Legislative Assembly

Thursday, 16 April 1981

The SPEAKER (Mr Thompson) took the Chair at 10.00 a.m., and read prayers.

BULK HANDLING AMENDMENT BILL

Second Reading

MR OLD (Katanning—Minister for Agriculture) [10.01 a.m.]: I move—

That the Bill be now read a second time.

This Bill will come into operation on a date to be fixed by proclamation. It amends the Bulk Handling Act, 1967-1979 for two purposes—

To extend the period giving Co-operative Bulk Handling Ltd. the sole right to handle wheat and barley; and

to ensure that it is clear that where CBH is acting as an authorised—or licensed—receiver the appropriate standards are those specified to CBH by the relevant marketing authority.

The Bill extends the sole right of CBH to receive, handle, transport and deliver wheat and barley to 31 December 2000. This is 15 years beyond the current expiry date of 31 December 1985, and 20 years from 31 December 1980.

Extension of the sole right for CBH to handle wheat and barley is essential for the State's grain industry. CBH has always maintained a very high standard of grain hygiene at its country receival points and port terminals, which is necessary to meet the nil insect requirements of overseas buyers. Retention of the sole right by CBH beyond 1985 will ensure that these standards are maintained and also avoid unnecessary duplication of CBH's facilities.

Moreover, CBH's franchise has always been an important consideration for lenders when considering loans to the company. The extension of the franchise therefore will enable CBH to plan and fund its building programme to meet the expected steady increase in Western Australian grain production over the next 20 years.

The Bill also provides that where CBH is acting as an authorised or licensed receiver, the appropriate grades and dockages on grain it receives will be those notified to it in writing by the relevant marketing authority, after the marketing authority has consulted with CBH. Where CBH is not acting as an authorised receiver—that is, in a warehousing situation—the appropriate grades and dockages will be those set by CBH by arrangement with the relevant marketing authority—the Grain Pool in the case of oats—and any other organisation or individual that CBH considers appropriate. The grades and dockages will not come into effect until CBH has notified the Director of Agriculture and published them in *The West Australian* newspaper.

These amendments also remove an inconsistency with the WA Wheat Marketing Act that is hampering the effective implementaion of the Varietal Control Scheme for wheat, as the appropriate standards will no longer be those specified in the Bulk Handling Act regulations. The Wheat Marketing Act specifies that the Australian Wheat Board sets the discounts and premiums for the quality and variety of wheat. However, at present, CBH must abide by the regulations in determining quality standards and dockages as part of its statutory responsibilities.

This Bill ensures that the appropriate quality standards, dockages and varietal discounts for wheat applied by CBH are those notified to CBH by the Australian Wheat Board.

The removal of the grades and dockages from the regulations also overcomes a problem the Department of Agriculture has been experiencing as an arbitrator in disputes between CBH and growers over the quality of grain delivered to CBH and docked because of inferior quality. The grades and dockages need to be altered at least annually, and even during harvest occasionally, to meet the changing requirements of the marketing authorities; that is, the Australian Wheat Board and the Grain Pool.

The regulations cannot be altered this regularly, especially during harvest. Indeed the regulations specifying grades and dockages have not been altered since 1975. Under the provisions of this Bill, the department will be able to arbitrate on disputes over quality on the basis of the most recent set of standards.

The Bill also allows CBH, if it wishes, to take a sample of wheat when it is delivered at a siding and forward the sample to the Australian Wheat Board so that its variety can be determined. If CBH takes a sample for this purpose, it will be required to advise growers that the sample has been taken. Once the Wheat Board has determined the variety, it will then inform CBH, which will advise growers accordingly. Officers of CBH will still be able to determine quality and dockages relating to quality, at the siding, or, if the determination is not to be made at the siding, forward a sample to another office

of CBH for the determination to be made if the grower consents.

Under the provisions of this Bill, neither CBH nor the Department of Agriculture will arbitrate on disputes over the Australian Wheat Board's varietal determinations. The board has access to the CSIRO Wheat Research Unit in Sydney for an independent determination if necessary.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Davies (Leader of the Opposition).

NOISE ABATEMENT AMENDMENT BILL

Second Reading

Debate resumed from 15 April.

MR HODGE (Melville) [10.09 a.m.]: When I spoke briefly on this Bill yesterday I outlined the Opposition's point of view in regard to part of it. I dealt with only a small section of the Bill, but I should like to recap briefly and point out I criticised the Government for taking seven years to get around to introducing its first piece of anti-noise legislation. I said also the Bill introduced by the Government really was not worth the long wait. It is a great disappointment to me and I venture to guess it is a great disappointment also to many members on both sides of the House. It is certainly not the sort of Bill we require in this State.

I said yesterday that the present Noise Abatement Act was modelled fairly closely on British legislation drawn up in the 1960s. I said that our legislation still works on the concept contained in the British legislation that noise is a nuisance. The British abandoned that legislation in 1974 and brought in a sweeping new Act called the Noise Pollution Act based on an entirely different concept. It is based on treating noise as a serious form of pollution and is what one might call a preventive Act. It tries to prevent noise before it occurs; however, our Act always has been based on the concept of noise as a nuisance. It has attempted to do something about noise after it has been created and proven to be a nuisance.

The basic difference between the two approaches is that one is preventive and puts the onus of responsibility on the person developing, constructing, or building something to satisfy the authorities that noise will not be generated from a building, a construction, or a machine, or will not go beyond the appropriate regulations; and the other, our law, puts the onus of responsibility on the complainant, the person affected by the noise. Under our law it is up to the complainant to try to prove a noise is causing a nuisance to him, that it is detrimental to his health and will continue. He must then try to have the person creating the noise do something about quietening it after it has occurred, and that is often an expensive and complex job.

I have outlined why our Noise Abatement Act fundamentally has been unsuccessful. Once a noise is generated or created it is usually a difficult, complex, and expensive job to try to do something about it. I am disappointed this Government did not see fit to remove that inadequate piece of legislation and bring in a completely new piece of legislation based on the British concept I have outlined.

Mr Bertram: They should do the job properly.

Mr HODGE: That is correct. After seven years in power with an overwhelming majority in both Houses of Parliament the Government has made no effort to get that type of legislation through. I suggest this Government is not really serious about controlling noise pollution. I sincerely believe that is the case. It does not consider noise to be a serious problem and does not see it as a form of pollution. This Bill is a bit of a patch-up job.

As I said yesterday, the Bill is an improvement on the present situation in a couple of areas. Firstly, it will provide the machinery through an amendment of the Act to bring in regulations for hearing conservation in industry. That must be an improvement. As I said yesterday, at present we have absolutely no regulations or laws covering that matter, and workers in industry have their hearing impaired every day of the week. This Government has been prepared to allow seven years to elapse while it has been in office doing nothing about that situation. Again as I said yesterday, the draft copy I received of those regulations—it may have been upgraded since—does not excite me; it leaves a lot to be desired.

The Bill takes a very strong stand on some types of noise. It takes a heavy-handed approach to the one-time type of noisy occurrence such as a late-night party or excessive noise emanating from a residential establishment. The Bill provides tremendous powers to police officers and civilian health surveyors to crack down on those sorts of noises. It is very curious that the Bill does not take the same very firm approach to other forms of noise. It still does nothing effective about noise from machinery, industry, boats, or airports.

The Bill does nothing about a whole range of noise generated by industry and other commercial establishments, but noise from a party which

occurs on a one-off basis certainly will be dropped on from a great height.

The Government has gone from the sublime to the ridiculous. It has gone from the position of having health inspectors employed by shire councils completely frustrated and unable to do anything effective about controlling noise, to the point of going too far by allowing citizens of this State to have their civil liberties threatened by the tremendous powers the Government seeks to bestow on civilian health inspectors. Under this legislation a health surveyor would have the authority acting on a complaint from one citizen about, for instance, a noisy party, to go to the establishment concerned and, if necessary, force his way in to issue a noise abatement direction. This could occur in the middle of the night, and the health surveyor, if my reading of the legislation is correct, need not necessarily have personally heard the noise. Provided he has received a complaint and has good reason to believe the noise was offensive he has the power to use whatever force is necessary to enter into a residence for the purpose of issuing a noise abatement instruction.

I will have much more to say about that particular aspect of the legislation when we are in Committee. I will move some amendments to eradicate the most obnoxious parts of the legislation, and I hope the Government will support those amendments.

I believe the Bill will be an improvement in two areas of the present legislation. It will enable effective action to be taken against late-night parties and will be effective in stopping the nuisance of malfunctioning burglar alarms. In addition, it will provide for regualtions for hearing conservation in industry.

Apart from the reservations expressed about the powers of health surveyors I welcome the other proposed changes.

The legislation basically falls down on the concept of noise as a nuisance still being enshrined in it. No attempt has been made to alter that concept or bring forward legislation to make the Act a preventive one. No attempt has been made to try to set statutory noise limits for noise from domestic or industrial machinery. It has been ignored. No attempt has been made to prohibit the sale of machinery or fittings which are noisy or exceed reasonable noise limits. No attempt has been made to come to grips with those problems.

No attempt has been made to outlaw the modification of machinery that makes that machinery more noisy. For instance, in this State theoretically a new car must comply with Australian Design Standards in respect of noise. Once a new car has been delivered to a dealer and purchased by a person, that person can go to a shop and buy a new muffler that does not comply with Australian Design Standards and would not have met the Australian Design Standards had it been on the car when inspected. It is legal for the proprietor of the shop to sell the muffler which when fitted to the car will make the car noisy. Is not that ridiculous? Two years ago, I pointed that out to the then Minister responsible for these matters. This legislation does nothing to remedy the situation.

Nothing has been done to regulate domestic noise; by domestic noise I mean noise from air-conditioning units, swimming pool pumps and that type of machinery. It is obvious that regulations or a Statute should define what needs to be done before that type of equipment is installed in premises. Again we must come to the preventive angle and before householders install equipment which is potentially noisy they should be required to comply with certain Statutes or regulations relating to noise control. However, no effort has been made in this legislation to do anything in this area.

Again, noise from industry has been ignored even though the Government made great play of the fact when the Minister said in his second reading speech that noise standards would be drawn up by the Department of Health and Medical Services for engineers, town planning developers and the like. However, it is amazing to read in the Bill that rather than being standards, they will be guidelines issued for the guidance of engineers, town planners and developers. There will be no statutory force at all.

Mr Bertram: No teeth.

Mr HODGE: There will be a set of standards which the Government will obviously hope developers, engineers, and town planners will abide by.

Mr Bertram: At the same time, turning a blind eye.

Mr HODGE: The officers of the Department of Health and Medical Services have been put in a dreadful position. I have with me a copy of a document prepared by the Commissioner of Health which was circulated in February, 1980 and dealt with the proposed amendment which the Government hoped to draw up on this matter. The Commissioner of Health has been placed in an invidious position whereby he has to make a plea to developers and urge them to abide by the guidelines.

He has no authority to state that it is the law; he has to issue a plea and appeal to their better instincts. We can imagine that with some of the developers we have in Western Australia who set out to squeeze every last buck out of every development. They will not abide by the law if it is not required. Even if they are required to abide by the law very often they do not.

It is ludicrous to bring legislation forward in this House, in 1981, suggesting that developers and town planners should be asked to abide by certain guidelines. It is really quite pathetic to see this situation.

Many members will be familiar with the fact that I have been concerned about traffic noise. In fact, I have been concerned about this ever since I have been the member for Melville. I had high hopes, as did many people throughout the metropolitan area, that this Government would finally do something about traffic noise. Those hopes have been dashed completely because this Bill does nothing to abate traffic noise. This Bill has done nothing to bring forward regulations for "in-service" vehicles.

If Government members do not know how to go about this job I recommend that they look at what the Victorian Government has done. That Government has regulations to regulate motor vehicles which have been very effective. Officers from the Department of the Environment patrol the roads every day looking for vehicles which appear to be excessively noisy. If such a vehicle is noticed the registration number is noted and the owner of the vehicle receives notification that he must present his vehicle for testing within 14 days. Most sensible people have faults in their vehicle rectified immediately so that when it is tested it complies with the regulations. That scheme has been very successful in Victoria and I urge this Government to reconsider the matter.

This Government should recognise noise as a serious form of pollution and start doing something about it. Why cannot we establish regulations which prescribe maximum noise levels for "in-service" vehicles? I see no great difficulty in doing that because it has been done in other States in Australia as well as in other parts of the world. This action would go a long way towards alleviating the problems caused by traffic noise. It certainly will not be a magic remedy to stop all traffic noise but it will help.

There are two types of traffic noise, one which is caused by the volume of traffic and which can only be eradicated by sensible planning and construction of roads and the other is the result of individually noisy vehicles. The latter type of noise could be eradicated easily.

Another failing of this legislation is that it does nothing to control noise which emanates from airports, heliports, or even noise from power boats. The noise from Perth Airport is a great problem and in many parts of the world there is legislation to control noise from airports. Residents in close proximity to airports have to endure this noise but this legislation has completely ignored that particular aspect.

Mr Young: They also close airports.

Mr Bryce: At certain times, and it is a good idea.

Mr Young: Not necessarily.

Mr HODGE: That may be an option we may have to look at.

Mr Young: We are the most isolated capital city in the world. It is about four or five hundred miles to the next city, and you want curfews.

Mr HODGE: That is not what I said.

Mr Young: That is what the member for Ascot said.

Several members interjected.

The ACTING SPEAKER (Mr Watt): Order!

Mr HODGE: I wish to speak about the impact of Government decisions with regard to the upgrading of roads and the effect that it has on nearby residents. There are new freeway extensions in Manning and one wonders what effect the traffic flow on that freeway extension will have on nearby residents. I have tried to obtain some information by asking a number of questions in this House in order to find out the anticipated noise levels for the area. However, it appears to me that the Government has not made any proper study of it. If a study has been made, it will not be provided to the Parliament and it has not been provided to the nearby residents.

Noise impact studies and statements should be made before new roads are constructed and before old roads are subjected to redevelopment or upgrading. There should also be noise impact statements when new housing developments are commenced.

A new housing development has proceeded over the last couple of years in Booragoon which is a suburb within the City of Melville.

I was horrified when I learnt that land right up to Leach Highway was to be sold for residential development. I wrote to the City of Melville and asked whether it was serious in allowing developers to sell residential blocks with the rear of the block coming up to the verge of Leach

Highway—a highway which is acknowledged as the noisest road in the State. The shire told me that it did not have the power to stop the development and that I should correspond with the Town Planning Board. The board said it did not have the power to do anything and that I should write to the shire. So I was sent around in circles—no-one was interested in doing anything.

The blocks have since been sold and homes built on them. Further development is taking place on Leach Highway. It is absolutely ludicrous for private developers to be able to develop land without taking the slightest responsibility for the noise factor. Some people have invested their lifetime savings in these blocks. I know certain members on the other side of the House say "Let the buyer beware. If people are stupid enough to buy a block there, let them put up with the noise." I do not subscribe to that view. Many people are not familiar with the level of noise from the highway. They may spend an hour or two in the middle of the day in the area, and certainly they do not know that traffic roars along the highway 24 hours a day, seven days a week. These people are not familiar with the effect that noise can have on a person's health.

If Leach Highway were in the United States or Great Britain, the people living on it would be entitled to compensation because it was a Government decision to upgrade the highway. If the noise could be brought down to an acceptable level, the Government would pay for such modifications as double glazing, insulation, and possibly air-conditioning. If it were impossible to bring the noise down to an acceptable level, ultimately the Government would buy the house and relocate the people. That is the law in other parts of the world.

The Victorian Government set up a committee of inquiry to study the problem, and although it brought in a recommendation along the lines I have just suggested, I do not know whether the Victorian Government ever acted on the recommendation. As the Western Australian Government is introducing new legislation—the Bill we are now discussing—I had hoped that it would give some consideration to a progressive move like that. Of course my hopes have been dashed.

I repeat: The Government should give serious consideration to the introduction of legislation to provide for noise impact statements and Government compensation for people affected by noise caused by Government decision.

The major failings of the present legislation probably can be summarised as follows: No attempt has been made to control noise emission from motor vehicles, noise problems arising from bad planning where roads and industrial and commercial premises are involved, noise emission from such places as airport and heliports, or noise emission from machines. The legislation does not include an attempt to provide effective and simple control of construction and demolition sites, and no attempt has been made to simplify the various protracted provisions of section 26 of the Act.

Section 26 of the Act requires a local government authority to follow a cumbersome procedure after it receives a complaint about noise. The authority must serve a noise abatement notice on the person alleged to have made the noise. It must ask the person to abate the noise, and if that request is ignored or not complied with effectively, the local authority must follow the procedure of passing a resolution at a council meeting to authorise its lawyers to prepare a summons to take the person concerned to court.

These procedures can take weeks if not months, and they are so cumbersome that they make the Act almost unenforceable. Very few successful prosecutions have been taken under the Noise Abatement Act or its regulations. Most councils are very reluctant to prosecute because of the loopholes in and the complexity of this legislation.

As I mentioned yesterday, the Town of Claremont had its fingers burnt very badly. In all good faith, acting on behalf of its ratepayers, the Town of Claremont took a case before a magistrate to try to quieten down the Claremont Speedway Pty. Ltd. operations. The action failed dismally, and the town has been left to pick up a tab of $10 000. I hope the Government shows a sense of decency and comes to the party, at least to contribute towards that $10 000.

Mr B. T. Burke: It would be the first time it ever did that—showed decency, I mean.

Mr HODGE: In my opinion the blame for the faulty legislation lies on the shoulders of the Government, and it has some moral obligation in this matter. I understand that the town may have been given some encouragement to go ahead to test the Act in court. On 8 April I asked the Minister for Health question 451 as follows—

> Since the introduction of the Noise Abatement Act 1972, how many successful prosecutions have occurred for breaches of—
>
> (a) section 27;
> (b) section 28;
> (c) section 37;
> (d) section 39;
> (e) section 41?

The Minister replied as follows—

> (a) to (e) To my knowledge, there have been two successful prosecutions under section 27 of the Act. Since prosecutions are usually taken by local authorities, I have no precise information. Again, to the best of my knowledge, there have been no prosecutions under sections 28, 37, 39, and 41.

So to the best of the Minister's knowledge, there have been two successful prosecutions only since 1972—and I think the Minister's recollection is fairly accurate. So the local government authorities are very reluctant to risk going to court. I suggest any local authority would have to consider the matter very carefully before it took an action to court to try to enforce the Noise Abatement Act.

I mentioned that one of the failings of the legislation is that it makes no attempt effectively to control noise on construction and demolition sites. This is another major source of annoyance to residents. Probably most members of Parliament have received complaints from constituents about activities on building or demolition sites. There is no law to stop a builder demolishing a house in the middle of the night. A builder could commence working at 3.00 a.m. if he so chose. Of course, in our summertime many builders start work at 5.00 a.m. in order to beat the heat of the day, and they do not particularly care how much noise they make. Many householders have telephoned me to complain bitterly about having their sleep disturbed in the early hours, and in the case of a demolition, the work usually continues every day of the week until the demolition is completed. It is very strange that the Government appears to have come to terms with the matter of construction and demolition sites in a Bill to be debated later—the Clean Air Amendment Bill. Although the Government has taken heed of air pollution, its thinking has stopped dead about noise pollution.

I referred to the British legislation earlier. We could do a great deal worse than model our legislation on the United Kingdom's Noise Pollution Act of 1974, an Act which placed great emphasis on prevention. It really has some teeth. The local government authorities are empowered to take action even before a noise has occurred. If an authority believes that an offensive noise is likely to occur, it can issue an abatement order beforehand. That power is contained in section 58 of the Act, and the preventive approach is evident right throughout the legislation.

In addition, administrative procedures have been streamlined in that Act and authorities in the United Kingdom do not have to go through this time-consuming and ineffective procedure of issuing a request beforehand; they just go ahead and issue a directive and tell the offender he must quieten the source of the noise. The United Kingdom also has gone further in section 63 of its Act and has created noise abatement zones. Local governing authorities have been given a great responsibility for seeing that noise is prevented in the areas they control. That is another aspect of the United Kingdom legislation that we should look at for possible adoption in this State.

If the Minister is reluctant to look overseas for legislation on which to model ours, perhaps he could look at the legislation of New South Wales or Victoria. I know the Government has given some attention to the New South Wales legislation because certain clauses of this Bill are word for word with sections of that Act; they have been lifted straight out of the New South Wales legislation. However, unfortunately the Government did not follow through and also lift other effective parts from the New South Wales Act. It lifted only certain provisions, and left it at that.

The New South Wales legislation provides the Government of that State with some control over noise from new industrial and commercial developments. Section 28 prohibits the sale of certain noise-producing articles. I said previously that should be done here; I pointed that out to the Government some years ago, but nothing was done. The Victorian legislation in my opinion is the most advanced in Australia and the Government should make a close examination of it.

A large section of our Noise Abatement Act is devoted to the operations and composition of the Noise and Vibration Control Council. The Act seems to give great importance to the council, but gives only minor importance to the matter of preventing or controlling noise. We had the proposition from the Minister in his second reading speech that he has found it necessary to have two representatives of the Confederation of Western Australian Industry on the Noise and Vibration Control Council. I find that most peculiar. Why does one organisation need to have two representatives on this council?

The only explanation of the Minister was that formerly the council had representatives from the Chamber of Manufactures and the Employers' Federation, and now that those two bodies have amalgamated they should have two representatives on the council. I do not agree with

that at all and I can see no rational reason that the Confederation of Western Australian Industry should have two representatives on the Noise and Vibration Control Council. No other organisation has two representatives.

Cannot one representative of the Confederation of Western Australian Industry be trusted? Does the confederation have no faith in its representative? Why does he need to have another person sitting alongside him on the council? I fail to see any rational reason for it, and the Minister certainly did not give one. I hope later in the debate he can clarify the matter and explain the reason for it.

By the way, no provision is made for a representative from the Town Planning Department on the Noise and Vibration Control Council or the Noise Abatement Advisory Committee. The Noise and Vibration Control Council has two representatives from the Confederation of Western Australian Industry, but no representative from the Town Planning Department. Surely that requires serious reappraisal, and it would be interesting to know what the Minister for Urban Development and Town Planning thinks about it.

Mr Bertram: The Minister does not think at all, and that is her trouble.

Mr HODGE: Apparently she does not take much interest in the Noise Abatement Act and has had no input into this Bill.

Mrs Craig: Great notice is taken of this matter by various members of the Town Planning Department, and certainly the recommendations of the Noise Abatement Advisory Committee will be considered by my committee and implemented to ensure the situation becomes better.

Mr HODGE: I am pleased to hear that, but I would like to ask the Minister whether she thinks it would be opportune for her department to have a representative on the Noise and Vibration Control Council and whether there should be some machinery in the legislation for formal consultation to be held between her department and the council.

Mrs Craig: There is always consultation between bodies of that sort. We refer matters to them for their recommendations. I believe that is a better method than having someone from the department represented on the body, because we take into consideration the determinations as a whole which the committee makes.

Mr HODGE: That is a curious approach taken by the Minister, because she has representatives from her department on the Clean Air Council, and I applaud that. I am suggesting that the sane, sensible thing to do would be to have a representative from her department on the Noise and Vibration Control Council, which is just as important. I belive some machinery should be available for formal consultation either between heads of departments or the Ministers concerned.

Mrs Craig: There is a form of consultation process, because there is a necessity to refer.

Mr HODGE: That is not set out in the Noise Abatement Act.

Mr Young: If everything had to be written into Acts it would mean departmental heads could not even speak on the telephone with one another. There is an interdepartmental committee in respect of this very matter, which consists of the heads of the departments concerned. Your Leader of the Opposition introduced this Act when he was Minister for Health. He was also Minister for Town Planning and he did not write into the original legislation a provision that you want. It may not be necessary. I am not condemning him, but perhaps you should have consultation with him to ascertain why he did not include such a provision. Not everything is done by way of regulation. When in Government you have to talk to one another.

Mr HODGE: I do not know why it was not incorporated in the original legislation. I would suspect the Minister of the day did not realise the need for it in the present day with the complexity of the problem.

Mr Young: Anyone would think you are talking about the dark ages. Whenever you speak about it you sound as if it was 50 years ago; but we are talking about only seven years ago.

Mr HODGE: We are talking about 10 years ago.

Mr Young: The Leader of the Opposition was the Minister for Health only a little over seven years ago.

Mr HODGE: This legislation was drawn up 10 years ago.

Mr Young: The Leader of the Opposition was still the Minister for Health a little over seven years ago. It was not exactly the dark ages; they had motorcars, air-conditioners, and all sorts of machinery then.

Mr HODGE: The Minister is so out of touch it is not funny.

Mr Young: You are out of touch. You are so out of touch that you think there was no traffic or air-conditioners, etc., in those days.

Mr HODGE: I am not saying that at all. I am saying noise pollution has become a much more serious problem in recent years and if the

Minister was in touch with his portfolio he would realise that. The volume of noise from traffic and domestic sources has quadrupled.

Mr Young: You are saying it did not exist seven years ago. Don't be pathetic.

Mr HODGE: I did not say that. If the Minister is going to interject, he should at least be sensible.

Mr Young: In other words, your Government could not do anything about it, apparently because it didn't know about it.

Mr HODGE: I am very proud that the Tonkin Government introduced this Act. The Minister's mob was in office for donkeys' years and did nothing, and it has done nothing since it has been in office again.

Mr Young: Your Act contained nothing about all the things you have been prattling about for over 40 minutes.

Mr HODGE: I answered that interjection yesterday. The Minister did not listen.

Mr Young: Yes, you said that—

The ACTING SPEAKER (Mr Sibson): Order! Healthy interjections are good for debate, but I do not believe there should be a continuous barrage across the Chamber. I suggest the member address the Chair and continue with his speech.

Mr HODGE: I will do that.

Another point I wish to make about the composition of the Noise and Vibration Control Council is that in my opinion it should have a representative from a citizens' group which is concerned about noise—a noise abatement society or a similar organisation. That would be a welcome move.

I also wonder about the need to have two separate organisations. We have the Noise and Vibration Control Council and also a technical advisory committee. I wonder whether it is the most effective way of controlling noise to have responsibility spread over two different committees. I suggest that the Government give consideration to streamlining the procedures and amalgamating the technical committee with the Noise and Vibration Control Council, thereby having just the one organisation. That would be a more effective way of handling the problem. I understand the New South Wales legislation is based on that principle; they have only the one committee in that State. Certainly, if the Government insists on retaining the two separate committees, the technical advisory committee should have the power to initiate matters on its own, rather than being required to wait until matters are referred to it by the council.

Another matter I would touch on is the power of the Minister for Health to grant exemptions from the Noise Abatement Act. The Minister has wide powers under section 6 of the Act to grant all sorts of exemptions from the provisions of the Act. Recently we saw the Minister exercise those powers by exempting a Government instrumentality, the Metropolitan Transport Trust, from all the provisions of the Noise Abatement Act for at least 12 months. We do not know at this stage whether the Minister for Health proposes to extend that period of exemption beyond the 12-month period.

I do not support the principle of the Minister for Health or any other Minister, for that matter, having the power to exempt people from the provisions of legislation. If this Parliament passes legislation—even though it is ineffective legislation and leaves a lot to be desired—it should be binding on everyone. I do not believe Government instrumentalities or anyone else should be put in the privileged position of being exempted by a Minister from all the provisions of legislation for virtually as long as the Minister likes. The citizens of this State have a right to expect that everyone will be bound by the Noise Abatement Act and that Government instrumentalities will not receive special exemption and treatment.

The appropriate thing to do would be to establish a tribunal, staffed by appropriately qualified people to deal with applications for exemption. This tribunal need not be restricted only to noise pollution; other forms of pollution, such as air pollution, could fall within its jurisdiction. Its responsibility could be widened to deal with these related matters, such as appeals from the decisions of the Clean Air Council.

Certainly, it is not good enough for secret decisions to be made by the Minister for Health. Under the present system, the Minister is able to hear only one side of the story. He is not required to invite all interested parties to put evidence before him. We do not know what evidence the Minister heard. He simply announced his decision to exempt the MTT from the provisions of the Noise Abatement Act. He is not required to hear both sides of the story; he can hear only one side of the story. I do not know whether he did that in the MTT case, although I suspect he did. I do not believe the Minister for Health invited the residents of Morley to give their side of the story.

This simply is not good enough. The Opposition is very critical of the Minister for his actions in the MTT case. This system must be scrapped and replaced by an impartial tribunal before which all interested parties should be invited to appear and

give evidence publicly. The tribunal could then make a decision as to the exemption based on all the evidence put before it. In my opinion, exemptions would be granted in only exceptional circumstances, although I admit there may be certain occasions when exemptions are required.

As I have said, I am very disappointed in this Bill. If this is the best the Government can come up with after seven years in office, it does not say much for its concern for noise, and its effect on people's health. This Bill will do nothing to resolve the problem of domestic, residential, and traffic noise; it will not tackle noise from airports or boats. Really, it is a very ineffective Bill. Many people have telephoned me after reading Press reports on the matter. Many people have contacted me after hearing misleading and inaccurate statements on the matter.

Mr Young: If I were you, I would be very careful about such statements. You got yourself in an awful hole a few weeks ago when you said that many people had telephoned you and, later, you could not substantiate your claim. You even said you had been telephoned by people who knew me personally, and you could not substantiate that claim.

Mr HODGE: The Minister for Health is still smarting from remarks I made three weeks ago.

Mr Young: You refused to tell me the name of the person who was alleged to have telephoned you after telephoning me.

Mr HODGE: In future, I will know how to get under the Minister's skin if I wish to aggravate him.

Mr Young: All you have to do is tell an untruth in this Chamber, and not be prepared to substantiate your statements.

Mr HODGE: The Minister for Health has developed such a sensitivity about his portfolio that he is still smarting about remarks I made three weeks ago.

Mr Young interjected.

Mr HODGE: If the Minister for Health can contain himself for a few minutes, I will conclude my speech.

The Press publicity surrounding this Bill has built up the expectation in the minds of the public that the legislation will resolve all those noise problems which have been aggravating them for years. However, the Bill will do no such thing; it is going to be a "fizzog". The Minister for Health, the member for East Melville, and even the Commissioner of Health have made misleading and inaccurate statements about this legislation which have built up a false expectation in the minds of the public.

It is true the Bill will effect some minor improvements in limited areas but the great noise problems facing people in Western Australia will not be any more effectively controlled under this proposed legislation than under the existing legislation.

Mr Blaikie: How would you control noise?

Mr HODGE: If the member for Vasse had been in his seat over the last hour or so he would not need to make such an interjection.

Mr Blaikie: I have been here all the time, listening intently.

Mr HODGE: He has been in the Chamber for only a few minutes, yet already he is making inane interjections.

Mr Blaikie: I have been here since the sitting commenced.

Mr HODGE: It looks as though, once again, it will be up to the next Labor Administration to bring in effective noise legislation. It was the last Labor Government which showed the way with the pioneering Noise Abatement Act and I suppose it will be up to the next State Labor Government to revise our noise pollution legislation. Certainly, we will give it a high priority when we are in office in a couple of years' time. We will model our legislation on the British legislation to provide efficient, speedy, and effective remedies for people who are afflicted by noise pollution problems.

MR CRANE (Moore) [11.00 a.m.]: I would like to make some comments on the Noise Abatement Amendment Bill. I have listened intently to the member for Melville, and I agree with most of what he said. Common sense must prevail in this place. However, as the member for Melville made his remarks, I noticed the concern he expressed about some matters; but they appear to be provided for in this Bill.

I would like to make some comments from my own experience on matters affecting the people with whom I have been associated, and myself. The member for Melville said there is no provision in industry for countering or abating the noise which has been produced for so long. However, that is not correct, if my interpretation of what is before the House is a true interpretation. In his second reading speech the Minister said—

> Provision is also made in the regulations for employers to implement an established hearing conservation programme, where it is established that a noise hazard exists.

Probably the last few words in that are the ones of concern to us. I hope that it will be established clearly that a noise hazard does exist; and the provisions of the Bill allow for action to be taken.

The Minister continued—

> The programme places the onus on the employer to—
>
> effectively reduce noise hazards;

This is very good. I hope it will be implemented. However, it comes back to having faith in people to carry out the provisions of this legislation. We cannot wait for them to do it on their own initiative; there must be safeguards to ensure that they are forced to carry out the regulations as they are required.

In the second reading speech, the Minister said—

> The first amendment proposes to change the local authorities' representation on the Noise and Vibration Control Council and to allow for the amalgamation that has occurred of two organisations represented on the council.

That is a very wise amendment. The Minister continued—

> A second amendment makes provision for the appointment of a chairman to the council and overcomes a consequential anomaly.

I understand that the chairman will then have a voice, along with the chairman of the Noise Abatement Advisory Committee, so he could direct to the council the problems which have been brought to his attention through other investigations. This is very important.

Noise has been with us since time immemorial; and it will continue to be with us, perhaps at an ever-increasing level, unfortunately. In my own industry, the farming industry, we have been subjected to severe noises over the years. It has been suggested that my hearing has been impaired as a result of these noises.

When I first started farming, we were using horses and there was nothing as peaceful as sitting on an implement behind a team of horses.

Mr O'Connor: How has this Chamber affected your hearing?

Mr CRANE: I will come to that in a moment.

The joy of sitting behind a team of horses is one that has to be experienced to be appreciated. From horses, farmers moved to the use of tractors. In their earlier manufacture, tractors were very noisy machines. They had straight-through exhausts. There was no suggestion of putting a muffler on a tractor and making it more silent. The old Lanz Bulldog tractor was a particularly noisy devil. There have been lots of improvements in farm machinery since then.

I refer particularly to tractors, because they are the noisy machines; and they are the ones which caused my problem. There is nothing as peaceful as stepping off a straight-through exhaust tractor at the end of a 12-hour day, after the sun has gone down, when one cannot hear a thing. I wish we could experience such silence in this Chamber at times!

On the other side of the spectrum, there is nothing more annoying than to be standing in this place, endeavouring to put a point of view—which every member is entitled to do—and being interrupted by a loud barrage from the other side, and sometimes from one's own side. There are times when the Noise Abatement Advisory Committee should sit up in the galleries of Parliament House.

Mr Pearce: They would have an order out on you pretty quickly, if they did.

Mr CRANE: At times, the noise level reaches a high number of decibels.

There are other areas of concern; and the member for Melville touched on these. I agree entirely with him when it comes to the apparatus attached to motor vehicles. I do not believe there is any need at all for the warbler exhaust, and the other attachments which can be placed on motor vehicles deliberately to make them more noisy. Such accessories should be barred from sale, because they do not serve any useful purpose.

I know some people would say that we would be interfering with the manufacture of these items; but we have to conserve our energy, and we have to conserve our materials. Any of these accessories which consume energy in their production, and which waste materials in their production, and serve no useful purpose at all, are extraneous to our requirements. I would have no hesitation in saying emphatically that their sale should be barred. If their sale were barred, their manufacture would be terminated very quickly. I go along with what the member for Melville said on that account.

I know that farm motorbikes have silencers in their exhausts; but in time they soot up and one has to take them out to clean them. If the silencer is left out, the motorbike makes a tremendous noise. In the metropolitan area I am sure that I have heard motorbikes which have had the mufflers removed from them. There should be provision for the police not to wait until someone makes a complaint, but for them to move right in and take the vehicles off the road. I suggest

stronger measures, including possible confiscation. That is the only way we would bring the message home to people.

There is another form of noise which has caused a great deal of concern to many people in the last 10 or 15 years. I refer to the noise created by amplification of musical instruments in the electronics industry. A couple of years ago I went to a dance in the outer metropolitan area—

Mr Davies: It would be a long time since you were dancing.

Mr CRANE: Would the Leader of the Opposition like me to challenge him to a dance?

Mr Carr: What a lovely couple they would make.

Mr CRANE: Let us do it for some charitable organisation.

Mr Davies: I am still doing the gavotte.

Mr CRANE: I will challenge the Leader of the Opposition to a song and dance to raise money for a charitable organisation. He should put his money up, or shut up.

Mr Young: You had better forget the song, because we are dealing with the Noise Abatement Act.

Mr CRANE: It is 30 years since I have done a tapdance. If the Leader of the Opposition wants to take up the challenge, there it is.

Mr Davies: I decline.

Mr Melver: Fred Astaire from Moora!

Mr CRANE: I am talking about dance bands. I went to a dance about two years ago, and the music was so loud it was absolutely intolerable. Fortunately—I do not know how it happened that they were in my car—I had some tractor ear muffs in the boot of my car. I went out to the car and obtained the tractor ear muffs and sat in the dance hall with them on. Do you know, Mr Acting Speaker (Mr Sibson), if I had had 200 pairs of ear muffs, I could have sold them. Perhaps we ought to leave the Noise Abatement Act alone; and in my retirement I could go around to dance halls selling ear muffs. Many people would buy them.

The nuisance value alone of highly amplified bands is one thing but the damage they do to the ear drums of those people who are forced to listen to them is another. It is easy enough for someone to say a person need not go to a dance, but many times these are held for charitable organisations or for the entertainment of people. They are used to raise money for various bodies and we often find that not only do we want to go to them but, at times, as members of Parliament it is also expected that we attend and it is appropriate that we do so. It is not only the more elderly people who complain about the noise, but also many of the youngsters themselves.

It is time we made provision to match the wattage output of amplifiers to the size of the hall in which they are operating. There is nothing to stop a person from going along with amplifiers having a tremendous wattage output and placing them in a venue such as this. It would be wonderful if, as a practical demonstration, we were allowed to bring in an amplifier to this Chamber and play various kinds of music at a certain level, and then turn it up. I am sure members would get the message very quickly. Perhaps Mr Speaker would consider giving me permission to do that.

I believe we have to take more stern action against these groups. I have seen organisers of functions go to the leader of a band and ask for him to turn down the volume only to receive the reply that the band cannot or will not do it. These bands are doing irreparable damage and there should be some restriction on the wattage output of their amplifiers. Certainly there should be controls and stiff penalties to make them conform to the desires of the majority of the people who have to listen to them.

Mr Bertram: Will you be moving an amendment in Committee?

Mr CRANE: I may be introducing a private member's Bill later on if this legislation does not achieve what it ought to achieve. But we will cross that bridge when we come to it.

In certain halls in the Wanneroo Shire equipment has been installed to monitor sound. This equipment can turn off the electricity to the hall if the sound from the amplifiers reaches too high a pitch. This is very good equipment except that it is set too high. There should be provision to insist that in halls of a certain size this sort of equipment must be installed. The equipment should be set at a position decided on by the Noise Abatement Advisory Committee, a level considered to be satisfactory for the enjoyment of all classes of people. This is most important and I would like to hear the Minister's comments in this regard. The stage is being reached where many people are refusing to support these functions because they cannot put up with the excessively loud noise forced upon them. I ask the Minister to take particular note of these points. This equipment should be set up and sealed just like a diesel pump on a tractor; they should be set and sealed with a lead seal so that power to a hall will

automatically cut off if the noise from the amplifiers is too high.

The member for Melville mentioned noise produced by traffic on the roads. I remember—and it does not seem so long ago—when the Metro buses provided a service out to Cottesloe. It was a trolley bus service. The trolley buses were wonderful to ride in and were very silent indeed. I suppose for obvious reasons they were taken off the roads; perhaps the overhead wires constituted a visual pollution, although I would be prepared to accept visual pollution rather than noise pollution. Perhaps with the improvement in lead acid batteries it may be possible to have electric buses just as we have electric motorcars. We might be able to return to the old style of trolley buses. I do agree that traffic noise is sometimes far too high and that we should seriously be considering minimising this.

In the first instance we should minimise the noise caused by vehicles with loud exhausts. We should pounce on them without delay. Perhaps they could be confiscated, taken off the road and be subjected to any other appropriate measures. I would hope this legislation is not just something to gild the lily. I hope it will be effective.

I know there are some industries where it is not possible to carry out work without making noise. Boilermaking would be one job which would fall into this category. This would have been particularly so in the old days when rivets and hammers were used. As the old saying goes, one cannot make an omelet without cracking eggs. So in many instances people cannot carry out their duties without making a noise. But common sense must prevail and with the legislation before us there is opportunity to ensure that common sense does prevail.

I will be very disappointed if, after these amendments are proclaimed and become law, we do not move straight into the arenas I have mentioned involving noisy bands and excessively noisy vehicles. Lastly, perhaps we could move into another area, but this would be up to you, Mr Acting Speaker (Mr Sibson), and I and any other member who happens to spend time in the Chair; perhaps we could clamp down on the noise which sometimes emits from this Chamber. I am sure we will handle that one ourselves.

MR BRYCE (Ascot) [11.16 a.m.]: I find I cannot share the optimism of the member for Moore in respect of the nature and purpose of this legislation. I share the disappointment of the member for Melville, given that the Statute we are amending today is nearly 10 years old. It was a Statute based on British precedents in the mid-1960s. It was a Statute which served the purpose in the 1960s in Britain. It is not fulfilling the needs or going anywhere near solving the problems of this community in the 1980s.

The member for Melville has given us a very detailed list of the forms of noise pollution, the source of noise problems in our metropolitan community in particular, which are not catered for in the Bill. In this place I represent a constituency which on a day-to-day basis has to encounter three basic, important, and different sources and causes of noise. I express, with the member for Melville, my sense of disappointment that this Government, having been in office for seven years, having had seven years to review the adequacy of the legislation, having had seven years to monitor the development of our community and the changes within it, has brought to this House a piece of legislation which my colleague, the member for Melville has described as a "fizzog", something which will be a concern and a let-down to the people who live in the noisy parts of the metropolitan area and who are expecting great things from this Bill.

As my colleague said, there is no doubt that with the heralding of this piece of legislation by the media, which spoke of major amendments to noise legislation, there will be many people in our fair city who expect significant things to happen—some real solutions to be found—to some of the major noise problems.

I would like to touch very briefly on three major sources of noise in my constituency: They are the airport, a variety of factories, and a host of main roadways and thoroughfares all of which in recent years have been generating increasingly disturbing levels of noise pollution.

Mr Nanovich: Where do you reckon the airport should be?

Mr Pearce: At Whitford!

Mr BRYCE: In all seriousness, I do not intend to suggest the Perth Airport should be moved. I live quite close to it and have lived there for only eight years. I was fully aware the Perth Airport was established when I moved into my house. I do not expect the community to shift $200 million-worth of airport to another location for my convenience; but, in the interests of the individual, I believe the community has a responsibility to take all steps possible to moderate the noise it imposes on the individuals who live in the near vicinity of the airport.

For the remainder of the time I wish to speak this morning the theme of my remarks will be based on two principles which are that we need a curfew, and people who are affected by noise in

that part of the city are entitled to compensation. I wish to enlarge on both of those issues shortly.

At this stage I shall reply to the interjection made earlier in this debate by the member for Vasse during the course of the remarks made by the member for Melville. Members will recall the member for Vasse complained bitterly about the prospect of a curfew at Perth Airport. Could I through you, Sir, point out to the member for Vasse that a few years ago he and his colleagues launched a campaign to defeat daylight saving. We were told the dairy cattle would not produce milk, because of a suggested change to the clock and the member for Vasse thought daylight saving would upset dairy farms.

Could I suggest to you, Sir, that if the dairy cattle in the electorate of Vasse had to put up with the noise levels after midnight which are experienced by the people in my constituency, the dairy industry would be on its knees.

Mr Blaikie: That has to be the most pathetic argument you have ever come up with. Why don't you go back to school?

Mr Melver: They would produce Carnation milk.

Mr BRYCE: I point out to the member for Vasse that, as he lives in a peaceful, quiet, secluded corner of the State, he would not even begin to understand the noise problems and noise pollution experienced by people who live in built-up areas.

Mr Blaikie: I currently live at Berwick Street, Victoria Park, and you tell me I do not know what noise is about!

Mr BRYCE: One gains the impression the member for Vasse has turned his back on his constituency. Did we not all hear him say he now lives in Victoria Park? Should that be the case, I indicate to the member that he has excellent representation in this Chamber in the form of the "voice of Victoria Park" who sits alongside me on this side of the House.

Mr Young: He is also in good company, because approximately 60 per cent of members do not live in their electorates.

Mr Blaikie: What about telling me how you are going to place a curfew on Perth Airport. Be honest for a change.

Mr B. T. Burke: Don't be ridiculous!

Mr Old: That would be ridiculous.

Mr BRYCE: I wonder whether the member for Vasse will allow me to turn to his part of my argument in my own time which will be in about 10 minutes' time.

Mr Blaikie: You tell us about the curfew you are going to impose on the travel industry.

Mr BRYCE: The travel industry—the industry for which the member for Vasse shows a great sense of concern at the present time, but which has been bled to death by the people who support his political party in this place! The member for Vasse knows the excess fares paid by Western Australian citizens are due principally to the feather-bedding of Ansett Airlines by the Federal Government. There is no decent competition within our national airlines and the member for Vasse knows that.

Mr Carr: And the State feather-bedding of MMA.

Mr Blaikie: What about all the international flights which land here after midnight? Are you gong to cut out all of those?

Mr BRYCE: If the member for Vasse will allow me to come to that part of the argument in my own time, I will accommodate him.

Mr Blaikie: What about a degree of honesty? Why don't you explain what you are going to do about the curfew?

Mr B. T. Burke: What about keeping quiet?

Mr BRYCE: I know, Sir, the member for Vasse is a good personal friend of yours, but having to put up with the types of interjections he is making must try you to the limit. The member for Vasse is interjecting in this way in an attempt to destroy the tenor of the debate.

The two essential things to which I wanted to refer are, firstly, the question of compensation for people—

Mr Blaikie: What about this curfew? You are dodging the issue.

Mr BRYCE: —who are a part of metropolitan communities—the sort of communities the member for Vasse knows very little about—who, for reasons totally beyond their control, are forced to put up with noise that becomes very disruptive and, in some cases, has a debilitating effect on their health. I refer specifically to traffic noise and noise emanating from airports.

When referring to traffic noise as it affects my constituency, the question of the widening of Great Eastern Highway so that it will be a six lane major thoroughfare comes to mind. Currently that highway copes with 37 000 vehicles a day and, within the near future, it will be forced to cope with 50 000 vehicles a day. The Beechboro-Gosnells controlled access highway will divide the Redcliffe community in half. The reservation for that highway at the present time is

300 feet and, when it is built eventually, it will accommodate four to six lanes of traffic.

It is intended that Orrong Road be developed into a major access way and, at the present time, Hardey Road is being taken over by the Main Roads Department and will be turned into another major through system for traffic.

People from all parts of the metropolitan area who want to go to the airport, the Kewdale industrial estate, or the Kewdale and Forrestfield rail systems seem to need to travel through the Belmont community.

The point I make to you, Sir, is this: If the increase in traffic which generates that noise occurs because town planners decide it will happen, people who are forced to put up with the noise should be compensated. If a highway is built alongside one's home and one is forced to erect one of those famous and familiar brick walls, if one is forced to install air-conditioning and to double glaze the windows in one's home, and if one is forced to insulate against noise, one should be compensated.

The individual should not be asked to pay the price for the development of the community based upon plans which have been accepted by the community. I object to the principle that the peaceful existence of any particular family can be altered dramatically overnight as the result of a community decision. If the community decides it is going to alter significantly the nature of an area, the community should certainly pay the bill.

Mr Coyne: What happens if ordinary circumstances develop which result in the disruption of traffic flow in suburban streets?

Mr BRYCE: In regard to the ordinary circumstances mentioned by the member for Murchison-Eyre, I point out it is usually the decision of the local governing authority or the Main Roads Department which significantly alters the volume of traffic on any suburban roadway. It is not just the ordinary increase in traffic which causes the problems; it is the sudden increase from 2 000 or 3 000 vehicles a day to 30 000 vehicles a day over a period of a few years and as a result of the determinations of the decision-makers in the Main Roads Department, the Town Planning Department or the local government authority. These are the people who make the decisions and I suggest the people who live in my constituency alongside any one of a dozen important roads who are being affected by these decisions and must now find the money to build seven-foot high brick walls across the front and, in some cases, down the sides of their homes, should not have to do so at their own cost if that is what is necessary for them to be able to live in that area.

In some cases, families have been forced to move their bedrooms and living rooms from the front to the rear of their houses. In other instances, television reception has become quite impossible in what was a loungeroom, and that has been caused by the noise. It concerns me that the severity of this problem in our metropolitan community, particularly in our suburbs, has been ignored by the people who reviewed this legislation. Nothing appears in the legislation to remedy the situation.

Mrs Craig: In your view when a local authority is concerned about higher traffic rates within a given residential street and moves to restrict traffic in that street and by so doing directs traffic onto other residential streets in the area, that local authority should assume the responsibility for payment of compensation to every person it disadvantaged.

Mr BRYCE: The Minister is quite right. Whoever makes the decision to reroute the traffic should bear the responsibility of compensation in whatever form. If it is a local authority exclusively which makes that decision within a local community then the local authority should bear the brunt of its decision. In my opinion that means it should bear a substantial share of the compensation. I am not privy to all the financial agreements between the State Government and local authorities on all these sorts of questions, but I imagine if the decision is exclusively a local authority's decision it should bear the brunt of the decision.

Mrs Craig: We had one local authority which sought amendment to its zoning to prevent people erecting high fences which would lead to a fortress mentality held by the people behind the fences.

Mr BRYCE: I hope the Minister does not turn around and say it is a local authority in my constituency.

Mrs Craig: It is not a trap.

Mr BRYCE: I point out to her that the example reflects the thinking of the people on that council. It is a long way behind understanding the details associated with this problem. I presume the people who made the decision certainly do not live beside a main road.

Mrs Craig: It might be some solace to you that I agree with you.

Mr BRYCE: I appreciate the Minister's stateswomanlike attitude on this occasion. I will return to the matter of curfews. I am bitterly

disappointed the member for Vasse has not remained in the Chamber to wait for me to return to this point. I promised I would not take any more than 10 minutes to return to it, but he could not wait.

In respect of the matter of curfews at airports I emphasise the point that the member for Welshpool and I are the members of this Legislative Assembly who represent the people who live in the immediate proximity of Perth Airport. I have no doubt in my mind that a curfew for that airport is inevitable.

The change in the number of aircraft movements through Perth Airport justifies the point I make in respect of the need for a curfew. If the Government argues in 1981 that a curfew would be impossible or undesirable I simply say that like the 35-hour week a curfew is inevitable. Almost every major airport in Australia has at some stage in the not-too-distant past imposed a curfew in respect of those hours after midnight and before 5.00 a.m. or 6.00 a.m. I draw the attention of, in particular, the member for Vasse, to the increase in the level of aircraft movements at Perth Airport together with the projections for the future. For his information, I indicate that in 1973 there was an annual total of 35 400 aircraft movements, and I am talking about major aircraft, not light aircraft.

Mr Blaikie: Just on that point, those 35 400 aircraft movements, would include landings and take-offs, would they not?

Mr BRYCE: The number refers to aircraft, not landings. It represents the number of touch-downs. In 1980 there were 62 390 movements. In 1984 it is projected that there will be 80 200 movements; in 1994, 133 300 movements; and in 2004, 199 500 movements. Those figures indicate the problems that will be caused during the hours after midnight and before 5.00 a.m. in the suburban communities, and, in my opinion, that clearly warrants the introduction of a curfew. If it does not come immediately it will eventually—it is inevitable.

I point out to the member for Vasse that so far as MMA is concerned its movements are timetabled currently to depart from Perth early in the morning, and the bulk of its arrivals, if not in during the day, is well and truly in by 10.00 p.m. or 11.00 p.m. Currently interstate traffic, Ansett and TAA aircraft—with this ridiculous tying arrangement which ensures the aircraft arrive and depart within 10 minutes of each other—arrive and depart just before midday and just before midnight. So, the only aircraft that would be affected by a curfew are those of the five or six—

Mr Blaikie: International carriers.

Mr BRYCE: —international airlines which stage their aircraft through our airport.

Mr Blaikie: And it is a very important part of the travel industry.

Mr BRYCE: What the member for Vasse cannot demonstrate to this Chamber is a statement from those airlines that they will refuse unequivocally to service this airport if a curfew is imposed. The reaction from the member for Vasse is based upon assumption—highly suppositious reasoning. Absolutely no investigation in recent years has been undertaken as to what the international airlines may do. This matter has not been pursued with those airlines for the reason that this Government which has been in office in this State since 1974 will not countenance the idea of a curfew. It has not pursued the idea of a curfew with these international firms.

Sir Charles Court: Are you saying if a Labor Government was in power there would be a curfew?

Mr BRYCE: I cannot speak as a Labor Government. I am speaking as a Labor representative.

Sir Charles Court: It would be the end of many of our international connections.

Mr BRYCE: The Premier says that it would be the end of our international connections.

Sir Charles Court: I did not say that at all. I said "many".

Mr BRYCE: Five or six international airlines come to this State. I ask the Premier to indicate in this Chamber which of those airlines have indicated they will refuse to service this airport if a curfew is imposed.

Sir Charles Court: They come to Perth because it is a matter of convenience. They can land here and still meet the curfew—

Mr BRYCE: The Premier is not telling us anything we have not heard before.

Sir Charles Court: I am telling you that they come through here to be in line with the curfew applied in New South Wales, and the reverse applies when they come from New South Wales. If they can't do that they will take the line of least resistence and bypass this place which is getting a lot of traffic because we can give them this convenience. We are cashing in on it—

Mr BRYCE: The Premier says "We are cashing in on it". We are cashing in on the suffering of people I represent. The member for Vasse has set about destroying the likelihood of

daylight saving because daylight saving will upset the dairy cattle of the south-west.

Sir Charles Court: You didn't let me finish.

Mr BRYCE: I heard the Premier say we are cashing in on the suffering of the people I represent.

Sir Charles Court: Not cashing in on—

Mr BRYCE: That is what the Premier said. We will cash in.

Sir Charles Court: It is cashing in on the basis of our giving international connections. Don't they mean anything to you?

Mr BRYCE: Mr Acting Speaker (Mr Sibson), I will return to my original question. I asked the Premier to tell me the names of the international airlines which had indicated to this Government that they would not service the airport if we imposed a curfew.

Sir Charles Court: It is not a question of airlines; it is a question of services we otherwise would not get. It does not matter which line; it is still the same situation.

Mr BRYCE: So the Premier has amply demonstrated the point I made. He is not in a position to tell us that Singapore Airlines Ltd, Cathay Pacific Airways Ltd., or Garuda Airlines will not continue to call at this airport if a curfew is imposed.

Sir Charles Court: I did not say any of them would stop calling here at all. Don't you distort my comments. I said they would not call here at these other times if they were covered by a curfew.

Mr BRYCE: Now the Premier is changing his tune.

Sir Charles Court: No, I am just trying to tell you about it so that you will be able to talk sense. These other services that are so vital to us to give us a complete international connection will not be able to call here. If you want that, say so, and we will work on that basis.

Mr BRYCE: I would like the Premier to be a little more explicit. What services are we going to lose? As the member representing the people living close to the area, I would like the Premier to tell us what services will be curtailed, and which companies have told him that the services will be curtailed.

Sir Charles Court: I have told you; it is not a question of companies at all.

Mr BRYCE: The Premier says the services would not be provided, but he will not give us the names of the companies.

Sir Charles Court: It could be that all of them will still call in the non-curfew period, but services will be curtailed. Just tell us what you want, and we will work on that basis.

Mr BRYCE: If there is a very real option available to us for international aircraft to arrive before midnight and after 5.00 a.m. or 6.00 a.m., then we, as a civilised community, ought to select that option and pursue it.

Sir Charles Court: Of course the companies themselves would want to do it, but have you not studied the position in the light of the total operation?

Mr BRYCE: Indeed I have, and that is one of the reasons I am raising the matter today.

Sir Charles Court: What are we to do if an aeroplane gets into trouble in the Indian Ocean and wants to land in the middle of the night? Do you want us to do what Dunstan did?

Mr BRYCE: The Premier assumes an absurd level of naivety on members of this place.

Sir Charles Court: Dunstan refused permission during the strikes.

Mr BRYCE: What would happen in Sydney if an aircraft between there and Fiji got into difficulties in the curfew hours, or an aircraft on its way to New Zealand?

Sir Charles Court: Sydney would direct it to Melbourne or Brisbane. It has alternatives.

Mr BRYCE: Sydney airport would do what happens in any emergency—it would allow the aircraft to land.

Sir Charles Court: What happened in South Australia when Dunstan was Premier? Don't you recall that?

Mr BRYCE: I do not happen to be a member of the South Australian Parliament, and I do not happen to represent the people living in the vicinity of Adelaide Airport. I do, however, represent the community that lives near the Perth International Airport. This Government has adopted a head-in-the-sand attitude towards a curfew. It does not consider the plight of the people, and it does not intend to do so. This legislation makes no provision, and it recognises in no way whatever the problems associated with noise emanating from the airport.

The last aspect I wish to touch on also relates to the airport and it concerns plans for the extension of the airport. While I appreciate that my comments are directed initially to the Minister for Transport, I would like to draw the attention of the Minister for Health to the fact that the people in the community surrounding the airport are disgusted that no noise impact study

has been carried out. According to the Minister's colleague, the Minister for Conservation and the Environment, there has been no environmental impact study in regard to the new plans. We took that to mean that the Government does not believe that a noise impact study into the extension of the existing airport is necessary.

The Federal Government must bear the basic responsibility for the decision, but if this Government decides that it wants to take some affirmative action, it can and should attempt to influence the Federal Government. The noise level in the area will increase inevitably with the location of the new international terminal near the existing facilities. I suggest to the Minister for Health that if he is the slightest bit concerned about noise problems in the community, he ought to make the appropriate representations, with his colleague, the Minister for Transport, to prevail upon Transport Australia to see that the new international terminal is located in a position selected for it in four of the five alternative plans considered. This location is approximately a mile further towards Newburn.

From the answers I have received from the Minister for Transport and the Minister for Conservation and the Environment, I suspect that the Government is simply not interested in the plight of the people who live south of the river. It is a fact that provision has been made for a new runway approximately 6 000 feet closer to the hills; that is, about a mile towards Newburn.

Vis-a-vis the development at Mascot Airport at Sydney, alternative plans have been drawn up for a new terminal and runway to be established towards the marshalling yards and industrial estate. What Government could logically support the plan of Transport Australia to concentrate aircraft movement right alongside people living near the airport, when a sensible detailed alternative plan has been drawn up by the department itself for a runway a mile further towards the foothills?

The arrival and departure of aircraft on a runway sited as I have suggested would be mainly over Westrail's freight yards at Forrestfield and the industrial estate of Kewdale. Can anyone in the Chamber say that that would not be a more logical choice? Why is the Government sitting back and refusing to approach Transport Australia to locate the extension of the airport closer to the foothills rather than near the population of Redcliffe and Belmont?

After that brief diversion I will return to the Bill and the Government's performance in respect of noise pollution. The member for Melville has stressed to this Chamber that the Government has been in office for seven years—it has had seven years to review the adequacy of legislation passed through this Chamber in 1972.

Our metropolitan community has changed significantly in the time this Government has been in office, and this review of the Noise Abatement Act demonstrates that the Government is either totally disinterested in coming to grips with the solution of noise problems, or it assumes such problems do not exist. I suggest that by the Minister's own performance in handling the crunch issue from time to time when real noise is created we can only assume the Government will continue to pay lip service to the problem by having on the Statute book a Noise Abatement Act while refusing to really bite the bullet when it comes to tackling industry, town planners, the Main Roads Department, and the aviation departments of this community and demanding that something effective is done to preserve the quality of life which people in our metropolitan community are entitled to enjoy in 1981.

MR YOUNG (Scarborough—Minister for Health) [11.51 a.m.]: The main speaker for the Opposition, the member for Melville, indicated at the outset of his speech yesterday that the Opposition intended to support this Bill. Apparently when the Speaker puts the question for the second reading members of the Opposition will remain silent and support the passage of the Bill—and I believe for good reason. However, one would never have known, apart from the comment made by the member for Melville, that there was any support for the Bill at all. In fact, the member for Melville indicated the whole Act should be thrown out. Of course, he was referring to an Act that was written by the Leader of the Opposition and introduced to this House by him in 1972 when he was Minister for Health.

This Bill is largely a Committee Bill, so the comments I make in reply to those made by the speakers to date will be fairly brief. It is true to say that about 90 per cent of the comments made referred to what is not in the Bill rather than to what is in the Bill.

However, I do wish to make a few remarks. The first point is that it may come as a shocking surprise to the member for Melville, the Leader of the Opposition, and the member for Ascot—as well as some other members of the Opposition—to learn that noise has in fact been around for a long time. Noise has been around in industry for many years, and it is the workers engaged in that field of endeavour whom members of the Opposition claim to represent

who, for at least the last 100 years, and probably more, have been plagued and injured by it. Many of the noise emissions from industry have in fact caused serious damage to the hearing of workers over the years. One would have thought that would be of great interest to members of the Opposition; yet when the Act was introduced back in 1972 no recognition was given to that problem, notwithstanding that it was one of long standing.

Not only did the Government of the day not have regard to that fact, nor were regulations prescribed at that time in respect of the protection of hearing in industry, but also the Act did not even give the Minister proper power to prescribe regulations in respect of such matters.

Therefore, all this talk about this Government not acting to protect people and failing to produce legislation in this place is so much bunkum on the part of the member for Melville and others. The plain fact of the matter is that the Opposition, when it was in Government, introduced an Act which was not a very good Act. I do not blame members opposite for not being expert in the drafting of this type of Act at that time, but they must have recognised the fact that noise was a problem if they introduced an Act to do something about it. The Act they introduced at least should have been meaningful. During the seven years of the present Government, although no amendments have been made to the Act, at least we have set up bodies which are well represented and have been preparing guidelines and ultimate regulations which will at least have some effect in respect of the protection of hearing not only in industry but also elsewhere. I refer to the control of nuisance noise in the general community.

This Bill at least introduces the possibility of the Act having power to enable prescription to be made in respect of noise problems. The member for Melville referred to the Act as a "fizzog". In his usual fashion he made claims about the number of telephone calls he had received from an irate public who are condemning this legislation and the Government for its failure to do certain things. I will not go into detail about the veracity of the member for Melville when he talks about the people who ring him on the telephone, but I will say this Bill was introduced in 1980 and if the claims by the member for Melville about this Bill being a "fizzog" were true I would at least have had the odd one or two phone calls since the Bill was introduced. Once the Bill was about to be discussed in the House, if people felt that way I would have heard from them; I would have had people saying "We don't like this part or that part of the Bill." However, that did not happen. The furore and the clamour that the member for Melville claims to exist in respect of this Bill are just another series in the figment of rather wild imagination.

Mr Hodge: You misunderstand what I said. I was not talking about the Bill. You did not listen.

Mr YOUNG: One thing is for certain: Very little of the member's speech was based on what was in the Bill, because his speeches are always based on what is not in a Bill.

Mr Hodge: Most of the public do not know what is in the Bill. It is not exactly a best seller.

Mr YOUNG: Is the member referring to the Act introduced by his leader?

Mr Bryce: It is 10 years old. Is there anything wrong with that?

Mr YOUNG: I have already dealt with that; in fact, I have been dealing with that matter since I stood up. I have referred to the fact that the Act is not competent, is not proper, and does not contain the basic ingredients.

Mr Hodge: You have had seven years in which to do something about it.

Mr YOUNG: And we have done something. The furore and the clamour within the public which were referred to by the member for Melville do not exist, otherwise one would have thought I would receive some complaints emanating from that source. Frankly, the member for Melville knows just as everyone else knows that such has not been the case.

Once again, in his typical fashion, the member for Melville has not really discussed or debated what is in the Act. I notice that usually when he is on his feet somewhere in the vicinity of 60 or 70 per cent of the time available to him is devoted to talking about things which are not contained in the legislation, about things which he would like see contained in the legislation, and about things which generally have no direct connection with the matter before the House.

Mr Hodge: Isn't that what a second reading speech is supposed to be about?

Mr YOUNG: The member for Melville spoke about the regulating powers of the Act and what might or might not be in the regulations. He referred also to what should or should not be in the regulations. At one stage in the course of his speech he claimed—if I heard correctly, and I am open to correction by him—that the Bill did not give teeth to the regulations which might be introduced. I do not know whether he was speaking specifically about conservation of hearing in industry regulations, or whether he was speaking about the regulation-making power,

generally. Perhaps by way of interjection the member could tell me to which regulations he was referring.

Mr Hodge: I was referring to the hearing conservation in industry regulations.

Mr YOUNG: I thought that might have been the case. If the member for Melville reads the Bill more thoroughly he will see that section 48 of the Act is to be amended in such a way as to clarify the situation in regard to the strength of prescribing. As amended, the Act will now read—

> The Governor may make regulations not inconsistent with this Act prescribing all matters required or permitted by this Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to the objects of this Act . . .

This amendment has been made so that there would be no further doubt as to the strength of the regulations in this area. I believe that amendment, combined with the draft hearing conservation in work places regulations, of which the member for Melville has a copy, probably is an effective way of taking a major step towards hearing conservation in this State.

One must read the hearing conservation in work places regulations in conjunction with the amended legislation. I cannot for the life of me see how the member for Melville can state that these regulations, and the amended legislation, were mere guidelines and would not be effective.

Mr Hodge: You are confusing what I said. When I was talking about the regulations, I was referring to the hearing conservation in work places regulations. Later, I was speaking about the guidelines your department is going to draw up for town planners, road engineers, and so forth. They were two completely separate subjects.

Mr YOUNG: The member for Melville has clarified the situation. The guidelines which already have been put forward by the subcommittee relating to zoning proposals and in respect of town planning—whether it is to do with traffic or otherwise—and even in respect of the design of machinery are not regulations which are extant. They are a series of guidelines submitted by a subcommittee of the technical committee to which the member for Melville referred. When the guidelines are accepted by members of the committee and the Government, they will become regulations which are subject to the Act. Quite clearly, they will have teeth; it is no good writing regulations which do not have teeth, because that is what regulations are all about.

So, things which are not in existence at this stage can hardly be condemned. That is one of the problems which come about when a person—in this case, the member for Melville—concentrates his attention on what is not in the legislation.

As we are discussing the regulations, it is important I remind the House of what these conservation of hearing in work places regulations are all about. They have four basic aims which will be implemented over a period of time in three major steps. The first of those three steps is to endeavour to achieve a low level of noise in the work place; the second step will be to protect the worker under the regulations; and, the third step will be to apply a set of provisions whereby appropriate monitoring of the work place and the health of the workers takes place.

The regulations have four major aims, the first of which is to reduce noise as far as is possible. I agree with the philosophy of the member for Melville that we should attempt a general reduction of noise, wherever it may exist. However, as much as we may want to reduce noise, at the same time we seek continued technological advancement in industry. We will never be in a position where we can absolutely overcome noise problems in our community. For instance, we might be able to control the noise a machine—such as a grinding machine—makes in its internal operation. However, we cannot stop the external noise that machine makes when it is in the process of performing its job. All the screaming, clattering, and clanging noises which are part of industry cannot necessarily be completely overcome.

The second aim of these regulations is to educate, teach and fit personally, protection to employees. That aim accepts noise exists and will continue to exist and seeks to prevent excessive noise from penetrating the hearing mechanism of the body. I believe that to be a laudable aim.

The third aim of the regulations is the education of management and employees in hearing conservation; the fourth aim is to monitor the success or otherwise of the programme by testing hearing at regular intervals.

During the course of his speech, the member for Melville did not touch very deeply on the conservation of hearing in work places regulations, other than to say they were a great disappointment to him and that, generally, workers would not consider them to be sufficient. The only specific thing he said was that the regulations relied too heavily on the use of ear muffs or ear plugs and that, according to the

"experts" to whom he had spoken, ear muffs were next to useless.

Mr Hodge: As the regulations were not before the House, I thought the Speaker might pull me up if I started debating them.

Mr YOUNG: I am not debating them.

Mr Hodge: You were criticising me for not going deeply enough into the regulations.

Mr YOUNG: No, I am simply referring to the regulations as generally as did the member for Melville. I make the point that the so-called "expert" who has informed the member for Melville that the use of ear muffs is next to useless would not fit into the category of the sort of experts upon whom I would like to rely. While it has never been claimed ear muffs or anything else which seeks to prevent noise getting into the ear are the be-all and end-all of hearing conservation, nobody in his right mind would fail to recognise that if noise cannot be reduced or completely eliminated, the next step is to prevent the noise from getting into the hearing process. Obviously, that is better than nothing.

Mr Hodge: Is that your personal view, or the view of the experts you have consulted?

Mr YOUNG: It is a logical view; it must be logical to anyone that the prevention of noise gaining access to the ear is a step in the right direction.

Mr Hodge: Just answer my question: Is that your personal view, or did your technical experts tell you that?

Mr YOUNG: Yes, my experts told me that. However, one does not need a technical expert to tell one something which is purely logical.

Mr Hodge: I would have thought so too, until I spoke to some highly qualified experts in this field, and that was the view they gave me.

Mr YOUNG: I think I could probably write down the names of one or two of those experts on a piece of paper.

Mr Barnett: And hand it over in confidence?

Mr YOUNG: That would be up to the member for Melville; I would not mind naming the people who gave the member for Melville that advice. Obviously, the theory put to the member for Melville is that noise in fact can enter the very framework of the body, other than through the ear, and set up a vibration which is translated into noise through bones, nerves, and tissues. Although that might sound a fairly reasonable proposition it has not yet been proved such a process will cause the sort of hearing damage to which this Bill is turning its attention. The average person would accept that any protection of the ear is better than none.

During the course of his speech, the member for Melville, as part of his general denigration of these regulations, said that the Opposition was not happy with them. He said that the people to whom he had spoken were not happy with them; and he added that the trade unions were not happy with them. I do not know to what extent the regulations have been circulated in the trade union movement; but I imagine they would have been distributed fairly widely.

Mr Hodge: They have not been, actually. The Department of Health and Medical Services is very niggly about distributing them.

Mr YOUNG: I will accept as true what the member for Melville says. However, I would have thought that the Trades and Labor Council representative on the Noise and Vibration Control Council (Mr Reid), as assistant secretary of the TLC, would have made it his business as the representative of the trade union movement throughout the State to consult with the movement. He would have considered the advice they gave him before he went as a specific representative of the TLC to the Noise and Vibration Control Council and gave his acquiescence to the regulations. He has given his acquiescence without reservation.

Yesterday we were discussing a motion moved by the member for Gosnells about his problem with the Minister for Education. The member spoke about the right of trade union members to speak unilaterally on behalf of their trade unions. I do not believe Mr Reid, or Mr Cook if he happened to be the representative of the TLC on the council, would speak unilaterally. I do not think they would give their unqualified acquiescence to a set of regulations if they had not discussed them with the trade union movement generally, or as many persons within the movement from whom they could obtain a reasonable opinion.

The member for Melville said he was going to see the representative of the TLC on the Noise and Vibration Control Council about these regulations. He has had the regulations personally for quite some time—I understood him to say since January. Knowing that the Bill was before the House, and that it had been for at least three or four months, and knowing the contents of the Bill and the existing regulations, I would have thought that the member would have taken that step before now.

The member for Melville, the member for Ascot, and other members did refer during

the course of this debate to a number of other matters which do not touch on the regulation-making power. The member for Melville is well and truly cognizant of all those things. In part, he did touch very briefly on the annoyance caused to neighbours by noisy parties and the like. However, it was a very brief contribution in this respect. I would have thought that the introduction of the police into the law enforcement sections of this Act would be welcomed by the Opposition with a greater contribution than it has been.

Mr Hodge: I will be having a lot more to say about that in the Committee stage. I thought I would keep my remarks to a general nature in the second reading stage. Do not be too disappointed.

Mr YOUNG: His remarks were very brief; and I thought some form of congratulation might have been given in respect of the assistance that will now be given to other authorised persons—that is, the local government officers who are associated almost solely with the responsibility for this Act to date.

I was about to say, before I was interrupted by the member for Melville, that I do not agree with the amendments he has on the notice paper, for a couple of reasons. I know this is a Committee matter, but I would like to advise the member in advance. I do not agree with one amendment, because if the member had done a scissors and glue job he would realise that the amendment does not make sense.

Apart from that, I am in agreement with the member in respect of the philosophy of the police presence. The position of having persons other than police officers being allowed to enter premises at the times to which he refers in his proposed amendment is important. I would give support in principle to that philosophy, and intend to do so in the Committee stage of this Bill. However, I do not give support to the manner in which the amendment is drafted. Perhaps the member's philosophy might be put into effect in a more competent manner.

Mr Hodge: Are you going to introduce amendments yourself?

Mr YOUNG: I will consider the amendments after we have discussed the Bill in Committee. I would not think that the amendments need necessarily be made in this place. We can talk about that in Committee.

The comments by the member for Melville included a comment that he wanted a prescription Act, and not just an Act that dealt with nuisance. He said that the Act, which had not been amended for the seven years since we have been in Government, indicated that this Government was not serious. This Government is probably a little more serious than he thinks it is. It certainly appears to be more serious now that many of the recommendations of these committees which have been working for many years are coming forth. At least the Government is giving itself the power to prescribe some of the recommendations which are being advanced by some of the subcommittees of the Noise and Vibration Control Council and the Noise Abatement Advisory Committee.

Those subcommittees have been dealing with very serious subjects. One of those which is dear to the heart of the member for Melville deals with the traffic noise regulations. I am sure the member would be absolutely delighted to know that that particular subcommittee has now prepared and submitted to me a final report, which I will be sending to my ministerial colleagues directly connected with the matters raised in that report, for future submission to Cabinet as and when I can have acquiescence as to what might be done in regard to the regulations.

The matters raised by that subcommittee are very complicated ones indeed. The solutions for the problem of traffic noise are by no means simple ones. Any solution that might be found, or any prescription in respect of the problem will take a long time to draft to the satisfaction of the people involved. The regulations will touch on the living standards of almost all of our citizens; so they cannot be taken lightly. Some of the matters raised by the member for Melville may take years to resolve, in fact. They may take more years than we have had as a Government to track the solutions to earth. The solutions would have to be acceptable generally to all members of the community, including industry and commerce, the trade union movement, the Opposition, and the like. However, some subcommittees are working very assiduously on solving some of the problems. The problem of traffic noise, in regard to the design and planning aspects, affects town planners, architects, engineers, traffic authorities, designers of equipment, designers of machinery, and the like.

I have pointed out that this Bill is starting to give to the Act at least the power for us to become involved in the solution of some of these problems. That is a power which was not given under the original Act.

The member for Moore raised the question of the amplification of electronic music—a term commonly and loosely used by those who play in bands to describe the sounds they make. He asked me to question in my mind whether some action

could be taken in this regard. Mr Acting Speaker (Mr Crane), I can speak to you directly on this matter and say that, in the main, the Noise Abatement Act we are discussing is designed to attempt to prevent, as the member for Melville said, nuisance and damage. The nuisance aspect of band music is a self-imposed one although as members of Parliament you and I may not consider it to be self-imposed if we have to attend a function. But the many people who voluntarily attend would have to agree that it is self-imposed and something that can be avoided.

Many people attend a particular hotel, dance, function, or event because not only do they not mind the noise that emanates from the band, but also they enjoy the sound very much. The sort of self-imposed damage which you, Mr Acting Speaker, spoke of is not something that I consider at this stage should have priority over the matters currently being examined within the Act and to which various other speakers referred. The problem of traffic noise is an immense one. The discussions which have taken place in respect of what might be prescribed in regard to that noise covered hundreds of hours. This sort of thing has a much greater priority than the ones to which you, Mr Acting Speaker, referred.

The member for Ascot mentioned noise at the Perth Airport. I thought by general discussion across the Chamber he would have had a general answer in respect of this Government's attitude in regard to a curfew. As far as the noise which emanates from any airport is concerned, it is obvious that this is something all Governments have to concern themselves with.

I am not going to rule out altogether the idea that this Government must concern itself—and indeed has concerned itself—with general community noise, which would include the noise emanating from the airport. At this particular time however the Government would rule out any consideration of a curfew that might have as its result the curtailing to a greater extent of air services into this—as I described to the member for Ascot—the most isolated capital city in the world.

There is no simple answer such as that we should impose a curfew on the airport after certain hours because to do so would inflict a flow-on effect, particularly in regard to scheduling of aircraft in trying to tie in with other States. When one considers the fact that we have 1 500 miles before we get to the next capital city one realises we do not have an easy task in this regard.

As I said at the outset, this Bill to a great extent is a Committee Bill and I shall leave my comments on the second reading speeches at that.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Clarko) in the Chair; Mr Young (Minister for Health) in charge of the Bill.

Clause 1: Short title and citation—

The CHAIRMAN: In this clause the Act is referred to as the Act of 1980 and this date should be 1981. We will accept that as a typographical error and arrange to have it rectified.

Clause put and passed.

Clauses 2 to 5 put and passed.

Progress

Progress reported and leave given to sit again, on motion by Mr Hodge.

WORKERS' COMPENSATION BILL

Second Reading

MR O'CONNOR (Mt. Lawley—Minister for Labour and Industry) [12.27 p.m.]: I move—

That the Bill be now read a second time.

Since the beginning of this century, the need to provide for the well-being of workers incapacitated by injury or disease suffered as a result of their employment has been recognised and regulated by legislation. Over the years, social and economic changes have necessitated legislative amendment in this area. However, the result is that this legislation, always the subject of judicial comment and interpretation, now lacks clarity of intent in many areas.

The initial Workers' Compensation Act in Western Australia came into force in 1902 and since then has been amended on over 30 occasions. Some of these amendments have been substantial, while others have been pedestrian and largely mechanical.

Criticism of the Act and suggestions that it be completely overhauled have been made by various members of the judiciary and also a Select Committee of the Legislative Council. Typical of these comments are those of Mr Justice Stephen in the case of Geraldton Building Co. Pty. Ltd. v May, when he said "The accumulated scar tissue of 65 years of frequent amendment aggravated rather than aided by the cosmetic device of successive reprints, makes unrewarding the search

for any underlying pattern likely to reveal legislative intent . . ."

An addendum to the 1973 report of the Select Committee of the Legislative Council goes further by stating "It is strongly recommended by your committee, therefore, that a small expert committee should be set up to clarify and adjust the Act. In short, to re-write it."

I consider the Government's undertaking prior to the 1977 election to examine this question so as to achieve a result which is fair to the worker and something industry can reasonably bear reflects the Government's appreciation of the situation as expressed in those comments.

In fulfilling its undertaking, the Government initiated a judicial inquiry into the operation of the Workers' Compensation Act. Members would be aware that the Hon. B. J. Dunn, OBE, a former judge of the Victorian Supreme Court, was commissioned to conduct the inquiry.

It was clearly understood that the results of the inquiry would form the basis for new legislation. However, the Bill before the House, while incorporating many of the aspects contained in the report which followed the inquiry, reflects the Government's policy and its final decisions.

In carrying out the inquiry, Judge Dunn sought a wide variety of opinion. The public were invited to contribute and Press advertisements called for submissions. The judge had extensive discussions with parties interested in workers' compensation in Western Australia. These included the Confederation of Western Australian Industry; the Trades and Labor Council; Australian Council for Rehabilitation of Disabled, Western Australian division; and the Insurance Council of Australia. In addition, visits were made to the Kalgoorlie Regional Hospital, Commonwealth Rehabilitation Centre at Melville, and the Royal Perth (Rehabilitation) Hospital.

On 30 January 1979, the judge provided the Government with his final report and recommendations.

The recommendations were published to permit further discussion and I publicly invited further comment.

Subsequently, comments and further suggestions were received from various organisations and individuals. Discussions were held with the Minister for Labour and Industry's advisory committee on those provisions to which strong objections had been made.

It should be clear, therefore, to everyone that the proposals embodied in this Bill have been the subject of the most exhaustive and thoughtful decision-making process.

Many of the changes proposed in the Dunn report have been adopted. However, the Government, because of its responsibility to the entire community, has where it was considered necessary made substantial amendments and adjustments. These have altered the emphasis from compensation to rehabilitation, without any significant reduction in the level of benefits payable to workers.

In view of the criticism that has been levelled at the present Act, I am sure members would agree the need exists for clearly defined objectives in relation to the intent of this Bill.

The Government is clear in this regard that legislation should provide substantially for some of the economic consequences of a work-caused disability and facilitate the return of a worker to gainful employment. It is not, however, the province of this legislation to compensate for pain, suffering, or loss of enjoyment of life.

The scope of this legislation in conformity with the intent as outlined encompasses the following aspects—

The Bill applies to all individuals properly classified in a somewhat broad sense as workers who have an employer responsible for their conditions of work and with the right to exercise some control over the manner in which the worker performs the task he is employed to do.

The Bill provides for compensation in respect of disability or death for which the work of the employer was in some way responsible or which resulted from an accident in the course of the work without wilful or serious misconduct by the worker.

The Bill provides for the financial support of dependants of a worker when death unfortunately follows a work-caused disability.

The Bill establishes procedures in relation to rehabilitation to ensure the speedy assessment of rehabilitative needs and implementation of an appropriate programme.

Many of the changes in the Bill are merely for the purpose of putting existing sections into a more logical order and to give clearer expression of previously ambiguous provisions.

There are, of course, changes of considerable significance and these require comment and explanation. A major thrust of the new legislation involves the separation of the judicial function

and administrative duties of the Workers' Compensation Board.

There are a number of cogent reasons for instituting this separation, not the least being the current role of the board as adjudicator on applications for compensation.

Members will agree that the requirement for the board to advise applicants on the one hand and decide their entitlement on the other, places it in a very invidious position. The establishment of the workers' assistance commission will overcome this problem.

Other benefits of this separation include the implementation of existing provisions of the Workers' Compensation Act which have been included in this Bill and which were not pursued to their fullest in the past.

Typical of the function categories which will be affected are those relating to accident prevention, rehabilitation, re-employment, industrial disease and accidents and statistical data.

One has a great feeling of sorrow for handicapped people unable to obtain work; left with an uneasy and aimless feeling which is devastating to their peace of mind. It is felt this legislation will ease this position and assist handicapped people to obtain work on a part-time basis. This will not only assist the handicapped worker to be physically and mentally active, but it will also help him financially.

This scheme has been discussed with and has the support of medical people involved in dealing with the handicapped.

There has been no co-ordinating authority to oversee the operation of the Workers' Compensation Act and ensure uniformity of its administration.

Members will agree that workers' compensation is big business and with the implementation of the large mineral development projects now occurring it will be much bigger. A strong administrative organisation is essential to take overall responsibility for the operation of this Bill.

The workers' assistance commission has consequently been structured to provide representation of employers, employees, insurers, and Government. I consider it is essential from an awareness point of view that interest groups are able to experience at first hand the problems and costs associated with this important area and contribute positively to the providing of solutions.

This does not mean that the judicial function will diminish. Members will be aware that the work load in this area increased to such an extent that the Government took the positive step in 1978 of establishing a supplementary board in order to reduce the backlog of claims which at that stage were exceeding six months in waiting time for a hearing.

The success of the Government's action in appointing the supplementary board is evidenced by the reduction in the waiting times for hearings before the board. As a direct result of this success, the Bill provides for the future appointment of a supplementary board to be made on either a full or other than full-time basis. This will introduce a further degree of flexibility in meeting fluctuations in future claim levels.

The existing tripartite nature of the Workers' Compensation Board will be retained.

The jurisdiction of the board has also been enlarged to enable disputes between employers and insurers to be dealt with. I am sure members would agree that processing of all aspects relating to a claim in one jurisdiction will result in benefits to all parties.

Perhaps one of the most significant features of the Bill relates to changes in the "prescribed amount".

Under the present Act, as members would be aware, the formula by which this amount increases each year has resulted in a telescopic effect which bears no relation to the percentage increase in award rates of pay.

Judge Dunn recognised this fact and recommended the prescribed amount be reduced to $35 000 which placed this State slightly below the level then applying in Victoria. He also proposed the formula for determining the rate of increase of this amount be varied to reflect the percentage change in the weekly minimum wage rate for adult males under Western Australian State awards.

The Bill provides for this change in the formula for assessing the rate of increase in the prescribed amount. However, the Government has acted to increase the $35 000 to a figure of $41 000 which is slightly above that in Victoria.

I am sure members would agree that this action is both reasonable and equitable, particularly when comparison is made with the prescribed amount in other States.

The creation of a situation, however, which involves a disadvantage to workers suffering a disability after promulgation of this Bill could occur with this proposed change. The Government has therefore adopted the approach—and it is highlighted in the Bill—that the current level of the prescribed amount which is $51 646 will remain in force until the $41 000, as varied in

accordance with the provisions of this Bill, exceeds that amount.

The Government believes that the Bill successfully combines a rationalisation in the level of the prescribed amount without the trauma associated with a reduction in the level of benefits applying.

In conjunction with change to the prescribed amount, Judge Dunn recommended a reduction in the quantum of weekly earnings from 100 per cent to 85 per cent of the injured worker's weekly earnings, excluding specific allowances.

An incentive must exist for workers to return to full-time employment and, while the reduction to 85 per cent would emphasise the situation, I am sure most members would agree it could in some circumstances place undue stress on a worker and, in fact, act against a quick return to the work place.

The Government has assessed carefully the implications of this proposed change and as a result decided to retain the provisions in the existing Act. This means the 100 per cent level of weekly earnings as defined in the Act will remain.

Another important element concerns the establishment of an age limit in respect of eligibility for workers' compensation.

At the present time there is no limit to the age at which a person can receive compensation in respect of a work-caused injury. Members may be surprised to know that a considerable number of people are receiving compensation even though they have passed their three score years and 10. In fact, I understand one compensation recipient is 89 years of age.

Mr Skidmore: He still must be capable of getting a job.

Mr O'CONNOR: I think the member would be one of the last to agree we ought to have people in the work force go through to that age. In some cases he would recommend 60 or 65 years of age.

Mr Jamieson: Surely you are not giving out compensation for people over the age of 65. But what about those people when they get casual employment?

Mr O'CONNOR: That situation will be covered, as my remarks will indicate.

Clearly, compensation is intended to assist financially a worker who, through a work-caused disability, is unable to earn. It is not—I am sure all members would agree—a pension in the same nature as social services. Workers' compensation is intended as assistance to enable rehabilitation and re-entry into the work force to proceed without financial hardship.

By its nature then worker's compensation should cease when the injured worker's earnings would cease through retirement or some other cause.

The Bill provides for entitlement to compensation ceasing at age 65 years. However, in order that workers suffering disability after age 64 years are given an opportunity to stabilise their situation, a period of one year has been allowed for payment of weekly compensation from the date of disability. This ensures that at whatever age the accident occurs, the worker will be entitled to not less than one year's compensation.

The Government has been concerned for some time at the failure of legislation to provide for the automatic adjustment of benefits, particularly in the current economic climate. For this reason, the Bill includes provision for benefits to dependants of a worker to be adjusted on an annual basis and, further, that the level of benefits for children under 16 years be increased by almost 100 per cent.

Members would be aware of the disparity which exists between the States in relation to the level of benefits paid for second schedule type injuries.

At the moment the benefit for children is something like $7 a week. The proposal is to increase that amount to $14.10 and then increase it in line with CPI increases. That means it will not need to come back before us for adjustment as it does at present.

At the present time, for example, the lump sum payable in this State for the loss of a leg below the knee is greater than the maximum benefit payable in Queensland, South Australia, and Victoria.

Similarly, the payment for the loss of a thumb in this State is greater than that for the loss of a leg above the knee in South Australia, Victoria, Queensland, and New South Wales.

Judge Dunn recommended two changes to minimise this disparity. Firstly, that the percentage entitlement for the various injuries be standardised to the levels accepted by the medical profession. The Government has agreed and this is reflected in the Bill.

Members would agree that for any degree of standardisation to be reached throughout Australia, a proper basis acceptable to all States is needed. This of necessity must reflect the level of disability determined by the medical profession. The second aspect relates to the proposal by Judge Dunn of a significant reduction in the maximum amount payable under the second schedule to the Bill. Members would

appreciate from the examples given that benefits in this State are considerably higher than in all other States.

The reduction from $51 646 to $30 000 recommended by Judge Dunn would place the recipients of lump-sum compensation in this State on a par with the other States and this would seem equitable. However, the Government is concerned that a reduction of this nature could have an adverse effect on a worker and discriminate against those injured after legislative change.

The Bill reflects the Government's desire to minimise trauma in this regard and so lump-sum payments will continue to be based on the prescribed amount as defined and commented on in this speech.

Back injuries always have been an emotive issue and evoked claims of "cheating", "malingering", and the like. However, I am sure members who have suffered some form of back complaint would agree that disabilities of this nature are real and can have a devastating effect on a person's ability to earn.

Opposition members: Hear, hear!

Mr O'CONNOR: I take it members of the Opposition have suffered some injuries. Were they work-caused?

Mr Davies: Certainly not pleasure-caused!

Mr O'CONNOR: Judge Dunn recognised the fact that employers were reluctant to employ a worker with a history of back injury. He recommended the establishment of a central fund to take responsibility for any second or recurrent back injury, as a means of improving the re-employment prospects of such workers.

The Government agrees that there is a need to improve the prospects for workers suffering from back injuries to re-enter the work force. However, the proposal for a separate fund would require the establishment of an administrative body for servicing purposes which would impose a substantial financial impost upon the community in the form of increased premiums.

The Government does not accept—I am sure members would agree—that in the present economic climate a duplication of an existing service is warranted, and for this reason has not included the Dunn proposal in the Bill. Emphasis on the need for employers to re-employ workers who have suffered back injuries will form an integral part of the rehabilitation process.

Provision exists in the present Act to compensate a worker who suffers total or partial loss of hearing due to an injury by accident arising out of or in the course of his employment.

Members would agree, I am sure, that prevention is better than cure. Therefore, having identified hearing loss as an important and separate area within the compensation field, and being aware that many of the injuries are avoidable, a proviso has been made that where protective hearing equipment is provided by an employer, and a worker persistently refuses to wear it, entitlement to compensation in respect of noise-induced hearing loss ceases.

In relation to hearing loss, I must emphasise that benefits are intended to compensate a worker in accordance with the stated intentions of this Bill; that is, entitlement to compensation will depend on whether the loss disables a worker from earning full wages.

The Government has created a fourth schedule to the Bill to provide for situations involving the loss of functions due to employment.

In recent years there has been a significant increase in the level of both heart attacks and strokes occurring in our population. This has been attributed to the affluent lifestyle enjoyed by Australians.

Statistics presented to the Dunn inquiry showed that while the majority of these incidents occurred at home, the place of occurrence is quite unpredictable.

For this reason, many eminent medical practitioners submitted that the Act operates unfairly in that the place of occurrence in many instances bears no relation to the cause. In fact, an occurrence at work could be seen as being somewhat fortuitous if work was not a contributing factor.

The Government is firm that provision for compensation must exist in relation to cardiovascular and cerebrovascular incidents where the incident occurred during effort, strain, or stress that was abnormal, excessive, or unusual.

Members would agree, I am sure, that the application of legislation in this area is not meant to be fortuitious on whether the incident occurs at work or home, but must be related to work being a causal factor.

The Bill reflects the balanced approach adopted by the Government in providing compensation for cardiovascular and cerebrovascular incidents where they can be related to abnormal stress or exertion in the work situation.

The orientation of manufacturing industry in this State towards export markets has created a problem for firms wishing to establish in or

service overseas countries. Workers' compensation provisions currently do not extend beyond the Commonwealth of Australia or a Territory thereof, and so employers have to make alternative arrangements when sending operatives overseas.

Provision has been made in the Bill to overcome this situation by providing coverage for workers employed in this State who are by the terms of their contract required to perform work outside Australia for periods not exceeding two years.

Members would agree that in the event a worker is required to spend less than two years outside Australia, provision for compensation purposes would be reasonable.

The growth in the level of premiums has created a situation where larger employers have an obvious advantage for discount bargaining. The Government is aware that for an insurer to remain solvent, it must receive the recommended premium rate across the entire spectrum of employers.

This could place smaller employers at a disadvantage with a greater prospect of a premium loading as against claims made. For this reason, a limit of a 50 per cent loading on the recommended rate of premium has been included in the Bill.

Workers have been inconvenienced in the past by argument between employers as to liability based on whether an injury is a recurrence or a fresh accident. The argument by its nature does not involve the worker because it presupposes entitlement to compensation from some source.

A delay in payment of compensation to a worker is unreasonable if there is no argument as to entitlement. The Bill therefore provides that the employer at the time of the fresh accident or recurrence is required to pay compensation until the board resolves argument as to which employer is liable.

Provision exists in the present Act restricting a worker who obtains a judgment for damages from commencing or continuing a claim for compensation. This does not specifically cover the situation where a settlement occurs in relation to damages.

A serious doubt exists as to whether, under present legislation, a worker can institute proceedings for compensation against an employer where he has already accepted damages from a responsible third party. The Government considers the prospect of a worker being disadvantaged by the lack of clarity of intent in legislation is not acceptable.

The Bill therefore provides clarification in this regard by enabling the worker to proceed with a claim for compensation in any event. However, it compels him to bring to account moneys received by way of damages.

In conjunction with this provision, the Government has acted also to clarify the entitlement of an employer to recover weekly and other payments made to a worker from damages received.

Currently an employer has a charge on the damages for all workers' compensation payments without regard to the question of contributory negligence as between the worker and the negligent third party.

The Bill provides that where judgment for damages is given to a worker in respect of injury by accident, the employer may have deducted from the damages compensation already paid to the worker. Further, it compels the court to apportion the recovery of compensation by the employer as against the worker, in the proportion that the worker's contributory negligence bears to that of a defendant third party.

Provision is made also to avoid a "net" judgment situation against the defendant which would result from the defendant receiving credit for compensation paid by the employer.

The lack of a formalised system for the publication of substantive decisions of the Workers' Compensation Board has been of concern for some time to the various practitioners' groups.

In recent years some of the more topical decisions have attracted good Press coverage. However, the reliance on this coverage as a means of informing interested parties of developments in this area is definitely unsatisfactory.

The Bill before the House includes a provision to regularise publication of decisions on substantive applications in the form of a quarterly gazette.

The Bill contains minor adjustment only to the provisions in the Workers' Compensation Act relating to industrial disease. However, I would like to place on notice the Government's intention to examine in detail developments in this area, with a view to ensuring that presently unforeseen diseases do not cause a repetition of problems which have occurred in the past.

In summary, this Bill has been necessitated by the inability of legislation created at the beginning of the century to cope adequately with the problems confronting a community in the 1980s. It is an answer to the community's call for

positive action and the Government's response in 1978.

The Bill has progressed through a series of stages and at each of these consultation occurred with those most involved. The Government has had the benefit of the most qualified advice and has provided adequate opportunities for people to participate in and contribute to discussion.

It was clear from the review that the community considered emphasis in this area should change from compensation to rehabilitation. It was clear also that legislation should be geared to enable re-entry of a worker into employment at the earliest possible time.

The Bill provides for—

separation of the judicial and administrative function of the department,
the Workers' Compensation Board having increased flexibility,
a workers' assistance commission charged with the responsibility of administering the Act,
emphasis on rehabilitation and re-entry of a worker into employment,
protection of the financial rights of the individual worker,
more realistic dependant benefits,
realistic cut-off age for payment of compensation, and variation to the prescribed amount.

The Government believes that the areas of this Bill upon which I have touched and other provisions contained in the Bill will assist in providing a framework for the efficient and effective establishment of an equitable workers' rehabilitation and compensation system for Western Australia.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Skidmore.

QUESTIONS

Questions were taken at this stage.

BILLS (2): MESSAGES

Appropriations

Messages from the Governor received and read recommending appropriations for the purposes of the following Bills—

1. Workers' Compensation Bill.
2. Settlement Agents Bill.

ADJOURNMENT OF THE HOUSE: SPECIAL

SIR CHARLES COURT (Nedlands—Premier) [1.23 p.m.]: I move—

That the House at its rising adjourn until 4.30 p.m. on Tuesday, 28 April.

Question put and passed.

House adjourned at 1.24 p.m.

QUESTIONS ON NOTICE

CONSERVATION AND THE ENVIRONMENT

Jarrah Class Action

621. Mr BERTRAM, to the Premier:

(1) What companies are directly involved in mining bauxite in Western Australia?

(2) What companies are parties in the jarrah class action in the United States of America?

Sir CHARLES COURT replied:

(1) Alcoa of Australia Pty. Ltd. currently. Worsley Alumina proposes to commence mining in 1982-83. Both are threatened, together with more than at least 50 000 workers and families, by the jarrah class action in the United States.

(2) Aluminium Company of America and Reynolds Metals—both vital partners in the consortiums involved now and in the future in the bauxite alumina industry in the south-west and through whom the future of these industries is threatened by the jarrah class action.

For this reason, the tens of thousands of people dependent on these industries for their livelihood will be bitterly disappointed at the support given by the Australian Labor Party to the jarrah class action in the United States.

I invite the members' attention to the wording of the demands made by the Conservation Council of Western Australia Inc., in its submission to the court in the United States of America which not only refer to Aluminium Company of America and Reynolds Metals, but constantly use the phrase "their subsidiaries and joint venturers".

HEALTH: TOBACCO

Deaths

627. Mr BERTRAM, to the Premier:

(1) Is he aware that every year an estimated 1 300 Western Australians die as a direct result of having smoked cigarettes, whilst there is no evidence that any Western Australians die from having used marihuana?

(2) If "Yes", why does his Government make it unlawful and an offence for people to push marihuana, but perfectly lawful to push cigarettes?

Sir CHARLES COURT replied:

(1) and (2) I am aware that expert medical opinion consistently claims that cigarette smoking is a serious health hazard and that many people have a shorter life span because of this habit.

I am not aware of the exact statistics.

Furthermore, I am not aware of any statistics in respect of marihuana, but I have no reason to believe that marihuana is any less dangerous than cigarette smoking. In fact all the indications are that the effects of marihuana are much more hazardous.

It is the Government's intention, and the apparent intention of all Governments in Australia, to see that marihuana is given no encouragement and remains unlawful.

At the same time, the member should bear in mind that the Government has established a committee to monitor all advertising on tobacco products and the Minister for Health chaired a recent meeting of the Australian Health Ministers' Conference which approved the setting up of a committee on tobacco products to examine and report on methods and stages of reducing the usage of all tobacco products.

TRAFFIC

Marmion Street, East Fremantle

673. Mr PARKER, to the Minister for Police and Traffic:

(1) Did Road Traffic Authority patrolmen issue infringement notices to many vehicles parked on the wide central ground area in Marmion Street, East Fremantle, on the occasion of the football match there on Saturday, 11 April 1981?

(2) (a) How many notices were issued; and

(b) for how much was each notice?

(3) Why did the Road Traffic Authority take this action?

(4) Is he, or the authority aware of an agreement made some years ago between the Police Department and the East Fremantle Town Council that no action would be taken for such vehicles safely parking?

(5) Is he further aware that such vehicles can, in almost every case, park safely in this area?

(6) Is he also aware that the result of the infringement notices will possibly be either—

(a) a drop off in attendances at matches at East Fremantle oval and the Richmond Raceway; or

(b) cars will increasingly be parked in private streets and on private verges inconveniencing local citizens; or

(c) both?

(7) In view of this will he give consideration to—

(a) quashing the existing infringement notices; and

(b) ensuring that no further ones are issued except to cars causing danger; e.g., protruding onto the road?

Mr HASSELL replied:

(1) Yes.

(2) (a) 26.
(b) $10.

(3) As a result of a complaint.

(4) No.

(5) No.

(6) (a) to (c) No. I am not prepared to speculate on the result of this matter.

(7) (a) and (b) No. I will not direct the police in relation to prosecutions of any kind at any time. However, in relation to the present circumstances, I have been advised by the Chief Executive Officer of the Road Traffic Authority that action has been taken to withdraw prosecutions and substitute cautions in lieu.

HOUSING

Aborigines: Transitional

698. Mr B. T. BURKE, to the Honorary Minister Assisting the Minister for Housing:

(1) How many families are still living in former Native Welfare Department transitional houses?

(2) Where are these houses situated?

Mr LAURANCE replied:

(1) and (2) As the information will take some time to prepare I will reply to the member by letter.

HOUSING: SHC

Building Blocks: Sale

699. Mr B. T. BURKE, to the Honorary Minister Assisting the Minister for Housing:

How many building blocks have been sold to—

(a) builders;
(b) others;

in each financial year since 1974-75?

Mr LAURANCE replied:

(a) and (b) As the information will take some time to prepare I will reply to the member by letter.

HOUSING: RENTAL

Sales

700. Mr B. T. BURKE, to the Honorary Minister Assisting the Minister for Housing:

How many single detached rental homes situated in the metropolitan area has the State Housing Commission sold to—

(a) tenants;
(b) others;

in each of the past three years?

Mr LAURANCE replied:

(a) 1978—35
1979—39
1980—46;

(b) nil.

HOUSING: SHC

Employees: Day Labour

701. Mr B. T. BURKE, to the Honorary Minister Assisting the Minister for Housing:

How many day labour employees were employed by the State Housing Commission at 30 June in each of the past five years?

Mr LAURANCE replied:

As the information will take some time to prepare I will reply to the member by letter.

HOUSING: SHC

Employees: Maintenance

702. Mr B. T. BURKE, to the Honorary Minister Assisting the Minister for Housing:

How many—

(a) inside;
(b) outside;

staff are employed on maintenance work by the State Housing Commission?

Mr LAURANCE replied:

(a) and (b) It is not possible to answer the question strictly to the form required. Many staff are employed "inside and outside" on maintenance duties and many have duties including maintenance and other responsibilities.
The following staff are occupied in maintenance activities in either full or part time activity—

	Number	Per cent
Building supervisors	46	50
Admin. planning and control	11	100
Day labour	118	100
Gardeners	32	100
Caretakers	59	95
Area supervisors—building	8	50
Country and north-west regional offices	15	40
Country and north-west branch offices	2	40
Country and north-west branch offices	40	25
Metropolitan regional offices	9	100
TOTAL	340	

HOUSING

Applicants: Priority and Wait Turn

703. Mr B. T. BURKE, to the Honorary Minister Assisting the Minister for Housing:

How many applicants for each category of accommodation provided by the State Housing Commission are listed as—

(a) emergency or priority;
(b) wait turn?

Mr LAURANCE replied:

(a) and (b) As this information will take some time to prepare I will reply to the member by letter.

HOUSING

Serviced Residential Home Sites

704. Mr B. T. BURKE, to the Honorary Minister Assisting the Minister for Housing:

(1) How many serviced residential home sites does the State Housing Commission now hold in—

(a) the metropolitan area;
(b) throughout the State?

(2) How did (a) and (b) vary during each of the past three years?

Mr LAURANCE replied:

(1) and (2) As this information will take some time to prepare I will reply to the member by letter.

CONSERVATION AND THE ENVIRONMENT

Aquatic Reserves

705. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

What is a class "B" aquatic reserve?

Mr O'CONNOR replied:

The Fisheries Act under which aquatic reserves may be established does not refer to class "B" aquatic reserves.

LESCHENAULT INLET

Flora

706. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

In respect of the Leschenault Inlet area, what action has been taken by the Minister's department to protect certain special flora species and vegetation associations for aesthetic, erosion control, and other purposes?

Mr O'CONNOR replied:

Provisions have been made in the Leschenault Inlet Management Authority's draft management

programme to conserve appropriate areas, but the draft has not yet been finally accepted.

LESCHENAULT INLET

Flora

707. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

In respect of the 1979 report by the Leschenault Inlet Management Authority, what actions have been subsequently taken to conserve representative areas of land flora and vegetation associations which these support?

Mr O'CONNOR replied:

Provisions have been made in the Leschenault Inlet Management Authority's draft management programme to conserve appropriate areas, but the draft has not yet been finally accepted.

LESCHENAULT INLET

Beaches

708. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

Relative to river swimming locations referred to in the Leschenault Inlet management programme, what efforts have been made by the Minister's department to—

(a) have nodal beaches established in the most appropriate locations;
(b) identify, signpost and publicise areas suitable for swimming and other activity;
(c) discourage people from using river areas not suitable for beaches;
(d) clean protect and augment sand beaches as necessary?

Mr O'CONNOR replied:

(a) Yes;
(b) yes;
(c) no, except in press statements advising residents of unsafe localities;
(d) yes.

RIVER

Collie

709. Mr BARNETT, to the Minister representing the Minister for Lands:

Has the Minister's department taken any action since 1979 in the area of the Collie River downstream of the Collie dam to—

(a) provide vehicular access and facilities for launching and retrieving canoes;
(b) provide "canoe only" areas;
(c) provide facilities where touring canoeists can rest or camp overnight;
(d) publicise designated and suitable areas and facilities available?

Mrs CRAIG replied:

(a) to (d) No. Facilities have not been provided for specific use by canoeists. However, access and other recreation facilities are available for use by the general public.

CONSERVATION AND THE ENVIRONMENT

Collie River

710. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

Has the Minister's department taken any action since 1979 in the area of the Collie River downstream of the Collie dam to—

(a) provide vehicular access and facilities for launching and retrieving canoes;
(b) provide "canoe only" areas;
(c) provide facilities where touring canoeists can rest or camp overnight;
(d) publicise designated and suitable areas and facilities available?

Mr O'CONNOR replied:

(a) to (d) No, but under consideration with projects in the overall draft management programme.

LESCHENAULT INLET

Houseboats

711. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) Have guidelines been prepared on suitable types of houseboats in the Leschenault Inlet?

(2) If "Yes", can he provide me with a copy?

(3) Have any licences been issued for the operation of houseboats?

(4) Have any areas been designated as suitable areas of operation?

Mr O'CONNOR replied:

(1) No.

(2) Not applicable.

(3) and (4) No.

LESCHENAULT INLET

Boats

712. Mr BARNETT, to the Minister for Transport:

(1) What speed limits exist for power boats within Leschenault Inlet?

(2) What advertising has been done to advise the location of ramps and facilities available—

(a) to locals;

(b) to itinerants?

(3) What information charts are publicly available on the management area setting out channels, marks, depths, etc.?

Mr RUSHTON replied:

(1) No general speed limit exists with the exception of an 8 knot speed limit which applies to the Channel into the Paris Road, Australind boat ramp and to the entrance channel from Leschenault inlet into the Collie river. An 8 knot speed limit also applies to the waters of the Collie River.

(2) (a) and (b) The various ramps are under control of the local shires concerned.

(3) Chart No. 50976 of the PWD series of charts is available from the Harbour and Light Department, the State Government Information Centre, and Lands and Surveys Department at a cost of $3.50.

LESCHENAULT INLET

Fishermen

713. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

In respect of Leschenault Inlet, what actions have been taken by the Minister's department since November 1979 to—

(a) provide gazetted sites for professional fishermen as suggested in the management plan;

(b) support studies into the characterisation of commercial species;

(c) protect spawning and nursery areas;

(d) liaise to ensure continued compatibility with amateurs and other users;

(e) monitor and maintain gazetted sites?

Mr O'CONNOR replied:

(a) The Waterways Commission is giving attention to this in its draft management plan for the area;

(b) the Department of Fisheries and Wildlife maintains a continuous research programme on estuarine fisheries, but does not have a specific programme based on Leschenault Inlet;

(c) there are already a number of closed areas which provide for the protection of spawning and nursery areas; no changes have been made since November 1979;

(d) one of the tasks of the local inspector is to maintain an understanding of the use of the fisheries resource by the professional and amateur fishermen; however, there has been no specific programme of discussion on this subject relating to the Leschenault Inlet since November 1979;

(e) see (a).

LAPORTE AUSTRALIA LTD.

Effluent

714. Mr BARNETT, to the Minister for Works:

(1) Is it a fact that the Public Works Department currently employs six men to assist in the disposal of Laporte effluent?

(2) Is it a fact that the employment of these men and associated works costs in the vicinity of $500 000 per annum?

(3) What justification is there for the Government expending taxpayers' money to handle disposal of effluent which appears to more correctly be the job of Laporte?

Mr MENSAROS replied:

(1) Yes.

(2) The actual disposal costs in the vicinity of $200 000 per annum. Additional funds of the order of $300 000 per annum have been expended in recent years on research into other disposal methods, investigations to improve present disposal techniques, and construction of additional disposal lagoons.

(3) The Laporte industrial factory agreement entered into in 1961 for the establishment of the factory provides, subject to certain conditions, that the State shall assume total responsibility for the disposal of all effluent from the company's works.

Laporte, however, has agreed to meet a large proportion of the cost of research into alternative disposal methods.

715. *This question was postponed.*

LAPORTE AUSTRALIA LTD.

Effluent

716. Mr BARNETT, to the Minister for Works:

(1) What attempts have been made by the Public Works Department to arrest erosion of the disposal area of Laporte chemical works?

(2) What is the Public Works Department commitment for re-establishment of the sand dune disposal area?

(3) How many more years is it expected that effluent will be disposed of in the current disposal area?

(4) (a) What plans does the department have to utilise alternative disposal sites;

(b) where are they?

Mr MENSAROS replied:

(1) Effluent disposal activities on the Leschenault peninsula have not significantly contributed to erosion on the Leschenault peninsula. Recent studies by the department have shown that the bare areas have only increased by 1 per cent since 1962 when disposal commenced. The increase in bare areas is equally distributed between areas used for disposal and those unused. Studies by the Department of Agriculture show that the bare areas are now smaller than in the 1940 and 1950's when the peninsula was used for grazing cattle.

The department has reshaped two large areas which will not be used further for disposal and has planted marram grass and other species on these. In addition to these disposal areas the Public Works Department has planted marram grass on a number of other active dune areas which were creating problems for pipelines and roads associated with disposal.

In addition in conjunction with the Department of Agriculture, Soil Conservation Service, the department has carried out trials and planted a number of other mobile dune areas unaffected by effluent disposal.

(2) The Public Works Department will continue to rehabilitate disposal areas at the end of their usual life and to the extent possible within budgetary constraints will continue to attempt to stabilise the mobile dunes in the area.

(3) It has been estimated by the Geological Survey Branch of the Mines Department that the sands of the disposal area have potential to absorb the effluent for a further 10 years at the present rate of factory production.

(4) (a) and (b) The technical committee which has been studying all options for future effluent disposal is expected to report later this year.

LESCHENAULT INLET

Effluent

717. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) With reference to the Leschenault Inlet management programme, has there been a report prepared on alternative methods of disposal and investigation into overseas practice for Laporte?
(2) When was the report completed?
(3) Will the Minister make the report available to me?

Mr O'CONNOR replied:

(1) No. Public Works Department is preparing a report.
(2) and (3) Not applicable.

LAPORTE AUSTRALIA LTD.

Effluent

718. Mr BARNETT, to the Honorary Minister assisting the Minister for Industrial Development and Commerce:

What efforts has the Government made since 1979 to promote the treatment of effluent from the Laporte plant at the Laporte plant?

Mr MacKINNON replied:

Both the Government and the company have kept the possibility of treatment of the Laporte effluent under review. It has been the consistent assessment of both parties that treatments based on producing saleable materials were uneconomic, mainly because of the energy requirements of the available methods. This was despite the credits obtained from recovery of these materials. There have been no changes in this assessment.

LESCHENAULT INLET

Land Reserves

719. Mr BARNETT, to the Minister representing the Minister for Lands:

(1) Would the Minister please list all "B"-class reserves in the Leschenault Inlet area?
(2) Which of these have been vested jointly in the local authority and the Leschenault Inlet Management Authority?

Mrs CRAIG replied:

(1) and (2) No. Plans are available at the department's public counter and if the member cares to nominate the reserves in the "Leschenault Inlet area" I will endeavour to provide any reasonable information.

CONSERVATION AND THE ENVIRONMENT

Jervoise Bay: Marine Industries

720. Mr BARNETT, to the Minister for Health:

Since 1979 what studies have been carried out to assess the potential problem of sand blasting and spray painting from the marine industries based on Jervoise Bay?

Mr YOUNG replied:

Ongoing surveillance of the Jervoise Bay area is routinely provided by officers of the clean air section of the Department of Health and Medical Services as part of general surveillance of sand blasting. No other specific studies have been done in the Jervoise Bay area.

HISTORIC WRECKS

Jervoise Bay

721. Mr BARNETT, to the Minister for Cultural Affairs:

What plans have been devised by the WA Museum to preserve the wrecks of the *Abemama*, *Apex*, and the wreck of stones in Jervoise Bay?

Mr GRAYDEN replied:

In August 1979 the WA Museum completed a survey of the wrecks in Jervoise Bay which had been funded by the Metropolitan Region Planning Authority. Reports were prepared and forwarded to the relevant bodies including the environmental review consultants, and a submission was made to the Environmental Protection Authority.

In September 1979 the EPA released its report and recommendations on the environment review and management programme for Jervoise Bay. Recommendation 4.9 is as follows—

> "Historic Wrecks
>
> The West Australian Museum has recently carried out a survey of historic wrecks in Jervoise Bay, and concluded that three of the seven wrecks located are significant and should be preserved. The four remaining wrecks contained some material of interest and this should be removed if development will affect them.
>
> The Authority is of the opinion, therefore, that the wrecks of the Abemama, Apex*, and "wreck of stones"* should be left undisturbed.
>
> If development work is proposed which would affect the other wrecks then the Museum should be given adequate notification and funding to enable salvage operations to be undertaken."
>
> *Apex was a code name for the wreck, it has subsequently been identified as the Gemma and the "wreck of stones" has been identified as the Redemptora.

Since 1979 the Museum has maintained close contact with all development groups working in Jervoise Bay to avoid construction work that would damage the site. The *Gemma* and *Redemptora* are stable wrecks; i.e., they are under either sand or stone. The *Abemama* however, is subject to seasonal uncovering, but plans are in hand to prevent this. To date, all contact with the development bodies has been most cordial and successful and all three wrecks appear to be safe. The *Abemama* and *Gemma* wrecks are being used as training sites for students undertaking the post-graduate course in maritime archaeology at WAIT.

This has enabled further assessment of the wrecks to be made and a monitoring of the situation to be carried out.

JERVOISE BAY

Zoning

722. Mr BARNETT, to the Minister for Urban Development and Town Planning:

(1) In relation to the industrial estate adjacent to the Jervoise Bay development, what is the zoning of the land lying to the east and south?
(2) What is the zoning applicable to the wetland lying immediately north of the estate and south of Russell Road?
(3) Has the Metropolitan Region Planning Authority prepared a management plan for the land referred to in (2) above?
(4) What is the plan?

Mrs CRAIG replied:

(1) and (2) A copy—1:50 000 scale—of the metropolitan region scheme map sheet 7—will be forwarded to the member for his perusal.
(3) No.
(4) Answered by (3) above.

JERVOISE BAY

Pollution: Contingency Plans

723. Mr BARNETT, to the Minister for Transport:

As the responsible authority for Jervoise Bay, what contingency and management plans have been developed to combat pollutants within the bay?

Mr RUSHTON replied:

The Fremantle Port Authority has contingency plans to combat oil spills at any point within the port area including Jervoise Bay. The Fremantle Port Authority and Department of Conservation and Environment are currently planning future water quality and monitoring programmes.

724. *This question was postponed.*

JERVOISE BAY

Water Quality

725. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

In relation to Jervoise Bay what studies since 1979 have taken place to prepare

acceptable standards of water quality for recreation activities in respect of—

(a) chemical;
(b) bacteriological;
(c) grease;
(d) turbidity;
(e) odour;
(f) floatables?

Mr O'CONNOR replied:

(a) to (f) The working group of the EPA has established appropriate standards in respect of all those parameters, and these will become public when the EPA has considered the report as indicated in answer to question 605 yesterday.

JERVOISE BAY

Water Quality

726. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) What degree of water quality monitoring by the department has taken place in Jervoise Bay since 1979?

(2) Has there been any—

(a) monitoring of heavy metals in mussels;

(b) investigation of levels of salmonella in both water and mussels during the same time?

(3) Would the Minister please advise the regularity of testing?

Mr O'CONNOR replied:

(1) Ongoing water quality monitoring by the Department of Conservation and Environment has been carried out in Jervoise Bay monthly since 1979.

(2) (a) Previous tests have shown heavy metals in mussels in the Jervoise Bay area to be low. Therefore, monitoring has not been undertaken specifically in Jervoise Bay although samples continue to be tested elsewhere in Cockburn Sound. When construction work commences on the fabrication site a programme of monitoring will be started in accordance with the EPA's recommendations;

(b) Not by the Department of Conservation and Environment, although it is understood that the public health department monitors regularly over the summer swimming months.

(3) Refer (1) above.

JERVOISE BAY

Sewerage

727. Mr BARNETT, to the Honorary Minister Assisting the Minister for Industrial Development and Commerce:

(1) Relative to the industrial estate and shipbuilding facilities adjacent to Jervoise Bay, have plans been devised to allow for the provision of deep sewerage?

(2) Is it intended to connect such sewerage to the Woodman Point waste water treatment plant?

Mr MacKINNON replied:

(1) Yes.

(2) Yes. The shipyards and offshore construction yard have already been connected to the Woodman Point plant.

728. *This question was postponed.*

SEWERAGE

Point Peron-Woodman Point Pipeline

729. Mr BARNETT, to the Minister for Water Resources:

(1) What studies have taken place to investigate the best outfall for the proposed Woodman Point to Point Peron pipeline?

(2) Was the option of straight out to sea at Woodman Point to a similar distance which is proposed for Point Peron, investigated?

(3) What was the result of that investigation?

Mr MENSAROS replied:

(1) Comprehensive engineering and environmental studies have been undertaken by consultants and by the Water Board's engineering staff in respect of the Point Peron and Owen Anchorage alternatives.

(2) An outfall straight out to sea at Woodman Point and discharging beyond Garden Island was considered, but not investigated in detail.
(3) The marine section of this outlet would need to be much longer than the Point Peron option. It is very uneconomical and is also unacceptable for shipping.

SEWERAGE

Waste Water Disposal

730. Mr BARNETT, to the Minister for Water Resources:

(1) What studies have taken place to compare the benefits and deficits of waste water disposal at sea with its disposal for irrigation purposes?
(2) Have these studies been evaluated in respect of the proposed pipeline at Point Peron?

Mr MENSAROS replied:

(1) Use of treated wastewater for irrigation of playing fields is viable in country areas where water is very scarce. However, the availability of cheap groundwater in the Perth region makes irrigation with wastewater both unnecessary and uneconomic. The irrigation of crops with treated wastewater has not yet been fully proven as being acceptable for public health.
(2) Direct land disposal of the effluent from Woodman Point has been found to be too expensive. Its use for irrigation would be still more expensive.

COCKBURN SOUND

Chittleborough Report: Options

731. Mr BARNETT, to the Minister for Works:

(1) Is it a fact that the Chittleborough report on Cockburn Sound recommended two options to overcome the problems being experienced in respect of pollution?
(2) What action has the—
    (a) Government;
    (b) Minister's department;
    (c) private enterprise,

    taken to investigate the pipeline option?
(3) What action has the—
    (a) Government;
    (b) Minister's department;
    (c) private enterprise,

    taken to investigate the plant treatment option?

Mr MENSAROS replied:

(1) The Cockburn Sound study report recommended "All waste discharges should proceed with such process changes, in-plant treatment or removal of specific wastewater discharges from Cockburn Sound as necessary to achieve collectively these water quality objectives."
(2) (a) to (c) Studies into various options for both the Metropolitan Water Board and for private industry have been carried out and are continuing into more advanced stages. The results are being progressively reviewed by a technical committee formed by the Department of Conservation and Environment.
(3) (a) to (c) Most industries in the Kwinana area are in process of installing facilities to improve effluent quality. The Metropolitan Water Board has completed an assessment of the options for advanced secondary treatment and discharge into Owen Anchorage. The Metropolitan Water Board consultants are proceeding with investigations which will lead to the preparation of a design for the Point Peron outfall.

CONSERVATION AND THE ENVIRONMENT

South Yunderup Canal Project

732. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) Relative to the moratorium on canal development in the Peel Inlet-Harvey Estuary, is it a fact that work is proceeding on the South Yunderup canal project?
(2) If "Yes", why does the moratorium not apply to that particular development?

(3) What guarantees and safeguards can be given in respect of adequate water circulation and other environmental problems associated with canal type developments?

Mr O'CONNOR replied:

(1) Yes.
(2) The proposal was in an advanced planning stage before the monitoring was established. Approval was subject to stringent conditions.
(3) These matters will be addressed in a report to Cabinet by the steering committee on canal development.

JERVOISE BAY

Management Programme

733. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) In respect of bulletin No. 64 of the Department of Conservation and Environment, has a more detailed management programme been formulated for Jervoise Bay as suggested on page 15?
(2) Will the Minister provide me with a copy?

Mr O'CONNOR replied:

(1) No. However, it is understood that it is in the course of preparation by Town Planning Department and will be available shortly.
(2) Not applicable.

ROAD

Cockburn Road

734. Mr BARNETT, to the Minister for Urban Development and Town Planning:

(1) Is it a fact that the department has been asked by the Department of Conservation and Environment to resite the proposed new Cockburn Road?
(2) Is it a fact that request was made in 1979 to allow for better protection of the wetlands?
(3) (a) Was the request to resite the road 70 metres to the west;
(b) what was the decision of the Department of Urban Development and Town Planning?

Mrs CRAIG replied:

(1) No.
(2) A request was made by the Environmental Protection Authority to the Metropolitan Region Planning Authority to consider locating the "Fremantle to Rockingham" controlled access highway 70m west of the alignment proposed.
(3) (a) Answered by (2) above;
(b) there is no department of urban development and town planning.

EDUCATION: PRIMARY SCHOOLS AND HIGH SCHOOLS

Security: After Hours

735. Mr WILSON, to the Minister for Education:

(1) What are the standard security arrangements made for schools after school hours on weekdays and at weekends?
(2) Are additional security measures provided in cases where special needs may exist?
(3) If "Yes" to (2), what form do these special measures take and on what basis are they instituted?

Mr GRAYDEN replied:

(1) There are no standard security arrangements made for schools after school hours on weekdays and weekends with the exception of those schools with a resident caretaker.
(2) Yes.
(3) High schools and technical colleges without a resident caretaker are covered by security patrols where suitable services are available. There are also a number of primary schools serviced with security patrols.
Where the incidents of illegal entry and vandalism have continually occurred at particular schools, burglar alarm systems are installed as funds become available.

ROADS

Karrinyup Road and Morley Drive

736. Mr WILSON, to the Minister for Transport:

(1) Is Morley Drive-Karrinyup Road recognised as being the major existing

east-west transportation route north of the Swan River?

(2) Is this road fulfilling a similar function to that of Leach Highway to the south of the river?

(3) Why has Morley Drive-Karrinyup Road, unlike Leach Highway, not been placed under the care, control and management of the Main Roads Department?

Mr RUSHTON replied:

(1) to (3) When considering a road for declaration as a highway or main road its function as well as the financial capacity of the Main Roads Department to accept responsibility is considered. A direct comparison between Morley Drive and Leach Highway cannot be made. The latter provides direct access between an industrial area and the port and is much more heavily trafficked.

HOSPITALS: PRIVATE

Foreign Ownership

737. Mr BRYCE, to the Minister for Health:

(1) How many private hospitals are registered in Western Australia?

(2) Does his department or any other Government department monitor the investment in a takeover of private hospitals in Western Australia by interests in the United States of America; if so—

(a) how many private hospitals in Western Australia are partially or wholly owned by USA investors;

(b) what is the total extent of USA investment in Western Australian private hospitals?

(3) Does his department approve of the financial takeover of private hospitals in Western Australia by foreign investors?

Mr YOUNG replied:

(1) 120. This includes 15 general or general and midwifery hospitals.

(2) (a) and (b) No.

(3) This department is concerned that private hospitals and nursing homes in this State conform with the conditions of the private hospitals regulations 1970, so that patients receive adequate care in appropriate surroundings.

Approval of ownership is not required by these regulations.

EDUCATION

Courses: Proliferation

738. Mr BRYCE, to the Minister for Education:

(1) Does he share the view of the Federal Government as expressed on the front page of *The Weekend Australian* of 11 April that "Its aim would be to stop the proliferation of courses which, in the view of federal officials are leading to a young generation totally unfitted for work."?

(2) Has the Prime Minister or any other Commonwealth Minister expressed to him their concern about the "lethargy" of the Western Australian Education Department?

(3) Has any suggestion been made by Federal Ministers that in future education grants to this State made under the provisions of section 96 of the Commonwealth Constitution, will require specific amounts to be set aside to cover courses in mathematics, English grammar, and other work-oriented subjects?

(4) What studies have been conducted in recent years which allegedly point to a growing decline in numeracy and literacy skills?

Mr GRAYDEN replied:

(1) I agree that courses in schools should assist young people to find a place in the world of work. I do not agree that there is "a proliferation of courses leading to a young generation totally unfit for work".

(2) No, quite the contrary. The Education Department of Western Australia enjoys a reputation for vigorous leadership and is recognised as innovative and forward thinking.

(3) The general question of the need for increased emphasis on basic skills of numeracy and literacy for low achieving students regarded as "at risk" in seeking employment has been widely discussed at all levels of education. I am unaware of any specific proposals with respect to grants made under section 96.

(4) The most significant studies include—

Bourke, S. F. and Keeves, J. P. The Mastery of Literacy and Numeracy, Final Report, Australian Studies in School Performance, Volume III.
Canberra: Australian Publishing Service, 1977.

Little, G. Standards in Australian Schools: A Problem for Teacher Education?
A paper presented to the conference on "Policy and Planning in Teacher Education?", Darling Downs Institute, August 1978.

Skilbeck, M. "Beyond the Standards Debate" Education News, 16, (3), 1977, p.p. 8-11.

These studies and others do not give any clear evidence of a general decline in standards of numeracy and literacy when children of like aptitude are compared. The evidence suggest some decline among lower achieving students.

739 and 740. *These questions were postponed.*

FUEL AND ENERGY: SOLAR

Access Laws

741. Mr BRYCE, to the Minister for Fuel and Energy:

(1) Is he aware that "solar access" laws exist in 30 States of the United States of America?

(2) Has his attention been drawn to any situation in Western Australia where people's rights to solar energy have been infringed upon by others?

(3) Does the Government have any plans for legislation to protect rights to solar energy from interference and to award costs where the efficiency of existing solar equipment is interfered with by other constructions?

Mr P. V. JONES replied:

(1) I am not aware of the details, but do know of the existence of such laws.

(2) No.

(3) The matter of solar access has been examined in some detail in South Australia and has been the subject of some consideration here.
The solar energy advisory committee currently has the matter listed for review and advice to Government as to whether action is required in Western Australia.

EDUCATION

Language Disorder and Speech Pathology

742. Mr BRYCE, to the Minister for Education:

(1) What is language disorder?

(2) What facilities exist for language disordered children in Western Australian schools?

(3) How many speech pathologists are employed by the Education Department and in which regions?

(4) (a) How many speech pathologists are in training in Western Australia; and
(b) where?

(5) What expansion in speech pathology services is occurring in the Education Department in this financial year?

Mr GRAYDEN replied:

(1) In general a language disorder can be described as a disability interfering with a child's normal use of language.

(2) There are no therapy services provided within regular schools.
Within special education provision is made for speech therapy services through the Public Health Department.

(3) None—but see answer to (2).

(4) (a) and (b) This information is not held by the Education Department.

(5) None.

EDUCATION: PRIMARY SCHOOLS AND HIGH SCHOOLS

Security: Contracts

743. Mr BRYCE, to the Minister for Education:

(1) How many contracts are current for security services in schools and to whom have they been awarded?

(2) What are the general conditions laid down in these contracts?
(3) What steps are taken by the Education Department to ensure that these conditions are adhered to?

Mr GRAYDEN replied:

(1) There are 81 contracts for security services currently held by the department. These have been entered into with—

Wormald Security
Chubb Alarms
Network International
Metropolitan Security Services
Goldfields Security.

(2) The general conditions of contract are those which relate to all such contracts within the security industry.
(3) The department liaises with the security firms and relies on "feed back" from schools where such security services are provided.

EDUCATION: PRIMARY SCHOOL

Belmay

744. Mr BRYCE, to the Minister for Education:

(1) With regard to the Education Department's undertaking to shift the "prefabricated buildings" at Belmay Senior Primary School, to which organisation/s has the prefabs been allocated?
(2) Which organisation/s will be undertaking the actual work to shift the buildings?
(3) Will the Education Department assist the Belmay Primary School in the landscaping work to be done to rehabilitate the site on which the prefabs have been erected?

Mr GRAYDEN replied:

(1) and (2) Several organisations have shown an interest in these buildings, but none has undertaken to remove them. The last of these groups advised the Education Department on 14 April that it was no longer interested.
A number of demolition firms have been advised that tenders for the demolition and removal of the Bristol rooms at Belmay close on 23 April and preference will be given to a tenderer who is able to remove them on or about 30 April.
(3) The Belmay Primary School can apply to the regional office for funding assistance under the minor improvements programme or the parents & citizens' association can request a dollar for dollar subsidy, up to $2 000, for ground improvements.

745 and 746. *These questions were postponed.*

CULTURAL AFFAIRS

State Library: Computer

747. Mr BRYCE, to the Minister for Cultural Affairs:

Further to my question 393 of 1981 concerning the installation of a computer system in the State Library building—

(a) will he table a copy of the feasibility study recently completed by the Library Board;
(b) who will be responsible for selecting the system to be used?

Mr GRAYDEN replied:

(a) Yes, a copy tabled herewith.
(b) The Library Board of WA, after consultation with the WA Government computing policy committee.

The study was tabled (see paper No. 154).

LIQUOR

Beer: Low Alcohol

748. Mr BRYCE, to the Premier:

With reference to his answer to question 390 of 1981 concerning the consumption of low alcohol beer—

(a) will he table a copy of the inter-departmental committee's findings;
(b) which departments were represented on the interdepartmental committee?

Sir CHARLES COURT replied:

(a) The report of the interdepartmental committee was released for public information on 3 March 1981 and a copy was sent to every Member of Parliament by the Minister for Police and Traffic some two weeks later.
(b) As indicated on page 2 of that report.

749 and 750. *These questions were postponed.*

EDUCATION

Country High School Hostels

751. Mr BRYCE, to the Minister for Education:

(1) Is it a fact that a new country high schools hostel supervisor staff award was gazetted in February 1981?

(2) Is it also a fact that the award was back dated to February 1980?

(3) Is he aware that some country high school hostel supervisors have still not received—

(a) the increase which was gazetted in February this year;

(b) their back pay entitlement to February 1980?

(4) Will he instigate the necessary measures through the Country High School Hostels Authority to ensure that this matter is rectified?

Mr GRAYDEN replied:

(1) Yes. The Country High School Hostels Authority hostel supervisory staff agreement 1980 was published in Vol. 61 WAIG pages 138-143 28 January 1981.

(2) Yes.

(3) (a) Staff are receiving the new rates of pay from February 1981;

(b) yes.

(4) Details of back pay entitlements have been received and calculated and the arrears should be paid within the next two to three weeks.

RAILWAYS

Fremantle-Perth: Removal of Facilities

752. Mr McIVER, to the Minister for Transport:

(1) In view of the fact the Government intends to have an independent inquiry on the Perth-Fremantle railway, would he take the necessary action to halt any plans to dismantle any facility on the stations between Perth and Fremantle, including the removal of the overhead walkway between Perth Station and platforms 6 and 7?

(2) If "No", would he state his reasons?

Mr RUSHTON replied:

(1) and (2) There are no plans to dismantle any facility on stations between West Perth and Fremantle inclusive.

The footbridge at the western end of city station is not required for present train working, nor will it be needed if a decision is made to reinstate the Perth-Fremantle rail service.

Its retention is inhibiting the general renovation work being carried out on city station and as it is redundant it has been decided to remove it.

FISHERIES: TUNA

Amount Canned

753. Mr H. D. EVANS, to the Minister representing the Minister for Fisheries and Wildlife:

What amount of tuna has been canned in each of the processors in Western Australia in each of the past five years?

Mr O'CONNOR replied:

Under section 19 of the Fisheries Act, the information sought cannot be provided without prior consent in writing of the person to whose activities that information relates.

754. *This question was postponed.*

EDUCATION: HIGH SCHOOLS

Bentley and Tuart Hill

755. Mr H. D. EVANS, to the Minister for Education:

(1) What is the estimated cost saving to the Education Department through the creation of senior colleges from Bentley and Tuart Hill?

(2) What will be the recurrent cost of operating these two senior colleges?

(3) Will these colleges be conducted under the secondary division of the Education Department?

(4) Will these colleges be eligible for and attract Commonwealth tertiary funding as do tertiary and further education colleges?

Mr GRAYDEN replied:

(1) Underused resources in Bentley and Tuart Hill Senior High Schools and in the three senior high schools in their neighbourhood, will be more fully used. The facilities in the two schools which will become available for other purposes are worth in the order of $15m. In the short term, these facilities will enable almost 1 000 full-time students enrolled in technical colleges to be relocated in the two senior colleges. The cost of building new accommodation for these 1 000 students would be in the order of $8m.

(2) Detailed costing of the two senior colleges has not been calculated. However, the costs associated with students transferred from technical colleges will substantially be unchanged from the present level of expenditure.

(3) Yes.

(4) Those students and courses which currently attract tertiary funding will continue to do so when relocated. In addition, certain new courses proposed for the institutions will be eligible for funding under the Commonwealth transition from school to work programme.

756. *This question was postponed.*

TOWN PLANNING

Warnbro Sand Dunes

757. Mr BARNETT, to the Minister for Urban Development and Town Planning:

(1) Would she please provide details of the ownership of the Warnbro sand dunes area?

(2) Have any plans been submitted to any of her departments for the development of all or any part of these sand dunes?

(3) What are the details of these plans?

(4) What is the current status of them?

(5) If no plans have been submitted, has the department received any request of any kind for its approval to develop the sand dunes?

(6) What are the details of these requests?

Mrs CRAIG replied:

(1) Ownership details are being checked and will be conveyed by correspondence.

(2) Not since a proposed subdivision in 1972 which was not approved.

(3) to (6) Answered by (2).

HOSPITAL

Rockingham

758. Mr BARNETT, to the Minister for Health:

Relative to the Rockingham Hospital, in what areas have there been cuts and/or staff reductions over the last financial year?

Mr YOUNG replied:

The budget for Rockingham-Kwinana Hospital, as with all hospitals for 1980-81, is one of no real growth. This is in accordance with the general parliamentary appropriation for hospitals in this period and reflects the decision of the Commonwealth Department of Health that hospital budgets should reflect 1976-77 activity levels.

An evaluation of staffing requirements based on current need was carried out recently and an adjustment made to the hospital's staffing levels. This has resulted in a reduction in the hospital's approved staffing from a current average of 163.64 to 158.18 staff.

HOSPITAL

Rockingham

759. Mr BARNETT, to the Minister for Health:

(1) Is his department aware of the growing concern of some Rockingham residents in respect of waiting time at Rockingham hospital casualty department?

(2) Is he aware that casualty patients depending on their priority rating have frequently to wait up to five hours before being seen by a doctor and/or given first aid?

(3) Is he further aware that at least one person, on 4 April, attended the hospital suffering from severe concussion and was told to wait for at least an hour, and that this patient was taken to Fremantle Hospital and had been through emergency and admitted within the hour?

(4) How many patients attended casualty on each weekend since and including 4 April?

(5) How many doctors are in attendance for emergencies at Rockingham Hospital on weekends?

(6) In view of the fact that many people have on frequent occasions had to wait up to five hours, and on one occasion a woman who was miscarrying had to wait two hours, can he provide the hospital with sufficient funds to allow for another doctor for weekend emergencies?

Mr YOUNG replied:

(1) I have not been made aware of any growing concern of some Rockingham residents.

(2) Waiting periods could be as stated by the member in the summer time when there is an influx of visitors.

(3) I am not aware of this case. If the member would provide the name of the patient further inquiries will be made.

(4) Saturday, 4 April—99.

Sunday, 5 April—70.

Saturday, 11 April—36.

Sunday, 12 April—63.

(5) One doctor is rostered in casualty 24 hours a day. Two general surgeons—private practitioners—have voluntarily placed themselves on call weekly for out of hours and weekend calls. They work on a roster system, one being available at all times.

(6) I am not aware of the case of a woman who was miscarrying having to wait two hours. If the member would provide the name of this patient further inquiries will be made. The question of providing additional medical practitioners in casualty will be discussed with the local medical practitioners.

I presume the cases to which the member refers have no regular private practitioner.

LAND

Reserve: Lake Richmond

760. Mr BARNETT, to the Minister representing the Minister for Lands:

Would the Minister please provide plans showing—

(a) details of the Lake Richmond reserve in Rockingham;

(b) detailing in whom the reserve is currently vested; and

(c) for what purpose?

Mrs CRAIG replied:

The Minister is not prepared to provide plans. However details of the reserved area of Lake Richmond are as follows—

(a) to (c)

1. Class "C" Reserve No. 9 458 for the purpose of recreation which is vested in the Shire of Rockingham with the power to lease.
2. Class "C" Reserve No. 33 659 for the purpose of public recreation vested in the Rockingham Shire.

LAND

Reserves: Lakes Cooloongup and Walyungup

761. Mr BARNETT, to the Minister representing the Minister for Lands:

(1) Would the Minister please provide plans of the total reserved area encompassed by the Lakes Cooloongup and Walyungup and their surrounds in the Rockingham Shire?

(2) What is the total area encompassed?

(3) In whom is the reserve vested?

(4) Is there a concept plan for this area's development?

(5) Will the Minister provide me with a copy of it?

Mrs CRAIG replied:

(1) No. Plans are available at the department's public counter.

(2) The total reserved area encompassed in the two lakes is about 776 hectares.

(3) Although the member's question is not clear in its reference to reserve in the singular sense, all reserves involved are vested in the Shire of Rockingham.

(4) and (5) It is understood a concept plan has been prepared and the member should seek relevant information from the Minister for Urban Development and Town Planning.

LAND

Reserves: Port Kennedy

762. Mr BARNETT, to the Minister representing the Minister for Lands:

(1) Would the Minister please provide plans of the Port Kennedy area in the Rockingham Shire giving details of all reserves, their purpose, and in whom they are vested?

(2) Does a concept plan exist for the development of the Port Kennedy area as a regional recreation centre?

Mrs CRAIG replied:

(1) Plans of the Port Kennedy area are available for inspection at the department's public counter. Five reserves are included in the area—

(i) Reserve No. 20716 set apart for "excepted from sale" and not vested.

(ii) Reserve No. 24059 set apart for "water" and not vested.

(iii) Reserve No. 26359 set apart for "recreation" and not vested.

(iv) Reserve No. 33837 set apart for "government requirements—Community Welfare Department" and vested in the Minister for Community Welfare.

(v) Reserve No. 33838 set apart for "government requirements" and not vested.

(2) Yes.

WASTE DISPOSAL

Rockingham Shire

763. Mr BARNETT, to the Honorary Minister Assisting the Minister for Industrial Development and Commerce:

What is the current status of negotiations between his department and the Rockingham Shire Council for a site for a refuse disposal plant?

Mr MacKINNON replied:

No negotiations have been held between the council and the Department of Industrial Development and Commerce.

However, discussions on a site for a plant were held last year between the council and the Industrial Lands Development Authority. There have been no further negotiations in recent months.

WASTE DISPOSAL

Rockingham Shire

764. Mr BARNETT, to the Minister for Health:

(1) Is he aware that the life of the site currently being used by the Rockingham Shire Council for sanitary landfill is drawing to a close?

(2) How much longer can it be expected to be able to be used for its present purpose?

(3) What options will be open to the shire at the conclusion of this time?

Mr YOUNG replied:

(1) Yes.

(2) Between six and 18 months.

(3) The construction of the proposed recycling plant or a combined venture with neighbouring local authorities.

WASTE DISPOSAL

Rockingham Shire

765. Mr BARNETT, to the Minister for Health:

(1) Has his department evaluated plans for a refuse disposal plant for the Rockingham Shire area?

(2) What are the results of those evaluations?

(3) What has been done by his department to assist in the establishment of such a plant?

Mr YOUNG replied:

(1) Yes.

(2) Process appears viable and preliminary approval has been given by the Commissioner of Public Health. Final detailed design has yet to be submitted to the health department for evaluation.

(3) Discussion and advice to the proprietors, local authority, and other affected Government departments. Determination of constraints to be observed, the establishing of economic criteria and engineering advice on design criteria and on site evaluation of land usage.

COCKBURN SOUND

Management Authority

766. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

What consideration has been given to appointing a management authority for Cockburn Sound similar to that which exists for Peel Inlet, Leschenault Inlet, and the Swan River estuary?

Mr O'CONNOR replied:

Such an authority is not considered appropriate for Cockburn Sound.

QUESTIONS WITHOUT NOTICE

QUESTIONS ON NOTICE

Postponed

158. Mr DAVIES, to the Speaker:

If I may, Sir, I would like to ask you whether the answers to the postponed questions will be sent on to the members concerned before the House meets again?

The SPEAKER replied:

The intention is for the answers to be postponed to the next day of sitting. If individual Ministers choose to write to the members who asked the questions, that is entirely up to them. As far as the House is concerned, the questions have simply been postponed. I would expect them to be asked on the next day of sitting.

ELECTORAL

Non-British Subjects

159. Mr DAVIES, to the Chief Secretary:

(1) Is the Chief Secretary aware of the statement made in New Zealand, as reported in yesterday's 11.00 p.m. ABC news and attributed to the Federal Minister for Immigration, in which the Minister said that as from 1 January 1982 British subjects resident in Australia would not be able to vote in Federal, State, or local government elections unless they are naturalised British subjects?

(2) If so—

(a) has the Federal Government made any contact with the State Government regarding these reported proposals;

(b) will the State Government comply?

(3) If he did not hear the statement, will he have his office check the matter with the Federal Minister and advise this House of the outcome?

Mr HASSELL replied:

(1) to (3) I thank the Leader of the Opposition for some notice of the question. The issue in question has been discussed at meetings of State, Federal, Territory, and New Zealand Immigration Ministers on a couple of occasions. It was referred to me some time ago by the Deputy Premier and Minister for Immigration in this State, and it has been given some consideration. However, no decision has been made by the State Government and no submission has been made to Cabinet in relation to the matter. The recent meeting of those Ministers cannot bind the State, and I was surprised by the terms of the statement made yesterday by the Federal Minister.

We will make our decision in due course when we are ready to make it, and on terms which will be agreed. The implication of the question asked by the Leader of the Opposition is that he does not approve of the Federal Minister's announcement in respect of its application to State and local government election proposals—which he acknowledges—and I trust he will adopt the same attitude in relation to legislation introduced in the Senate by one of his colleagues concerning the State Electoral Act.

CULTURAL AFFAIRS

"Artlook"

160. Mr PEARCE, to the Minister for Cultural Affairs:

The Minister may recall a week or so ago in reply to a question without notice asked by me, indicating that the possibility of a review existed in respect of the refusal of the Western Australian Arts Council to give *Artlook* a grant this year. Is he in a position to indicate to the House whether that review has been completed and, if so, what was the outcome?

Mr GRAYDEN replied:

As a result of discussions I had with Dr Williams I was under the impression that the Western Australian Arts Council was reconsidering the matter of *Artlook*. I rang Dr Williams the other night to ascertain the result of the reconsideration and he advised me that somewhere along the line I must have misunderstood his remarks and that no such reconsideration was being given to the question. This morning Dr Williams replied to a letter in *The West Australian*, and I would like to quote two paragraphs which will explain the attitude of the Arts Council. I quote as follows—

> Each year the council has the task of allocating the limited funds available to it in what it judges to be the best interests of the arts and the community which they serve.
>
> Inevitably, in view of the fact that requests always substantially exceed the funds available, there are many organisations and individuals who do not receive funding, or are funded at significantly lower levels than they see as appropriate.

I think that partly explains the attitude of the Arts Council on this matter.

LEADER OF THE OPPOSITION

Misinformation

161. Mr BLAIKIE, to the Minister for Police

Since the statement in the House by the Leader of the Opposition during the phone tapping debate that he often puts out misinformation, can the Minister ascertain whether the comments of the member were related only to telephone conversations?

Mr HASSELL replied:

I assume the question is asked in humour and I can only respond that so far as I know the Leader of the Opposition does not confine his furphies to telephone conversations; he issues some here.

FISHERIES

P. Romagnolo and Associates

162. Mr WILSON, to the Minister for Labour and Industry:

(1) Adverting to my question 693 of yesterday, in view of the fact that the Fremantle Fishermen's Co-operative Society Ltd. has now advised that its crayfishing operations at Jurien Bay are contracted out to P. Romagnolo and Associates, will he now undertake to have the department investigate reports of apparently gross irregularities affecting employment conditions for young people employed in these operations, which include the payment of wages at intervals of six weeks?

(2) If not, why not?

Mr O'CONNOR replied:

(1) and (2) Yes, I will have the matter investigated. I take it that in asking the question the member for Dianella is also offering an apology to the firm he named yesterday, in view of the way in which he inaccurately accused the firm of doing something.

EDUCATION: TEACHERS

Travelling Expenses

163. Mr SODEMAN, to the Minister for Education:

Further to a question asked by me last week concerning the reimbursement of teachers' travelling expenses for the 1980 Christmas vacation, has the Minister been able to ascertain whether there has been any undue delay in payments being made to teachers, and, if so, the reasons?

Mr GRAYDEN replied:

Claims are generally paid within two to three weeks of receipt by the Education Department, but some defective claims may take longer.

Only claims received late from teachers are being processed now.

EDUCATION: PRIMARY SCHOOL

Samson

164. Mr HODGE, to the Minister for Education:

(1) Is the Minister aware that many residents of the suburb of Samson are under the impression after making inquiries of the Education Department that the Government's plans for the construction of a primary school in Samson have been abandoned or suspended indefinitely?

(2) Will the Minister make a clear statement refuting the allegation if it is incorrect and provide details of when he expects the school to be established?

Mr GRAYDEN replied:

(1) and (2) The Education Department is not proposing to erect a new school to serve the Samson area from the 1981-82 Budget as there is adequate accommodation in schools in close proximity. School accommodation requirements, including those of the Samson area, are reviewed regularly.

CONSERVATION AND THE ENVIRONMENT

System 6

165. Mr BARNETT, to the Premier:

(1) When is the report of the system 6 study due to be released publicly?

(2) How long will the public have to review and comment on the report?

(3) What publicity programme has been organised for the launching of the report and the subsequent public review period?

(4) What moneys have been committed to the publicity programme?

(5) When is the final report of the system 6 study due to be submitted to the Government by the Environmental Protection Authority?

Sir CHARLES COURT replied:

(1) to (5) The member for Rockingham gave me a little notice of the question, however in the time available to me I have not been able to obtain the detail requested. As a result of a quick inquiry, I understand the Minister for Conservation and the Environment has already made or is about to make a detailed statement which will more than cover the points raised by the member for Rockingham. I have sent a message to the Minister asking him when he makes the statement to send a copy to the member for Rockingham without awaiting the reassembly of the House.

TRANSPORT: AIR

Perth Airport: Noise

166. Mr BRYCE, to the Premier:

I ask this question of the Premier in the absence of the Minister for Transport, and it concerns the announced plans of Transport Australia with regard to the extension of the Perth Airport. Because of concern over matters relating to noise problems will the Government support the endeavours of the Belmont Shire Council to prevail upon Transport Australia to accept one of the four options that were considered by the inter-governmental study group to relocate the international terminal to the east of the existing facilities?

Sir CHARLES COURT replied:

I could not responsibly give the undertaking sought by the member for Ascot because I do not know the detail of the matter to which he refers.

I know he raised this matter in the course of his comment on the noise abatement legislation. However, I will certainly take up his query with the Minister.

Dealing with the general question of the airport, I have been in communication with the Minister on this matter to examine the overall developments proposed because I am not satisfied they are going to be fast enough or big enough. However, that is another issue to the one to which the member for Ascot referred. I will ensure that his query is raised at the same time with the Minister.

EDUCATION: TUART HILL HIGH SCHOOL

Closure: Meeting

167. Mr PEARCE, to the Minister for Education:

(1) Is he aware that at the meeting at Tuart Hill Senior High School last night, which he declined to attend, but which was attended by 800 or 900 parents, a motion was unanimously passed condemning him for refusing to accept an invitation to attend the meeting?

(2) Is he aware that the Director General of Education, whom the Minister sent as his representative had to ward off many questions with the comment, "That is a matter for political decision; I cannot give you an answer"?

(3) In future will the Minister make it his policy, wherever possible—as last night—to attend meetings of parents which result from decisions made by the Minister and his Cabinet colleagues?

Mr GRAYDEN replied:

(1) to (3) I dispute most of the statements made by the member for Gosnells. The Director General of Education (Dr Mossenson) assured me this morning he had quite a reasonable meeting; in fact, he said it was even better than the meeting held the night before at Bentley Senior High School. He said some 600 people were present. He did mention that some people of Italian descent sitting in the front row disturbed the meeting in some way, and believed the problem would have been overcome had the chairman adopted a slightly stronger position.

Dr Mossenson assured me he had adequate opportunity, firstly, to state the position of the Education Department and, secondly, to answer questions. I understand the member for Mt. Hawthorn was unable to get a word in edgeways during the meeting although, with the member for Gosnells, he certainly took part in organising the various resolutions which were passed. The member for Gosnells and other members in this House went out of their way to turn the occasion into a political bun fight.

Hopefully when the member for Gosnells organises the demonstration outside Parliament House of teachers and individuals he has been able to rake up, I will get the opportunity to address them. So, members opposite should keep that in mind, because I would welcome the opportunity.

Mr Bryce: No, you will be too busy in here, like you were last night.

Mr GRAYDEN: The meeting last night was arranged in order that the Education Department could explain the position to parents and, fortunately, it was conducted on that basis.

EDUCATION: TUART HILL HIGH SCHOOL

Closure: Reconsideration

168. Mr BERTRAM, to the Minister for Education:

(1) Has the Minister heard reports that the Director General of Education intimated he will look again at the circumstances of the recommendations the department made to the Minister surrounding and touching upon the closure of Tuart Hill Senior High School?

(2) If he has, will he similarly undertake to look again at the circumstances and give favourable consideration to complying with the resolution passed at last night's meeting at the Tuart Hill Senior High School; namely, to reverse the Government's decision to close that school, which decision was made without notice to anybody, except one or two odd people?

Mr GRAYDEN replied:

(1) and (2) There is absolutely no truth of any kind in the suggestion that Dr Mossenson gave such an assurance at the meeting last night.

Mr Pearce: He did.

Mr Davies: You are denying your Director General of Education.

Mr GRAYDEN: I am very sorry, but not a single argument put forward by the Opposition or anyone else would justify a reconsideration of that position.

NUCLEAR ATTACK

Fall-out Shelters: Location

169. Mr BRYCE, to the Deputy Premier:

Mr question concerns the list the Deputy Premier was good enough to allow me to see on a confidential basis in his office concerning those premises, public and private, in the city area which have been designated as suitable fall-out shelters.

(1) Would the Deputy Premier indicate to the House why he believes it is necessary to keep that information confidential?

(2) Further, would he consider making that information available to members of the Legislature?

Mr O'CONNOR replied:

(1) and (2) The matter has been kept confidential on the advice of officers in the various departments involved. They felt public knowledge of the matter could cause some unnecessary actions and advised that under those circumstances it would be unwise to release the information. I will have a further look at the matter but at this stage, I do not see that it is necessary to make the matter public.

HUTT RIVER PROVINCE

Recognition

170. Mr E. T. EVANS, to the Premier:

(1) Has he read today's edition of the *Kalgoorlie Miner*—

Mr Clarko: What about the "Zanthus Miner"?

Mr Coyne: I think we two are the only ones who read it.

Mr E. T. EVANS: I thought everybody read the *Kalgoorlie Miner*. I repeat—

(1) Has he read today's issue of the *Kalgoorlie Miner* which shows Prince Leonard of Hutt River Province being welcomed by an officer of the Regional Administration Office?

(2) If "Yes", does this mean his Government is now giving recognition to Prince Leonard and the Hutt River Province?

Sir CHARLES COURT replied:

(1) Thanks to the member's efficiency as a paper boy, I have received a cutting which purports to be taken from today's issue of the *Kalgoorlie Miner*—although it is not marked accordingly—and I read the cutting a few minutes ago. The cutting contains a photograph which purports to show Mr Leonard Casley meeting an officer of the Regional Administration Office. I understand the officer concerned was not present as a Government officer—although he is from the Regional Administration Office—but as a member of the Kalgoorlie Tourist Bureau which, I believe, is promoting Mr Casley's visit.

(2) The answer is a very simple one: Definitely not, with three exclamation marks after it.

EDUCATION: TUART HILL HIGH SCHOOL

Closure: Report

171. Mr WILSON, to the Minister for Education:

In view of the fact that at the meeting of parents last night at the Tuart Hill Senior High School the Director General of Education undertook to ask the Minister whether he would table in Parliament a report prepared under the supervision of Superintendent Bill James proposing alternatives to the closure of high schools as part of the rationalisation process, does the Minister intend to table the documents and if not, why not?

Mr GRAYDEN replied:

The report to which the honourable member refers was prepared some considerable time ago; in fact, I have only a hazy recollection of it.

Mr Wilson: It was prepared last year.

Mr GRAYDEN: I assure the member for Dianella it had nothing to do with rationalisation of educational facilities in the context of technical colleges and high schools, which is the matter we are dealing with at present. The report dealt exclusively with high schools. Under those circumstances, it simply is not relevant to the present situation, in which we are trying to rationalise the use of technical colleges and existing high schools.

MINISTERS OF THE CROWN

Honorary: Validation of Appointment

173. Mr DAVIES, to the Premier:

What progress has been made towards taking before the courts to declare constitutional or otherwise the amendments made during the 1980 sitting of the Parliament to appoint additional Ministers to the Cabinet?

Sir Charles COURT replied:

Following the questions asked on this matter previously, I discussed it with the Attorney General. I understood that he had the matter in hand, after discussions with representatives of the Opposition. However, I will find out the latest situation. I have not bothered to follow it up, because I assumed I would be acquainted in due course.

PENSIONERS

Action Group

172. Mr DAVIES, to the Premier:

(1) Did the Pensioners Action Group seek assistance from the State Government for travel concessions to enable two members to attend the forthcoming Pensioners Federation Conference in Canberra?

(2) Was their request on a lesser basis than that granted by other States?

(3) What was the outcome of the request?

(4) If it was refused, what were the reasons for the refusal?

Sir CHARLES COURT replied:

(1) Yes.

(2) I am not aware of the details of this.

(3) To the best of my memory, it was refused; but it was pointed out that some very generous travel concessions existed already, and they were available to pensioners.

(4) I cannot be precise as to the exact reasons for the refusal; but I will gladly send the Leader of the Opposition a copy of the letter sent to the Pensioners Action Group.

EDUCATION: BENTLEY AND TUART HILL HIGH SCHOOLS

Closure: Report

174. Mr PEARCE, to the Minister for Education:

My question, and those which have preceded it, demonstrate to the Minister the advisability of attending these meetings, or at least finding out what happened at them, before answering questions about them. Is he aware that the Director General of Education told the Tuart Hill meeting that the so-called James report bore directly on the matter that that meeting was discussing—that is, the closure of the Bentley and Tuart Hill Senior High Schools—and that he told the meeting he saw no reason that this report should not become a public document in due course? In the light of that information, will he now table that report, or will he give an undertaking to discuss with the director general whether the report is to be made available? The director general may give him the same advice that he gave the Tuart Hill meeting.

Mr GRAYDEN replied:

I assure the member that I have no particular objection to tabling the report. I will certainly give it consideration. If I had any objection, it would be on the ground that it could be misinterpreted because it is a report made a couple of years ago, dealing exclusively with high schools. Any recommendations it makes on that basis are not related to the situation with which we are confronted at the moment when we have the Leederville Technical College which is overcrowded with 450 TAE students, and surrounding senior high schools are under utilised. If we do table a document of that kind, people will look at it and naturally assume—

Mr Davies: The truth.

Mr GRAYDEN: —that it is relevant to this situation; and of course it is not.

I will give consideration to the member's request.