannot tell the truth, and I must say that the member for Nedlands looks awfully like some of those characters.

Talk about foot in mouth! Members opposite made a huge mistake before the last election by letting it slip, accidentally I think, that they planned to abolish Stateships. What they saw was \$17 million. Would they not be able to do a lot of politicking with \$17 million? They saw \$17 million-worth of pork-barrelling. But it backfired on them because the people of the north knew the State Government was doing everything it could to make Stateships more efficient and to make sure there was a supply line out of Wyndham for the produce of the regenerated and reinvigorated Ord as a result of the policies of our Government.

Make no mistake—when the Leader of the Opposition went to Kununurra, do members know how many people wanted to meet him? Seven! That was the best he could do, and the new President of the Liberal Party was not even prepared to go up there to meet the people although he said he would.

Let us look at what sort of commitment to the north there is from the Liberal Party. In all areas—roads, housing, energy, resources, information, and communications—the State and Federal Governments have an enviable and unbeatable record. We have seen a huge metamorphosis in hospitals alone since I have been involved in the north. Since the time I went there in 1976, the Liberal Government let those facilities run down dreadfully and it has meant the Labor Party has had to implement a huge building programme.

Mr Court interjected.

Mr PETER DOWDING: After a week in the north, the member for Nedlands thinks he is an expert. When he was a young bloke he had a summer vacation job up there and reckons he is an expert on it. It is not true. He should see the changes to the Broome and Port Hedland hospitals. What a stupid decision the Liberals made when in office, not to build the new Port Hedland Hospital. They rejected that decision—they wanted to patch it up after the cyclone and not spend the money that it needed; as a result of that there is such a huge investment that no-one can afford to shift it. If the member for Nedlands really knew what he was talking about he would know that in every single town in the north hospital facilities have been enhanced dramatically, as have the number of roads attended to.

In 1974 the member for Nedlands' father told a lie at an electoral meeting at Paraburdoo. He promised that if the Liberals were elected in 1974 there would be black-top roads between every minor town on the coast; yet it has been left to the Labor Government to get that programme off and running.

Several members interjected.

Mr PETER DOWDING: The member was too busy to know what was happening up there. The fact is, there is absolutely no measure one can apply to the north and not demonstrate that the Labor Government has improved dramatically on the performance of the Liberal Government. If it were only in the area of house-building, one would be able to demonstrate quite clearly that under a Labor Government there has been an increase in the order of

50 per cent in the number of Homeswest houses built. When I was in Opposition in 1980, in towns such as Broome, Port Hedland, Karratha, Kununurra, Derby, Marble Bar, and Onslow, hundreds of people were unhoused and on the waiting list, living in the most deplorable conditions, because the Liberal Government was not prepared to spend money on an adequate housing programme. Our Minister for Housing, the member for Nollamara, is to be absolutely applauded for the work he has done in that area. I must say that the people in the north agree with me.

Several members interjected.

Mr PETER DOWDING: The member for Murchison-Eyre has a new-found interest in Aboriginal affairs. After having gone around telling the Aboriginal people that they are too stupid to vote—which is really what his party was saying throughout the 1970s—he has a new-found interest in the welfare of Aboriginal people.

#### *Point of Order*

Mr LIGHTFOOT: Mr Speaker, I cannot recall ever going around telling Aboriginal people or anyone else that they are too stupid to vote. It is untrue and I ask the member to withdraw that remark.

A Government member: What about the Press release?

Mr Peter Dowding: You said that they should not have the vote.

Mr Pearce: Didn't you think you mum was in the same position?

The SPEAKER: I am most reluctant to pursue this point. There is a Standing Order which says that if you find something offensive you can ask for it to be withdrawn. But if you do that and if, when I sit down, you ask me to pursue it on that basis, I will seek to have the matter withdrawn; but we will end up with a farcical situation where anything a member objects to will have to be withdrawn and there will be very little left in the *Hansard* debates.

Mr LIGHTFOOT: If *Hansard* will record that I said that that statement by the Minister was untrue, I will be satisfied.

#### *Debate Resumed*

Mr PETER DOWDING: What the member will be unable to deny is that he certainly said that people without wealth or property should not have the vote, and he certainly implied from his utterances that Aboriginal people in particular should not have the vote because



they could not understand what was happening; and that was the position on which his party ran in the infamous circumstances of the 1977 election. But his new-found interest in Aboriginal people is extraordinary, having regard to the fact that for the last nine years of Liberal Government almost no housing was built for Aboriginal people outside the urban situation, and none was built at the expense of the State Government. In fact, since 1983 there has been a huge building programme throughout the north and other places. There is a huge amount still to be done, but let there be no mistake: Amongst the Aboriginal communities there can be no thanks to the member for Murchison-Eyre or his political party for the tremendous initiative of Labor Governments, both Federal and State.

An Opposition member: What about Warburton?

Mr PETER DOWDING: That is a good example. The Warburton community has been without houses for year after year of Liberal Governments, State and Federal, and those people have been desperate. The housing that has been provided and increased has been provided by Labor Governments, and Labor Governments alone.

I will read a short transcript of a report of Mr Sattler and Mr Lightfoot speaking on radio on 4 June 1986 at 10.10 a.m.—

SATTLER: . . . but you're quoted as saying that businessmen, and big businessmen of the ilk of Robert Holmes a Court should have a louder voice than the uneducated members of society. You're quoted as saying, you can't tell me that every man's vote is equal is nonsense. How can you say the vote of an illiterate bloke in the desert is equal to Robert Holmes a Court's? Did you say that?

—Did the member say that?

Mr Lightfoot: I don't recall.

Mr Peter Dowding: He does not even remember what he says. He is like the member for Mt Lawley. He has the same disease.

#### *Point of Order*

Mr MACKINNON: It would seem that a transcript of a radio station programme has little, if anything, to do with the motion before the House. I would ask that you, Sir, bring the Minister back to the motion before the House.

#### *Debate Resumed*

Mr PETER DOWDING: I wind up by saying that Mr Lightfoot said, "Well yes, I said that, and I stand by what I say".

In relation to the Government's economic performance, which was attacked by the member for Nedlands, two indicators are important. It is not simply an indicator of a month by month or quarter by quarter statistic, but the issue of growth. On the issue of growth the Western Australian Government stands high with the best of all Governments in Australia with the growth of employment, welfare, building, and housing approvals, since prior to the demise of the Liberal Government.

In Western Australia the strike statistics in 1986 for the 12 months to 30 June showed 108 900 days lost. Compare that with the Liberal Party's performance in 1980, bearing in mind the significant population growth since 1980 and the very substantial growth in enterprise and industrial activity. In 1980 that figure was 210 000 days lost—nearly double.

Mr Grayden interjected.

Mr PETER DOWDING: I would not blame the member for South Perth, who was probably Minister for Labour and Industry in those days. In any event, what we have to blame is the sort of policies we are seeing emerge once again. We are seeing the same attitudes emerge in the Liberal Party as those that caused the strike statistics in 1980. It is the New Right and the Rambo style of political activity, the exponents of which are now emerging in the Liberal Party seeking to challenge the Leader of the Opposition.

Several members interjected.

Mr PETER DOWDING: They are wimps. They can give it, but they cannot take it. It is extraordinary. We have a situation where the right-wing economic and political philosophies that were the downfall of the Liberal Party in 1980 and caused that huge level of industrial disruption are once again emerging as factors in the conservative party.

The northern members of Parliament are doing a fantastic job for their membership—the member for Pilbara, Tom Stephens, Tom Helm, and the Minister for Water Resources—and despite the handicaps that the Liberal Party imposed on the electorate of Kimberley which, as the Liberal Party member, Bill Withers, said when he resigned in protest, was the worst gerrymander in the western world. Despite that, the Minister for Water Resources is regarded by all as the best member the

Kimberley has ever had. I refer to the member for Pilbara whom the Liberal Party tried to stymie by causing her to be dismissed from her job—because she intended to enter politics—to stop her having an income during a period when an election had not even been declared and she had not been nominated. And yet, that tough lady won that election. She is the best member that the Pilbara has ever had.

Mr Cash: Where is she?

Mr PETER DOWDING: All I can say in answer to the member for Mt Lawley is that the member for Pilbara spends a lot more time in this Chamber than he does, with one important difference. Not only does she listen, but she takes note of what is said. It would well-behave the member for Mt Lawley to follow suit. The truth is that the north is very well-represented by its members.

The events of the north over the last few days are the result of misinformation and misunderstanding. The position is a product of something that was commenced by the Liberal Party in 1982, and the member for Nedlands, who has made a couple of fleeting visits to the north since he was a student on vacation, is so out of touch with the changes in that community that he clearly does not know that the north has benefited from four years of Labor Government.

I oppose the motion.

MR COWAN (Merredin—Leader of the National Party) [11.46 a.m.]: The National Party would like to make very clear its position in relation to this motion of public interest. There is no question—and it does not matter which way we look at this motion—that it gives credence to strike action taken by people in the north.

Under no circumstances would the National Party ever condone strike action in any way, shape, or form. What can be said about this motion is that it is actually condemning the Government in the one area where it should be commended, in that it has taken a very firm stand in relation to housing rental.

I want to place on record that the National Party supports the Government in that action and under no circumstances will it become involved in motions of public interest which condone strike action.

Mr MacKinnon: The motion does not condone strike action.

Mr COWAN: Of course it does. There is no question that the Government in many respects is going to bear the brunt of the taxes and charges increases which it introduced in July. Of course it is. The CPI figures, as the member for Nedlands indicated, show what effect that has had. The Government will have to wear that and I am sure it will. It must understand the tide is turning against the Government here and in Canberra.

The National Party is very strongly in favour and supportive of autonomy of local government. It would not support any action which would examine the activities of local authorities, yet here we have a point in this motion which does that. The National Party is quite prepared to support motions of public interest provided they are well worded and are not confusing. This motion is not well worded. It is terribly confusing in as much as it condones the one action for which the Government should be commended; that is, putting some rationality into housing rental rates. The National Party is certainly not prepared to support a motion which accepts that strike action can be condoned.

The National Party is very much opposed to this and says to the Liberal Party that if it wants our support it is going to have to do a lot better than this.

MR PEARCE (Armadale—Leader of the House) [11.49 a.m.]: The Government is motivated in this and in all other things that it is facing up to, in times of economic difficulty, by a belief in notions of fairness.

There is a belief that each section of the community needs to carry the burden equally, and those who have been unduly advantaged in the past must accept that in these tighter times, that level of advantage may have to be redressed in the interests of those who have had a lesser level of advantage.

That is very much the case in the north-west in regard to housing rentals. I have taken a particular interest in the housing rental situation in the north because I went up there a year ago to prevent a strike over the question of a third air-conditioner in Government Employees Housing Authority housing in the Port Hedland, Pilbara, and Kimberley regions. Teachers up there wanted a third air-conditioning unit in those houses. The Government looked at the situation and felt that was a fair request, and so at great expense the additional units were put into those houses. Rentals were not put up to accommodate that extra expense,

but now we are seeking to bring rentals for those houses into line with movements which have happened everywhere else in the consumer price index.

In looking at rental increases the Government is asking, "Who are those who had a big advantage in the past?" In this case, it is Government employees in the north and elsewhere, who basically have not had a rise in four years. Is it fair to put the rental-rise load onto every person, whether he had had a rise in the past or not, or is it fairer to aim more heavily at those people who have enjoyed no rises in the past? The simple answer of the Government is that under those circumstances it is fairer to increase the rents in line with the CPI increases for the last four years for those people who had not had increases rather than to further increase the rents of those people who have. That has been the motivation of the Government in all of these areas where it is asking people to bear a greater level of the economic burden that we must all face up to in these times.

In winding up this debate, I would like to point to the very strange double attitude of the Liberal Opposition. I exempt the National Party from that because I think its approach to this has been a very principled one, but the Liberal Opposition has two faces which it presents depending on the circumstances. The first face is the general cry of, "Let's reduce Government expenditure", and there would not be a member opposite who does not trumpet that around the place umpteen times per week, particularly in his own constituency. If there were an economic flag that the Opposition flew for the last two years, it would have been "Reduce Government expenditure."

Mr Bradshaw: Do you agree with that?

Mr PEARCE: This Government is doing it, not merely talking about doing it. However, every time this Government seeks to do that, there will be a motion in this House deploring the reduction of Government expenditure in that area. That is precisely what is happening here with regard to rentals. The Government is seeking to reduce Government outlays in subsidising housing across the State for Government employees—a reduction in Government expenditure. But the people who are in support of reduced Government expenditure in principle are opposed to it in practice.

Again, if there were a second principle that the Liberals would emblazon on their flag, it is this, "No strikes." Yet every time people move to strike now over some action which the

Government is taking to reduce Government expenditure, the Liberals flock around their heels encouraging them in their strike. They might say they do not really condone strikes but in fact—

Mr Court: What rubbish! The first thing I said this morning was that we do not condone strike action.

Mr PEARCE: The second thing the member for Nedlands should have said was, "We are in favour of reductions in Government expenditure. It just so happens in this case we are opposed to the reduction in Government expenditure and therefore we are not really opposing the people going on strike about it."

There are the two faces of Liberalism in this matter. Although I understand the political tactics involved—that is, get disaffected groups, make sympathetic noises and, if one is the Deputy Leader of the Opposition, go out and talk to TAFE teachers outside Parliament and try to suggest some sympathy for them in terms of supporting their work practices which are some of the most restrictive in the country—for a party that basically says—

Mr Cowan: The hours of contact time you quoted in the House last night may be incorrect.

Mr PEARCE: I do not want to get into that. If the Government has got the hours of work wrong from departmental advice—and that is taken from pay slips, I might add, so we are paying out the money for the hours of work that I have referred to—and if it is the case that some TAFE teachers are arguing that they have already cleared 22 hours a week, then they have no problem because the Government will not raise them above 22 hours a week. There will be no change in their circumstances and I do not know why they are striking.

However, what I am saying about this is: The Liberals always will be around those sorts of groups—special interest groups which have been advantaged in the past—trying to pick up a vote while saying generally to the public, "We don't condone or support these kinds of practices." The Liberal Party might pick up the odd vote with a disaffected interest group, but it will do so at the expense of its own credibility because one cannot make those kinds of statements to specific groups without it becoming known to the general groups that in fact the principles that one espouses are not the principles that one puts into practice.

I suppose the Liberal Party is the ultimate party of pragmatism in that it almost never supports its own principles and almost never puts into practice in Government the things it says it will do when in Opposition. This is a classic example. Perhaps the last principle of Liberalism—and of the Opposition's performance—which has been evidenced in this debate is that the action which went on in the north had to be complete, that is, over, before the Liberal Party itself got around to taking action about the matter.

**MR MacKINNON** (Murdoch—Deputy Leader of the Opposition) [11.58 a.m.]: Let me conclude the debate by saying four things:

Firstly, the Liberal Party opposes the strike action taken by public servants in the north and will continue to do so whether in Government or in Opposition. Secondly, the Liberal Party supports the controlling of Government expenditure but it does not support Government tax and charge increases when they are totally unnecessary. We see today that the CPI figures reveal that Western Australia is showing Australia how—showing Australia how to lead the country in Government-induced inflation. Thirdly, the Liberal Party makes no apology—and will never make an apology—for communicating with disaffected groups in the community. Whether it be in Government or in Opposition, the Liberal Party will continue to talk to TAFE teachers, to public servants or to any other group which might be unhappy at the time with Government or Opposition stances. The Liberal Party makes no apology for that; it will continue to do so. Finally, the Liberal Party will also continue to stand by its principles and its policies, whether in Government or in Opposition—unlike our opponents.

The motion before the House in no way supports the strike action but draws to the attention of the House the fact that people in some parts of Western Australia have felt so disaffected by the Government's actions and policies, they have taken that ultimate decision. I remind members that they are not the New Right; they are not an extreme left-wing group; they are not an extreme right-wing group—they are concerned Western Australians who are suffering very greatly under the imposts imposed upon them by this Government.

I urge the members of this House to support the motion.

Question put and a division taken with the following result—

| Ayes 13      |              |
|--------------|--------------|
| Mr Blaikie   | Mr MacKinnon |
| Mr Bradshaw  | Mr Mensaros  |
| Mr Cash      | Mr Rushton   |
| Mr Court     | Mr Thompson  |
| Mr Grayden   | Mr Watt      |
| Mr Lewis     | Mr Williams  |
| Mr Lightfoot |              |

(Teller)

| Noes 31          |                |
|------------------|----------------|
| Mrs Beggs        | Mr Marlborough |
| Mr Bertram       | Mr Naider      |
| Mr Bryce         | Mr Pearce      |
| Mr Terry Burke   | Mr Read        |
| Mr Burkett       | Mr Schell      |
| Mr Carr          | Mr D. L. Smith |
| Mr Cowan         | Mr P. J. Smith |
| Mr Peter Dowding | Mr Stephens    |
| Mr Evans         | Mr Taylor      |
| Dr Gallop        | Mr Tonkin      |
| Mr Grill         | Mr Trenorden   |
| Mrs Henderson    | Mr Troy        |
| Mr Hodge         | Mrs Watkins    |
| Mr House         | Dr Watson      |
| Mr Tom Jones     | Mrs Buchanan   |
| Dr Lawrence      |                |

(Teller)

| Pairs       |                |
|-------------|----------------|
|             | Noes           |
| Ayes        |                |
| Mr Clarko   | Mr Brian Burke |
| Mr Hassell  | Mr Bridge      |
| Mr Crane    | Mr Thomas      |
| Mr Tubby    | Mr Gordon Hill |
| Mr Laurance | Mr Wilson      |
| Mr Spriggs  | Mr Parker      |

Question thus negatived.

### AMERICA'S CUP YACHT RACE (SHOPPING HOURS) BILL

*Returned*

Bill returned from the Council without amendment.

### PAY-ROLL TAX ASSESSMENT AMENDMENT BILL (No. 3)

*Second Reading*

**MR PEARCE** (Armada—Leader of the House) [12.03 p.m.]: On behalf of the Treasurer, I move—

That the Bill be now read a second time.

The Bill provides relief from payroll tax for State Government departments where the payment of payroll tax is essentially a transfer of funds with no net impact on Consolidated Revenue. It is proposed that these departments in future be exempt from payroll tax.

The exemption will end the current practice of departments, whose expenditure is often fully funded from Consolidated Revenue, being required to return some of these funds to Consolidated Revenue as a payroll tax pay-

ment. The exemption will improve administrative efficiency by eliminating the need for departments, designated as exempt, to calculate their tax liability and provide monthly returns, and for the State Taxation Department to monitor payment.

The departments proposed to be exempted are generally those established under the Public Service Act rather than under separate legislation. Departments or agencies which operate as business undertakings or compete with the private sector will remain liable for the tax and will not therefore receive any advantage over their competitors.

The exemptions are listed in the Bill.

To cater for new departments and future re-organisations, provision has been made for additions or deletions to be effected by regulation. The exemption is to be backdated to 1 June 1986 to enable it to be effective for the whole of 1986-87.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Court.

### **MOTOR VEHICLE (THIRD PARTY INSURANCE) AMENDMENT BILL**

#### *Second Reading*

**MR PEARCE** (Armadale—Leader of the House) [12.05 p.m.]: On behalf of the Treasurer, I move—

That the Bill be now read a second time.

This Bill retrospectively amends section 26 of the Motor Vehicle (Third Party Insurance) Act 1943 to limit the operation of section 26 to death and bodily injury claims.

The need for the amendment to the Act arises because of the uncertainty generated by a decision of the High Court handed down in August 1985. The High Court decision considered South Australian legislation equivalent to section 26 and decided that the section precludes carriers from contracting out of liability for claims relating to property damage or loss which resulted from negligence in driving a motor vehicle.

Section 26 of the Western Australian legislation has previously been thought only to apply to contracts which restricted liability for personal injury. On the evidence presented to the Government, the High Court decision has a number of consequences for the road transport industry including—

A potential increase in road freight costs because of the necessary adjustments in carriers' insurance arrangements; and

a greater financial burden on road transport operators, particularly owner-driver operators who are less able to absorb the higher insurance costs and liability exposure.

On the advice of the Crown Solicitor and with the support of the industry, the Bill also proposes to amend section 26 retrospectively to the effect that it "has only applied" to death and bodily injury claims. A case for retrospectivity is always difficult to judge. However, if the proposed amendment was not retrospective, the door would be open to a few people who might seek to have declared void otherwise "normal" contracts entered into in the past six years, six years being the statutory period within which legal proceedings for breach of contract must be sought. This would leave open to litigation people who were acting in good faith and who may not have adequate insurance arrangements. Retrospectivity would remove this potentially unjust situation.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Court.

### **FORREST PLACE AND CITY STATION DEVELOPMENT AMENDMENT BILL**

#### *Second Reading*

**MR PEARCE** (Armadale—Minister for Planning) [12.07 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is threefold. Firstly, it corrects a minor error in the principal Act. Secondly, it ensures that not only the parties who have signed the development plan agreement, but also any future owners of the land that is the subject of that agreement, will be bound by its terms.

The rights and obligations in the terms of the development plan agreement include various rights of access to the land and various obligations to maintain public access through the land, such as City Arcade and the Carrillon. The State has an obligation to retransfer to the owners of the Boans' land and north-west corner site any parts of that land which the State is to be given, if at any time those pieces of land are not required for the purposes of the development. There is also an obligation for all buildings to be maintained.

Thirdly, this Bill directs the Registrar of Titles to endorse a suitable memorandum on the certificates of title for the land involved so that any future owners will become aware of the rights and obligations attaching to that land under the provisions of the development plan

agreement. This agreement, by virtue of the provisions of the Forrest Place and City Station Development Act 1985, must be published in the *Gazette* and tabled in Parliament.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Williams.

### **FRIENDLY SOCIETIES AMENDMENT BILL**

#### *Second Reading*

**MR PEARCE** (Armadale—Leader of the House) [12.08 p.m.]: I move—

That the Bill be now read a second time.

In 1983 the Friendly Societies Act, 1894 was amended whereby the limit of the gross assurance sum to be held by a society from any one person was increased from \$6 000 to \$25 000. This increase was made as a means of arresting the flow of funds via single premium assurance schemes to other States, and in particular to Victoria, where this product is being marketed successfully.

Western Australian friendly societies are presently holding in excess of \$12 million from this source, but with the HBF friendly society offering single premium assurance and the recently registered Home Owners Friendly Society intending to market this product, an increase in the limit is requested.

In line with present-day legislation the limit sought is to be determined by prescription upon recommendation of the registrar and with approval of the Treasurer, subject to the satisfaction of prudential and procedural safeguards.

Current limits applicable in other States are: New South Wales \$100 000; Victoria and South Australia \$50 000; and Queensland \$20 000.

The Friendly Societies Council of WA fully supports the increase.

The traditional welfare services originally offered by the friendly societies are now operated through various Government departments at both State and Federal level. Therefore, to retain acceptable membership levels, there is a need for them to provide other services such as tax-advantaged single premium assurance.

When compared with the benefits offered in the Eastern States a more realistic figure will be necessary to allow the WA societies to remain competitive.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Rushton.

### **ACTS AMENDMENT (RECORDING OF DEPOSITIONS) BILL**

#### *Second Reading*

**MR PETER DOWDING** (Maylands—Minister for Employment and Training) [12.10 p.m.]: I move—

That the Bill be now read a second time.

The Coroners Act currently provides that evidence given at an inquest shall be reduced to writing, then read over to, and signed by, the witness giving the evidence, and then signed by the coroner. The Justices Act makes similar provision for the writing and signing of evidence in committal proceedings.

This procedure is cumbersome and wastes the time of witnesses and courts. In some proceedings, witnesses who have spent some time giving evidence have had to return to the court when a typed record of their evidence has been prepared and have spent considerable additional time having that evidence read over and confirmed.

In smaller centres where evidence is not tape-recorded, magistrates take evidence in long-hand, or depositions are produced by a court typist. In these cases, it is necessary that witnesses read the record of their evidence and be satisfied that it is accurate. Where evidence is tape-recorded, as it is in the Central Law Courts, a verbatim transcript can be produced and the present procedure is quite unnecessary.

New South Wales, Victoria, and Queensland have provisions dispensing with signed depositions where a certified verbatim transcript is available.

The Bill proposes to allow evidence before coroners and in committal proceedings to be either reduced to writing, as at present, or recorded by means of sound recording equipment. In the former case, it will be read back and signed as at present. In the latter case, the recording, when transcribed, will be certified correct either by the person who prepares the transcript or by a person authorised to check the transcript against the original recording.

A number of safeguards to ensure the accuracy of the recording are proposed by the Bill—

regulations may be made for the appointment of persons to record, transcribe, and check depositions, and for the prescribing appropriate oaths or statutory

declarations with respect to the accuracy of the transcript;

regulations may also provide for the custody and destruction of the recordings and transcript; and,

offences in respect of falsification of recordings and transcript are proposed, with penalties of \$5 000 or two years' imprisonment.

In addition, no recording deposition may be used in evidence in any proceeding without further proof if it is proved that the transcript is not a correct transcription of the recording.

A further streamlining of committal proceedings is proposed by the amendment of the present requirement in section 73 of the Justices Act that depositions at committal be read to the defendant. Instead, they will be required to be read only if any party requests the reading. In practice, typed copies of such depositions have usually been served on the defendant, so the reading aloud in court is both time consuming and unnecessary.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Mensaros.

## **PRISONERS (INTERSTATE TRANSFER) AMENDMENT BILL**

### *Second Reading*

**MR PETER DOWDING** (Maylands—Minister for Employment and Training) [12.13 p.m.]: I move—

That the Bill be now read a second time.

During 1984, legislation substantially similar to this State's Prisoners (Interstate Transfer) Act 1983 was proclaimed in all States to provide a scheme for the interstate transfer of prisoners.

This scheme is now operating, and provides that a prisoner may be transferred to a prison in another State either for his own welfare or for the purpose of standing trial for an offence alleged to have been committed within that other State. In each case the appropriate Ministers of both States must consent to the transfer.

On 1 August 1984, Commonwealth legislation came into operation to extend the scheme to Commonwealth offenders held in State prisons. The Bill proposes to supplement the scheme in two respects. The first is the transfer of prisoners who are serving a combination of sentences for offences against both State and Commonwealth laws. These prisoners are referred to in the Bill as "joint pris-

oners". Proposed sections 5, 10A, and 18 provide for their transfer to another State or Territory. Since a transfer order under the State's legislation has effect only to the extent that a prisoner is a State prisoner, a corresponding order under the Commonwealth legislation is necessary. This is provided for in proposed sections 6, 14A, and 18 by specifying that the State order will not have effect unless and until a corresponding order under Commonwealth legislation is obtained.

The second matter is the transfer of State prisoners to another State or Territory for the purpose of standing trial for Commonwealth offences. This is dealt with in clause 9, which proposes amendments to section 10 of the Act.

The Bill is a product of deliberations of the Standing Committee of Attorneys General.

Each State proposes to enact similar amendments to its own legislation. There will then be in place a scheme for the interstate transfer of all prisoners regardless of whether they are sentenced under State law, Federal law, or both.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Cash.

## **ACTS AMENDMENT (ELECTORAL REFORM) BILL**

### *Recommittal*

Bill recommitted, on motion by Mr Bryce (Minister for Parliamentary and Electoral Reform), for further consideration.

### *In Committee*

The Deputy Chairman of Committees (Mrs Henderson) in the Chair; Mr Bryce (Minister for Parliamentary and Electoral Reform) in charge of the Bill.

**Clauses 1 to 15 put and passed.**

**Clause 16: Schedule V amended—**

Mr BRYCE: When this Bill was debated last week, I gave assurances to the members for Floreat and Stirling that I would take their proposed amendments to Cabinet. I took a comprehensive report on the Committee stage to Cabinet, including recommendations which reflected exactly what I had said in the Chamber. I indicated to Cabinet that it could concur with some amendments proposed by the Opposition, but that there were other matters of principle which could not be agreed to.

From memory there are now five or six amendments appearing on the Notice Paper in the name of the member for Floreat. I will

move them. I have had the wording of this amendment checked and it is correct to say "or Deputy Electoral Commissioner." The amendment will ensure that the splendid independence to be enjoyed by the Electoral Commissioner will also be enjoyed by the Deputy Electoral Commissioner. Cabinet agreed with that proposal.

The clause talks about the Chief Justice or the other judges of the Supreme Court. If one follows it through he will see that that is how it is expressed. The draftsman has checked it and the reason it has been presented to the Committee in this form is simply so that it will be consistent with the wording of the schedule. I am assured by him, and when I read it in that context I tend to agree with him, that it does mean in respect of the Electoral Commissioner and the Deputy Electoral Commissioner. They fit together in that schedule in precisely that way.

We have a series of small consequential amendments which will enshrine the principle in the new Act that the Electoral Commissioner shall be a person who enjoys complete independence in the context of the normal Public Service, and so too will his deputy.

Mr MENSAROS: I appreciate the courtesy of the Minister for Parliamentary and Electoral Reform in submitting the amendments, which were originally under my name and which his Government accepted. The original amendments were moved by me. However, it is more appropriate for the Minister to move the amendments because of the Opposition's stance which has been explained sufficiently during the previous Committee debate, that unless we can agree on the more important matters, we will not vote for the Bill in toto.

However, the Opposition supports the intention of the amendments, and in this case the changing of the word "and" to the word "or". I accept the Minister's explanation.

The issue can be expressed a little better if one reads an excerpt from schedule 5 of the Constitution Acts Amendment Act which enumerates the office bearers who are disqualified from being members of Parliament. With using the word "or", one could say there is a choice between the Electoral Commissioner or the Deputy Commissioner as to which one should be disqualified. I will not dwell on this point. The intention is that the Deputy Electoral Commissioner should be in the same position as the Electoral Commissioner because the Bill allows him to act during the absence of the

commissioner, in which case he has the same power and responsibility as the commissioner.

In order to save time I will mention now that the Government has explained that both it and the Opposition might have overlooked the fact that the Interpretation Act specifies that the word "judge" means a Supreme Court judge. That is the reason the Government has not proposed amendments pertaining to the proposition put forward by the Opposition and accepted by the Government that in the case of the Chief Justice being substituted by another judge, that judge should be a Supreme Court judge. I have checked the Interpretation Act and a provision is contained therein which states that a "judge" means a judge of the Supreme Court.

It is quite a different question about whether the provision of the Interpretation Act should or should not remain. Since that legislation was enacted, which was a long time ago, the District Court, the Federal Court, and the Family Court have come into existence. Therefore, some confusion may be created. The fact remains that the Interpretation Act provides for this, and the Opposition's aim was achieved by the wording of the Bill wherein it states that a "judge" must be appointed as a deputy to the Chief Justice.

In other words, the policy of the Liberal Party, albeit on some interpretation of the original wording of the Bill, has been maintained and it does not incur the opposition of the Government. I support the proposed amendment.

Mr BRYCE: I move an amendment—

Page 7, line 20—To insert after "Commissioner" the following—

or Deputy Electoral Commissioners

**Amendment put and passed.**

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

**Clauses 17 to 20 put and passed.**

**Clause 21: Sections 5B to 5H inserted—**

Mr BRYCE: I guess that we will have to deal with parts of this clause separately and I would like to do that as speedily as possible. Clause 21 tends to take into account most of the issues that were raised by members opposite, and I will touch on them very quickly.

Firstly, there is a consequential amendment relating to what we have done in respect of the Deputy Electoral Commissioner. Secondly, there is the question of the consultation that the Premier must have with the parliamentary leader of each of the parties in the Parliament prior to the appointment of the Electoral Com-



missioner or of anyone else who comes into that category. This is touched on in two different parts.

We have the question of a member of Parliament being banned for life from being appointed to the position of Electoral Commissioner. The suggestion contained in the Bill was that any person who had been a member of Parliament up to three years prior to the appointment should be ruled ineligible. In this regard I took three options to Cabinet which were that the period be three years, 10 years, or for life. Cabinet opted for life.

Mr Rushton: Didn't you make a recommendation? They must be putting you down.

Mr BRYCE: I said that I thought that the question was wide open and the Bill which I put to Cabinet and to the Committee suggested a period of three years. I told Cabinet that a good argument had been put forward by members of the Opposition during the Committee stage and that they argued for life and, on that basis, Cabinet agreed with members opposite.

Mr Rushton: What about your opinion?

Mr BRYCE: I did not feel strongly about life. Maybe it could be 10 years. I tended to react to it by saying that there were few things in our democratic society from which we would ban people for life. It strikes me as being a bit rough.

The other thing members opposite must take into account is that the person concerned could be an Independent or he may not necessarily be a member of a political party. I am not sure about how we would treat people who might have been members of Parliament in another country.

I have just been advised that it applies to Australia only.

Mr Mensaros: I think that is the way it would be interpreted.

Mr BRYCE: We are talking about other Parliaments in Australia and in other places.

In response to the member for Dale, I believe there are some circumstances where the proposed amendment may be a bit tough, but I do not feel strongly about it. A person may be laundered over a 10-year period and he may be a very worthy professional.

Mr Court: Like John Halfpenny?

Mr BRYCE: No, perhaps even Mr Nicholls. I imagine somebody being connected to an ideological or professional flushing machine that literally flushed them out for 10 years.

That is the point Cabinet reached in respect of that matter. The other amendments to clause 21 on pages 12 and 13 are consequential amendments relating to the inclusion of the Deputy Electoral Commissioner.

Mr MENSAROS: We accept these amendments. During the course of the second reading debate we agreed to change our original proposition that the appointment of the Electoral Commissioner and his deputy should be jointly made by the Premier and the leaders of recognised parties to the proposition that the appointment should be made by the Premier in consultation with the leaders of any recognised parties. Therefore, the first amendment foreshadowed by the Minister for Parliamentary and Electoral Reform is quite acceptable. Indeed, it is quite proper because somebody has to be responsible for a recommendation to the Governor and the Premier of the day is the proper person to make that recommendation.

The provision that the Premier shall consult with the parliamentary leader of each party in the Parliament gives enough security to ensure that the person so recommended will not be someone against whom the other parties could complain. If the Premier were to ignore the essence of the consultations, the effects would rebound on the Premier of the day because of the ensuing adverse publicity.

Two interesting little amendments have been foreshadowed by the Minister for Parliamentary and Electoral Reform. They remind us of in what good, bad, or indifferent hands of the draftsmen parliamentarians are. I do not know whether it escaped the attention of the Minister for Parliamentary and Electoral Reform that those two amendments are purely machinery amendments. The wording tries to express the same thing in a better fashion than was previously expressed in the Bill. I am a little concerned that the very same draftsmen who drafted provisions one way when drawing up the Bill, a month or so later when reviewing it think that perhaps they have not expressed themselves very well and should express themselves differently. It is not a matter of that being the fault of the Government or anyone else because it happens all the time. It shows, first, how subjective drafting is and how we can rely on it less and less. After a year or two years, if not a shorter time, all legislation drafted comes back to the Chamber for amendment because the draft has not expressed the proper intention of the legislator or the administrator who, in his legislative capacity,

brought it to the Parliament. The legislation, as drafted, was found to be not workable.

I refer to the Minister's foreshadowed amendment, which reads—

Page 12, line 5—To delete "he may suspend the Electoral Commissioner" and substitute the following—

the Governor may suspend him

With due respect to you, Madam Chair, according to the Interpretation Act "him" includes "her" as well. This foreshadowed amendment reverses the previous position and refers to the Governor as such and to the Commissioner as "him". It is purely a machinery change, as is the foreshadowed amendment which reads—

Page 13, line 19—To delete "that" and substitute the following—

such an

I always understood that the terms meant much the same thing. It is six or half-a-dozen. Again, it shows how insecure we are in our drafting if those words have to be changed at the first opportunity.

As the Minister for Parliamentary and Electoral Reform said, the other foreshadowed amendments include those we placed on the Notice Paper. Therefore, we support them.

Mr STEPHENS: The National Party supports these amendments. As the Minister for Parliamentary and Electoral Reform pointed out, they are being introduced as a consequence of the second reading debate. Perhaps the comment would be more appropriate in the third reading, but it is a pity that the Government did not go a little further in acknowledging all the amendments that were put forward by this side of the Chamber. Perhaps the Bill would then have had more promise than it would appear to have at this stage. However, we acknowledge that the Government has taken on board at least some of the points raised by the Opposition.

Mr BRYCE: Before moving the amendments to clause 21 I make two comments. The first is in defence of the parliamentary draftspersons. I have attended political conferences and participated in the legislative process in the first instance for 25 years and in the second about 15 years and I have helped to prepare documents and resolutions of all sorts. I know that if a committee of legislators or ordinary human beings in any sort of committee process is given six months to prepare a draft and then a final document in most instances in another week or two, that committee would still do

some fine tuning whether the time given to it was three months, six months, or nine months. Somebody will look at an article or a proposition and wake up the next morning thinking that it could be expressed in slightly different words for the purposes of tightening it up, rather than changing its meaning.

In response to the member for Stirling, I point out that I made the offer to the Deputy Leader of the Opposition, the member for Stirling and the member for Floreat to sit down with them and analyse statistically the electoral implications of the proposal which the Government has brought to the House in the form of the Bill, as also their proposals, based upon the election results as far back as the beginning of the 1970s, to assess in the cold light of day exactly what would have happened. That work has been done. Nobody has told me that he believes I am telling an untruth when I make the statement that the models brought to the Chamber by the Liberal Party and the National Party guarantee that the Australian Labor Party would not under any circumstances during the 1970s and to this point in the 1980s have won a majority in the upper House. We just happen to have on our plate, therefore, a situation in which members opposite have proposed changes to the electoral system, which changes seek to continue the ways of the past, guaranteeing a built-in majority for members opposite.

Later I intend to table that analysis. I sent a memo to the Office of Parliamentary and Electoral Reform and asked it to do that analysis. The Deputy Leader of the Opposition has heard this argument from me before. Nobody has told me that he believes I am wrong statistically. I have offered members opposite the opportunity to study that analysis.

Mr Stephens: Are you now giving us your third reading speech?

Mr BRYCE: No, I am not. I am responding to the point the member made.

Mr Stephens: I could have elaborated a lot more, but I did not think it appropriate to do so at this stage. I thought it would be more appropriate during debate on the third reading.

Mr BRYCE: I will show the member how constructive I am. I would like us to discuss it today and intend to provide the Chamber with the response I have had. I intend to table that statistical analysis of all three models which have been under consideration during the debate surrounding the Bill and to seek leave to have it incorporated in *Hansard*.

This statistical analysis demonstrates quite conclusively the point I have just made. If the members for Stirling and Floreat have any doubt in their minds as to why the Government cannot and will not accept the precise details of the proposals which they have brought to this House for regional proportional representation in the upper House, I point out that it is very simple, honest, and straightforward: We believe that neither party represented by members sitting opposite has come to this place in this debate in a fair dinkum sense prepared to implement a system which allows the Labor Party to win a majority in the upper House.

Both sides opposite came here with a model designed to reinforce, in 1980s fashion, the history of the past which guarantees the Labor Party cannot win a majority upstairs. I would like members opposite to have an opportunity, when the memo reaches me, to look at it before the third reading debate next Tuesday. I would be most interested to hear members opposite who have handled this debate for their respective political parties put their professional reputation on the line and say whether in the context of this debate the Labor Party should be entitled to be able to win upstairs and whether the models they have presented to this place would make that situation possible.

I move the following amendments—

Page 10, lines 16 and 17—To delete subsection (1) of the proposed section 5B and insert the following subsections to stand as subsections (1), (2) and (3)—

(1) In this section and sections 5C and 5E "Electoral Commissioner" includes Deputy Electoral Commissioner.

(2) The Electoral Commissioner shall be appointed by the Governor on the recommendation of the Premier, and shall hold office in accordance with this Act.

(3) Before making a recommendation under subsection (2) the Premier shall consult with the Parliamentary leader of each party in the Parliament.

Page 11, line 13—To delete "within the preceding 3 years".

Page 12, line 5—To delete "he may suspend the Electoral Commissioner" and substitute the following—

the Governor may suspend him

Page 12, line 17—To insert after "Governor" the following—

, on the recommendation of the Premier,

Page 12, after line 22—To insert the following subsection to stand as subsection (2) of proposed section 5D—

(2) Before making a recommendation under subsection (1) the Premier shall consult with the Parliamentary leader of each party in the Parliament.

Page 13, line 15—To delete "that" and substitute the following—

such an

Page 13, line 19—To delete "that" and substitute the following—

such an

Page 15, lines 3 to 5—To delete subsection (1) of the proposed section 5H.

Amendments put and passed.

Clause, as amended, put and passed.

Clauses 22 to 43 put and passed.

Clause 44: Section 80 inserted—

Mr BRYCE: This was overlooked by me last week. I accept responsibility for it and I apologise to the Committee. It is a minor consequential amendment which was one of a number which will help to do the right thing in respect of the agreement reached on how we should properly deal with the death of a candidate. It is similar to one of those we moved last week.

I move an amendment—

Page 25, lines 9 to 20—To delete proposed section 80(5) and substitute the following—

(5) Where a claim is made under subsection (1) in respect of an election and any of the persons who made the claim is, before polling day for that election, declared by any court to be incapable of being elected at that election, then, after the making of the declaration—

(a) where there are 2 or more other persons who made that claim, the group shall consist of the remainder of those persons only; or

(b) where there is only one other person who made that claim, the claim shall be of no force or effect.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 45 to 73 put and passed

Clause 74: Part IV Division (4b) inserted—

Mr BRYCE: This amendment is fairly straightforward and I am sure members opposite readily appreciate the principle. It relates to the provisions for scrutineers and seeks to implement the suggestion put to the Committee by members opposite.

I move an amendment—

Page 42, line 26—To delete “one scrutineer” and substitute the following—

not more than 3 scrutineers

Mr MENSAROS: This amendment achieves the same purpose as the amendment put forward by the Opposition, drafted by the private members' draftsman; namely, to have a maximum of three scrutineers of each group during the count, as opposed to during the poll. The amendment is expressed very briefly whereas our amendment was almost a full page. That shows the lesser drafting facilities available to the Opposition. We are quite satisfied with the amendment and I am happy that it is expressed in such few words.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 75 to 87 put and passed.

Clause 88: Section 2 repealed and a section substituted—

Mr BRYCE: I move the following amendments—

Page 63, line 22—To insert after “Governor” the following—

, on the recommendation of the Premier,

Page 63, after line 24—To insert the following subsection to stand as subsection (5) of proposed section 2—

(5) Before making a recommendation under subsection (4) the Premier shall consult with the Parliamentary leader of each party in the Parliament.

The amendments on this clause relate to the point raised by members opposite with regard to a replacement to act for the statistician and that some consultation take place between the Premier and the parliamentary leader of each of the other parties.

I indicate in the Committee officially the nature of the discussion which took place. I think that somebody from my staff has already

spoken to the member for Floreat and possibly to the member for Stirling. I wish to put on record that the other issue raised in Committee and considered by Cabinet was the most ideal method of filling vacancies which occurred in multi-member constituencies following the introduction of proportional representation.

The Cabinet clearly expressed its preference for the same system which applies in the Senate; that is, the position advanced to the Committee by the members for Stirling and Floreat. However, it is aware that such action requires a referendum and it is not prepared to hold one in the near future. However, because we need something in the Bill to proceed with at this stage, Cabinet resolved that we should insert this into the Bill and on the occasion of the next State Election conduct a referendum to seek the concurrence of the people, on the understanding that there would be all-party agreement to the proposal.

I give this fair undertaking to members prior to the 1989 election: I very much doubt whether the Government would be prepared to run a referendum unless there were agreement by the parties that it be processed in that way. However, following the understandings which have been reached, I hope that would be the case.

I point out to the Leader of the National Party that he will be delighted to know that the wording of the Bill relating to the trivia mechanism with regard to redistribution has been examined. As a matter of judgment I have allowed an amendment to be proposed upstairs, but the principle is the same.

The wording has been examined. Nobody is prepared to state that the previous wording is wrong, but we will proceed henceforth without reference to “next previous”.

Mr MENSAROS: We accept the proposed amendment. We welcome the Deputy Premier's explanation regarding filling the casual vacancy. It would be possible to guarantee joint party approval only if we agreed on the Bill. So far we have agreed on many amendments. Indeed we have agreed to many unamended provisions of the Bill. But as will be explained at the third reading stage, there are still basic items where there are great differences. If we want agreement, as we do, these differences will have to be a matter of possibly very lengthy negotiations. Agreement cannot be achieved by examining papers in a short period of time. Eventually we will have to consider reconciling the views of the different parties.

It is like two large companies wanting to negotiate a deal. The executives negotiate, and from time to time they must go back to their boards to obtain approval for the agreed points. To pass a Bill with the agreement of the major parties is the prerequisite for having an assurance that it will have their blessing at the time of the referendum.

The idea was proposed by both the National Party and the Liberal Party. The Deputy Premier kindly let me have the Solicitor General's report. The difficulties regarding the referendum have been pointed out, so we have settled for this proposal contained in the Bill as second best for filling casual vacancies in the Council. In isolation we support the idea if it is based on regions, the number of councillors in the region, and the number of electoral districts for the Assembly within the regions, based on a joint agreement between the parties.

Mr STEPHENS: We accept the idea of the matter going before a referendum at the time of an election because that would save on expense. Naturally we support the principle.

As the member for Floreat has already pointed out, in the present context there is some doubt whether this Bill will successfully pass through both Houses. It may be possible at some future date, perhaps after the next election, to come to some agreement on multi-member vacancies. On that basis the Government may be prepared to consider going ahead with the referendum to alter the Constitution to provide, where there are multi-member constituencies, the provisions we were seeking to obtain. We would have that mechanism in place at an election prior to the final details being finalised. I ask the Deputy Premier to take cognisance of that point.

**Amendments put and passed.**

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

**Clauses 89 to 104 put and passed.**

**Title put and passed.**

**Bill reported, with amendments.**

*Sitting suspended from 12.58 to 2.15 p.m.*

## **ENVIRONMENTAL PROTECTION BILL**

### *Second Reading*

Debate resumed from 21 October.

MRS HENDERSON (Gosnells) [2.15 p.m.]: This Bill is a landmark piece of legislation in the environmental field and will go down in the history of Western Australian legislation as a major advance for the State. It is only in very

recent times that we have come to truly appreciate the importance of preserving the delicate balance in our environment, and there is no doubt that for decades man's progress was marked by a fairly cavalier disregard for the impact of development on the environment. Despite the remarkable powers of regeneration and self-repair that the environment has demonstrated, today we can see everywhere around the globe, including as far south as Antarctica, the effects of man's disregard for and lack of understanding of the impact of our development on our surroundings.

Ultimately damage to the environment affects all of us. It affects our capacity to produce food and to use other renewable resources, and it affects the air we breathe and the water we drink. It also affects our quality of life, the level of noise we have to endure at work and at home, and the aesthetic side of our lives.

There are few parts of the world endowed with so many features of outstanding natural beauty as Western Australia. There is an enormous range of natural features in this State, from the tropical zones of the northern part of the State to the dense forests in the south, from the sheer coastal cliffs to the wide, sandy beaches, to the desert wildernesses that are unique in many respects. Many of these have been preserved in their natural beauty because development has not yet reached those places.

It is only in the last 10 years or so that we have really begun to appreciate the enormous advantages our State can reap from these natural features. We are just starting to realise the potential we have to develop tourism as a major attraction and as an industry for the State. Tourism will undoubtedly develop into one of our major industries, for two reasons. One is that as the standard of living around the world, particularly in Western countries, rises, so the capacity for people to be able to plan to go overseas for their holidays increases, and our geographical isolation does not cut us out of that tourist industry. At the same time, as our natural features and areas of beauty become better known around the world, so people are prepared to travel to what is seen by many as the last frontier for some of the features we have.

At the same time, Western Australia enjoys a very high standard of living and that is in large part due to the industrial development of this State. There is no doubt that those two go hand in hand. However, I am one of those who believes that those two features—a high standard of living dependent on development, and the

maintenance of the natural environment—are not incompatible. Our power to control pollution and to minimise damage has increased enormously in recent times.

Industry is fiercely competitive. Whenever there is competition between industries, obviously it militates in favour of the cheapest means of disposing of waste so that an industry will not have to pay a price that its competitors might not have to pay; and that places an enormous burden on the environment. It underlines the need for some outside body to impose clear and fair standards on all industries on behalf of the community. Without the imposition of these standards from outside, it is unreasonable to expect one industry to act responsibly and with concern for the environment while another might not do so. Obviously they both have to compete in the same marketplace and are both subject to the same costs.

The Government, on behalf of the community, takes on the role of establishing clear and fair standards and of ensuring that those standards are met. If the burden that is placed on everyone is fair and equal it is more likely to be accepted by all. This Bill very clearly sets out some of those standards in a way that will be understood by all, and sets realistic penalties for the contravention of those standards so that they will be abided by.

If standards are set but there are no penalties for contravention, obviously industry will weigh up the cost to itself of taking action to prevent pollution or just meet the costs of any prosecution that might result.

The other thing which the Bill sets out to do in relation to these contraventions is to provide a fair system of appeal. That is important. Until recently, environmental legislation in Western Australia has been characterised as being fragmented. Environmental requirements have been spread across a wide range of different pieces of legislation and different regulations to different Acts, all policed by different bodies. One of the best ways of reducing the effectiveness of anything is to spread it across many different areas so no-one knows where the power lies.

The 1971 Act that this Bill amends was imprecise and weak in many areas particularly in its implementation, although its aims and objectives might have been advanced for that time. I would like to refer briefly to some of the features of the Bill.

The most outstanding feature is that it brings together under one piece of legislation all those major areas that are affected by pollution and need protection.

The areas of noise, air and water pollution, including underground water pollution, are all brought together from other Acts. I believe this will lead to a much better understanding by the community, and in turn a greater respect for the legislation. For the first time an onus is placed on individuals and on corporations not to pollute. This onus, on behalf of the community, requires that where there are gross acts of pollution, where pollution occurs due to negligence or where it is premeditated, there will be penalties and the polluter will be required to meet some of the burden of cost for amending and making good the damage from that pollution.

For the first time there is a requirement that all spillages be reported. This underlines the seriousness with which the Government regards spillages of oils and chemicals into the environment. Previously, we had the anomalous situation where a major spill of a chemical could pollute the environment and no-one would be aware of it other than the people in the immediate vicinity. It was not possible to check on the level of previous spillages in any one area because no record was kept. This Bill changes that situation.

The Bill also maintains a fiercely independent Environmental Protection Authority and enhances the role that that authority has of giving independent advice on the environment to the Minister. It also gives the Minister a clearer and more definite role in monitoring the activities of other Government authorities and departments. It is very significant that when one thinks of pollution and the culprits one tends to think of industrialists and corporations. Yet, if one looks at the history of some of the major environmental battles in Western Australia, in many cases it has been other Government departments and authorities' activities that have caused concern. It is a major step forward for this Bill to clearly define the role of the Minister in relation to the activities of other Government departments.

The Environmental Protection Authority in Western Australia has created an enviable record in establishing the need for environmental impact statements and studies. Although the previous Act did not clearly set out what was required, the EPA has taken on that task of requiring and seeking to define the guidelines for those studies.

Unfortunately, the Bill on which the EPA was acting lacked any detail. Many of us would be familiar with some of the environmental impact statements produced. A number of these statements resembled glossy advertising brochures rather than detailed environmental studies. Many of them lacked the original research relevant to the particular proposal. If one looked at the figures that many of those environmental impact statements contained one could often find studies that had been carried out many years before by other people that had been lifted out and placed into the environmental impact statement surrounded by glossy coloured photographs and presented as an environmental impact study.

This Bill will see the end of that situation because it sets out what is required. It shows a more serious approach to the whole question of environmental impact studies. I commend the Minister for the consultation he had when drafting this Bill with environmental groups in the community. It is unfortunate that Western Australia's history has been littered with battles between environmental groups and the Government of the day. This Bill will see the end of that. It reflects the fact that the Minister has taken the trouble to consult with many environmental groups across the board. The Bill incorporates some of their ideas. It also provides for many avenues in the community to have an input into environmental matters and for wide community discussion. This is a major step forward.

In paying tribute to the Minister for consulting with these groups, I also pay tribute to the conservation groups themselves. It has been my experience that most of the people who are involved in these voluntary groups have a deep and continuing concern for the environment and its future health and well-being. They have put in hundreds of hours of voluntary time, usually for no personal gain. They appear to be motivated by a philosophical commitment to the need to value the environment and preserve it for the future. Our children have a great deal for which to thank these people. However, in carrying out this work they have no doubt posed a threat to developers. They have challenged the right of developers and industrialists to develop in an unfettered way without any regard for the future and with concern only for short-term gains. I think it is a tribute to the work they have done that the level of community understanding and concern for the environment has increased enormously, to the extent that most developers now appreci-

ate that if they show concern for the environment they will benefit as much as the people for whom they are doing the development.

Unfortunately, because of the history of controversy and battles between environmental groups and Governments, many environmentalists have been subject to unflattering campaigns and have variously been labelled as econuts and greenies. I refer to a recent series of television advertisements which depict environmentalists as mindless fools. That does no credit to the sponsors of those advertisements. It appears to have generated a great deal of anger in the community which, if anything, has benefited the environmentalists. These sorts of television campaigns reflect the effectiveness of the environmental movement in Western Australia.

If one examines reports and submissions that have been put forward to the EPA by these environmental groups, one can be impressed by their professionalism and thoroughness of approach. I have no doubt that the current level of understanding about the environment, demonstrated by our school children—which is greater today than it has ever been—is largely a credit to those people who have worked in the voluntary environmental movement. I commend them for their work.

The Bill before the House heralds a more serious approach by the Government, and a genuine concern to consult with the whole community about environmental matters and to establish fair standards for all.

As I said at the outset, I think this is truly a landmark piece of legislation with an eye to the future of Western Australia. I hope that the history of confrontation over environmental matters will now be behind us and that this Bill will usher in an era of consultation and progress. I would like to mention two or three specific features of the Bill which I believe are worthy of more detailed examination.

First of all, the Environmental Protection Authority, through this Bill, has two major objectives: Firstly, to protect the environment and, secondly, to prevent and control pollution. However, the EPA is charged with a substantial number of functions which I think reflect the Government's concern to establish an independent, strong, and effective organisation. For example, the EPA is charged with conducting environmental impact statements and taking the initiative by initiating means to protect and control the environment of its own volition.

It is also charged with encouraging and carrying out studies and research into the environment, and seeking the advice of people with special knowledge. It is charged with advising the Minister on all environmental matters generally as well as the particular proposals that are before the Government at the time. It is also charged with a completely new role of preparing draft environmental protection policies, and I will come back to that later.

It is also charged with promoting environmental awareness in the community and receiving representations from the public on all kinds of environmental matters. It must issue public reports on the environment and it must provide guidelines for planners, builders and engineers on ways in which their activities can be carried out with a minimum impact on the environment. It is also charged with coordinating all these planning activities in such a way that there is no disharmony between them, and it must itself develop the criteria which will be used in the assessment of the impact on the environment of any feature. In other words, they must develop standards and criteria for testing and sampling pollutants in the environment.

I would mention that one of the new functions of the EPA will be to draw up draft environmental protection policies. This is a major new initiative of this Bill. The Bill sets out how these environmental protection policies are to be drawn up and it dwells at great length on who is to be consulted in drawing up these policies. Anyone who is likely to be affected by an environmental policy is to be consulted. The draft policies are themselves to be published in daily newspapers that circulate throughout the State, and the Minister, when he or she receives a draft, is empowered to set up a committee of inquiry which will hold public hearings into that proposed draft. The committee then reports on the proposed draft and the report goes to the Minister, and must then be circulated widely among the public authorities and other people likely to be affected by that draft policy. The Minister has the power to approve or to disapprove of those draft policies.

If the draft is approved, it then has the full force of the law in the same way as if it had been part of this Bill. These policies are documents that set out a particular geographical area of the environment that is to be protected. They set out how pollution is to be prevented or controlled within an area and must clearly identify the boundaries of the area. It should

indicate how the environmental quality is to be measured in that area and the particular objectives to be achieved.

The policies can stipulate the maximum quantities of waste that can be discharged into a particular environment, and the maximum levels of noise and odour, and minimum standards can be set for the operation of any equipment. The policies can also set out the procedures that are necessary to measure and control pollution on a regular basis. An example of how this could have been a very effective method in the past is that had a draft environmental policy been drawn up for the Cockburn Sound area, it would have clearly set out, right from the beginning, the parameters of the area and the regular measurements to be done, how that environment was to be protected, and the sorts of machinery and operations which could take place.

We all learn with hindsight and I believe that these draft environmental policies will be a very important factor in ensuring some of the mistakes that were made in Cockburn Sound will not recur elsewhere. They should certainly allow for the development of some areas that have previously been untouched, with minimum damage to the environment, and they should also allow for development of light industrial areas, for example, relatively close to urban areas, with the full protection of a draft environmental policy for that particular area. I believe this section of the Bill is a major step forward and will allow particular areas to have the full protection of the law as though they had been dealt with in detail in this Bill.

The second major section of this Bill which I think will greatly advantage the environment in Western Australia is the section on environmental impact statements, which I mentioned earlier. Under this legislation, any proposal that is likely to have a significant effect on the environment must be referred to the EPA for an environmental impact statement, and any person or authority can request that an environmental impact statement be drawn up. If no-one requests such a statement, the Minister of the day can ask for a statement to be prepared if that Minister believes that the proposal could cause public concern.

The Bill then sets out the steps that are necessary in submitting an environmental impact statement, and what the EPA must do in assessing a statement that has been drawn up. Full consultation must occur at all stages, and the proponent of the development must be kept fully informed on the process of the environ-



mental impact statement and how it has been assessed by the Minister as well as by the person or body who first requested it. The environmental impact statement must be made available to the public and the Bill actually promotes wide public discussion of environmental impact statements. I hope this legislation will see the end of the period when we had charges and countercharges about environmental impact statements being kept secret so that the public was not able to get access to them and all kinds of allegations in respect of what might or might not be in those statements being made because they had not been released.

The Minister can require the EPA to reassess an environmental impact statement if he or she is not happy with the initial assessment and the EPA is charged to consider all the relevant environmental factors. It can then set conditions or procedures to which that proposal must be subject. This Bill hinges very strongly on consultation and agreement reached through these sorts of mechanisms, but if an agreement is not reached, very clear appeals procedure is set out in the legislation. The Minister can change the proposed conditions or procedures that are suggested by the EPA and if the proposal is subject to a large number of constraints or changes, it can be deemed to be a new proposal and go right through the whole environmental impact statement process again.

Meanwhile the Minister is in a position to cause the proponent to cease implementing his proposal and to order the developer to take steps to comply with the procedures necessary to protect the environment until the environmental impact statement and the measures required have been agreed upon. Anyone who does not comply with these orders to cease continuing with the development of the proposal commits an offence.

The Bill also sets out very clearly measures to control pollution. For the first time it places an onus on individuals and corporations not to pollute and specifies that anyone who does pollute commits an offence. Pollution is defined as—

- (2) A person who emits or causes or allows to be emitted from any premises noise, odour or electromagnetic radiation which unreasonably interferes with the health, welfare, convenience, comfort or amenity of any person commits an offence.

It is a fairly broad definition but I think for the first time the Government's position with regard to pollution is truly stated, and leaves

people in no uncertain position as to their responsibilities.

At the same time, the person who allows or permits waste to be discharged into the environment through negligence also commits an offence under this Bill. However, the Bill takes regard of the fact that many noxious industries that are currently operating cannot immediately cease polluting the environment, so it provides for a system of issuing licences for prescribed premises that discharge waste into the environment. The Bill can set standards for the licence for those premises and can specify quite clearly the volume of waste which is to be discharged, and how it is to be discharged. If a new occupier or owner of those premises installs any new equipment which changes the level of pollution or permits new pollutants to be discharged, or changes the main fuel used in the generation of power for their particular industry or whatever, that person is then committing an offence unless he has previously applied and been exempted.

All those prescribed premises which are licensed must not exceed the level of pollutants set down in the licence unless there is an accident. The Bill allows for changed environmental circumstances so that if an environment in which a factory operates is in difficulty because of the level of pollutants being discharged, and there may be a need for more stringent conditions or standards to protect the environment, there is provision for the licence to be changed. Some licences may be granted subject to the installation of particular kinds of equipment which will control pollution.

An interesting step forward is that the Minister, as part of a licence, can require an industry or development to look at recycling the waste rather than release it into the environment. That is a major step forward.

The Bill also provides for pollution abatement notices to be issued to set out quite clearly how pollution being discharged by an industry must be abated. These notices can specify particular pollutants or noise or discharge of chemicals which must be abated to certain levels. Anyone who does not comply with these abatement notices commits an offence, and if they continue to do so, that noxious trade or industry can be closed down in whole or part; so the industry may be ordered to take specific steps to deal with the conditions causing discharge of pollution. The Minister may serve notices requiring steps to be taken in that industry to resolve the unsatis-

factory discharge of pollution into the environment.

The Bill also provides for the first time that where pollution has been discharged the pollutants are to be dispersed or disposed of and the cost can be recovered from the original polluter. That removes from the taxpayer the burden of always paying for the discharge of pollution into the environment by industry.

This really is a landmark piece of legislation. It should bring about increased environmental activity in Western Australia and lead to greater public participation and consultation, and far less confrontation, in the area of environment.

**MR HOUSE** (Katanning-Roe) [2.43 p.m.]: I assure the House that members of the National Party wish to make a contribution to this Bill. The only thing I noticed in the party room was that they were not knocking each other over for the privilege of having to speak to the Bill in the House. If one looks at the current state of the House at the moment, it may be that although many of us claim to have some interest in the environment, we soon lose interest when it comes to the particular details. I guess that is probably because the legislation is very complicated.

I was told when I came here that one should not speak on a subject about which one knows nothing. I have a funny feeling I am about to break that rule now. I feel like a pilot who has a visual licence and is about to fly into heavy cloud—he is not too sure what he is going to do when he gets into the middle of it.

I hope the points that I make are constructive, and if I offer criticism, it is in the hope that those points of criticism will be addressed in the Committee stage.

The fact that it has been so long since this legislation was changed in any major way indicates one of two things: Either the legislation has been too difficult for previous Ministers and Governments to tackle, or the previous legislation was so good it did not need to be changed. Perhaps the Minister might answer that later.

I remind the Minister of a couple of things he said in his second reading speech. He said that the increase in the membership of the Environmental Protection Authority to five members would widen its level of expertise. I guess that is true, provided one picks the right people. I will come back to that point in a minute. The avenues for community involvement in this Bill are also improved provided they are used

in the correct way. Consultation on pollution control, and the responsibility of bringing all this into one Act will also make for a better piece of legislation. The clear and easy appeal system of which he spoke is also interesting provided it works properly, and I will come back to it in a minute, too. The Minister said it was the Government's aim, through this legislation, to continue with and further encourage all tiers of government to accept environmental management responsibilities. He said, "That role will not be lessened." I will raise a question later with regard to the involvement of local government.

There always is a very fine point between development and the environment in relation to whether we allow the development of certain industries in particular areas or whether we stop them because they are going to harm the environment. We need to look at a number of issues in that way. These days, very few of us want to wantonly ruin the environment, but we must have development in Western Australia, and indeed in other parts of Australia. So we have to tread a very fine line.

I would like to bring to the notice of the House a couple of examples in my electorate where these problems are very difficult to address. Just north of Pingrup in the Lake Grace Shire is a gypsum deposit which is on an "A"-class reserve. If the EPA would allow that to be mined it would save the farmers of that district thousands of dollars. The EPA has chosen not to allow it, and I can assure this House that this is one lake among many hundreds in that area. I do not exaggerate. The EPA says it has been and looked at it, but I wonder whether the authority understands the implications of what it has said and done. It is a clear example of, on one hand providing a benefit for local farmers as well as a local industry which could employ people, and on the other of preserving a part of the environment which the EPA believes needs to be preserved.

In my Shire of Gnowangerup we recently put a road through the Stirling National Park and came face to face with the environmental protection people as we developed the road. The engineer on the shire council told me that approximately 25 per cent greater cost was added to that development as a result of the things the environmental protection people wanted done. I do not object to that provided they are sure that what they have asked for and the imposition it creates is really necessary, and they are not just doing it because the Act gives them the power to do it.

That is one of the things that worries me about this Bill. As I said earlier, there is probably no problem if one has the right people to administer it.

The other area of great concern in my electorate is the Fitzgerald National Park, which is one of the most beautiful areas of national park in Australia. It contains some of the most magnificent wildflowers one would wish to see. It is a great tourist area, yet this year many accessways have been closed because of dieback in the park. I do not object to that if it is proving something, but what about the kangaroos in the park? Are they and other animals spreading the dieback? What sort of study is being done to show that driving a car along the roads and tracks of the park has a greater effect on the spread of dieback than the animals in the park. I hope the Minister will address that question when he replies.

There is no doubt this Bill is based on maximum cooperation, and that is something that will have to continue. I compliment the Minister; if one looks at the Notice Paper one sees that since his second reading speech the Minister has decided to introduce a number of amendments. Obviously he has done so because he has had consultation with people and has accepted the advice he has been given and decided that changes needed to be made.

I am sure that, as we argue this Bill through the Committee stage, other points will be made in the same way and I am sure that the Minister, given his willingness to accept points made to him, will also accept many points made at that time.

I guess that brings me back to my main point. We have to be practical about what we want. It is no good having a Western Australia that does not encourage development simply because we are not prepared to push over a few trees. Equally, it is no good overclearing the land as many farmers have done to the detriment of agricultural areas. There is no question that in the 1950s and the early 1960s, many of us cleared trees in salt-land areas, natural water areas, and areas prone to erosion. We are now spending thousands of dollars reafforesting those areas without any assistance from anybody. We have received very little from the Government by way of tax deductions and unless the Government recognises that assistance is necessary, few people will continue with attempts to save those areas and the problem will be exacerbated. I think that is something that the Minister could take up with his Federal colleagues. He could attempt to persuade them

that wire for the fencing of salt-land areas, for example, could be a tax deduction, if only to assist in the rehabilitation of those areas.

How does the Minister view this Bill in relation to local government bodies? In his second reading speech, he clearly stated that he does not see any erosion of the powers of local government bodies. In fact, he stated clearly that there is a greater role for them to play. I would like him to spell out how he sees their involvement.

As the member for Gosnells pointed out, the Minister will appoint the committee of five which will form the Environmental Protection Authority. However, in the case of an appeal, as I understand the Bill, the Minister has the final decision. It will be very difficult for a Minister who appoints that authority to set himself up as judge and jury over that authority which he sanctioned and committed himself to and override one of its decisions. In that case from whom would he seek assistance and on what grounds would he override the decision? I think that is one of the important anomalies in the Bill because the right of appeal against the committee's decision is what this Bill hinges on.

The Minister should be careful whom he appoints to the authority. If he appoints zealots, such as greenies on the one side and people committed to development at any cost on the other side, decisions coming from the committee will be open to criticism. It will be important to ensure that the people appointed are concerned with the protection of the environment, but not at the cost of the development of Western Australia. As in all legislation, that allows for wide discretionary powers and there will be times when those powers will be questioned.

I am not sure whether what I have read into the Bill is correct. I have interpreted part of it to mean that the requirement of negligence and not just responsibility must be proved before offenders can be fined still remains in the Bill. I want to know how the discretionary power of the Minister and the authority that he will set up will fit in with that. I also want to know what participation the people who put up the plans for developments will have in the decision-making and whether they will appear before the committee and be able to put forward their application a second time. It is very important that all the information is brought out. Will the Crown be exempted from applications involving, for example, the Water Authority of Western Australia? What exemptions will be

made for catchment areas for public water supplies and things of that nature?

As I have said, I think the positive aspects of this Bill are that it brings together most of the environmental protection legislation. It also increases the penalties included in the Act, and that is a positive measure. There are many developers in this State who would ignore the directions of the EPA if they thought it would not cost them.

I now wish to return to the independence from ministerial direction of the Environmental Protection Authority. Clearly the Minister has the final decision. However, he needs to create some gap between himself and the committee. Maybe the Minister will tell us whether the EPA will have powers of investigation and prosecution similar to the powers vested in the Police Force—maybe that is not a good analogy. However, if it is a reasonable comparison, it gives the committee a very high profile and great authority. One would then have to ask whether we will allow that authority to investigate or be involved in areas outside of the powers vested in it under this Bill.

The independence of the EPA from ministerial direction raised problems of accountability because obviously it has to be accountable to someone. For that reason and many others, I think great caution needs to be exercised in the appointment of the authority. It must be an evenly balanced authority and fair to both sides of the environmental question. Maybe advisory groups could be appointed for particular areas and those groups could include people from business and industry and people who are involved in certain areas of environmental protection. They could be people who wish to preserve areas such as the Fitzgerald River National Park or people who want to have noxious industries removed from proposed housing areas. The Minister needs to consider that idea and perhaps seek opinions from those people. It is important also that local government bodies have some input into the authority because developers approach local government for permission to proceed with developments.

Time limits need to be set for appeals by developers because developers structure their businesses on having plans approved quickly or within a certain time. The EPA should be empowered to make decisions within a certain time.

People involved in local government come from wide-ranging backgrounds. That would enable them to have a sound input into the decisions of the authority.

That is all I wish to say in general about this Bill. I hope that, in the Committee stage, we will get down to some of its finer points.

**MR THOMAS (Welshpool)** [3.00 p.m.]: It is with a great deal of satisfaction that I support the Environmental Protection Bill.

The achievements of the Burke Government since 1983 on matters affecting the environment have been impressive. However, the Government has not been prepared to rest on its laurels, and when it went to the people in 1986 one of its promises in the lead-up to the election was an undertaking to enact a new Environmental Protection Act which would make statutory provision for environmental impact assessment and consolidate pollution control.

This Bill not only fulfils this undertaking, but it does a lot more. It is to the credit of the Minister for Environment that such a comprehensive Bill has been presented to the Parliament so early in the Government's second term of office, and it is also to his credit, as the member for Gosnells said, that he has consulted so widely with conservation, industrial, and rural interests, and that in his consultative process he has obtained widespread support for the Bill. It will be to the credit of members opposite if they support the Bill without any substantive opposition. During the debate last week the member for Vasse said that he would raise some matters in the Committee stage, but from what I understood him to say the general thrust of the Bill was acceptable to the Opposition.

This Bill is significant in a number of respects. It is only the third time that substantive environmental legislation has been presented to this Parliament. Although it is interesting that it is only the third time that such legislation has come before the Parliament, it is also the third time in 16 years. The reason is that members do not have to go very far back in history to recall that the word "environment" was not part of the political vocabulary. If members undertake research to ascertain when matters of the environment first became a political issue, they will find that it can be pinpointed to the early 1970s. That period coincided with the period which saw the demise of the Liberal-Country Party Government at both the State and Federal levels.

As the member for Vasse said last week, the first Minister for Environmental Protection in Australia was Hon. Graham MacKinnon, who was appointed to that portfolio during the term of the Brand Government. What he did not say was that Graham MacKinnon was appointed to that portfolio on 10 December 1970, which was only 10 weeks before that Government was defeated. Therefore, out of a total period of 12 years in office, that Government had a Minister for Environmental Protection for 10 weeks only. Its realisation of the importance of the environment came late. In its last year in office, the Brand Government enacted the Physical Environment Protection Act 1970, which was a significant achievement when taken in its context at that time. When the Bill was presented to the Parliament it was generally acknowledged that it was a preliminary exercise only and that more substantial legislation would follow. The Government which followed the Brand Government, the Tonkin Government, in early 1971 acted on an undertaking and accorded a much higher priority to the question of the environment than had its predecessor.

The level of priority is indicated by the fact that the then Premier, Hon. John Tonkin, was not only Premier, but also Minister for Environmental Protection, among other portfolios he held. The priority was also reflected by the fact that the Environmental Protection Act 1971 was enacted in the first year of the Tonkin Government. It is significant to note that it was a comprehensive piece of legislation, and at the time, was probably the most impressive environmental legislation in Australia. That legislation is still with us today, and the passage of time has rendered it obsolete. It is not practical, under that legislation, to use all the powers which it purports to have. In addition to that, new concepts have arisen in environmental protection which simply were not envisaged when the legislation was passed in 1971.

Progress in other States of Australia and in other parts of the world has overtaken Western Australia's legislation, and methods of environmental protection which were not thought of at that time have been implemented and proven. Members would also accept that the community's standards and expectations of Government in environmental matters have advanced quite significantly. As a consequence, the 1971 Act, although a credit to the Tonkin Government, has become obsolete and is in

need of renewal; and that is precisely what this Bill seeks to do.

One of the most significant features of this Bill is that it completely overhauls the structure for the administration of environmental protection. The 1971 Act had three distinct administrative bodies. The first was the Environmental Protection Authority, which was essentially the senior decision-making or recommendatory body to the Government in terms of policy, assessments, and the like. The Environmental Protection Authority was the senior body, to have the ear of the Minister. Below that authority was the Environmental Protection Council. When the legislation was enacted it was sought to be a broadly-based consultative body which would advise the smaller authority and the Minister. It was also meant to be a forum for the various organisations that were represented on it. Finally, the third element of the structure was the Department of Conservation and Environment. It was the Public Service department which serviced the council and the authority, and administered the Act.

Under the new structure the council is abolished, the authority continues, and the department, under that name, is abolished and, in fact, will be integrated with the EPA.

The council never worked as a forum and should be abolished. It was set up in 1971, and of the 14 members, eight were permanent heads of Government departments which led to a cynicism within the environmental movement, and it was not the sort of place where a forum could be conducted. Of the remaining members, three were industry representatives, and there were two selected conservationists only. In addition, there was a local government representative. It was not a forum for the conservation movement. Industry representatives and the Government departments which were represented had other forums and, for that reason, did not take the council very seriously. As the council had no power to make decisions, the heads of Government departments did not take it seriously and they tended to send to the meetings nominees who were second in command and, as a result, it simply did not work. It was neither fish nor fowl; it was not an effective forum; it was not a decision-making body. The amendments to the Act in 1980 did nothing to improve the situation—it languished for want of a purpose, and the council is best abolished.

As I indicated earlier, the authority is to remain in existence, and its membership is to be increased to five. It will still be small enough to be workable. The reason its membership is to be increased to five is to allow for a greater range of skills and expertise to be represented on it. Its size will be commensurate with the significantly increased responsibilities under this legislation.

As the member for Katanning-Roe indicated, the authority's independence from the Minister is explicitly enumerated in the bill—a significant point to which I will return shortly.

The 1971 Act made the Chairman of the Environmental Protection Authority concurrently the Chairman of the Environmental Protection Council and the permanent head of the department. At the time, that was the subject of criticism by people who were dissatisfied, after its first few years of operation, with decisions made by the Government on the recommendation of the authority.

The subsequent separation of those two roles—that is, head of the department and chairman of the authority—was also the subject of criticism from people who were unhappy about decisions made then and this indicates that the earlier criticism was misdirected. Of course, people who were unhappy with the decisions that had been made tended to say that too much power was given to the one person and if there had been a separation of the two bodies they may have been given a different decision.

The fact is that there will always be people who are unhappy with decisions made by any decision-making authority, and it may well be the case that they will concentrate their attention on some aspect of the structure that has made the decision, rather than the decision itself.

That was the cause of the criticism of the fact that the one person was chairman of the authority and head of the department. The subsequent separation after the 1980 amendments precipitated other problems that were not thought of when people were suggesting that there perhaps ought to be a separation of those two roles. Essentially, there was a separation of priorities. Within any large organisation, particularly in the public sector, there tend to be territorial struggles which, in this case, were counterproductive to the aims of each of the organisations.

Under this Bill, the executive director of the department is the chairman of the authority. It is sought by this method to achieve unity of purpose and priority within the organisation. Past experience within this organisation and elsewhere would tend to indicate that this will be achieved.

Mr Blaikie: This is contrary to the view that the environmental people expressed in relation to the manager of forests and the manager of national parks being one and the same person.

Mr THOMAS: I suggest the member ask them, but this is the Government's policy on this question and not necessarily theirs.

Mr Blaikie: I know it may well be the Government's policy, but I believe that in time it will be proved wrong.

Mr THOMAS: We have experienced both models and people have been unhappy with decisions made under both. However, it is demonstrably the case that with a separation of priorities and roles—

Mr Blaikie: But each decision-making body was at least completely autonomous. You are proposing to make them one and the same.

Mr THOMAS: They are quite separate in terms of function, but in terms of the identity of the individual who is the executive officer of the department and the chairman of the authority they are the same. The independence of the authority from the Minister is quite clearly outlined in the legislation.

The undertakings given in the campaign for the February election included a promise that in the new environmental legislation there would be a statutory basis for environmental impact assessment. As I indicated earlier, the Bill fulfils that promise. The concept of environmental impact assessment is well established in environmental legislation worldwide. Essentially, the notion is that the proponent of a proposal or project is responsible for enumerating environmental impacts and managerial techniques which will be necessary to minimise any adverse impacts. The documents so produced are often known as environmental impact statements. The environmental impact statement is then subject to public scrutiny and Government assessment. On the basis of that process, the project is either approved subject to conditions which may be necessary to reduce environmental impacts to an acceptable level or it may well not be approved at all.

Under the current legislation in this State there is no statutory requirement for environmental impact assessment. The only legislative

or statutory requirement for environmental impact assessment operating in this State is imposed upon us by Commonwealth legislation. I dwell for a moment on the history of that legislation because it was mentioned earlier by other speakers. The history of the legislation at the Commonwealth level to a remarkable degree parallels the history of environmental legislation at State level.

In 1972 the defeat of the McMahon Government ended an even longer period of Liberal-Country Party rule than did the election of the Tonkin Government almost two years earlier. Like the Brand Government the realisation of the importance of the environment came late to the McMahon Government. The Federal Environment portfolio was created only on 31 May 1971, about six months before the McMahon Government was defeated. Thus it was for only about six months out of 23 years that the Liberal Government had had a Minister for the Environment. Mr Peter Howsen became that Minister. In addition to being Minister for the Environment he was also Minister for the Arts and Minister with responsibility for Aborigines. He was the most junior member of the Ministry and the portfolio was a non-Cabinet one.

Mr Parker: He was the guy who was involved in the air scandal too, wasn't he?

Mr THOMAS: That is right. He was demoted to being the Minister responsible for the arts, Aborigines, and the environment, so they were not given a very high priority.

When the Whitlam Government was elected at the end of 1972 it accorded a higher priority to the environment and Dr Moss Cass was given the portfolio.

Mr Rushton: He was a disaster.

Mr THOMAS: I do not think he was. When the member for Dale has heard what I have to say in that respect, he might agree with me.

Dr Cass deserves a great deal of credit for the fact that he introduced the Environmental Protection (Impact of Proposals) Act 1974. That was the first legislation in Australia that made environmental impact assessment a statutory requirement.

Mr Blaikie interjected.

Mr THOMAS: People may well have questioned some decisions that he made. Many conservative State politicians and indeed Labor politicians have felt that the responsibility for the environment should lie with the States, but it is a matter of put up or shut up. If

the States are not prepared to enact legislation which requires environmental impact assessment, they are not in a position to complain about the Commonwealth doing so or about decisions that may be made under the Commonwealth legislation.

When the member for Vasse spoke last week he had a few kind words to say about people who were involved in environmental protection in this State. Generally, I concur with the comments that he made, but add to those he mentioned a few more names of people who deserve credit for work in that field about that period. After Moss Cass, Hon. Joe Berinson was Minister for the Environment in the Whitlam Government. He showed much promise as a Minister for the Environment. It can be seen from statements that he made he was developing some fine policies in that area. Unfortunately, the last six months of that Government was a time when matters other than protection of the environment were paramount in the Government's considerations and Hon. Joe Berinson did not have enough scope to prove his skills in that area. He has subsequently had to prove his ministerial skills in another field at the State level, and I think he has done very well. If the performance of Hon. Joe Berinson shows that former Ministers for the Environment can make very good Attorneys General, the case of the late Senator Ivor Greenwood curiously enough indicates that the reverse is also the case; former Attorneys General can make good Ministers for the Environment.

I note the role of Ivor Greenwood in this particular area. He was the successor to Joe Berinson as Minister for the Environment when the Whitlam Government was defeated at the end of 1975. Ivor Greenwood had been a singularly undistinguished Attorney General, and when he was appointed to the Environment portfolio many people were not particularly pleased. They did not expect a good Minister. However, he developed into a very good Minister and it is unfortunate that he died so early. He resigned in July 1976 and sad to say he died some months after that. However, during the time that he was responsible for that portfolio he was a very good Minister for the Environment.

I illustrate that with a story. During that period some correspondence fell off the back of a truck and ended up in my hands, among others. It was correspondence between the then Premier of Western Australia, Sir Charles Court, and the then Prime Minister, Malcolm

Fraser. The Premier of Western Australia was complaining about the fact that Government grants were being given to the Australian Conservation Foundation which had the temerity to criticise some of the policies of the State Liberal Government. The Premier suggested that Federal grants should be withdrawn from the Australian Conservation Foundation and also that the Commonwealth should do something about the Environmental Protection (Impact of Proposals) Act.

The correspondence I saw indicated that Ivor Greenwood was strong in defending the independence of the Australian Conservation Foundation. He was not prepared to be party to withdrawing funding to silence critics of the Government and he was a very zealous supporter of the continuing operation of the legislation.

Subsequently, it was not Ivor Greenwood who signed it, but, on my understanding of the circumstances, essentially it was his agreement which was reached between Kevin Newman, his successor as Federal Minister for the Environment, and Graham MacKinnon who had become State Minister for the Environment in the Court Government. They made an agreement between the State and the Commonwealth for the use of environmental review and management plans to satisfy the Commonwealth legislation. That agreement essentially still stands today.

To return to the role of the State and the Commonwealth: Under the agreement between the State and the Commonwealth, ERMPs or State documents, required essentially by executive provision, are used to satisfy Federal legislation. In practical effect, we are acting under delegated Commonwealth legislation. Quite clearly, that is an unsatisfactory situation.

Mr Rushton: You realise that the Commonwealth tried to knock off the Mt Henry Bridge with those powers; there was a very unsatisfactory Commonwealth-State relationship on that issue.

Mr THOMAS: No. Was an environmental review and management plan published?

Mr Rushton: That was our friend, Hon. Tom Uren.

Mr THOMAS: We are suggesting that there should be State legislation so that these things can be properly evaluated.

The powers for environmental protection are essentially State powers. The powers to protect the quality of the air and the water, and to manage forests and other Crown lands are es-

entially State powers. For that reason it should be the responsibility of the State to protect the quality of the environment. However, that responsibility cannot be carried out effectively unless there is legislation which goes to something as basic as environmental impact assessment. This Bill does precisely that.

Mr Blaikie: The sovereign rights of the States must be regarded.

Mr THOMAS: The sovereign responsibilities of the State must be exercised, and if a vacuum is left a situation is created in which it is judicially and politically possible for another jurisdiction to occupy it.

Under this legislation there is comprehensive provision for environmental impact assessment, the details of which were mentioned by my colleague, the member for Gosnells. I think these are very commendable. One of them is a requirement which allows any member of the public to refer a proposal to the authority and request environmental impact assessment. That is a very desirable feature of the legislation because it means anyone who is likely to be affected by a particular proposal can ask to have that proposal subjected to assessment.

I anticipate that some people may say that is not necessarily a desirable situation, and that it could lead to the equivalent of frivolous litigation or be used for purposes which are not responsible. However, ample safeguard is built into the legislation to protect the community at large and developers from that type of situation; that is, there is an ultimate appeal to the Minister on the level of assessment.

If a developer is concerned that there might be frivolous recourse to the authority to subject a proposal to environmental impact assessment, the first safeguard is that the authority, under its powers, can dispose of the matter if an assessment is not regarded as warranted. However, if the authority were, in the perception of that proponent of the project, to require a degree of assessment which the proponent does not feel is appropriate, at that stage there is scope for appeal to the Minister that the authority is acting unreasonably.

Ample safeguards are built into the legislation, not only for members of the public who might wish to refer matters to the authority, but also for proponents and developers. I suggest to the House that the proposed provisions for environmental impact assessment are highly appropriate and very commendable. One further major strategy for enhancing environmental protection contained in the legis-



lation is the statutory provision for environmental protection policies. Notionally the power for this is contained in the 1971 Act, but the practicality of implementing it is such that the power has never been able to be exercised.

These powers provide an efficient means of setting down general policies which would apply over specified areas within their terms to protect the environment. They provide a very necessary form of delegated legislation which is simply not available at the moment. For that reason it is currently very difficult to have general policies which might, for example, prescribe levels of emission to contain pollution or, as the member for Gosnells indicated, protect a particular area, such as Cockburn Sound or a particular type of area, such as wetlands.

It is desirable that this power be available and that safeguards be written into the legislation to make sure that those powers are exercised in a manner consistent with the public interest, and that members of the public have an opportunity to make submissions. Ultimately, the Minister has to approve their enactment or otherwise.

There is further protection in that they are delegated legislation for the purposes of the Interpretation Act and hence subject to the powers of disallowance of this Parliament.

Finally, there is the strategy to consolidate pollution control which, again, is very desirable. Many of the powers which previously existed to control pollution under other legislation were set up for reasons other than control of pollution and that has been an incidental feature. In this day and age it is entirely appropriate that pollution control be consolidated.

In terms of the provisions for consolidated pollution control, making a statutory basis for environmental impact assessment and making provision for environmental protection policies, this Bill very clearly is a significant advance on the 1971 Act, which is currently on the Statute book and which it seeks to replace.

I wish to speak to another very important aspect of the Bill; that is, the provision for the Minister's having ultimate power in most areas contained within this legislation. Some of the proponents of environmental legislation have sought a quasi judicial structure, independent of Government, to make those decisions. In this area we are not talking about a judicial function, but powers which are essentially legislative and executive; that is, setting standards

or policing them rather than a judicial power to apply set standards in a court-type function.

It is not appropriate that environmental decision-making of this nature be undertaken by the judiciary. In fact, it is a responsibility of Government to undertake the policing function, and of the Parliament, Government and subsidiary bodies to prescribe environmental standards in this Bill. The only place in which any judicial analogy is appropriate is the independence of the authority. This legislation explicitly provides that the Environmental Protection Authority is not subject to ministerial direction. In addition, the Bill contains explicit provisions for public scrutiny. Virtually every step of the authority's formulation of advice and rendering of advice to the Minister is subject to public scrutiny. Effectively all the advice rendered to the authority and submissions made to it, subject to the agreement of those making the submissions, is open to public scrutiny. The Bill thereby ensures that the Minister will be unable to direct the authority with regard to its functions.

Where the judicial analogy is appropriate, in that the authority should be able to render advice to the Minister without fear or favour, this is provided for. However, it does not go to the step of providing a judicial model, which would not be appropriate.

Essentially we are talking about political decisions. The Minister is a politician and is elected, the Government is elected and, ultimately, it should be in the political process that responsibility for these decisions is sheeted home. That is precisely what this legislation provides.

I have no hesitation in commending this Bill to the House. I believe it represents a very substantial improvement on the environment legislation in this State.

**MR LEWIS (East Melville)** [3.30 p.m.]: I feel a little like the member for Katanning-Roe in not perhaps being as aware of the environment as is the member for Welshpool, who has just made a very good contribution to the debate. However, I feel the environment is something one observes, feels, and knows about. A lot of commonsense needs to be brought to bear on the way the environment is regulated, how it is perceived, and the ordinances and legislation used to protect it.

That brings me to the point which has been emphasised before, that the powers manifest within this legislation are indeed very strong and possibly override many other Acts. If we

think about why Acts, by-laws, and regulations are made, we realise they are generally made for people who transgress and for fools. If people do the proper thing with regard to the environment, those by-laws, regulations, and Acts, will not need to be implemented.

Some skill will have to be exercised in the management of this legislation. It comes back to the members of the authority and the officers who are appointed. They must be a very well-balanced and impartial body of people to administer and manage this legislation.

In the past it has been impossible for class action to be taken against town planning ordinances. The enactment of this legislation will mean that class actions can be pursued on the basis of the definition of pollution, which is a very broad and all-embracing definition. If someone, whether vexatiously or not, considers a certain action to constitute pollution, he has a lawful right to object and that objection can be considered.

This Bill vests very great powers in the public. Under previous town planning ordinances, land use has specifically been prescribed after due consideration, advertisement, and procedures governed by the town planning statutes. As I understand it—and if I am wrong I would like to be corrected—under this legislation a third person with no legitimate interest can make an objection after the land use has been prescribed, thus delaying development on that parcel of land. The powers exist in the Act to allow that to happen.

I accept that this is a difficult subject. A person in the community may have a legitimate objection. In his eyes a development may represent pollution, or action against the environment. How does one balance these objections with the right of a person who owns a property zoned for a specific purpose? Someone may be in a situation of having commenced development, but his rights may be abrogated in the long term because of a determination by the Minister after appeal. I make those points to show the absolute power that this legislation has in regard to class or third party actions.

Let us also not forget that man, as a human being, is part of the environment. Quite often we find that the environment is perceived as those creatures who live in it. Perhaps the dominant character, mankind, has forgotten that he exists within that environment. There must be a balance of understanding.

To highlight that point, I know the Minister is very much aware that in my electorate the little area called Alfred Cove is environmentally very sensitive. Its ecology, flora and fauna are very delicately balanced. Birds come from the northern hemisphere every year to feed, nest, and breed in Alfred Cove. I am very conscious of the environmental importance of that area.

Some five or six years ago, the Melville City Council, in its wisdom, pursuing a policy of allowing all people to enjoy the environment of the foreshore, constructed a cycleway along a disused road reserve. The point of view was expressed that that cycleway should be removed because it was upsetting the environment; the birds, the flora, and fauna. I make the point that humans, flora, and fauna can live together. If human beings cannot enjoy that sharing, perhaps we cannot have it at all.

We must have a balance in the environment. It is nonsense to exclude human beings from the environment. That is an example of the way in which groups can go too far.

As members may know, I am a surveyor by profession. In that regard I have a great affinity with native forests, the savannah, and indeed the outback. No-one knows better than I the tranquillity of nature in its raw form. With that understanding, I am sure members of the Government are aware that there are extremists on both sides who do not take into account a balance whereby, by virtue of living, we have to use the resources of the earth, whether they are timber, mining, the extraction of salt or whatever, and a certain desecration of the environment will ensue.

Mr Rushton: Surveyors were the original conservationists. Look at Lord Forrest and Kings Park.

Mr LEWIS: I think the member for Dale is right. We must have a balanced view. Resources must be used for the progress of mankind. There are extremists on both sides. Those who want to desecrate, rape, and take, and not replace and replant are just as bad as those who favour an entirely hands-off approach without any understanding that we must have farms and clear land, and mine our resources for the sake of the economy and so that people may have a reasonable standard of living. That is the balance we must try to achieve and that is why it is so important that the people appointed to the Environmental Protection Authority have a wide understanding and come from a broad spectrum of our society.

I welcome this legislation. It is a long time since the Act has been substantially amended, and maybe 15 years is too long. Notwithstanding that, I believe the old Act has done quite a good job in many ways. It has been criticised for not having enough power and there has been legitimate cause for concern, because the ability for the Environmental Protection Authority to take appropriate action at the appropriate time is probably not there. Maybe this is manifested by developments like the casino, which some people believe for environmental reasons should not have been put where it is. I suppose the Environmental Protection Authority really did not have the ability to say "No", whereas this legislation does have the ability to hold a situation.

Mr Rushton: It really hasn't. The Minister has the power to say "No".

Mr LEWIS: Sure. Talking about holding a situation, I have another fear, although I do not want to sound negative. With all development, time is usually of the essence. If someone is building a factory, or a block of shops, or a small block of home units and has poured the footings and the brickwork is halfway up, and a certain body of people who live across the road do not like the shape the new building is taking, notwithstanding the zoning they can legitimately object. Knowing the workings of Government as I do, and having sat on Government boards, I know that it may be six, eight, or 10 weeks before a decision is made by the Minister to uphold an appeal and the development is allowed to proceed.

What worries me is that during that time the developer's funds can be very severely impacted upon, and the whole viability of the project can be put at risk. Indeed, he could be forced into financial ruin. I am not being critical in any way of the decisions of the Government concerning the goings-on at Scarborough, but the Spindrifter development is a manifestation of where Government bodies can get tied down with bureaucratic proceedings.

Mr Rushton: They were political decisions.

Mr LEWIS: Yes, but I do not want to be critical. I am trying to give an example of how we can get tied down with bureaucratic procedures so that nothing happens for months, with the result that, because of the financial situation and changes in the financial environment—and even changes in the mood of the people or a market downturn—the doors out there who want to get on with developments are put at severe risk.

Of course, we must balance human and environmental needs. I would like to think that somewhere in the process of rationalising development with the environment there is a very close understanding between the Environmental Protection Authority and local authorities. I suppose it becomes an arbitrary situation whereby a local authority views a plan of a development, considers it, believes that it conforms in all ways, and issues permits; then someone comes along and the whole thing stops. Where is that element of communication written within the legislation? Who decides, and at what time, when an application should be referred to protect the developer, or when it does not have to be referred? I do not believe—I may be wrong—that the legislation prescribes these matters clearly enough. Maybe regulations should be brought in to determine these situations more clearly, for the reasons I have already given, and I refer especially to the financial viability of projects. This Bill will require a very strong set of regulations because it contains an ability for arbitrary decisions to be made. A clear and unequivocal course should be plotted by way of regulation so that people who wish to develop land and so on know where they are going without being stopped halfway through or being mucked around generally.

In these times society should not accept dirty industry. In the past industry wantonly desecrated our environment and has not taken the necessary steps to reconstitute and reafforest the areas it has disturbed. The legislation goes a long way towards ensuring that will not happen and contains powers to prevent its happening. On the other hand, there is a certain rigidity within the legislation and we do not want legislation so rigid that nothing will ever happen because the up-front costs of getting ERMPs and all the necessary approvals in place, and the time span to put all these approvals in place, are so great that the small developer simply does not have the resources to proceed. I would not like to see a situation in which the only people doing things in society are large corporations and developers who have the huge resources and who therefore end up with a monopoly.

As well, this legislation has the ability to create a bureaucratic monolith, and a great amount of prudence must be exercised to ensure that a huge bureaucracy does not develop to administer the Act.

Until 1971, our environment, in the main, was protected by local authorities. The regulation relating to health, vermin, and refuse collection comes under the protection of the environment in its basic form. There is an opportunity within this legislation—as the local authorities presently regulate the Health Act—for the local authorities to be given the ability and a certain amount of autonomy to regulate the environment rather than a huge bureaucracy being built up and taking into its own right the responsibility of administering this legislation.

One must look at the definition of the word “environment”. The environment has such a broad and all-encompassing description. It means virtually anything, as does the word “pollution”. Great care of management must be taken in the exercise of this Bill. I believe the definitions of environment and pollution should be amended a little to give some reserve to the ultimate power to decide what is pollution, a judgment which can vary according to the eye of the beholder. Someone who does not like the way his neighbour paints the front door of his home may believe that person is polluting the environment. We do not want that sort of nonsense. The legislation is not meant to cater for that. Because of the definitions within the Bill that nonsense could ensue.

I have a fear concerning the power that the Chairman of the EPA has in also being the chief executive officer. I have some experience in planning. I recall that a previous Commissioner of Planning was also the Chairman of the Metropolitan Region Planning Authority, the Chief Executive of the Town Planning Department, and Chairman of the Town Planning Board. Without being unkind in any way, because he was a very good officer, but his ideology prevailed absolutely and the reports that would come forward to the Town Planning Board and the Metropolitan Region Planning Authority were so couched in his thinking that only his ideology and his direction to that department were brought to those boards. The boards in their considerations and determinations went down the trail in which he led them.

What I am suggesting is that the same person—being the chief executive officer and also the chairman of the authority—has great power and will have the ability, via the minutes and the reports, to influence the board to follow his philosophy.

I must remind the Government that the Government itself finally severed the relationship, and he was no longer the chairman of this and that board and also the chief executive of the department. It started with the Liberal Government and was pursued with the Labor Government and rightly so. So the choice has to be exemplary and a great amount of caution must be exercised when choosing a person for that very powerful position.

I have certain reservations about the pollution control clauses in the Bill. The Bill prescribes that where waste leaks are reasonably expected to gain access, people can be prosecuted. I believe that is an infringement of natural justice. If something is thought to have happened, a person may be prosecuted for it. An infringement should happen before a person can be prosecuted.

Within the pollution clause there is also a section that says if machinery causes pollution, a person may be prosecuted. I do not believe anyone should be prosecuted unless that machinery does pollute by way of noise. By virtue of a person's having a machine in his workshop that has, for example, the noise abatement devices, mufflers, removed from it, that person should not be able to be prosecuted just because an inspector calls on that person and decides he can prosecute because that machine can pollute. We should look at amending that situation to say that only when actual noise pollution happens, should prosecution be considered.

Within the legislation there is the ability for an occupier to be prosecuted. There is no defence where malicious or third party action has occurred. In other words, a proprietor of an establishment may have an operation in hand and a person may maliciously tamper with that operation and cause pollution. The Bill lacks a provision to allow the presentation of a defence against that malicious tampering charge and he can be legitimately prosecuted. The Bill should be revised because that tampering may be done by an aggrieved employee and cost the producer or manufacturer a considerable sum and cause him great concern.

Mr Hodge: Anyone who causes pollution to occur can be prosecuted.

Mr LEWIS: But the Bill does not prescribe a defence if someone maliciously tampers with an operation in order to cause pollution.

Some clauses give the chief executive officer the power to demand things to be done without negotiating or discussing the matter with the

manufacturer or proprietor. That is a far-reaching power. The proprietor of a business is in a better position to understand the workings of his organisation. So, there should be an ability for the executive officer to order things to be done, but only after negotiation and consultation with the person whose operation may or may not be causing the pollution. The consultation should be stipulated in the Bill rather than having the chief executive officer being able to say, "You do this", or "You do that", because that would not have the approval of the manufacturer or be compatible with how his operation works. Generally, I think there has been a solid effort to bring environmental management into line with modern day thinking. I agree that the Bill, to a large extent, has some merit.

**MR LIGHTFOOT (Murchison-Eyre)** [4.00 p.m.]: I rise not to speak entirely against the Bill, although like my colleagues who spoke before me, I have some reservations about it which I wish to express.

It is a comprehensive Bill which is designed to replace a functioning Act. Under the present Act, I, and the industries with which I have been involved—the pastoral industry and the mining industry—have found it difficult to maintain a continuity in those industries at some times over the years. In fact it has been often said that if the present Act had been in force in the 1960s, some mining ventures which are currently contributing to the State's and the nation's export income would not have got off the ground. I can think of one instance in respect of the nickel mine at Kambalda where there were, I believe, seven authorities to which application had to be made before an Act could be set up to govern the Western Mining venture there. Today I believe that one would need to go through about 40 departments if that same mine were to be established.

If this Bill expedites the process of applications by exploration and mining companies to the stage where they can mine and exploit the minerals that they have found, I would say it would be a good Bill, but I have those doubts. Within my electorate and within my own vocation, I represent the pastoral industry. This legislation does have some effect and will have some effect on that industry. There are many things I would like to question and perhaps in the Committee stage I will do so. It seems to me that there will be—and there has been and will always be—a conflict between miners, pastoralists and environmentalists.

I think it was the member for Welshpool who illustrated that difference in his comprehensive and, I found, interesting, address in respect of this Bill. The pastoral industry with which I have been involved for 15 years has, by and large, had a very sensitive approach to the preservation of the environment, notwithstanding its ability to perhaps denigrate aspects of that. However, I know of no pastoralist, for instance, who does not take great delight in the preservation and the observation of our native fauna—flora to a lesser degree, but fauna in particular plays a great part in the lives of the pastoralists in this State. For example, I believe that there are more kangaroos now, although some species may be more deprived today than they were some years ago, in the "inside country" as it is known, the farming areas inland, where by necessity kangaroos and other indigenous animals have suffered to some degree. Although this environmental protection legislation will protect them dramatically, kangaroos have proliferated more in recent years than ever before. For instance, within the pastoral industry, which covers almost half the State, there are water supplies every five square miles whereas, generically speaking, there were no permanent water supplies sometimes for hundreds of miles in the past. This has allowed the proliferation of kangaroos, and I do not know any pastoralists who would wantonly go out and slaughter kangaroos today.

That is one aspect of this legislation. There are many marsupials that pastoralists also pay attention to, and I hope that this legislation does not make it difficult for pastoralists and station people to maintain their interest because of the wide powers given to the Minister and the Chairman of the EPA and indeed—and most disconcerting of all—to inspectors who are proposed to be appointed and given very substantial powers under this Bill. I would just illustrate the latter by reference to section 89 (1) which reads—

89. (1) An inspector may with such assistance as he may require enter—

and this is the disconcerting bit—

- (a) at any time any premises used as a factory or any premises in which an industry, trade or process is being carried on;

An inspector may enter premises, not at a reasonable time, but at any time. I found that section worrying in respect of, say, the pet meat industry, the live goat industry and the export of sheep and so on. Inspectors can enter prem-

ises in which an industry, trade or process is being carried out. Those are very wide powers. They cover not only factories, but also farm holdings, paddocks, and shearing sheds and so on. I would like the Minister to reassure me that this power will not be abused or that there is something within the rest of the Bill that would counter or neutralise that particular aspect which worries me and will worry the people whom I represent in this House.

Mr Blaikie: I just wonder whether the police, or the people involved in drug surveillance have the same extreme opportunity.

Mr LIGHTFOOT: I would have thought not. I thought the powers under this Bill proposed to be given to inspectors—and I have not looked at the definition of inspectors but I do not think that they would be anything special or that they would inherit their powers—are the widest possible powers that one could imagine. I am sure that ordinary Western Australians, like myself, would find it disconcerting that inspectors should have such wide powers.

The pastoral industry does not provide, as it used to do, a great number of people to the Parliament. Therefore it does not have the political clout that some industries now do, or in fact that it had in the past. I believe I am now the only active pastoralist member in both Houses of Parliament today but I would like to continue to speak for those people and, notwithstanding the lack of representation in respect of numbers, I hope, sincerely, that this matter may be looked at by the Minister.

I would now look at an aspect of the mining industry—that premier industry, which earns more export dollars for this nation than any other industry. I might say that mining not only earns more dollars for this State than any other industry but also, per capita, it earns this State more than any other State. Western Australia has less than 10 per cent generically—in rounded figures we have perhaps eight per cent—of the nation's population, yet we are fast approaching the point where we will be earning 25 per cent of the nation's export income.

I hope that this increase, which has been shown over the last six years, is not impeded or otherwise halted by this Bill. It is one thing to have an environment which is acceptable to all people—and heaven knows, I want a good environment to live in for myself and my children; I do not want a second-rate environment—but there must be a balance between the

standard of living, which has slipped so badly in world terms in the past decade, and the protection of the environment.

I would like the Minister's reassurance that this Bill in no way will impede the natural and logical progression of the mining industry. I know the industry has not been perfect over the years, but its imperfections have often—almost always—been judged with hindsight. We can say we should have done this and that, and I do not suppose that any Bill introduced here will alter the fact that we will still be able to say, "I wish we had done it this way". I do not want to have to say, "I told you so", if our standard of living and export income drops and as a result the people of Western Australia pay a large price for pandering to a high-profile minority of people in this State.

It is bad enough that the mining industry in Western Australia bears an iniquitous taxation impost, Federal and State, and contributes 75c of every dollar it earns. Despite that, it is still our biggest export earner. I do not want to see this Bill harm that record of our premier and great industry. We have very stringent guidelines in the industry which are often hard to comply with because of their physical demands or because of the fiduciary restraints that are sometimes necessary in the rehabilitation of some open cuts which are so prevalent today in the goldfields.

For instance, the mining industry has to comply with the Aboriginal Heritage Act. I am not opposed to that Act, but it gets out of hand sometimes. In today's issue of *The Australian* there is an article which refers to the so-called "Dreamtime problem" with the \$8 million gas pipeline which the Government is bringing south so the one million people in this city can enjoy a better way of life than perhaps those people living further east in the goldfields. The final payment of \$100 000 by the Government makes a total payment of \$500 000 towards the cost of the dispute over the so-called "Wagyl" spirit which rests in a creek.

These are the sorts of things all Western Australians pay for, whether they believe in the benefits of this so-called dreamtime row which has already cost the Government of the State and the people \$500 000. These figures seem to go on and on under this Government.

Among the other things that the industry has to suffer, and I think it is reasonable, is that any disturbed earth relating to costean on the surface of the land as a result of exploration must be restored to a safe condition before one

can mine. If directed by the mining engineer, they should be backfilled. The mining engineer we have in the eastern goldfields is particularly good. He grew up in the fields, and understands the problems of mining; he weighs up the problem but listens with respect to the many points raised by people in the area which allows people in Perth who make up 80 per cent of the population of Western Australia to maintain their standard of living. By no stretch of the imagination could it be said that Perth is self-supporting. It needs places like Kalgoorlie and Norseman, and the other mining towns like Leonora, Laverton, and Leinster, as well as the support from farming areas, to maintain the way of life in Perth.

We also have to move all waste materials, rubbish, equipment and temporary buildings. I think that is fair enough, too. That is provided for in the present Act. Topsoil must be removed prior to open-pit mining, and 90 per cent of the goldmines opened or reopened in this decade are open pit or open cut. They are not underground mines. It entails the removal of topsoil ahead of the mining operations, and it has to be stockpiled and then replaced according to the directions of the district mining engineer.

We have an excellent, understanding mining engineer. Should that change, and the environmentalists, the so-called "econuts" or greenies get control of the bureaucracy, as they have in some public welfare departments, we would suffer greatly because discretion on the granting of a licence to exploit an area of mining operations rests with the district mining engineer. It is now proposed that that discretion will go largely to the chairman of the EPA, or his powers will be increased, and the worrying part is that the general powers go to the inspectors. All topsoil will have to be replaced. That part is quite worrying. I would like the Minister to reassure me that the Bill will not have a detrimental effect, particularly on the open-cut aspect of gold mining in this State, and that it will allow the figures the Premier quoted some days ago when he said this State enjoyed greater economic growth than all others, to remain relatively accurate. That statement can be made only as a result of the efforts of the mining industry.

Mr Read: Who is the mining engineer?

Mr LIGHTFOOT: I do not know whether I should mention his name, but it is Ian Loxton. He has had a long association with the goldfields, and is a very able man. I think these powers in the Bill are good if they are in the

hands of able and reasonable men. The same powers can be used by unreasonable and discriminatory men, and they can be abused. That is what I am worried about. Perhaps the Minister will be kind enough to tell me how this Bill will act to expedite a "one-stop shop" for the mining industry.

In the 1960s there were seven departments to which one had to apply for approval to carry out mining operations and now there are 40 departments. That is ridiculous and ludicrous. It is time wasting and costs all Western Australians in downtime. Sometimes there is a start-up time of five years in some industries, particularly base metal industries. Thank heavens gold mining is a little quicker than that because of the known geology and the history, and because we have had a good Mines Department which offers help and assistance to people like me and others involved in the industry. The downtime with respect to opening a goldmine is much less than for base metal mines and much less than for highly populated States like Victoria and New South Wales.

I do not want to think that this Bill will enhance the power of the lunatic fringe. I think members know whom I mean when I say that—that limp-wristed, hollow-chested, pseudo-academic type who pursues the environmental issues.

Dr Lawrence interjected.

Mr LIGHTFOOT: I am sorry if the cap fits some members opposite. That remark was definitely not aimed at the members for Victoria Park or Subiaco. I did not mean to offend the member for Subiaco.

I do not want anyone to think that it would enhance the powers of those people whom I have heretofore described. They are a very vocal minority and get far too much attention, particularly from the media. I think that people, particularly in this House, react to the sort of pressure applied on them by a vocal, but minority, group. They never contribute anything. They are a blight on this society.

I wish to talk briefly about the uranium deposit at Yeelirrie and some of the problems associated with that deposit. From memory, Yeelirrie was discovered at the turn of the decade in 1970. It may have been known before then but it was not realised that it was of such a high commercial value until that time. It turned out to be a vast, substantial deposit. It had some environmental problems because of the hysteria surrounding uranium and, as a result, and notwithstanding that Western Mining

Corporation Ltd had spent millions of dollars on exploration, drilling and delineating the deposit, and also on establishing a pilot plant outside Kalgoorlie, it was not proceeded with. Successive Governments gave in to the pseudo-academics whom I spoke of earlier and it became a tragedy that it was never mined.

The protests did not achieve anything. They did not stop the proliferation of nuclear weapons, because there is more uranium in the world than we know what to do with. It enhanced the value of Riotinto Zinc Corporation Ltd's massive mine at Rossing in south-west Africa which is the biggest in situ uranium deposit in the world. The member for Mt Lawley and I had the pleasure of being able to tour that vast facility some weeks ago and it was an impressive sight.

Successive Governments—not only Labor Governments, but also Liberal Governments—caved in to the pressure of this minority vocal group comprising people who called themselves environmentalists and, as a result, Australia suffered and, more particularly, Western Australia suffered because if ever a nation or a State needs to have decentralisation, it is this country and particularly this State. It is possible, also, that the nickel mining town of Leinster would still be operating today had Yeelirrie been operating.

I explain that by saying that the logistics of bringing out the nickel ore to Kalgoorlie could have been amortised over much higher tonnages if the Yeelirrie deposit had been operating because it is not far, in Western Australian terms, from Leinster. It is possible that a railway line, which was mooted in the early 1970s, could have been built to Geraldton and that one large town, not two, three or four small towns like Mt Sir Samuel, Agnew and Yeelirrie, was developed. The cost of establishing one large town would have been less than the collective cost of establishing those three smaller towns. It did not happen because environmentalists brought pressure to bear on successive Governments which caved in and canned the idea. We need Governments of resolution, strength, and ability.

Mr Blaikie: In my opinion, Yeelirrie was an example of the result of an emotional, not environmental, consideration.

Mr LIGHTFOOT: Yes, I think what my colleague says is quite right. We could have handled the environmental problems. These anti-uranium groups said that the environment would be damaged and the Government be-

lieved them. Channel Two gave them an inordinate amount of publicity and air time and Governments caved in to them.

The railway which was a possibility was not built and today we have this vast resource with an in situ value of many hundreds of millions of dollars not being exploited for Western Australia. The environmental groups achieved nothing. All it meant was that south-west Africa, Rossing and other uranium mines throughout the world were able to fill the orders that Yeelirrie was not able to fill.

Recently, as I said earlier, we saw the tragedy of the Leinster nickel mine closing down. I feel that if the railway line had been put through to Geraldton, we would have achieved many things. It is possible—even probable—that the biggest sulphide nickel deposit in the world at Leinster would have continued to be mined and that decentralisation which everyone would agree is so desperately needed in the million square miles in this wonderful State of Western Australia would have eventuated. Instead, we have the worst possibility and the ultimate in negatives. We have seen the closing of Leinster. We have also seen the possible mining of uranium at Yeelirrie not proceeded with. We have seen the finish of what could have been a railway line to Geraldton and no decentralisation. Instead of one big town being developed, we have seen the creation of three or four small settlements in which people live in caravans and temporary residences and we have seen workers even flying into and out of the area. That is not in the best interests of this State or in the best interests of decentralisation.

I did not intend to speak for so long. However, I wish to sum up by saying that the vast discretionary powers of the Minister and the chairman of the EPA, and the worrying, but all encompassing, powers of the inspectors to be appointed under the Bill should be curtailed. The Minister should explain to the House the measures that should be put in place in the Bill to curtail those powers, measures which could be used should it become necessary.

MR RUSHTON (Dale) [4.28 p.m.]: It is my pleasure to speak to this Bill, as I have served on my party's lay committee involved in the development of environmental policies and the examining of environmental legislation from the time this type of legislation was introduced. I believe that what would be ideal is a bipartisan approach to legislation of this kind. However, the Opposition and the Government have different philosophies.



I believe this Bill reflects a socialist approach to environmental matters. That approach has shown through in other legislation relating to transport, the arts, and particularly to planning introduced by this Government. We have seen moves towards political ideologies, not professional ideologies.

I want to tell the House of my experience in being involved with my party's lay committee. I have been involved for a long time, in a practical and pragmatic way, in environmental issues. In local government, I also had the opportunity to be involved in the introduction of many environmental issues.

I will cite a case which occurred in the area in which I live; that is, in Kelmscott and Roleystone. When the Stevenson plan was under consideration the late Warwick Savage and I were successful in having an area of the escarpment protected and that has been included in the regional scheme. I certainly hope that someone does not get his hands on that area and that it results in planning legislation being brought to this Parliament. In relation to the area in Roleystone I received many favourable responses from consulates in many parts of the world for the action I took.

I thought a management scheme could be introduced, but it came down to educating the people who wanted to do something with the environment. People are the strongest force to be considered. Regardless of what legislation is brought forward, it will not achieve good results unless the people are behind it. After all, they are the watchdogs. We all live in the same environment and breathe the same air and it is important that these projects be considered in a realistic way.

I am aware that in the first 3½ years that the Labor Party was in Government, it had great expectations for environmental legislation, but it got into trouble with a group of people who were dedicated to the environment. This legislation is a practical effort on the part of the Government to try to allay the fears of this group.

I state unequivocally that if the Liberal Party had won the last election there certainly would have been a review of the environmental legislation. I will spell out what legislation the Liberal Party would have brought to this House at a later stage.

The Opposition has until the next election to observe the results of the Government's management of this legislation and it will take into account its own philosophies and policies re-

garding the environment. It will be interesting to review the situation at the time of the next election to ascertain what benefits have resulted from the legislation and what the Government has achieved.

In the main, this legislation is a Committee Bill. We already have amendments on the Notice Paper from the Minister for Environment and the Opposition spokesman on environmental matters. However, there are other areas which need attention and I am sure that the Minister will be flexible and consider the propositions the Opposition will put forward in order that the changes are made in a meaningful way. The end result will be subject to what occurs in another place. However, in this place, the Government's philosophy will stand. Opposition members will have 2½ years to observe the Minister's reaction to the legislation and his ability to enact it.

I am apprehensive about the absolute power of the Minister. It will be similar to the Minister's power in transport matters, the arts, and planning, but that is the Government's philosophy and the Opposition must observe how that philosophy works.

In his second reading speech the Minister said that the Government is at arm's length from the Environmental Protection Authority. I do not believe it. The Conservation Council of Western Australia (Inc) and anyone interested in conservation matters do not believe it. I suggest that it would be better to have it at arm's length and I will refer to this at a later stage.

The conservationists' group is large. The Conservation Council of Western Australia has stated that there are many different groups in the conservation area which are worthy of consideration. These groups have reported their feelings towards the Government concerning conservation matters. When this Government came into office they had high expectations of it. However, there have been many criticisms made of the Government. I refer to the Burswood Island Casino which was approved without an environmental assessment. We all know that the so-called assessment did not take place before the approval was given for the development.

I am aware that under the System 6 report, a valuable marine park had been set aside, but we all know that it has now become the Sorrento marina. The Government has violated System 6. We all remember the debacle that occurred in relation to Farrington

Road. Legislation was not introduced to rectify this situation and it appears that it is the Government's intention not to handle these matters in a meaningful way.

Members are aware that the Casuarina prison site is situated on a System 6 reserve at Kwinana. The conservationists and the Opposition have objected to the Government's decision. To date we have not received a satisfactory explanation regarding the proposal for a maximum security prison at Casuarina. I believe it should be sited at Canning Vale.

In the last day or two we have seen a good example of what I call centralised Government. I refer to what has been happening at the Mosman Park marina. I am aware of the comments which have been expressed by the locals in regard to the Government's decision. The real test is that there was no meaningful consultation, and that is the reason for the residents' objection.

I could not believe my eyes when I read in the paper recently that various Ministers had said that a decision had not been made. The Premier was quite adamant that he had made a decision. I am led to believe that the Premier actually made a decision about the Mosman Park marina and that everyone has had to fall in behind him. The Minister for Transport has indicated that he had not made a decision. An answer I received to a question yesterday was that a jetty licence had not been issued.

If I had been administering the Act I would have made sure that everything was in order, that agreements had been reached, and that a jetty licence had been issued in order that the project could proceed. As far as I am aware, foundation piles have been driven in and all sorts of things are happening. It just shows that this Government does not have the ability to administer in a sensible and practical way. It does not take into consideration the wishes of the people. It has demonstrated the way to act in order not to keep the confidence of the people.

I refer to the Opposition's philosophy and policy on environmental matters and indicate the matters to which it will give attention. Before I proceed with that I emphasise the point I made about the EPA by quoting from a report of the Conservation Council—

The E.P.A. must be entirely independent of the Department of Conservation and Environment. The Director of the Department should NOT be a member of the E.P.A. The Authority must have its own

small secretariat to assist in the task of preparing its reports. This change would end the current practice whereby the same Departmental officers both assist proponents in the preparation of E.R.M.P.'s and determine the acceptability of the final document. All E.P.A. appointments should be made by the Governor-in-Council, after public advertisement of the positions.

I support that position. I held that position before I received this material from the Conservation Council. The legislation that was put together in 1970 was deficient in this respect, and that is why I said quite openly that there would have to be a review of the present legislation if a coalition Government came to office. We would have ensured that the EPA was at arm's length from the department.

I pay great tribute to the people who were involved in starting off environmental and conservation management in this State. Dr Brian O'Brien was a scientist of great reputation and a very good administrator. Professor Bert Main was highly respected for his professional abilities and Mr Phil Adams was a solicitor who met the requirement of the legislation. Since that time we have had Professor Des O'Connor, Morris Mulcahy, and solicitor, Athol Gibson. Since then there have been some new people whom I do not know. All in all we have been served very well by those people in the EPA.

The objective in setting up the EPA was to have a small group of people, rather than a huge department. The people involved with the EPA could use the facilities and professional skills of the department. In those early days, not enough provision was made for separation of the functions of the EPA from those of the department. The EPA should have consisted of a small group of people with the ability to call on people to assist them in reaching their determinations.

The strength of the EPA lies in its being removed from Government. I support part-time appointments because such appointments mean that the appointees are not indebted to the Government in the sense that they are part and parcel of the one group. The strength of the EPA lies in its being at arm's length from the Government and the department. Officers of the EPA can call departmental officers for information, but they are not totally dependent on them and they are able to advise the Government. If Governments wish to take a decision which is contrary to the EPA's recommendation, that is their business. I have

always believed that the elected Government of the day has the right to govern, but having a watchdog like the EPA is invaluable in the sense that Governments are conscious of what can take place.

People can seek a report from the EPA. It is published and then Governments act according to their wishes. A Government can defy the EPA recommendations—as this Government has a few times. However, the point is that Governments are answerable to people and that is the best protection that the people can have. I support the Conservation Council in its views in that regard. The Minister has absolute power under the legislation. That means that while the Government has the right to make a final decision, the EPA should be at arm's length from the Government with its own small group of people with the ability to co-opt specialists, retains its independence. That is far more beneficial to the people.

The Opposition believes that there needs to be long-term planning. I cannot detect any provision for such long-term planning in the Government's legislation. Guidelines should be established so that people can understand what we are protecting and what should be protected. This issue is a very complex one and I pay tribute to people who have been involved in evolving this approach to the environment. It is recognised that the Liberal Party, under Sir David Brand, passed the first environmental legislation in Australia and later Liberal Governments achieved major conservation objectives, particularly regarding national parks.

Some of the utterances of the Labor Party with respect to changes are not true. The environmental people in this State are of the opinion that this Government did not in fact come up to their expectations. They had high hopes, but they were not realised. It can be argued that it is impossible to achieve what everybody wants in this regard, but the Government has not held to commitments and promises it made on some vital issues.

I summarise some of the Opposition's principal objectives. I have already said that if we were in Government we would review the environmental and planning laws to coordinate the environmental and planning procedures with a view to streamlining decision-making. When I was Minister for Urban Development and Town Planning it was my experience that after the MRPA had finished its research on a particular matter, some environmental person would come up with a new approach. I believe

that planning and environment matters should be worked on together so that developments which are necessary for this State should be given full consideration from both angles so as to streamline the procedure.

We should restore the Environmental Protection Authority to its position as a respected, independent, expert body. I cannot stress that enough. If people are to have confidence in the future of environmental management in this State, it is essential that people be selected because of their ability and professional skills. The EPA should consist of a small group of people who are totally independent of Government and the department.

It is also our objective to ensure the effectiveness of environmental review and management plans as a means of Government and public participation in environmental management. Many of the ground rules that were available to us with respect to planning would be a good base on which to introduce environmental review. People must be educated to want to do what is right. In this regard, great steps have been taken in the Main Roads Department. That department became attuned to do what was right without having to be forced to do it. People must want to preserve a tree or a certain escarpment. The educational process plays a part in this regard. Any legislation we introduce will have no effect, unless that educational process has been undertaken.

Another of our objectives is to review the roles of the Environmental Protection Authority, the Department of Conservation and Environment and the Conservation and Environment Council with a view to combining environmental protection with a minimum of bureaucratic delays in planning. The member for Murchison-Eyre mentioned the one-stop shop for processing administrative approvals. That is a very worthwhile suggestion.

The Opposition also believes that we should review the effectiveness of centralisation of Government departments concerned with conservation and environment. I think that the new EPA will fall apart in time because it does not have the checks and balances that are associated with specialists working in their own areas of, for example, forests, fisheries, national parks, and the environment. It is a bit like the police and traffic. We need a traffic authority and we need a police force. In that way, people involved with the traffic authority devote 100 per cent of their time to traffic. In

like manner, foresters should give 100 per cent of their attention to forests.

I go on to the next point: Limit Government intervention to significant environmental issues, with local issues handled by local government. There should be a great deal more delegation to local government of environmental matters. I am aware that local government has put forward a case opposed to many aspects of the Minister's proposals. They see their own authority being taken away. This Minister for Local Government stresses that the Government supports local government but of course everything it touches or does has the opposite effect.

The Shire of Meekatharra has been removed and this was brought about by the Government's legislation and its inappropriate administration and direction towards the principle of one-man-one-vote.

Mr Carr: Firstly, it was Wiluna and not Meekatharra and secondly, it had nothing whatever to do with the changes to the electoral system.

Mr RUSHTON: Our approach would be to encourage community involvement through education, public awareness, and a high level of responsibility and participation. We shall observe how that will take place under the Government's legislation. It has yet to be proved that it will work.

The next point is: Streamline procedures towards a "one stop" approval, with the aim of achieving a time limit for decisions without decreasing the effectiveness of environmental management. I think that anybody in Government, and certainly the Minister, would have experienced the situation in which there is always one more approval to get. This applies particularly in planning.

I can see the debacle taking place in the Mosman Park situation. We have protected the river and prevented any individual from owning the shoreline; we have ensured that the public can participate in the advantages of the river—unlike other States. We must continue to protect the foreshore and the Government should be sensitive to what takes place in Mosman Park. However, according to the Press, it is a real mess. It looks as though the Premier has decided the outcome and the other members of the Government have fallen in with his plans rather than insisting upon proper assessment and approvals. I understand the Minister for Transport has not yet given approval for the jetty licence.

An important matter is to institute a broad strategic land use appraisal for the State, so as to provide a framework for forward planning and resolution of conflicts. That needs to be done so that people know where we are heading with regard to defence, ports, and transport.

The next point is: Support pollution control via environmental quality standards, "best practicable means" technology, and financial incentives. I do not have time to develop that but I firmly believe in it.

I have not the time to develop the remaining objectives of the Liberal Party's policy. However, they are as follows—

- Encourage a co-operative effort through the Tertiary Institutions and industry to establish a Marine Resources Institute to extend our knowledge of the ocean environment and its resources.

- In conjunction with local authorities, encourage coastal management and protection policies, so as to ensure optimum multi-purpose use of our beaches consistent with sound environmental planning.

- Ensure that adequate organisational and resource support is provided for National Parks.

- Encourage co-operative effort through the Tertiary Institutions to establish a degree course in Parks and Wildlife Management, and foster careers in this discipline.

- Foster a hierarchical National Park System which includes public use and enjoyment.

- Review the environmental aspects of legislation such as the Conservation and Land Management Act so as to ensure that environmental aspects of forests are given adequate organisational and resource support.

- Treat waste disposal techniques as part of the overall economic and environmental issue.

- Support the search for alternative energy sources as part of optimising our future environment.

- Complete and implement a State Conservation Strategy.

That basically is a summary of the emphasis we would have given to any legislation we introduced. In the light of the experience gained from existing environmental legislation the Liberal Party believes that we need a balance in dealing with this issue. Any approach to environmental problems must take account of

the relationship of such problems to other legitimate concerns of our society, including: Employment, economic well-being, housing, transport, health, delivery and standard of public services, for example water supplies and electricity, and recreation.

So much more could be said but it is really a matter of attitude. It is a question of forward planning, but it means the Government must give great attention to example and education of the public with regard to what is right in relation to the environment. Of course opinions differ about what is right; some people put emphasis on parks and reserves and others stress the importance of industry and feel that other things must fit in as best they can.

It is a difficult task and I am very interested in what this legislation will mean to the State. We are indebted to those people who had the early task of administering the environmental legislation. I suggest that Dr O'Brien was one of those people who gave a tremendous start to the State in his attitude towards management of the environment and the philosophy he adopted in a non-political way.

I trust that the Minister for Conservation and Land Management will not be pressured into making political appointments. If that is the case the whole structure will fall apart because he will receive only one type of advice rather than a broad, practical, pragmatic advisory group to assist him. I wish the Minister well, but I am afraid that the Bill will not function as I would like it to. If the EPA were separate from the management group it would give those people interested in the environment some confidence that there was a watchdog and backstop to look after their interests.

I wish the Minister every success in what he sets out to do and I hope he will be receptive to the opinions offered in the Committee stage.

**MR HODGE** (Melville—Minister for Environment) [4.59 p.m.]: I thank all members of the House for their contributions to this Bill. It is a very complex Bill and obviously a number of members have put a considerable amount of work into studying and researching its provisions. However, I do not think all members have done so because some of the comments made have been quite wrong. Because the Bill is complicated I can understand why members, without the benefit of expert advice, may have misunderstood or not appreciated that many of the powers and changes about which they are

complaining, were contained in the previous legislation.

Many points were raised and I will try to answer as many as I can. But, as several speakers pointed out, fairly extensive debate will take place in the Committee stage and if I do not cover each and every point raised by members, I ask them to please draw those points to my attention in Committee, when I will endeavour to answer all the questions.

A number of members drew attention to the fact that I have fairly extensive amendments on the Notice Paper and they expressed the hope that I will be flexible and accept further amendments. Everyone who knows me, knows I am infinitely flexible, fair and just, and prepared to listen to all reasonable arguments.

The lead speaker for the Opposition was the member for Vasse and he spoke for a considerable time and raised a number of important points.

The member for Vasse and other speakers raised the question that the Chairman of the EPA is to wear two hats; he is to be the Chairman and the Chief Executive Officer of the EPA. The Department of Conservation and Environment, as it is known today, will have a change of name and will be known in future as the EPA.

The member for Welshpool covered this point fairly well, so I will not need to elaborate on it a great deal. But the fact remains that over the years we have had experience of both situations. The Chairman of the EPA has been the chief executive officer of the department for a number of years, and for a period we had those roles separated. I am about to suggest it return to its previous position.

I am taking the advice of the former chairman of the authority, Professor Bert Main, who, before he retired, recommended that the position of chairman should become full-time. The range and complexity of issues being put to the EPA for consideration these days is such that the Chairman of the EPA requires to be employed full-time.

Obviously, if one is going to have a full-time chairman, it makes sense that that person is the chief executive of the department, or there will be a built-in recipe for continuing tension and problems between those two officers; that is the permanent head of the department and the Chief Executive Officer of the EPA. Whom is the Government to take notice of if one has a permanent head of a department of the environment in conflict with the full-time chair-

man? That person should be the most senior officer to advise the Government on environmental matters. I am very confident that this move will be successful.

I understand one of the reasons Mr Masters, when he was Minister for Conservation and the Environment, separated the two posts, was confusion about the role of the permanent head, and that of the Chairman of the EPA. In discussions a short time back I understood Mr Masters to explain that that was the reason he made that change.

I have gone to great pains in this legislation to ensure that the role of the officer in his two capacities is well and truly defined. It is spelt out in a way which is not included in the present legislation. I am confident that the problems which did arise at the time Mr Masters made his change will not arise in future.

A number of speakers, including the member for Vasse, raised the question of the independence of the EPA. I could not agree more. I think the EPA, if it is to be a worthwhile and effective advice-giver to the Government—I emphasise its role as giving advice—must have independence.

Many members have spoken of the EPA's having tremendous powers to make wide-ranging decisions. The EPA will be making very few decisions. It is a body which gives advice. The body making the decisions will be the Government. I have spelt out quite clearly in the legislation that in almost every instance the final decision rests with the elected Government. It will take the blame or the credit, as the case may be, for the decisions. The EPA is an unelected body and should not be making important decisions on environmental or development matters. Its role is to give advice to the Government. Its independence is spelt out quite clearly in clause 8 of the Bill.

Mr House: Will it not be making a rather large number of recommendations to the Government?

Mr HODGE: Yes, it will be giving the Government advice, but the Government can ignore that advice; it can accept it in part or accept it in total. The final decision will rest with the Government—with the Minister—not with the EPA.

The role of the EPA is to give advice. The only executive role the EPA has is in pollution control. Again the final decision as to who shall be prosecuted and who shall not will always rest with the Minister. It will be the political

head who will have to make a political response on those decisions.

Mr House: What happens if you want to appeal?

Mr HODGE: An elaborate appeal system is spelt out in the Bill. We have tried to draw that fine line between bogging down the whole process of environmental evaluation, progress and development, as a number of members, including the member for Murchison Eyre and the member for East Melville, mentioned. We do not want the whole process to bog down in endless litigation. On the other hand, in the 1980s, the general public of our State expects to have a proper role to play in environmental matters. We have tried to provide an adequate system of appeals for the general public against each step in the process.

The appeals process is long and fairly complex. It is spelt out in the Bill. I believe it is a good compromise between the endless litigation into which some countries have degenerated—for example the United States—and perhaps taking the attitude that the member for Vasse seems to be taking, that there is a fairly limited role for the public.

One of the amendments which I notice he has suddenly placed before the House for debate seeks to downgrade the role of the public in having a say in these matters. I would be very strongly opposed to that, as indeed would the Government.

Mr House: In that appeals system is the Minister the final man? In other words, are you appealing to the Minister against a decision by the same Minister?

Mr HODGE: In most instances there is provision for the Minister to establish an appeals tribunal, and in other instances the final decision will be made by the Cabinet. I think we mention the Governor in the legislation, but in reality that means the Cabinet will make the final decision.

Mr House: I think that is the point: The appeal against the decision made by the Minister still rests finally with the Minister.

Mr HODGE: I do not know who the member thinks should have the final say. The elected Government of the day, as I said a few minutes ago, will have to take the credit or the blame for the decisions made. The public will judge whether they think it has made the right decision, but I do not think those important matters can be taken out of the hands of the elected Government. We do not believe we should allow these important decisions on development

projects such as large mining projects which are so important to the welfare of the State to be taken out of the planning process—out of the hands of the Government.

Mr Rushton: In no way can you argue that the EPA is at arm's length. The chief officer is the head of both.

Mr HODGE: I referred before to some members doing their homework on this legislation and others not. I am afraid the member for Dale is one who has not done his homework on the Bill. The member for Katanning-Roe said it was a complex Bill and he did not understand it all. He then gave, I thought, a pretty good example of the fact that he had studied the Bill and done his homework. He raised a series of quite important points. The member for Dale has not studied the Bill properly because he could not make those claims honestly if he had studied the Bill. We went to great pains to ensure the independence of the EPA. The EPA will be far more independent than it is now. This legislation spells out and guarantees that independence.

We would have no interest in creating an EPA that was not independent. It is not going to serve this or any other Government well if it is not seen to be independent, and if it is not credible it will be of no use.

The member for Vasse and other speakers referred to the word "social" in the definition of "environment". To enlighten the House, the definition of "environment" was probably the single most difficult issue we had to grapple with in drawing up this difficult Bill. We spent hours looking at alternative definitions. We looked at every other environment Act we could find in Australia and, indeed, in other parts of the world. We looked at international treaties and studied everything in which we could find a definition of "environment", but for one reason or another we found nothing suitable. The final definition we put into the Bill is the result of exhaustive consultation and discussion, and it is the best we could come up with.

Mr Blaikie: Was one of the mitigating reasons for your including the phrase "social surroundings" so that you could encompass all development proposals?

Mr HODGE: I was just going to explain that. It was put in at a reasonably late stage of the long process I have just spoken about. It was not in right at the start, but in the latter part of our discussions we were convinced it should go in.

The definition of "environment" is written to make it clear that we are dealing with the total interrelationship between living things and man. The word "social" is introduced to cater for an understanding that man's needs are not entirely restricted to physical and biological requirements. There are social interactions which from time to time must be assessed. For example, in major development projects where sudden, large, and concentrated work forces are brought together—usually during the construction phase—short-term social difficulties are caused, particularly for remote communities. A good example of this was the construction work force brought together for the development of the North-West Shelf project. It was reasonable in this context for the EPA to make recommendations not only on the environmental implications of that proposal, but also on the socio-environmental impact of the large construction work force. However, "social" is not to be read as "sociological". The EPA will not be considering welfare issues or matters of that nature. I hope that clarifies the position for the members who raised that issue.

The member for Vasse referred also to the register to be established under clause 39. He seems to be under the impression that it is a register of complaints.

Mr Blaikie: No, a register of applications.

Mr HODGE: The register is to provide a public record of each proposal referred to the EPA, and also to indicate whether the EPA has decided to assess that proposal and the level of assessment that has been decided upon. The object of the public record, or register, is to allow the community to know what is before the authority, and if necessary to be able to appeal to the Minister for him to require the EPA to evaluate a project which it had otherwise decided not to assess. It also provides for appeal to the Minister to have the level of a project that is being assessed increased. From memory, it is the only occasion on which the Minister has any sort of control over the independence of the EPA. That is, if a proposal comes before the EPA and the EPA decides it should be assessed at the level of a PER, someone could appeal to the Minister on the grounds that that was not a high enough level of assessment and that because it is such a big, important project it should be assessed at the level of an ERMP. That is one of the few occasions where the Minister, if he upholds that appeal, can say to the EPA, "I direct you to hold a higher level evaluation of that project."

Mr Blaikie: Obviously it could go the other way, too.

Mr HODGE: The Minister cannot go the other way—he cannot direct the EPA to hold a lesser standard of inquiry. I hope that clarifies the matter. It is not radically different from the present situation. In almost every instance, if any member of the public wishes to have that sort of information they can come into the EPA and get it, although perhaps it is not as readily available as we hope it will be under this arrangement.

A number of members, including the member for Vasse, raised the question of frivolous referrals to the EPA, suggesting that people could refer all sorts of minor projects to the EPA and thus hold up those projects, either deliberately or for vexatious or frivolous reasons. In order for the EPA to make a decision as to whether to make an assessment, it must be convinced that the project will have a significant effect on the environment, and I emphasise the word "significant". This really is no different from the present legislation, and I mentioned the other night to the member for Vasse, by way of interjection, that this is presently provided for. It is provided for under section 56(1), and in addition sections 54 and 55 of the present Act allow for the authority or the Minister to either call in for assessment or have referred to the EPA town planning, mining, or other proposals affecting land for assessment. So we are really not making a change there at all.

The main thrust of clause 38 is to formalise the process by which environmental reviews are currently undertaken, as this is not provided for in the present legislation. That point was covered thoroughly by the member for Welshpool when he spoke.

A number of members raised the point about possible delays. The Minister can ensure that there are no unnecessary delays by setting a time limit requiring the EPA to advise or report to him within a prescribed time. The Minister can lay down when that time shall be. That is a very important safeguard and I am optimistic that it will prevent the delays that members fear. Certainly the Government is very conscious of not allowing unnecessary delays to occur.

Mr Cowan: Put that the other way, where you decide you do not want an in-depth report, and ask for it tomorrow.

Mr HODGE: It would become obvious to the public that the Government was not dinkum and that the EPA could not have conducted an appropriate assessment and given proper advice in that time.

Mr Blaikie: That happened in relation to the casino.

Mr HODGE: The buck will stop with the Government. If we want to go ahead without being advised, we can do so; but it is on our heads. There have been instances in the past when previous Governments have done just that—they have gone ahead without advice and have taken the rap for it at the ballot box.

Mr Rushton: But how will the public know?

Mr HODGE: The public will know. While I am on that subject, another important point was raised, I think by the member for East Melville. It relates to how local government authorities, other authorities, and individuals would know what to send forward to the EPA for assessment. Currently there are guidelines prepared by the EPA and provided to those authorities, and revised administrative guidelines and procedures will be devised and provided to all local government authorities. Proponents such as large companies undertaking developments will be able to have copies of those administrative procedures and from those will get a very good idea of what is expected of them and what will be required to be referred to the EPA. Currently Bulletin No. 38 of the Department of Conservation and Environment fulfils this role, so it is not a radical departure from the present situation.

The member for Katanning-Roe asked whether this legislation would be binding on the Crown, and I refer him to clause 4 of the Bill which quite clearly states it is binding on the Crown.

All Government instrumentalities will be subject to the same procedures and requirements as private developers and others.

Someone raised the question of the possibility of this legislation clashing with other legislation. I briefly make the point that clause 5 of the Bill is similar to section 7 of the present Act where there are inconsistencies in the environmental legislation. In the other Act, the provisions of the environmental legislation prevail.

The question was raised about the abolition of the Conservation and Environment Council and it was suggested that was a retrograde step. Those members who suggested that do not understand that the role or function the Con-



servation and Environment Council has played over the years has been minimal.

Hon. Gordon Masters asked some questions on 7 October about this matter.

Mr Rushton: They will be as effective as the Minister encourages them to be.

Mr HODGE: I do not think that is true. I had a brief discussion with the chairman of this body and he said his period as chairman had been one of the most frustrating exercises he had ever had.

Mr Rushton interjected.

Mr HODGE: I was talking about Professor Parker. Looking back over the records, I believe it has not been very different over the years. At almost every meeting one of the items on the agenda was for the organisation to discuss its role and function. No-one has ever been clear, right from its establishment, about its role and function. It has been meeting on an average of only three times a year.

Mr Rushton: That is why it needed reviewing.

Mr HODGE: In the new legislation, I propose a new system of advisory committees. Other members have raised that point. I can assure them that I am very keen and enthusiastic to provide a good, viable advisory network in which all the interested parties in our community can participate.

We did invite Local Government Association participation during the drafting of the Bill and it did not accept our invitation. Nevertheless, in Committee, we will discuss that matter in some detail.

I have covered all the major points raised by the various speakers. If I have overlooked any important points they will be raised again in the Committee stage or during the third reading debate. I thank all the members who made contributions to the debate. Some of the members—particularly the member for Welshpool—demonstrated a very comprehensive and sound knowledge of all matters to do with the environment. I commend the legislation to the House.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Chairman of Committees (Mr Burkett) in the Chair; Mr Hodge (Minister for Environment) in charge of the Bill.

Clauses 1 and 2 put and passed.

#### *Progress*

Progress reported and leave given to sit again, on motion by Mr Hodge (Minister for Environment).

[Questions taken.]

*House adjourned at 6.01 p.m.*

## QUESTIONS ON NOTICE

### TOURISM

#### *Windimere Resort: Continuation*

1323. Mr LAURANCE, to the Minister for Tourism:

- (1) Is the Windimere tourist resort project at Esperance still proceeding?
- (2) If not, why not?
- (3) What part did Mr Paul Regan, ministerial adviser to Mr Julian Grill, play in the negotiations surrounding this project?

Mrs BEGGS replied:

- (1) and (2) It is understood that the initial developmental proposal is not proceeding as a result of a lack of agreement between the developer and the land owner over the sale of the land.
- (3) Ministerial staff are required by Ministers to undertake a range of duties, and more than one staff member may be involved in any one issue. Mr Regan cooperated with the Tourism Commission on occasions in 1985 in endeavouring to promote interest from developers in tourism facilities in the goldfields and Esperance. However, his particular involvement and that of any individual from other ministerial staff on this project is not known.

### WILDLIFE

#### *Casuarina Prison Site*

1347. Mr CASH, to the Minister representing the Minister for Prisons:

- (1) Has the Government sought advice on the species of flora and fauna which are present on Reserve No. C31874, which is the proposed site for the new maximum security prison?
- (2) If "Yes", will he say who provided the advice and provide a detailed statement on the flora and fauna believed to be present on Reserve No. C31874?
- (3) If "No" to (1), will he provide reasons why this advice has not been sought?

Mr PETER DOWDING replied:

- (1) and (2) Before the Government's decision in this matter was taken, advice was obtained from the relevant authorities with responsibility for such matters, namely, the Department of Conservation and Land Management and the Environmental Protection Authority. The advice received was in the nature of advice to Ministers and, in the normal course of events, is confidential.

The advice did, however, refer to banksia, paperbark, jarrah, marri, sheoak, pricklybark, and orchids being present on the site.

Reference was made to two orchids—*Diuris pudei* and *Drakaea jeanensis*—but these were not found to be present, although occurring on land in the neighbourhood.

No detail in respect of fauna was provided.

- (3) Not applicable.

### HOUSING

#### *Rental: Basis of Calculation*

1380. Mr BRADSHAW, to the Minister for Housing:

- (1) Why is the rental fee for Homeswest homes based on 25 per cent of the gross wage and not the net income?
- (2) Why does a Homeswest 30-year-old house at 18 Peet Street, Harvey, without a carport, wardrobes, floor coverings, and in a bad state of repair, rent for the same fee as a Homeswest brick and tile, five-year old house with solar hot water system, built in robes, and carport in Preston Place, Harvey?
- (3) Why is it practice for Homeswest to tile concrete floors when wooden floor-boards are left bare?
- (4) Why does the Government charge more rent than the private sector?
- (5) Why does not Homeswest have a sliding scale for older-type houses?
- (6) In the projected year, the rental fee for Homeswest houses will rise by over 20 per cent. How is this rate justified?

Mr WILSON replied:

- (1) Gross income provides a consistent measure of income which is readily verifiable.

- (2) No. 18 Peet Street, Harvey is 18 years old and currently undergoing maintenance. The property in Preston Way is a spot purchase house. Refer also to answer to (5).
- (3) Concrete floors require full covering to make them serviceable and acceptable on the grounds of thermal comfort and appearance.
- (4) Homeswest costs rents are well below equivalent market rents.
- (5) Homeswest currently assesses homes for rental purposes on the standard of accommodation provided. This classification will be further refined next year.
- (6) Homeswest tenants pay a rent based on their income up to the maximum rent on the property. Most tenants pay much less than the full rent which is now based on the cost of providing the property and well below equivalent market rents.

#### TAXES AND CHARGES

##### *Fringe Benefits Tax: Iron Ore Industry*

1392. Mr MacKINNON, to the Minister for Minerals and Energy:

- (1) Is it correct that the fringe benefits tax is estimated now to cost the iron ore section of the mining industry in Western Australia \$45 million per year?
- (2) If so, what action is the Government planning to take to ensure that this disastrous information is transmitted to the Federal Government?
- (3) What does the State Government plan to do to assist these companies to overcome this impost which is severely damaging their international competitiveness?

Mr PARKER replied:

- (1) No. A report to assess the overall financial impact of the fringe benefits tax on the iron ore industry in Western Australia, prepared by the accounting firm of Coopers & Lybrand and commissioned by the Pilbara Iron Ore Producers' Association, estimates that in its first full year of operation FBT on remote area conditions of service will cost the five involved companies \$28 million directly. Additional cost to the iron ore producers

is expected to arise from the passing on of contractors' FBT burden.

- (2) It is the understanding of the State Government that the FBT impact figure of \$28 million has already been transmitted to Canberra.
- (3) The State Government has persistently made representations to Canberra on the impact of the FBT on our mining industry, particularly in remote areas. Earlier approaches were partly successful in achieving a reduction of about \$10 million to the iron ore industry through improved FBT concessions to remote areas.

The Premier and I have personally pursued this matter in conjunction with industry representatives. In the light of the latest advice from the Pilbara Iron Ore Producers' Association, the State Government will make further vigorous representations to the Federal Government.

#### PRISONERS

##### *Alcohol Awareness: Edith Hart Education Centre*

1406. Mr CASH, to the Minister representing the Minister for Prisons:

- (1) Was a contract recently awarded to the Edith Hart Education Centre for the purpose of educating prisoners on alcohol awareness at the Wooroloo Prison?
- (2) Has the course been completed?
- (3) Was the course of benefit to the prisoners who participated and the professional staff who attended?

Mr PETER DOWDING replied:

- (1) A short-term contract was entered into with a sessional tutor associated with the Edith Hart Education Centre.
- (2) Yes, on 15 October 1986.
- (3) Preliminary assessment indicates the course was successful.

#### MIDLAND ABATTOIR SELECT COMMITTEE

##### *Inquiry: Cost*

1423. Mr COWAN, to the Speaker:

- (1) What is the cost so far of the Select Committee into the Midland abattoir land sale?

- (2) What were the costs of the Select Committees into—
- (i) the grape growing industry;
  - (ii) the Small Claims Tribunal;
  - (iii) Bushfires;
  - (iv) Adoption of Children Amendment Bill; and
  - (v) rural sector hardship?

The SPEAKER replied:

- (1) Midland abattoirs, \$2 284.
- (2) The costs of the several Select Committees, inclusive of research assistance where applicable, were—
  - (i) grape growing industry, \$47 060;
  - (ii) Small Claims Tribunal, \$7 780;
  - (iii) bushfires, \$37 761;
  - (iv) adoption, \$8 745;
  - (v) rural hardship, \$38 134.

#### AGRICULTURE DEPARTMENT

*Officers: Kununurra*

1444. Mr COURT, to the Minister for Agriculture:

- (1) Is the Government currently reviewing the number of officers it has based at Kununurra?
- (2) If "Yes", is it considering reducing its personnel in Kununurra?

Mr GRILL replied:

- (1) The Department of Agriculture reviewed staff numbers in Kununurra some 18 months ago at the time of the Ord River review led by Mr Ian Johnston. As a result, the permanent staff at Kununurra was reduced by three research officers over a 12-month period. One was a special appointment on sugar cane, which became redundant. One was a crop agronomist who was redeployed at Katanning earlier this year. The other was an entomologist who has been redeployed in the horticultural initiative at Manjimup Horticultural Research Centre. One entomologist still remains at Kununurra. Some associated technical officer positions were also redeployed as a result.
- (2) Due to a variety of circumstances, there are temporarily a number of vacancies at Kununurra. The final staff establishment will be determined

as part of an overall staff review of the Department of Agriculture to be completed shortly.

#### ABATTOIRS

*Lamb: Prices*

1448. Mr BLAIKIE, to the Minister for Agriculture:

- (1) Following the report by the Western Australian Meat Marketing Corporation that for the year 1985-86 it achieved a net return on hooks of \$1.68 per kg for 456 785 carcasses of local lamb and \$1.45 per kg for 577 263 export lamb carcasses, would he provide a detailed explanation of the break-up of prices in each case, including killing, inspection, administration, and interest charges, etc?
- (2) As the commission advised that 404 925 lambs were imported into Western Australia in 1985-86 at an average price of \$1.42 per kg, what is the source of the information and could he detail the number of times assessments were made?

Mr GRILL replied:

- (1) I am advised by the Western Australian Meat Marketing corporation that this information is commercially sensitive and would seriously disadvantage the corporation if disclosed to its competitors.
- (2) The average price of \$1.42 per kilo for imported lamb into Western Australia was obtained from the corporation's marketing intelligence service, augmented by purchasing experiences over an 11-month period by the marketing division of the Western Australian Meat Commission.

#### HORTICULTURE

*Grape Growers: Assistance*

1450. Mr BLAIKIE, to the Minister for Agriculture:

- (1) How many loans were—
  - (a) sought;
  - (b) approved;
 by grape growers under assistance through the Rural Adjustment and Finance Corporation since 30 June 1985?

(2) Would he indicate the percentage of—

(a) applications;

(b) approvals;

from each of the three major wine growing regions, i.e.

(i) Mt Barker;

(ii) Margaret River;

(iii) Swan Valley?

(3) How many applications have been received from the Chittering-Bullsbrook area?

Mr GRILL replied:

(1) (a) 21;

(b) 16.

(2) The Rural Adjustment and Finance Corporation administers two schemes for grape growers in Western Australia. The first, the Swan Valley policy package, assists table grape growers in the Swan Valley. The second, the vine pull assistance for dried vine and grape industry, does assist wine grape growers. However, the scheme has only operated in Western Australia since 1 July 1986, and no applications have yet been received.

(3) None.

#### INDUSTRIAL RELATIONS OFFICE

*Geraldton*

1458. Mr TUBBY, to the Premier:

(1) Where is the Industrial Relations Office in Geraldton?

(2) When did the Government first lease this office?

(3) What are the current terms of that lease?

(4) When did the department first occupy those offices?

(5) What was the cost of establishing that office?

Mr BRIAN BURKE replied:

This question has been incorrectly addressed to the Premier. It has been referred to the Minister for Industrial Relations, and he will answer the question in writing.

#### TOURISM COMMISSION

*Office: Geraldton*

1459. Mr TUBBY, to the Premier:

(1) Where is the Tourism Commission office in Geraldton?

(2) When did the Government first lease this office?

(3) What are the current terms of that lease?

(4) When did the department first occupy those offices?

(5) What was the cost of establishing that office?

Mr BRIAN BURKE replied:

This question has been incorrectly addressed to the Premier. It has been referred to the Minister for Tourism, and she will answer the question in writing.

#### SPORT AND RECREATION DEPARTMENT

*Office: Geraldton*

1460. Mr TUBBY, to the Premier:

(1) Where is the Department of Sport and Recreation office in Geraldton?

(2) When did the Government first lease this office?

(3) What are the current terms of that lease?

(4) When did the department first occupy those offices?

(5) What was the cost of establishing that office?

Mr BRIAN BURKE replied:

This question has been incorrectly addressed to the Premier. It has been referred to the Minister for Sport and Recreation, and he will answer the question in writing.

#### EDUCATION

*Parenting Course: Distribution*

1463. Mr HOUSE, to the Minister for Health:

(1) Is the Health Department involved in disseminating a "parenting course" "A Guidebook to Teaching Parenting" to—

(a) Government schools,

(b) non-Government schools?

- (2) How many copies of "A Guidebook to Teaching Parenting" have been printed?
- (3) What was the cost of the printing?
- (4) What was the cost of staff involved in the production, writing, and research for the course?
- (5) How many Government schools have applied for copies of "A Guidebook to Teaching Parenting"?
- (6) How many non-Government schools have applied for copies of "A Guidebook to Teaching Parenting"?
- (7) How many Government schools have requested the services of a community health nurse as part of their implementation of the course?
- (8) How many non-Government schools have requested the services of a community health nurse as part of their implementation of the course?
- (9) Are copies of this course available on request to—
  - (a) parents;
  - (b) parent organisations;
  - (c) citizen's groups;
  - (d) members of Parliament?
- (10) Have requests for a copy of "A Guidebook to Teaching Parenting" by the Catholic Education Commission been refused by the Health Department?

Mr TAYLOR replied:

- (1) (a) Yes;  
(b) yes.  
It is an update of a course which has been available since 1969.
- (2) 750 books.
- (3) \$13 762 includes books and student folders.
- (4) Part of usual duties.
- (5) 22—multiple copies each school.
- (6) 17—multiple copies each school.
- (7) and (8) Community nurses in-service all teachers who use the course, and local or schools' resource nurses are available to assist in class settings in metropolitan and country areas.
- (9) Copies are accessible in Health Department libraries; arrangements can be made for perusal and temporary loan from school resources.

- (10) The document is not available for sale, but can be viewed, borrowed, or obtained on request.

## HEALTH: HOSPITAL

### *Murray District: Board*

1464. Mr BRADSHAW, to the Minister for Health:

- (1) With respect to hospital board election for the Murray District Hospital, why was Mr Colin Lane not included in the current hospital board membership?
- (2) How did he determine that Mr Colin Lane should not be included as against other people elected at the annual general meeting?
- (3) Has Mr Colin Lane been refused membership of the Murray District Hospital Board on two previous occasions?
- (4) What does he or the Health Department have against Mr Colin Lane to continually preclude him from the Murray District Hospital Board?

Mr TAYLOR replied:

- (1) and (2) The appointment of members to the hospital board is made by the Governor on the advice of the Minister who, in formulating his recommendations, must have regard for the overall management needs of the hospital and the interests of the community.

Murray District Hospital services the communities of Pinjarra, Mandurah, and Waroona. In my view, the composition of the hospital board should have a balance of representatives from each of these three districts. The appointment of all persons recommended would have resulted in an imbalance in the composition of the Board. Accordingly, the nominee with the next highest number of votes, Mr P. Friedlander, representing the Mandurah district, was appointed.

- (3) A casual vacancy in 1983 was not filled until the 1984 annual general meeting. A similar situation to that which occurred this year occurred following the 1983 nominations.
- (4) Nothing.

# TECHNICAL AND FURTHER EDUCATION

## *Class Sizes*

1465. Mr BRADSHAW, to the Minister for Education:

- (1) Has he or the Education Department decreed that technical and further education classes have a minimum size of 16?
- (2) Does this minimum number apply to other classes such as high schools?
- (3) Is there to be a reduced contact time by technical and further education lecturers?
- (4) Is it true that technical and further education qualifications may not be recognised by other education institutions?

Mr PEARCE replied:

- (1) to (4) No.

# STATE FINANCE: BUDGET

## *Allocation: Industrial Development Department*

1477. Mr WATT, to the Minister for Industry and Technology:

In respect of Budget allocations for the Albany office of the Department of Industrial Development for 1986-87, would he please provide details of—

- (a) the number of people employed;
- (b) the categories in which each is employed;
- (c) the total Budget allocation for office rents;
- (d) the total Budget allocation for salaries and wages;
- (e) any other Budget allocations;
- (f) the date when staff is to be transferred to the Great Southern Development Authority;
- (g) the number of staff which will remain attached to the Department of Industrial Development; and
- (h) the total amount actually spent on the Department of Industrial Development's Albany office in the 1985-86 financial year?

Mr BRYCE replied:

Regional offices of the Department of Industrial Development were transferred to the Minister for Regional Development on 1 July 1986. One member of staff will remain attached to the Department of Industrial Development.

# STATE FINANCE: BUDGET

## *Allocation: Great Southern Development Authority*

1478. Mr WATT, to the Minister for Regional Development:

- (1) In respect of Budget allocations for the Great Southern Development Authority for 1986-87, would he please provide details of the—
  - (a) number of people to be employed;
  - (b) commencement date;
  - (c) Budget allocation for salaries and wages;
  - (d) categories and numbers of each in which staff are employed;
  - (e) Budget allocation for fees for chairman, deputy chairman and sitting fees;
  - (f) Budget allocation for rent; and
  - (g) other Budget allocations, if any?
- (2) How much is it estimated would be required to run the Great Southern Development Authority in a full year?

Mr CARR replied:

- (1) (a) Initially eight;
  - (b) staff have been on the establishment of the Department of Regional Development and the North West since 1 July 1986, and were seconded to the authority as of 1 October 1986;
  - (c) \$217 000;
  - (d) level 7, two;  
level 4, one;  
level 3, one;  
level 1, four;
  - (e) to (g) \$174 000 is available for operating expenses; rent is payable by the Office of Government Accommodation.

- (2) It is not possible to provide full-year estimates at this stage as the authority is still determining its programmes and priorities.

### CRIME: PROSTITUTION

#### *Review: Report*

1482. Mr CASH, to the Minister for Police and Emergency Services:

- (1) Did the Government commission a Perth lawyer, Jill Toohey, to prepare a report on Western Australia's prostitution laws?
- (2) When was the report completed?
- (3) Does the report support the decriminalisation of prostitution in Western Australia?
- (4) Has the report been considered by the Cabinet, and if so, what action is intended to be taken on the report?

Mr GORDON HILL replied:

- (1) The member is referred to the answer to question 771 answered on 15 July 1986.
- (2) Prior to 15 July 1986, as implied in answer to question 771 referred to above.
- (3) No. The member was advised by answer to both questions 771 and 772 answered on 15 July 1986 that the document was a background paper. The member is advised that the nature of a background paper is that it canvasses facts and policy options.
- (4) No.

### ENERGY

#### *Solar Energy Research Institute: Merger*

1485. Mr MacKINNON, to the Minister for Minerals and Energy:

- (1) Were the Board of the Solar Energy Research Institute of Western Australia consulted about the Government decision to merge the Solar Energy Research Institute of Western Australia with the Western Australian Mining and Petroleum Research Institute?
- (2) If so, what was their reaction to the proposal?
- (3) If they were not consulted, why not?

Mr PARKER replied:

- (1) This was a Budget decision and a matter of Government policy determination.
- (2) and (3) not applicable.

### ENERGY

#### *Solar Energy Research Institute: Merger*

1486. Mr MacKINNON, to the Minister for Minerals and Energy:

- (1) Were the Board of the Western Australian Mining and Petroleum Research Institute consulted about the Government decision to merge the Western Australian Mining and Petroleum Research Institute with the Solar Energy Research Institute of Western Australia?
- (2) If so, what was their reaction to the proposal?
- (3) If they were not consulted, why not?

Mr PARKER replied:

The member is referred to my reply to question 1485.

### ENERGY

#### *Solar Energy Research Institute: Functions*

1487. Mr MacKINNON, to the Minister for Minerals and Energy:

- (1) What functions of the Solar Energy and Research Institute of Western Australia will be abolished when it is merged with the Western Australian Mining and Petroleum Research Institute?
- (2) Is it envisaged that any functions of the Western Australian Mining and Petroleum Research Institute will be discontinued following the merger and, if so, what functions?

Mr PARKER replied:

- (1) The allocation of solar energy research grants will be carried out by the Western Australian Mining and Petroleum Research Institute. The Solar Energy Advisory Committee will remain and become an advisory committee in a similar way to the current WAMPRI advisory committee. The internally based dissemination, internal research, testing, and technical support for external projects currently



undertaken by SERIWA will not continue.

(2) No.

#### MOPEDS

##### *Definition*

1489. Mr CASH, to the Minister for Police and Emergency Services:

- (1) Will he define a moped?
- (2) At what minimum age may a person obtain a licence to ride a moped on a public road?
- (3) Is it intended to change the definition of a moped?
- (4) Is it proposed to amend the Road Traffic Act to enable 50 cc motorcycles to be classified as mopeds?

Mr GORDON HILL replied:

- (1) For the purpose of the Road Traffic Act, the definition of "moped" is set out in section 5 of that Act.
- (2) 16 years.
- (3) and (4) These matters are under consideration by Cabinet.

#### STATE FINANCE: GENERAL LOAN AND CAPITAL WORKS FUND

##### *Allocation: West Leeming Primary School*

1491. Mr MacKINNON, to the Minister for Education:

What capital works are to be carried out at the West Leeming Primary School from the \$90 000 allocated under the heading "additional primary schools", as listed under the capital works programme for the year ended 30 June 1987?

Mr PEARCE replied:

It is proposed to establish a dental therapy centre at Leeming Primary School with the allocated funds.

#### STATE FINANCE: GENERAL LOAN AND CAPITAL WORKS FUND

##### *Allocation: Rostrata Primary School*

1492. Mr MacKINNON, to the Minister for Education:

What capital works are to be carried out at the Rostrata Primary School from the \$525 000 allocated under the heading "additional primary schools", as listed in the capital works pro-

gramme for the year ended 30 June 1987?

Mr PEARCE replied:

The amount of \$525 000 mentioned in the capital works programme was required to complete the recent addition of eight classrooms, library-resource centre, and covered assembly area.

#### STATE FINANCE: BUDGET

##### *Allocation: Police Stations*

1493. Mr MacKINNON, to the Minister for Police and Emergency Services:

- (1) What funds have been allocated in the Consolidated Revenue Fund or capital works Budget for the year ending 30 June 1987 for improvements to be made to the Brentwood, Canning, or Spearwood Police Stations?
- (2) What funds have been allocated in the same Budget for the acquisition of land for construction of new police facilities to service the southern suburban areas?

Mr GORDON HILL replied:

- (1) Nil.
- (2) \$28 000 to finalise payment of land purchased in Gillam Drive, Kelmscott for erection of a new traffic licensing centre.

#### STATE FINANCE: BUDGET

##### *Allocation: Pre-primary Education*

1494. Mr MacKINNON, to the Minister for Education:

What funds, if any, have been provided in the 1986-87 Consolidated Revenue Fund Budget to enable the Government to implement its election commitment to provide education for all four and five-year-old children?

Mr PEARCE replied:

\$180 000 for employment of 30.5 full-time equivalent teacher aides to enable an additional 1 050 four-year-old enrolments.

# STATE FINANCE: GENERAL LOAN AND CAPITAL WORKS FUND

## *Allocation: Lynwood High School*

1495. Mr MacKINNON, to the Minister for Education:

What capital works are to be carried out at the Lynwood High School from the \$80 000 allocation under the heading "additions and improvements to high schools—Lynwood", as listed in the capital works programme for the year ended 30 June 1987?

Mr PEARCE replied:

The allocated funds will be used to commence work which will include improvements in the administration building and facilities for music and dance.

# SPORT AND RECREATION: COMMUNITY CAMP

## *Noalimba: Use*

1496. Mr MacKINNON, to the Minister for Sport and Recreation:

- (1) How many individual groups have used the Noalimba Reception Centre during the last 12 months?
- (2) In future, where will these groups be accommodated?

Mr WILSON replied:

- (1) 325 for the period 30 September 85 to 30 September 86.
- (2) Use will be made of the department's other camps to assist in accommodating such groups. Depending on the outcome of the feasibility study to be conducted in relation to this facility, additional accommodation may also be available.

# SPORT AND RECREATION: COMMUNITY CAMP

## *Noalimba: Closure*

1498. Mr MacKINNON, to the Minister for Sport and Recreation:

- (1) When will the Noalimba Reception Centre be closed?
- (2) Will all staff, permanent and casual, be offered alternative employment?
- (3) If not, why not?

Mr WILSON replied:

- (1) The Department for Sport and Recreation will cease its management involvement at the end of April 1987.
- (2) All permanent staff will be offered other employment. The Government does not acknowledge an equal liability for redeployment of casual staff as it does for permanent Government employees. However, if required, the Office of Redeployment and Retraining will assist in locating employment entailing similar hours for the displaced casual staff involved.
- (3) See (2) above.

# SPORT AND RECREATION: COMMUNITY CAMP

## *Noalimba: Use*

1499. Mr MacKINNON, to the Minister for Sport and Recreation:

- (1) Is it a fact that the number of people using the Noalimba Reception Centre has increased substantially over the past two years?
- (2) Will he provide details of that usage?
- (3) If not, why not?

Mr WILSON replied:

- (1) Yes.
- (2)

|                   |             |
|-------------------|-------------|
| January-December  | 1984—6 340  |
| January-December  | 1985—10 199 |
| January-September | 1986—9 648  |
- (3) Not applicable.

# SPORT AND RECREATION: COMMUNITY CAMP

## *Noalimba: Fees*

1500. Mr MacKINNON, to the Minister for Sport and Recreation:

- (1) Are the fees for the use of Noalimba Reception Centre to be increased in the near future?
- (2) When will that increase take effect?
- (3) When was the last time that these fees were increased?

Mr WILSON replied:

- (1) A proposal is currently being examined by Treasury.

(2) Depending on (1) above.

(3) January 1984.

# SPORT AND RECREATION: COMMUNITY CAMP

## *Noalimba: Land Area*

1501. Mr MacKINNON, to the Minister for Sport and Recreation:

(1) What is the area of land upon which the Noalimba Reception Centre is located?

(2) How much of that land is vacant, unused land?

(3) What is the present zoning of that land?

Mr WILSON replied:

(1) 11.3691 hectares.

(2) I will advise the member in writing when the information is to hand.

(3) The reserve is vested in the Recreation, Camps and Reserves Board for recreational, educational, and Government purposes, or any purposes incidental to any of the aforesaid.

# STATE FINANCE: GENERAL LOAN AND CAPITAL WORKS FUND

## *Allocation: South Lake Primary School*

1502. Mr MacKINNON, to the Minister for Education:

What capital works are to be carried out at the South Lake Primary School from the \$50 000 allocation under the heading "Additional Stages at Primary Schools" as listed in the capital works programme for the year ended 30 June 1987?

Mr PEARCE replied:

The allocated funds will be used to commence additions comprising six classrooms, a library-resource centre, a dental therapy centre, and a canteen.

# EDUCATION: TERTIARY

## *Staff: Superannuation*

1503. Mr COWAN, to the Minister for Education:

(1) Is it a condition of employment for administrative staff at the University of Western Australia and Murdoch University that they join the

superannuation scheme for Australian universities—SSAU?

(2) Is there any provision for staff members to opt out by contributing to another superannuation scheme?

(3) Who manages the superannuation scheme for Australian universities funds?

(4) To whom are the superannuation scheme for Australian universities fund managers accountable?

(5) Is there any ongoing assessment of the costs and performance of the superannuation scheme for Australian universities fund, in comparison with other superannuation schemes?

Mr PEARCE replied:

The superannuation scheme for Australian universities was proposed by the universities in Australia and backed by the Commonwealth Government as a means of stabilising the cost of superannuation contributions while providing a flexible arrangement appropriate to present day needs. Universities and colleges of advanced education are eligible for membership on behalf of their academic and administrative staff.

In this State, UWA, Murdoch University, WAIT, and WACAE have joined the scheme which offers the advantage of interstate portability of rights. In order to achieve economies of operation, the trustees established conditions of membership to which the member refers. The answers to the specific questions are—

(1) Yes, all new members of staff, if appointed for a period longer than two years, are required to join.

(2) No.

(3) Experienced investment managers are appointed by SSAU Nominees Proprietary Limited, a trustee company with shares held by the institutions.

(4) The trustees.

(5) Yes, through the normal reporting procedures of trustees.

**MOSMAN PARK: TEAROOMS***Environmental Investigations*

1504. Mr HASSELL, to the Minister for Environment:

Following his statement last Thursday that he had ordered an investigation of the Mosman Bay development proposals by the Chairman of the Environmental Protection Authority—

- (a) what investigation did he in fact order;
- (b) what were its terms of reference;
- (c) who is undertaking the investigation;
- (d) when will it be completed; and
- (e) will the report be made public?

Mr HODGE replied:

- (a) As a result of a referral under section 56 of the Environmental Protection Act by the Town of Mosman Park, I sought the advice of the Environmental Protection Authority;
- (b) there were no specific terms of reference;
- (c) the chairman of the EPA;
- (d) I received advice from the Chairman of the EPA on 22 October;
- (e) yes.

**GREAT SOUTHERN DEVELOPMENT AUTHORITY***Executive Officer*

1509. Mr WATT, to the Minister for Regional Development:

- (1) Is it fact that Mr Michael Jones, who has been appointed Executive Officer of the Great Southern Development Authority, was not an applicant for the position by the advertised closing date for applications?
- (2) What was the advertised closing date?
- (3) How many applications were received by that date?
- (4) Is it true that Mr Jones was invited to apply?
- (5) How long after the advertised closing date did Mr Jones apply?

- (6) Why was he invited to apply?
- (7) What will be his salary range?
- (8) To which department will he be attached until the authority is validated by legislation?
- (9) Where was Mr Jones employed at the time he was invited to apply?

Mr CARR replied:

- (1) Yes.
- (2) 20 June 1986.
- (3) 38.
- (4) to (6) The advertised position was not filled. Mr Jones has been appointed acting director.
- (7) \$45 532.
- (8) GSDA staff are on the establishment of the Department of Regional Development and the North West.
- (9) He was not invited to apply. Prior to his appointment as acting director, he was on the staff of the Federal Minister for Finance.

**QUESTIONS WITHOUT NOTICE****MOSMAN PARK TEAROOMS***Environmental Evaluation*

307. Mr BLAIKIE, to the Minister for Environment:

- (1) Has the Environmental Protection Authority evaluated the proposed Mosman Park marina development and, if so, with what result?
- (2) If not, will the development be allowed to proceed without EPA evaluation?

Mr HODGE replied:

- (1) and (2) I thank the member for his question.

A few days ago, I received a request from the Town of Mosman Park, through its solicitors, asking that I refer the tearooms development to the EPA for its assessment under section 56 of the Environmental Protection Act. I immediately complied with that request and forwarded the matter to

the EPA. The EPA did briefly consider it and decided it would be best dealt with by the Swan River Management Authority.

The Swan River Management Authority met and discussed the matter, passed their advice back to the EPA, and I have just received a report from the Chairman of the EPA giving me an assessment of the whole matter.

That report will be passed on—in fact, it has probably already been passed on this afternoon—to the Town of Mosman Park or its solicitors who initiated the action. It will also be made public.

#### ACTS AMENDMENT (ELECTORAL REFORM) BILL

##### *Representation: Legislative Council*

308. Mrs WATKINS, to the Minister for Parliamentary and Electoral Reform:

- (1) Has he had an opportunity to analyse the proposals of the Liberal Party, the National Party, and the Government for Legislative Council representation in the Electoral Reform Bill before the House?
- (2) If so, will he provide details?

Mr BRYCE replied:

- (1) and (2) I have indeed had an opportunity to have this job finished, using both a computer model and the mechanical method of doing so. I have made the offer for the resources of the Government to be made available to members of both parties opposite so they can have a look at this statistical information.

I am disappointed to have to inform the member who asked this question and the other members of the House that it is very apparent that just coincidentally the Liberal and National Parties presented to the Parliament models for basic structures for electing members to the Legislative Council under the new proposals in a way that comprised different schemes, but which were designed to produce the same result.

They do in fact produce precisely the same result. Over the 1970s and the 1980s, using results of those elections as the statistical data—and I would urge all members to have a look at the data in case there should be some doubt in their minds—the Government's proposals, translated back through the last five or six elections, would mean that in 1974 the Labor Party would have been convincingly beaten in both Houses—it would have lost its majority in this place and it would certainly not have won one in the other House.

In 1977, the coalition parties would have won a comfortable majority under a PR-elected upper House. In 1980, the upper House would have been drawn 17-all because of the level of electoral support for both parties. In 1983, based on the level of support recorded in the ballot boxes, there would have been a very slender majority for the Australian Labor Party in the upper House. In 1986, the figure would have been precisely the same. Yet the proposals brought to the Chamber by both the Liberal Party and the National Party seek to achieve, by different routes and slightly different methods, precisely the same end, which is the continuation of a permanent majority for the Liberal Party and the National Party in coalition in the Legislative Council.

I seek leave to incorporate this data. I believe it is the first time that this sort of material has been incorporated in such a candid fashion. I say to all members sitting opposite: Please analyse the figures. Please take the figures to task. If there are areas wherein members opposite believe errors have been made, ultimately I, as the Minister responsible, would be perfectly happy, having had officers of the Government—and not the Electoral Department—do this work, to see the material submitted for analysis to any independent political expert anywhere in the country, even by Malcolm Mackerras, if that is what members of the Opposition want.

In fact, this has brought the House to a very disappointing stage of the debate, and before the third reading of the

legislation is held, I urge members to have a look at the material which I now seek leave to incorporate.

*The following material was incorporated by leave of the House—*

### ESTIMATED RESULTS UNDER THREE PROPOSED SYSTEMS OF REPRESENTATION

#### Notes: Legislative Assembly

See Appendix for an outline of the three systems proposed.

Bracketed figures are present representation in the likely areas of the regions proposed.

Estimated Outcomes—Based on 1986 Results

#### ELECTORAL REFORM BILL 1986— GOVERNMENT PROPOSAL

| PROPOSED REGION  | ALP  | LIB   | NPA  | Total |
|------------------|------|-------|------|-------|
| North            | (4)  | 3     | (2)  | 1     |
| Agricultural     | (1)  | 0     | (2)  | 2     |
| South West       | (6)  | 3-5   | (6)  | 3-5   |
| All Metropolitan | (21) | 25-26 | (9)  | 13-14 |
|                  | (32) | 31-34 | (19) | 19-22 |
|                  | (6)  |       |      | 4-5   |
|                  |      |       |      | 57    |

#### National Party Proposal

| PROPOSED REGION     | ALP  | LIB   | NPA  | Total |
|---------------------|------|-------|------|-------|
| Metropolitan        | (22) | 22-23 | (12) | 10-11 |
| Agricultural        | (7)  | 6-7   | (5)  | 5-6   |
| Mining and Pastoral | (3)  | 3-4   | (2)  | 1-2   |
|                     | (32) | 31-34 | (19) | 16-19 |
|                     | (6)  |       |      | 5-6   |
|                     |      |       |      | 57    |

#### LIBERAL PARTY PROPOSAL

| PROPOSED REGION | ALP  | LIB   | NPA  | Total |
|-----------------|------|-------|------|-------|
| Metropolitan    | (21) | 22-23 | (9)  | 10-11 |
| S.W.            | (5)  | 4     | (6)  | 4-5   |
| Eastern         | (3)  | 3     | (2)  | 2     |
| North           | (2)  | 3-4   | (2)  | 1-2   |
|                 | (32) | 32-34 | (19) | 17-20 |
|                 | (6)  |       |      | 5-6   |
|                 |      |       |      | 57    |

Statewide Vote 53.0% 41.3% 3.7%

#### Legislative Council

Malapportionment in the present Legislative Council electoral system is of such magnitude that the proposed reforms can be expected to alter representation to more accurately match voter support. The following estimates have been based on the results of elections from 1974 onwards. Support for the National Country Party is underestimated because they have not contested up to two thirds of the available seats in a region. The overall percentage of the vote they received is

therefore much lower and this is reflected in lower estimates of their likely representation.

### ESTIMATED EFFECTS IN THE LEGISLATIVE COUNCIL OF THREE PROPOSED SYSTEMS OF REPRESENTATION

| PARTY                  | State-wide Vote | Electoral Reform Bill 1986 | Liberal Proposal | NPA Proposal | Actual Composition of L.C. |
|------------------------|-----------------|----------------------------|------------------|--------------|----------------------------|
| BASED ON 1986 ELECTION |                 |                            |                  |              |                            |
| LIB                    | 41.9%           | 15                         | 16               | 14           | 14                         |
| NPA                    | 4.8%            | 1                          | 2                | 3            | 4                          |
| ALP                    | 44.6%           | 18                         | 16               | 16           | 16                         |
| AD                     | 8.1%            |                            |                  | 1            |                            |
| BASED ON 1983 ELECTION |                 |                            |                  |              |                            |
| LIB                    | 41.6%           | 14                         | 16               | 15           | 19                         |
| NPA                    | 6.3%            | 2                          | 2                | 3            | 2                          |
| ALP                    | 50.6%           | 18                         | 16               | 16           | 13                         |
| BASED ON 1980 ELECTION |                 |                            |                  |              |                            |
| LIB                    | 47.4%           | 16                         | 17               | 15           | 19                         |
| NPA                    | 4.7%            | 1                          | 2                | 3            | 4                          |
| ALP                    | 47.6%           | 17                         | 15               | 16           | 9                          |
| BASED ON 1977 ELECTION |                 |                            |                  |              |                            |
| LIB                    | 50.4%           | 18                         | 17               | 18           | 18                         |
| NPA                    | 4.5%            | 1                          | 1                | 2            | 4                          |
| NA                     |                 |                            | 1                |              |                            |
| ALP                    | 44.1%           | 15                         | 15               | 14           | 10                         |
| BASED ON 1974 ELECTION |                 |                            |                  |              |                            |
| LIB                    | 44.9%           | 16                         | 14               | 16           | 18                         |
| COUNTRY                | 3.3%            | 2                          | 2                | 1            | 3                          |
| NA                     | 4.7%            |                            | 1                | 1            |                            |
| DLP                    |                 |                            | 1                |              |                            |
| ALP                    | 46.9%           | 16                         | 16               | 16           | 9                          |

#### APPENDIX

#### An Outline Of The Three Proposed Systems Of Representation

#### ELECTORAL REFORM BILL 1986— GOVERNMENT PROPOSAL

The Electoral Distribution Commissioners will decide which districts shall be placed in each region, guided by the following broad geographical descriptions.

The Commissioners shall divide the State into 6 regions so that—

- one region, to be known as the North and East Region, consists of 4 complete and contiguous districts that are, in the opinion of the Commissioners, remote from the capital;
- one region, to be known as the Agricultural Region, consists of 4 complete and contiguous districts that together form an area that is—
  - generally south, or south and west, of; and

- (ii) adjacent to, the North and East Region;
- (c) 3 regions, to be known, respectively, as the North Metropolitan Region, the South Metropolitan Region and the East Metropolitan Region, each consist of 13 complete and contiguous districts that are situated in or near the metropolitan area of the capital;
- (d) the remaining region, to be known as the South West Region, consists of the remaining 10 districts which shall be contiguous.

Terms of office of all members of both Houses of Parliament will be based on 4 years.

| Region       | MLAs | Estimated District Enrolments | MLCs | Estimated Enrolments Region Per MLC | % Above or Below State Average Per MLC |
|--------------|------|-------------------------------|------|-------------------------------------|--|
| North East   | 4    |                               | 3    | 62 300                              | 20 700 —20.5                           |
| Agricultural | 4    |                               | 3    | 62 300                              | 20 700 —20.5                           |
| South West   | 10   | 57 of                         | 7    | 155 800                             | 22 200 —14.8                           |
| North Metro  | 13   | 15 500                        | 7    | 202 500                             | 28 900 +10.6                           |
| East Metro   | 13   |                               | 7    | 202 500                             | 28 900 +10.6                           |
| South Metro  | 13   |                               | 7    | 202 500                             | 28 900 +10.6                           |
|              | 57   |                               | 34   |                                     |  |
|              |      | LA Ratio - 1:1                |      | LC Ratio - 1.4:1                    |  |
|              |      | Range - ±15%                  |      | Range - 31.1%                       |  |

### NATIONAL PARTY PROPOSAL

- (1) "The Commissioners shall divide the State into 3 regions so that—
- (a) one region, to be known as the Metropolitan Region, consists of 33 complete and contiguous districts that together form an area that is similar to the Metropolitan area as designated on the Metropolitan Region Plan;
- (b) one region, to be known as the Agricultural Region, consists of 19 complete and contiguous districts that are—
- outside the Metropolitan area; and
  - generally south and west of the Mining and Pastoral Region.
- (c) one region, to be known as the Mining and Pastoral Region, consists of 5 complete and contiguous districts that are, in the opinion of

the Commissioner, remote from the capital and to the North and East of the agricultural areas.

- (2) The division of the regions into districts shall be made such that the number of electors comprised in each district—
- in the case of the Metropolitan Region, shall not be more than 10% greater, or more than 10% less; and
  - in the case of the Agricultural and the Mining and Pastoral Regions, shall not be more than 15% greater, or more than 15% less; than the quotient obtained by dividing the number of electors comprised in the region in question by the number of districts into which the region is to be divided."

Terms of office of all members of both Houses will be based on 4 years.

### ELECTORAL REFORM BILL 1986 AMENDMENTS NATIONAL PARTY OF AUSTRALIA— PROPOSED SYSTEM OF REPRESENTATION

| Region                      | MLAs | Estimated District Enrolments | MLCs | Estimated Enrolments Region Per MLC | Above or Below State Average Per MLC |
|-----------------------------|------|-------------------------------|------|-------------------------------------|--------------------------------------|
| Mining and Pastoral (North) | 5    | 9 625<br>(—36.6%)             | 5    | 48 125                              | 9 625 —62.2%                         |
| Agricultural Metropolitan   | 19   | 19 242<br>(+26.6%)            | 12   | 182 875                             | 15 239 —40.2%                        |
|                             | 33   |                               | 17   | 635 000                             | 37 353 +46.6%                        |
|                             | 57   |                               | 34   |                                     |                                      |
|                             |      | LA Ratio - 2:1                |      | LC Ratio - 3.9:1                    |                                      |
|                             |      | Range - 63.2%                 |      | Range - 108.8%                      |                                      |

### LIBERAL PARTY PROPOSAL

- (1) Subject to as hereafter provided, the Commissioners shall divide the State into 4 regions so that—
- one region, to be known as the Metropolitan Region, consists of 33 complete and contiguous districts, mainly urban in character, that are wholly situated within 50 kilometres of Parliament House Perth;
  - one region, to be known as the South West Region, consists of 10 complete and contiguous districts, the land in which is mainly

used for farming, that are generally to the south of the Metropolitan Region;

- (c) one region, to be known as the Northern Region, consists of 5 complete and contiguous districts, the land in which is mainly used for mining or pastoral activities, that are wholly situated north of the 38th degree of latitude; and
  - (d) one region, to be known as the Eastern and Central Region, consists of 9 complete and contiguous districts, the land in which is mainly used for mining, or farming on a less intensive basis than the South West Region, and which is generally less densely populated than the South West Region, that are generally north and east of the Metropolitan Region.
- (2) The making of the division of the State into regions shall be made such that the number of electors comprised in the South West Region shall not be more than 20% greater, or more than 20% less, than the quotient obtained by dividing the number of electors comprised in the South West Region and the Eastern and Central Regions by the number 2.
- (3) The making of the division of the regions into districts shall be made such that the number of electors comprised in each district—
- (a) in the case of the Metropolitan Region, shall not be more than 10% greater, or more than 10% less; and
  - (b) in the case of the South West and in the East and Central Regions, shall not be more than 15% greater, or more than 15% less;

than the quotient obtained by dividing the number of electors comprised in the region in question by the number of districts into which the region is to be divided."

Terms of Members of the Legislative Council will continue to be 6 years so that each general election will be to fill the seats of only 17 of the 34 members. Terms of the Legislative Assembly will continue to be based on 3 years.

## ELECTORAL REFORM BILL 1986 AMENDMENTS LIBERAL PARTY—PROPOSED SYSTEM OF REPRESENTATION

| Region                                  | MLAs     | Estimated District Enrolments       | MLCs    | Estimated Enrolments Region Per MLC | Above or Below Average Per MLC |
|---|----------|-------------------------------------|---------|-------------------------------------|--------------------------------|
| Northern Eastern and Central            | 5<br>9   | Not specified<br>(—34.1%)<br>10 000 | 4<br>6  | 40 000<br>90 000<br>15 000          | —60.6%<br>—41.4%               |
| South West Metropolitan                 | 10<br>33 | 19 242<br>(+26.6%)                  | 6<br>18 | 100 000<br>635 000<br>35 278        | —34.5%<br>+38.5%               |
| LA Ratio = 2.4:1*      LC Ratio = 3.5:1 |          |                                     |         |                                     |                                |
| Range = 74%+*      Range = 99.1%        |          |                                     |         |                                     |                                |

(\*Based on an average enrolment in the North.) (If the North is disregarded, 1.9:1)

## ECONOMY

### *Western Australian: Inflation Rate*

309. Mr COURT, to the Deputy Premier:

- (1) Can the Deputy Premier explain why, according to the latest CPI figures, Western Australia has the highest inflation rate in Australia?
- (2) Can he further explain why governmental increases were blamed for by far the major proportion of the CPI rise in Western Australia, given that no other State was similarly affected by Government imposts either in the last quarter or in the last year?

Mr BRYCE replied:

- (1) and (2) I am delighted to be able to remind the member for Nedlands that for 11 consecutive previous quarters the rate of inflation, the CPI increase level or rate, in Western Australia was significantly lower than the State averages anywhere else. There are many wise old sayings to be picked up around this profession of ours and I would now pass on another to him: It takes a lot more than one swallow to make a spring or a summer.

The member for Nedlands need not imagine for a minute that because on this occasion Western Australia's toe is marginally in front of the interstate average—which was a 2.6 per cent increase, while WA's was 0.8 of one per cent ahead of that—it will be sitting in that same position for very much longer. The Government will do



everything that is necessary to take it back to precisely where it has sat comfortably for the last 11 consecutive quarters, which has been well below the average increase of all the States.

The answer to the first part of the member's question is simply that the reason for the unusual increase basically is that this State has the most buoyant regional economy in the country. Other parts of Australia are going through the agony associated with the wheels falling off. Things are going really badly in other parts of the country, but here we have the America's Cup and the advance stages of the North-West Shelf, and all the general buoyancy which just about explains the 0.8 of one per cent additional rate of inflation.

#### MEMBER FOR EAST MELVILLE

##### *Car: Tampering*

310. Mr READ, to the Deputy Premier:

Is he aware of the serious allegation made by the member for Gascoyne in the Legislative Assembly last night that the Government was not treating seriously the alleged incident involving the member for East Melville's car?

Mr BRYCE replied:

I am aware of the allegations, and I regard all of the allegations that were made by the member for Gascoyne last night in the debate in this Chamber as very serious.

I am able to inform the House that I have been advised by the Minister for Police and Emergency Services on behalf of the Government that the inquiries by the Police Department indicate that there is no evidence of unlawful interference with the member's car.

Investigations have revealed that the most likely explanation is mechanical failure. This view is supported by an independent BMW expert, and is consistent with the car having been repaired after having been extensively damaged. It is also consistent with vibration problems experienced as a re-

sult of damage caused during a collision the car was involved in about 18 months ago.

Police inquiries also conclude that it would be extremely difficult to tamper with the car in the manner alleged unless the rear of the member's vehicle was elevated.

Police say it was most likely that the bolts came adrift because they were either not correctly tensioned after the repair work was done, or vibrations loosened them, or both. The bolts were not shed from the unit when it became detached from the differential because they are mechanically prevented from being lost.

The police conclusions were made known to the member for East Melville earlier this week, and I can only conclude that he did not pass this information on to the member for Gascoyne. If he did, then serious questions again arise in respect of the integrity of the member for Gascoyne.

Apparently the member for Gascoyne was also not informed that at the time of making his speech to this House, no member of either House was under police surveillance as he alleged. In fact, the member for East Melville was only under police surveillance for two days after his complaint about his car being tampered with was made, until it became apparent that the allegation of unlawful interference was extremely difficult to support.

The member for East Melville earlier this week informed the police that no threats had been made. There is no substance to Opposition claims of threats to members participating in either parliamentary inquiry into the sale of the Midland abattoir or Saleyards, or to witnesses.

The chairman of the upper House committee—the man whose impartiality and credibility have been virtually destroyed as a result of his cynical handling of the matter—who is reported as having said that he, and witnesses to his inquiry, have had their lives and livelihood threatened, has not even bothered to complain to

the police. In fact, his only approach was on 15 October at about 5.00 p.m. when he telephoned the police and indicated to them a view that damage may be done to his vehicle. He did not provide any evidence to support this view.

How serious can he be when, as chairman of a parliamentary committee of inquiry, he claims that witnesses to this inquiry are threatened but takes absolutely no action to secure protection for those witnesses by complaining to the police?

The only inference that can be drawn from his neglect to take such action is that he did not want to find himself charged with making a false report.

The member for Gascoyne's litany of unfounded allegations continues. He implied that the retirement of the former Executive Director of the WADC, Mr Michael Beech, was somehow linked to the sale of the abattoir. Mr Beech has denied the allegation and described it as arrant nonsense. As far back as January, he had discussed his departure with the Chairman of the WADC, Mr John Horgan. The resignation was formalised in April, and he left in May.

Mr Williams: How much more of this rubbish is there?

Mr Burkett: The truth hurts.

The SPEAKER: Order!

Mr BRYCE: Can I draw my response to the question to a close by saying that every one of us in this House who listened to the member for Gascoyne deliver that speech last night would know that while it is very disturbing, it is not very surprising. He has developed an enormous propensity—quite an extraordinary capacity—to deliver the most irrational and unbalanced statements to this House.

#### *Points of Order*

Mr MacKINNON: I think the Opposition has been rather patient, and for five minutes, other than on one occasion, has not interjected on the Deputy Premier. In line with your previous direction, the Deputy Premier should be asked to conclude his answer to this question forthwith.

Mr LEWIS: I would like to correct the record.

The SPEAKER: Order! I am aware of my previous rulings in respect of questions and answers, and since I made the statement I think Ministers in general have made their answers fairly brief and to the point. I am cognisant of the fact that this answer has been fairly lengthy, but I thought that it was a very important matter for this House to consider, and I also thought that when the Deputy Leader of the Opposition stood up the Deputy Premier had just finished saying he was drawing his answer to a close. I presume that is so.

#### *Questions without Notice Resumed*

Mr BRYCE: I conclude by saying we all witnessed it, and we all know the member for Gascoyne savours an ambition to lead the Liberal Party. I simply say to members opposite, after witnessing that performance and a number of previous performances: Do us a favour and make him the leader!

### TECHNICAL AND FURTHER EDUCATION

#### *Lecturers: Conditions of Employment*

311. Mr RUSHTON, to the Minister for Education:

- (1) Why did the Government fail to negotiate with the TAFE staff or the Teachers Union about the proposed changes to lecturers' working conditions prior to announcing these changes?
- (2) Will the intended cuts to TAFE lecturers' conditions also apply to Canning and Tuart Senior Colleges?

Mr PEARCE replied:

- (1) and (2) The answer to the first question is very easy. I have been trying to get the Teachers Union to negotiate on this matter since I first met with them on 8 October. I called in a deputation from the union and delivered them a letter on 8 October which announced the proposed changes, and I sought a response from the union to those changes by way of further negotiations. I invited the union on 8 October to negotiate on those issues.

A week later, on 15 October, I received a letter from the union president, Jeff Bateman, which says in part that the union rejected outright the proposed package. Further on, on the question of negotiation, the letter says—

The Union believes it is unreasonable for you or your Government, to expect us to commence negotiations while the threat of implementation of the proposals contained in your letter of the 8th October remains. Therefore, I have telegraphed Premier Burke indicating to him that the Union is prepared to negotiate on this matter if he will agree to withdraw the current set of proposals.

That is, the union would not negotiate on the matter unless the proposals were withdrawn, which of course would have led to the position that there would be nothing to discuss or negotiate. I responded to that letter by speaking to the union on the phone and suggesting that negotiations should take place.

On Monday this week a deputation headed by Neville Davis, who is the Chairman of the TAFE Committee of the Teachers Union, came to see me and he reiterated verbally the position that the union would only negotiate if the Government would withdraw the total package. I pointed out to him that that was nonsense, but that I was prepared to delay steps towards implementing the proposals which would not in any event be implemented until the beginning of the 1987 school year. I was prepared not to have colleges put the arrangements into process while negotiations took place.

I thought from Mr Davis' reactions there was some capacity for negotiation on that basis. However, later that day I received a letter from the secretary of the union which reads—

This letter is to inform you that this union can only agree to negotiate on this issue if we have written confirmation from you that none of the proposed measures will be implemented in 1987.

Should that be agreeable to you, we would then be in a position to discuss other ways of saving money in the TAFE Sector.

That is, the union not only reaffirmed its position that it would not negotiate unless the package were withdrawn, but it now wanted written guarantees that the package would not be put in place in the 1987 school year before it would even continue negotiating. I responded to that letter the following day, 21 October, as follows—

Dear Ms Heine,

Thank you for your letter of October 20, 1986 stating the Union's conditions before negotiations can proceed on the question of TAFE conditions.

As I indicated when I first met with the Union on this issue I am willing to negotiate on any aspect of the proposals. However it is unreasonable of the Union to demand that I give the undertaking requested; that is that none of the proposed measures will be implemented in 1987, because that is a matter which should form part of the negotiations. If the Union is dinkum in wanting negotiations on this matter then I really do suggest that you stop making ridiculous conditions and start negotiations.

My door is always open.

I got a response to that on 21 October marked "Personal and Confidential". It is from the union president this time and states—

Dear Bob,

For negotiations on the TAFE matter to proceed, I require your response to the following questions:

- (1) If the Union, in negotiations, was not able to identify within the TAFE budget areas where \$9 million could be saved, would your Government still implement the changes to TAFE working conditions?

(2) Would the negotiators have the brief to look for savings elsewhere:

(i) in the Education budget?

(ii) in the total State budget?

Your response to these questions are vital, since they will indicate if there is a basis on which negotiations can proceed.

I responded to that the next day, 22 October, as follows—

Dear Jeff,

Thank you for your letter of October 21, 1986 with regard to the possibility of negotiations about the TAFE dispute.

I repeat my offer given verbally to Neville Davis last Monday to halt moves to implement the proposed new arrangements while negotiations take place. Should negotiations be unsuccessful, however, the Government would resume implementation for the beginning of 1987. Given the lead time necessary for this implementation, some constraints would then be placed on the time over which negotiations could be held.

Negotiations could cover all the areas raised in your letter. However, it should be understood that while I have flexibility to reallocate funds in the Education budget, I have no capacity to increase the Education budget total.

Under the circumstances I sincerely hope that the Union will resume negotiations. There is a much greater likelihood of a resolution of this matter through negotiations than through continuing to exchange letters.

That letter was dated yesterday and reiterated the offer I made on Monday in precise terms to the union. Today, after two days of strikes, it has now agreed to negotiate on these terms. Those terms were available to the union not only on Monday, but on every day since 8 October.

It would have to be said that if the union's purpose in calling a two-day strike was to get to the negotiating table, it could have been there on Monday of this week, or at any time

before, and the strike, in the sense of trying to produce negotiations, has been totally unnecessary and unhelpful.

## MEMBER FOR GASCOYNE

*Allegations: Select Committee of Privilege*

312. Mr MARLBOROUGH, to the Leader of the House:

In the light of revelations by the Deputy Premier concerning allegations of misuse of parliamentary privilege raised by the member for East Melville and the member for Gascoyne, will he reconsider whether there should be a parliamentary Select Committee of Privilege into those allegations?

Mr PEARCE replied:

Given the revelations made by the Deputy Premier, the Government does not think it is necessary to reconsider its attitude to the question of the Privileges Committee proposed by the member for East Melville yesterday. However, the member for Gascoyne has again used the forum of Parliament under parliamentary privilege to make unfounded allegations against not only members of this House, but also persons outside this House who are unable to defend themselves. It was for that same reason that he was brought before the Privileges Committee of the Parliament in the last session. The committee recommended in its report a minimal penalty because it felt that being brought before that committee would be a lesson to the member for Gascoyne.

Given that the member for Gascoyne obviously has not learnt that lesson, the Government will give consideration to reconvening the Privileges Committee to inquire into the conduct of the member for Gascoyne.

## TECHNICAL AND FURTHER EDUCATION

*Lecturers: Conditions of Employment*

313. Mr COWAN, to the Minister for Education:

(1) Is the Minister aware that a variety of conflicting statements are being made about the contact hours and the overall duty hours of TAFE lecturers?

- (2) Will the Minister table evidence that will clarify, for the benefit of members, the actual contact hours and teaching hours of all grades of TAFE lecturers?
- (3) Will he table evidence of contact hours and overall duty hours of—
  - (a) secondary school teachers; and
  - (b) lecturers at the Western Australian College of Advanced Education and the Western Australian Institute of Technology?
- (4) Does this evidence confirm the statements made by the Minister in response to my question without notice yesterday?

Mr PEARCE replied:

- (1) to (4) Obviously, the question of individual contact hours and average contact hours of TAFE lecturers is a very complex matter and requires some time to be put together.

Mr Cash: It took you three days to revise the whole system.

[*Interruption from gallery.*]

The SPEAKER: Order! We always welcome public participation here; it is a very important part of the parliamentary process. However, it is a very important part of the parliamentary process, whether we agree or not with what is being said, that we do not interfere with a person's right to say it in this place.

Mr Peter Dowding: Perhaps the member for Mt Lawley can tell us whether he is still supporting the Dormer report.

Mr Burkett: Or whether he is still supporting the member for Gascoyne.

The SPEAKER: Order! It also applies to members of Parliament.

Mr PEARCE: The Opposition was critical when I gave the commitment not to implement the Dormer report. I assume its policy is to still implement the Dormer report in all of its detail, some of which bears on the question raised by the member for Merredin.

In broad terms, the average contact hours that I advised him of in answer to a question yesterday are accurate,

although they vary, of course, depending on the circumstances that prevail in a particular college.

I am having all of that information in its considerable detail put together, partly to let the member and other members know—I will forward it to them in writing—and partly to deal with the negotiations which will take place with the Teachers Union on those issues.

I tell the member and anyone else that the union has come to the negotiating table after 15 days of my trying to get it there. If it has a case to put reasonably with regard to comparative conditions, we will listen to that case. However, the union has had three years, as I indicated to the House yesterday, of discussions following our rejection of the Dormer report to try to come to terms with these issues, and it has not yet done so.

I am pleased to say that it is coming to the negotiating table to discuss this matter and maybe there will be a serious effort to address the very important issues which are the subject of the Government's decisions in this matter.

## EDUCATION: TEACHERS

### *Northern: Government Attitude*

314. Mrs BUCHANAN, to the Minister for Employment and Training:

- (1) Is the Minister aware of claims by the State School Teachers Union and others that—

- (a) the Government has acted unfairly towards school teachers in the north;
- (b) the Government has reacted to the recent strike by deferring the rent increase implementation; and
- (c) that the Government has not been willing to negotiate the issue?

- (2) Will the Minister inform the House of the true position?

Mr PETER DOWDING replied:

- (1) and (2) I am most concerned about what appears to be a campaign of misinformation on this issue. In fact, the member for Gascoyne commenced the move towards rent standardisation in GEHA housing in 1982 when the previous Government was in office. His embarrassment tonight is synonymous

with the embarrassment of the member for East Melville who drops nuts all over the place. He ought to get the hole in his pocket fixed.

The State School Teachers Union sought and obtained an allowance of \$6 per week in anticipation of rent standardisation. Teachers have been accepting this allowance despite the fact that rent standardisation has not occurred.

There are not to be massive increases in rent for either existing tenants or new tenants in GEHA housing. All Government workers paying GEHA rent have had the benefit of four years of no rent increases, other than \$1.70 in 1985. This was to enable rent standardisation negotiations to be finalised, but some unions have not been prepared to reach agreement.

It is proposed to set the benchmark level of GEHA rent for standard accommodation for 1987 at \$58.70. This approximates the level of award wage movements over the four years since 1982. From then on increases will continue to be limited to the CPI. Existing tenants will move to this level only by annual increments of \$6 or the CPI increase, whichever is greater. Appropriate adjustments will be made for non-standard accommodation.

The present level of Government rents represents a continued subsidy of more than \$13 million a year for Government workers' housing. Other benefits such as capping low income rents and improving standardisation procedures are included in this package.

Action to defer the increase until 1 January was taken in September on advice from GEHA that administrative arrangements could not be in place in time for a 1 October move in rents. Extensive negotiations were held with the Trades and Labor Council and all relevant unions, but the Teachers Union indicated that it would not reach agreement; nor did it have any further matters to discuss with the Government about the rent standardisation increase except to oppose it. Since the negotiations ended in mid-September, the State School Teachers

Union has not approached the Government on any occasion to further discuss this issue.

As has already been indicated, because of the complexity of the Government's position as both the owner of accommodation and with a large variety of awards and workers, it will take steps to bring equity and fairness back into the rental system.

## TECHNICAL AND FURTHER EDUCATION

### *Staff: Job Loss*

315. Mr CASH, to the Minister for Education:

- (1) Is the Teachers Union correct in its assessment that 300 staff of TAFE will lose their jobs as a result of the Government's cost-cutting measures?
- (2) If not, what is the correct figure?
- (3) Will such reductions in staff numbers affect the quality of TAFE education?

Mr PEARCE replied:

- (1) to (3) That figure of 300 teachers alleged to be put off from TAFE is not an accurate figure. It is impossible to say at the moment precisely what the figure will be because the situation is, as I outlined in the House at some length when going through the letters, that I put a set of proposals to the union on 8 October. They have been quantified into a set of guidelines by the TAFE division of the Education Department and sent to colleges so that they can look to their own programmes and staffing requirements.

Mr Cash: Is it likely to be more than 300?

Mr PEARCE: No, it is likely to be considerably fewer.

Mr Cash: Can you give us an approximate number?

Mr PEARCE: I have explained before that, when one looks at the staff numbers employed in many areas of TAFE, full-time staff and part-time staff are the same people.

Full-time lecturers under TAFE, when fulfilling their contact hours under current arrangements, are often employed—not in every case—as part-time staff to do further hours in that same area.

It is difficult to talk precisely about how many staff would not be required next year because in many cases the staff who would not be required would be the staff who would be required—if I can put it like that.

People who are doing full-time work now would not have the additional part-time component on top of their full-time work. When the figures come back from the department following negotiations with the union—we will be sitting for some time yet—I will be quite happy to advise the member.

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