

# Legislative Assembly

Thursday, the 10th August, 1978

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

## AUSTRALIAN BROADCASTING TRIBUNAL

### *Hearings*

**THE SPEAKER** (Mr Thompson): I have received a telex message from the Secretary of the Australian Broadcasting Tribunal relating to a hearing which is to take place on Monday next. I have been asked by the secretary to bring this matter to the attention of members and I shall cause the distribution of copies of the telegram to members in the Chamber.

## INDUSTRIAL LANDS DEVELOPMENT AUTHORITY ACT AMENDMENT BILL

### *Introduction and First Reading*

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

## RIGHTS IN WATER AND IRRIGATION ACT AMENDMENT BILL

### *Second Reading*

**MR O'CONNOR** (Mr. Lawley—Minister for Water Supplies) [2. 20 p.m.]: I move—

That the Bill be now read a second time.

The Bill significantly amends the Act. It provides new licensing arrangements for the taking of surface and groundwater; introduces a new concept of licensing drilling operators and well drillers; updates the preliminaries which must be met prior to the construction of irrigation works; introduces control measures for certain dams to ensure their safety; and widens the circle of persons to include the Minister and officers of the Public Works Department who can be obstructed by persons not conforming to the Act and its by-laws.

Now to explain the various matters in some detail. Arising from a recent challenge to the administration of the licensing provisions for the taking of water from Stony Brook, a tributary of the Canning River, the Crown Solicitor has advised that, in his opinion, all licences issued to divert surface water under the existing section 16 are invalid because of the unsatisfactory wording of that section and the associated regulations.

The difficulty arises from the use of the words "as may be prescribed" for the terms and conditions which may be imposed as part of a licence. Surface water licences are issued to cover many

different situations; for example, a simple pump on a stream, for the building of a dam across a river or for the diverting of flow from a small watercourse with a simple structure. It is not possible to prescribe standard conditions to cover all such cases and this provision of the Act has therefore never been complied with in the 60 years of its existence.

Licences issued under various other sections of the Act are subject to such reasonable conditions as the Minister thinks fit. A right of appeal against the Minister's decision is also provided for well and effluent licences.

Similar provisions are included in the proposed amendment to section 16. In addition, to remove any doubts about their legality, the amendment provides that all existing licences shall lapse. Once the amendment becomes law, new licences will be issued to all existing holders to protect their interests.

I have consulted the Government members of the Irrigation Commission who will have the responsibility to give me advice on this matter and I have received their assurance that they would recommend this course of action.

In regard to licensing provisions governing the drawing of groundwater, the Act already contains comprehensive controls. However, these have been inserted over the years and represent a fairly piecemeal approach to the problem. Therefore the opportunity has been taken to repeal all the relevant existing sections and regroup them in a more logical sequence.

At the same time, amendments have been included to remove anomalies and rectify deficiencies which have been identified in administering the Act, including the invoking of the infringement provisions. The major changes relate to—

- (1) Provisions to exclude certain wells from licensing requirements;
- (2) occupier of land to be held responsible for licence conditions; and
- (3) power to cancel a licence.

Subsequent to an amendment to the Act in 1971 granting power to control non-artesian wells in proclaimed areas throughout the State, several groundwater areas have been proclaimed to enable protection of water sources vital for town or individual needs. Several of the areas have a large number of shallow bores used exclusively for stock and domestic purposes, the control of which has proved time consuming without contributing to the effectiveness of the control measures and at the same time irksome to the landowners.

The amendment before the House therefore provides for non-artesian wells of a specified type to be excluded from the licensing provisions where such action is considered desirable.

The need to hold an occupier rather than an owner responsible for observing licence conditions has been highlighted by past experience. There have been instances where lessees or sharefarmers, although under instructions from owners to observe licence conditions, have in fact, acted to the contrary, thereby committing an offence. Legal proceedings have then had to be taken against the owners, as the licensees, and the persons to whom ministerial direction has been given.

The necessity for the power to cancel a licence was highlighted in a court case several years ago where the Minister made it a condition of the licence that the owner permit a meter to be fitted to check the amount of water being pumped. When departmental officers arrived at the property the owner refused to allow them to fit the meter. The licence was then withdrawn on the grounds of the owner's refusal to comply with conditions. On appeal, the court ruled that the Minister had no power to cancel licences. The licence issued therefore was still valid and the department was prevented from exercising proper control.

I shall turn now to the licensing of drill operators and well drillers. In 1975 the National Water Well Association, which represents an estimated 60 per cent of drillers in Western Australia, met in deputation with the then Minister for Water Supplies and requested that water well drillers be licensed. The association pointed out that in all other States and in the Northern Territory drillers were licensed, and the association saw such controls as essential and complementary to action which it was undertaking at a national level to upgrade the status of the industry.

The Minister established a review committee, which included representatives of the Public Works and Mines Departments, Metropolitan Water Supply, Sewerage and Drainage Board and the National Water Well Association to examine all aspects of the licensing of drillers, and the amendments now before the House incorporate the recommendations of that committee.

The amendments, which will provide for the licensing of water well drillers and are supported by the industry, will be beneficial to the Government and the community in general.

From the Government's point of view, licensing control would go a long way towards ensuring that the valuable groundwater resources of the State were developed in an orderly and equitable

manner, that wells and bores were properly constructed, thereby preventing wastage and pollution, and that full details of sub-soil strata encountered during drilling were collated and recorded.

One of the difficulties encountered in the administration of the well licensing provisions to date has been the means of contacting landowners in proclaimed areas to ensure that those who wish to sink bores are aware of the implications of the control. Licensing of water well drillers will establish a direct communication link with the drillers and the administering authority, thereby providing a positive means of ensuring that information is submitted as required.

The community will be protected against the risk of poor workmanship by an unskilled driller. During the last summer, several cases of driller incompetence were brought before the Small Claims Tribunal. The Geological Survey Branch also was called upon to give advice to a number of owners of bores which required remedial work after poor completion by the contractor. It was clear in these cases that the poor result was the lack of experience of the driller. One major drilling company estimates that it receives 100 inquiries annually about faulty bore construction performed by other drillers who lacked the necessary expertise for the work attempted.

In view of these factors there is a very strong case for the licensing of drillers in Western Australia.

In summary, the major provisions of the amendments to the Act provide for the following—

The licensing of drilling operators and well drilling organisations.

The establishment of a board of examiners to advise on the issue, cancellation, and supervision of licences.

Right of appeal of those aggrieved by a decision relative to the issue, cancellation or suspension of a licence.

Penalties for infringement.

The amendment provides that no person other than a driller holding the appropriate licence shall commence, construct, enlarge, deepen, or alter any bore anywhere within the State, except that an individual who is not a licensed driller is permitted to sink a non-artesian bore on his own property to a maximum depth of 20 metres. The committee was conscious of the need to avoid intrusion into the private rights of individuals but felt strongly that 20 metres was the maximum depth which should be drilled without the skill and expertise of an experienced driller.

Three categories of drilling operators' licences are provided, each reflecting the ability of the operator in terms of types of equipment operated, the techniques accomplished, the depth of hole drilled, and the capacity to cope with specific problems such as water under pressure. The three types of operators' licences are—

Unrestricted licence for all artesian and non-artesian wells.

General licence for any well except those requiring pressure cement grouting.

Restricted licence for types of drilling specified on the licence.

At the same time, provision is made for the issue of a water well driller's licence to a company or body corporate controlling equipment and supervising and employing drillers in the sinking of water wells.

A person wishing to hold a drilling operator's licence will be required to submit with his application proof that he has passed an approved course and passes a test relative to his knowledge of water Acts and regulations. Alternatively, an applicant must pass an examination or test of his competence to use the methods of drilling practice involved, and satisfy the examiners that he has sufficient practical experience and a knowledge of the relevant sections of the water Acts and regulations.

An applicant who, prior to the operation of these amendments, earned his living as a driller and satisfies the examiners as to his competence and that he has sufficient knowledge of the water Acts and regulations applicable will be granted a restricted operator's licence without further examination. That is what we generally know as the "grandfather" clause.

The procedures in the Bill for the application, consideration and granting or refusal of a licence follow a well accepted and proven routine. Similarly, the establishment of a board of examiners to consider applications and inquiries and to advise on matters relating to licences, well construction and operation, follow recent practice adopted by Eastern States water authorities.

The Bill provides for appeal against decisions of the Minister resulting in suspension or cancellation of a licence. A driller aggrieved by a decision relating to the issue, suspension or cancellation of a licence may request a low-cost full inquiry by the board of examiners, and if still dissatisfied has the right to appeal to a magistrate.

Preliminaries to construction is the next subject dealt with. The need to update this provision of the Act was highlighted by the challenge against the Metropolitan Water Board in regard to the development of the Jandakot bore field.

The preliminaries to construction as detailed in this Bill can be met by the department and the right of the public in such matters is protected.

For some time now there has been a growing need for some control to be exercised over the large dams which are being built for agricultural purposes. Such dams have also been a problem in other States of Australia, and the Public Works Department, as a member of the Australian National Committee on Large Dams, has for some time been involved in discussions aimed at ensuring that dams of substantial size are built only under proper supervision and to acceptable standards.

It is important that this State, where a large number of dams are built by farmers for irrigation supplies, and dams are built by corporations for water and effluent storage, should not lag behind the rest of Australia in having the necessary legislation to achieve the mentioned safeguards.

Members will note that the dams which the amendments are seeking to control are those which have a wall 10 metres or more in height with a reservoir storage capacity of 20 000 cubic metres, or those with a wall five metres or more in height with a reservoir storage capacity of 50 000 cubic metres or more. I think if members check they will find that 50 000 cubic metres is equivalent to approximately 4.5 million gallons.

However, the Bill also provides that irrespective of the height or capacity of the dam, where there are special circumstances, a dam can be declared a referable dam and be subject to the provisions of the Bill.

The final point covered by the Bill is the widening of the circle of persons who have authority to check on whether the requirements of the Act are being met, and the need to do this has been apparent over the years.

I commend the Bill to members.

Debate adjourned, on motion by Mr Jamieson.

## ACTS AMENDMENT (CONSTITUTION) BILL

### *Second Reading*

Debate resumed from the 8th August.

**MR DAVIES** (Victoria Park—Leader of the Opposition) [2.37 p.m.]: I was wondering whether we would ever get to debating this measure again. It is the same as the measure brought to

this House last year, except that it contains one minor alteration. That amendment is in relation to the time during which a referendum shall be conducted.

When I brought up this matter last year and suggested there should be a maximum time up to which the referendum was to be conducted, the Premier scoffed at the idea and said we did not need a maximum time. He thought, having gone through the provisions of the various State Constitutions, the Government might then decide it had dropped a clanger and, therefore, did not want to go on with the referendum, and it should not be forced to go on with it.

I was staggered that the Premier should adopt that attitude because it would have been a complete waste of the time of Parliament to proceed with the procedures—if that expression is permitted—proposed in the Bill. After having said that the Government did not need to go along with the idea of a maximum time, I did not believe it was possible for the Premier to say, when he introduced this measure, that he agreed to a maximum time during which a referendum could be conducted. He was not very interested still, but because it was in the Australian Constitution he did not think it was unreasonable that it should be in the Western Australian Constitution also.

I suppose the Premier is allowed to change his mind but he seemed to do it with some reluctance. I think his decision shows the Opposition was right in moving to insert a maximum time.

I doubted very much whether we would see the Bill debated again because it was introduced in the House on the 22nd March this year, and debate was continued only the night before last. I do not suppose it is one of the more important pieces of legislation, but I did hope that the Government in introducing the amendments would have had some rational thoughts about what it was doing, and would have decided that perhaps after all it was a piece of legislation which was not of very great concern and, therefore, the Government would not go on with it.

Of course, the Bill was conceived out of some flight of fancy on the part of the Premier. It was conceived on the completely wrong premise that certain things were to happen under the Australian Labor Party policy. The measure was introduced with a great degree of self-righteousness as though the Premier and the Government were the only ones who had a mortgage on loyalty to the Crown and that anyone associated with the Labor Party in no way acknowledged or upheld the Queen or her representatives.

That is complete humbug. The Premier is not able to show us in our platform, in our standing policy, or in our election policy, where that is even implied or proposed.

This has been a pure flight of fancy on the part of the Premier. He feels he has to do something about it because he is the only one who is loyal to Her Majesty the Queen.

Mr B. T. Burke: Pure humbug.

Mr DAVIES: He has no mortgage whatsoever on that attitude. I defy him to show in any way where the Australian Labor Party reneges on its loyalty to Her Majesty or to Her Majesty's representatives. We realise the situation in which we find ourselves in regard to Governors, and we accept it. We have never suggested that this office should be abolished. We have suggested that the State could be controlled by a Lieutenant Governor as it was controlled in this State for a period of some 17 or more years. There is no reason that that course could not be followed, and it would be less expensive than it is at the present time.

While a Governor is in office we acknowledge him as the Queen's representative, and we have no intention whatever of moving against him. As I say, if the Government wants to indulge in diatribe of this type, then it has a responsibility to show that the Australian Labor Party, or the Opposition in this instance, is doing or intends to do what the Government suggests we wish to do.

The Premier's conception of our supposed actions was based on a false premise inasmuch as it was based on a number of principles which the Labor Party has never espoused. He cannot even show where we have ever embraced such principles. Our first step ought to be to elect a committee of the House to inquire into the whole matter, to see whether there is need for concern, and whether the legislation is reasonable or necessary. We would welcome an inquiry to examine thoroughly the whole situation. We would then find out that the Premier is indulging in flights of fancy because any committee appointed by this House could not agree with his supposition.

At one stage I was tempted to let the Premier have his way, and not even bother to oppose the measure. I thought that if he wants to do this and it will make him happy we could agree to it as we have no grounds for opposing the measure. However, we will not be moving in any way along the lines which he seems to fear we will move. I thought we could save some of the time of the House by agreeing to the measure, but it occurred to me that the Bill involves a

very bad principle. It is an attempt to fiddle with the Constitution, and it frightens me that one person should suggest he is able to do what he likes with the Constitution, to set it up his way without referring it to the public by way of referendum or by asking the public to indicate their desires explicitly.

If the Premier has his way he will entrench forever the principles he now wants entrenched.

Mr Laurance: This was clearly stated as an election promise.

Mr DAVIES: This matter should be put to a referendum, or inquired into by a Select Committee. The honourable member should keep his mouth closed.

Mr Clarko: Are you going to put all future similar proposals to a referendum?

Several members interjected.

The SPEAKER: Order! There are far too many interjections. The Leader of the Opposition.

Mr DAVIES: It is quite apparent, Mr Speaker, that the members of the Government do not like being charged with fiddling with the Constitution.

Mr Laurance: That was clearly enunciated before the last election.

Mr DAVIES: This is exactly what the Government is doing. It has now decided to amend our Constitution to entrench some ultra conservative principles. In the years ahead it will be almost impossible for a Government with a majority in this House only to do anything about it. We will be controlled for ever and a day by the Legislative Council where one-third of the people of Western Australia elect two-thirds of the members.

Mr Clarko: That is an irrelevant fact.

Mr Jamieson: It is not.

Mr DAVIES: There is a fiddle in the election of Legislative Councillors. There must be a mal-apportionment when one-third of the electors in this State can elect two-thirds of the members of the Legislative Council.

This is an underhand measure. Anyone who fiddles with the Constitution in this manner is working in an underhand way. Quite clearly the Premier wants to entrench these principles in the Constitution in a manner which the drafters of the Constitution never contemplated. I wonder where a sense of morality or a sense of concern comes into operation. It certainly has not been obvious in this House. The Constitution of Western Australia binds our whole lives; we operate under it continually. One man wants to fiddle with it, but he has not been game

enough to put it to the people by way of referendum. He made a passing reference to some incident that occurred during the last election campaign some 18 months ago; on the basis of some Press reports, he said that he had a mandate for this legislation. He said that the people put him back into power so that he can fiddle with the Constitution. What humbug!

Several members interjected.

Mr DAVIES: He is using the same incident to alter the Constitution. It is a pure flight of fancy.

Mr B. T. Burke: They are starting to squirm now.

Several members interjected.

Mr B. T. Burke: The Premier is strangely silent.

Mr DAVIES: Well may members opposite laugh. They can feel the thrust of what we say and they know what we say is true. If members opposite are dinkum, let them put the suggestion to the public by way of referendum; let the legislation go to a Select Committee so that the Parliament can call witnesses and inquire into the need for the legislation and the truth behind the assertions made by the Premier to suit his own ends. If Government members believe democracy still exists, let them support our suggestion.

I am quite certain that the people who framed our Constitution would revolve in their graves to think it is being amended so capriciously and in such a cavalier manner. That is the reason I am now on my feet opposing the legislation. As I said, originally I thought we could let the Premier have his own way if it would amuse him, but I now see the danger ahead if this principle is accepted. Future Governments could find themselves in serious difficulties if it is established that the Constitution can be amended at the whim of a Government with a majority in both Houses.

Mr Clarko: It is the whim of the people's representatives.

Mr DAVIES: If members opposite wish to alter the Constitution, they know the procedure. Mr Speaker, you are aware of the Constitutional Conventions that have been held over the last four years and which will be held probably for the next 10 years. That shows the seriousness of altering the Australian Constitution. However, this does not matter when it comes to altering the Constitution of Western Australia. We are the cinderella State, a backwater! Nobody cares about democracy or morality over here. The

Government is saying, "We will alter the Constitution; we have the numbers. It does not matter whether it is a fair thing or not, and it does not matter whether we alter it on a false premise. It does not matter whether there is any justice in what we are doing; we will go ahead and do it."

It is a sad day for Western Australia to see a situation such as this which will confine the actions of Parliaments for years to come. This is a disgraceful day for politics and politicians.

I would say that this Bill is going for the overkill, without justification. It is a piece of legislative paranoia. Paranoia is described medically as "an over-reaction to an imagined or nonexistent threat"; does that not fit this legislation exactly? I think it is a sad day for this State that we should be confronted with this situation.

I am not going to detail how impossible this legislation will be to put the will of the people into effect. We can go to an election in future years and promise that certain things will be done. They may involve the Governor; they may involve anything at all—any aspect that is covered by this Bill—and we will find we will be committed to certain procedures. The Government of the day in this House, whether it be a Labor Government or a Liberal Government, will have been elected with that item particularly enunciated in its policy speech and actively promoted before the election. There would be no suggestion it would be a mandate in the terms under which this Government is operating. It would be done in a specific and particular manner and it would be quite clear the Government had a mandate to take certain action.

However, having got here with that mandate, any Labor Government would be prevented from carrying it out because that Government would be realistic enough to understand it would never have a majority in the Legislative Council. It will come here with a clear mandate, knowing that what it has been sent here with a mandate to do will not be accomplished because of the way in which the Legislative Council is controlled. Quite simply, that is it: The will of the people will be thwarted under those circumstances.

It may be that in years to come a Government of the same colour as the present Government will want to do something along those lines. I know this Government takes no notice of the recommendations carried from time to time by its State and national conferences; the Premier has told us so here; the Government uses those recommendations as guidelines, but most of them go into the wastepaper basket. It is no good the Premier, or

anyone opposite saying, "This is what the Liberal Party stands for because it is written into our constitution" because it might not be what they stand for at that hour on that day. The Government of the day decides what the Liberal Party stands for.

It is quite different, of course, from saying what the Australian Labor Party stands for. Everyone knows that the principles enunciated in our policies are the ones we honestly try to accomplish when in government. As I say, we can come here with a clear mandate from the people to do something in a particular direction and be frustrated from doing just that because of the colour of the Legislative Council.

I repeat that I did not think this legislation was really worth bothering with. I was pleased to see the Premier bowed down—apparently on advice from his department or the Crown Law Department—on the provision relating to the maximum duration at which a referendum should be held, and that he has reluctantly agreed that what is in the Australian Constitution is not unreasonable.

I repeat also that I will be prepared to move that a Select Committee of the House inquire into this matter to see whether there is any justification for what is being done, because I am concerned at the manner in which our State Constitution is being attacked and amended; there is no justification or reason for it, and I believe the Parliament should find out whether there is any need or justification for this procedure, or whether in fact we are simply wasting our time.

Finally, and most emphatically, I oppose the measure because I do not believe anyone should be entitled to fiddle with the Constitution in the manner in which it is being fiddled with at the moment.

**MR HASSELL** (Cottesloe) [2.55 p.m.]: Mr Speaker, I do hope that the people of Western Australia will take note of the outburst we have just heard from the Leader of the Opposition—

Mr Davies: So do I!

**Mr HASSELL**: —in relation to this most important piece of legislation and will take note of the extraordinary attitude which he and the Opposition have displayed towards this Bill. Having first said that he thought this Bill to amend the Constitution of the State was not worth bothering about—why the people should be satisfied to elect people who do not want to bother about the terms of our Constitution, I do not know—he then went into a long diatribe about how dreadful and bad the Bill was, how it represented flights of fancy of the Premier, or somebody else, and how it involved fiddling with the Constitution.

Well, Mr Speaker, I think the Australian Labor Party and the Opposition should take note of the fact that they have now put on record in this debate, both through the speech of the Leader of the Opposition and the speech of the member for Welshpool, that they are opposed to having fundamental questions relating to the structure of government referred to the people for their decision.

Mr Bateman: Humbug!

Mr B. T. Burke: That is what we are asking you to do—to refer this legislation to the people.

Mr HASSELL: That is exactly what this Bill is all about. Members opposite do not want issues of this nature referred to the people because they want to be able to be elected here—not only to govern this State but also to change—

Mr B. T. Burke: Why don't you refer it to the people as we are asking you?

Opposition members interjected.

The SPEAKER: Order!

Mr HASSELL: Mr Speaker, even if members opposite do not want to hear my speech—

Opposition members: Hear, hear!

Mr HASSELL: —I want to have it recorded. The Opposition wants to seize the opportunity in the unlikely event it is elected to govern the State to change the structure and the system of government without referring the issue back to the people.

Members opposite have asked me why this issue has not been referred to the people. It has been referred to them; it was in the platform of the party during the last election, and was overwhelmingly endorsed when this Government was re-elected.

Let us go on to the issue of flights of fancy, and the outrage of the Leader of the Opposition at the thought that these changes might be being made for reasons which are not valid. It is not a flight of fancy that it is the policy of the Australian Labor Party to abolish the upper House. Yet the Leader of the Opposition wants it to remain open for that to be done without any reference to the people of the State. It is not a flight of fancy—

Mr Jamieson: Put this to the will of the people.

Mr Bateman: Humbug!

Opposition members interjected.

The SPEAKER: Order! The House will come to order.

Mr HASSELL: It is not a flight of fancy that the Australian Labor Party wants to abolish the States.

Opposition members interjected.

Mr HASSELL: That was demonstrated, if nothing else was demonstrated, by the years of the Whitlam Government when he and his Ministers—

Opposition members interjected.

The SPEAKER: Order! If those members who are interjecting have no care for the member for Cottesloe, I cannot do much about it. However, would they please have some regard for the *Hansard* reporter?

Mr HASSELL: It is hardly a flight of fancy that the Australian Labor Party seeks the abolition of the States of Australia. The determination—

Mr Jamieson: They have never stated that. You show me where that has ever been stated.

Mr HASSELL: The determination with which the Whitlam Government—Mr Whitlam and his Ministers—set out to undermine the fundamental constitutional representation of the States cannot be denied. May I refer members of the Opposition—

Mr Jamieson: What an idiot you turned out to be!

The SPEAKER: Order! I call upon members of the Opposition please to refrain from interjecting two or three at a time. The member for Cottesloe.

Mr HASSELL: To continue with the Leader of the Opposition's alleged flights of fancy, it is no flight of fancy that the policy of the Australian Labor Party exists to abolish the Senate; it is no flight of fancy that the policy of the Australian Labor Party exists to emasculate the powers of the Governor General or Governor. I shall quote the Australian Labor Party platform Constitution and Rules as adopted last year in Perth, as follows—

The National and State Constitutions to provide for—

(a) the powers of Heads of State, so long as such offices remain,

The threat is there; it is no flight of fancy.

Several members interjected.

Mr HASSELL: Members opposite want to make sure that those offices of Governor General and Governor do not remain because they represent one of the obstacles to their seizure of power in one Parliament in one House in Canberra. That is the Opposition's objective and its members know it. I am sure they do not want to put provisions in our Constitution which would stand in the way of their future Federal leaders carrying out that policy.

The Opposition is afraid of the people. Why are they opposing this Bill? All it does is to require certain matters to be referred to the people; that is what this Bill is all about. The Opposition does not want matters to go to the people because they are frightened of them. They know that the people will not allow them, either at the Federal or State level, to fiddle with the fundamental constitutional structure.

Let us finish with this flight of fancy of the Leader of the Opposition that there is no threat. Why did the member for Welshpool say on the 11th October, 1977, "The action which the Australian Labor Party would take in regard to the position of Governor would be to leave the office unfilled."

Mr Jamieson: That is all right.

Mr HASSELL: It is because the member has no regard for the office; he sees no reason to have the office. The office of Governor stands in the way of the Labor Party's exercise of power without restriction by one party in one House in one place.

Mr Jamieson: You would not know because you are still a child. The kindergarten boy!

Mr HASSELL: The purpose of this Bill is to entrench in the Constitution of the State—

Mr Davies: For good.

Mr HASSELL: —the basic constitutional structure of the State and the basic constitutional structure of government, the position of Governor, the Assembly, and the Council. The Bill does no more than require that before those institutions be changed the legislation to make the change must be referred to the people of the State.

I refer very briefly to the legal position in relation to such provisions. The issue has been thoroughly tested in the courts; in the New South Wales Supreme Court, the High Court of Australia, and the Privy Council in the case of the Attorney General of New South Wales *versus* Trethowan which occurred in the 1930s. In that situation an endeavour was made to pass a simple enactment of the New South Wales Legislature to repeal entrenching provisions such as those which are proposed in this Bill.

The Bill to repeal the entrenching provisions was challenged and the requirement that a referendum be held before the change be made in the Constitution was upheld unanimously by those three courts. I refer to the very learned judgment of that very learned judge, Mr Justice Dixon of the High Court of Australia. He is a judge who has been respected for a very long time and who

followed the law in its great tradition and never in any of the judgments I have read allowed any political considerations to come into play.

Several members interjected.

Mr HASSELL: I am not talking about Barwick or Murphy, who are much of a muchness on the centralist approach to the Constitution. The issue in the case of the Attorney General *versus* Trethowan arose out of the provisions of the Colonial Laws Validity Act. On page 429 of the 44th volume of the Commonwealth Law Report, Mr Justice Dixon quoted section 5. He said—

...every representative legislature shall, in respect to the Colony under its jurisdiction, have, and be deemed at all times to have had, full power to make laws respecting the constitution, powers, and procedure of such legislature; provided that such laws shall have been passed in such manner and form as may from time to time be required by any Act of Parliament, letters patent, order in council, or colonial law for the time being in force in the said Colony." This provision both confers power and describes the conditions to be observed in its exercise. It authorizes a representative legislature to make laws respecting its own constitution, its own powers and its own procedure.

Further on he said—

The power to make laws respecting its own constitution enables the legislature to deal with its own nature and composition. The power to make laws respecting its own procedure enables it to prescribe rules which have the force of law for its own conduct. Laws which relates to its own constitution and procedure must govern the legislature in the exercise of its powers, including the exercise of its power to repeal those very laws.

Mr Jamieson: That is very important too; you might repeat that.

Mr Davies: And also the Constitution too.

Mr HASSELL: He continues on page 430 as follows—

There is no logical reason why the authority conferred over its own powers should not include a capacity to diminish or restrain that very authority.

The whole point of the case was to conclude, as I say, unanimously, as between the New South Wales Supreme Court, the High Court of Australia, and the Privy Council that the procedures laid down in the New South Wales Constitution



regarding a special procedure to be followed in the form of a referendum had to be followed before a change would be valid.

It therefore follows without any question that the proposed amendments to our Constitution requiring these fundamental issues to be referred to the people will be, and remain, enforceable. It will not be possible in future to amend those provisions without referring the amendments themselves to the people of Western Australia.

For my part I cannot see how any Opposition which professes a modicum of democracy could oppose provisions which simply require the basic structure to be protected without change being made unless approved by the people. Why would an Opposition want to oppose those provisions?

Mr Jamieson: If you want that to occur you should have it initially. That is the difference.

Mr HASSELL: As a party dedicated to the democratic system and to the system under which the ultimate issues are decided by the people, this party goes forward very happily with this legislation. It fully supports the Government in bringing it forward, knowing that it is depriving itself of a future power of the Constitution.

Several members interjected.

Mr HASSELL: The way members of the Opposition are carrying on, anyone would think we were depriving them of some power which did not apply equally to Governments of our political persuasion. I support the amendment to the Constitution.

Mr Jamieson: You are not prepared to give anyone an even go politically, and you never have been. That is the basis of the argument. You never have done.

Mr HASSELL: This legislation gives everyone an equal go. All it requires is that the people approve of a fiddle with the fundamental structure of our system.

Mr Jamieson: You do what *The West Australian* said should be done. Amend the constitution of the Legislative Council before you fiddle with this and you might be on reasonable grounds then, but you are certainly not now.

Mr HASSELL: It is not our policy to fiddle with the structure of the Parliament as it stands.

Mr Jamieson: It is already fiddled with.

Several members interjected.

Mr Jamieson: What a fool.

Several members interjected.

The SPEAKER: Order! The honourable member will resume his seat. The member for Welshpool, I submit, would be better if he were not to call members names.

Mr Jamieson: You should take some action—

The SPEAKER: Order! It does not do the dignity of this Chamber any good for members to indulge in name-calling.

Mr Jamieson: It is a pity that was not said to the other side too.

Mr HASSELL: The system of our Constitution and structure in Australia is totally fair to all sides of the political spectrum and maintains the basis on which either side may properly bring forward changes it desires to make.

Mr Jamieson: You are just not real. You are not with us.

MR PEARCE (Gosnells) 13.12 p.m.: As a member of the Library Committee I would like to indicate to the House some disappointment in the amount of money the Parliament puts into the library when Government members seem to base their research on one document only; that is, the ALP policy document. There is also some justification for the loud cries for greater educational standards from the other side, because the single document they always quote, they do not understand very well.

I was disappointed by the grandstanding by the member for Cottesloe and also that by the member for Murdoch last Tuesday. Perhaps it should be said that the member for Murdoch did it better—he at least brought his own grandstand.

We oppose this legislation because there is a fundamental double standard entrenched in the way in which the Bill is brought before us and the member for Cottesloe dealt with that double standard without recognising what it was when he pointed out that there were cases in the Eastern States courts which prevented the repeal of a Bill like this without a referendum first being held.

What the Government wants is to bring in a Bill to change the Constitution without referring the change to a referendum. However, any attempt to repeal such a Bill will not be possible before a referendum is held. The Government wants the easy way out when it is making a change, but it wants to make it hard for anyone to change the change they are making. Why should that be? In which other area of law-making process would it be the case that a law requires a different and more stringent test to repeal it than is required to put it on the Statute book? That is exactly what is happening under this legislation.

If the Government was honest, even though it were not legally required to do so, it would submit the legislation to the people by way of

referendum to ascertain whether they desired it to be passed. If the people accepted the need for a referendum to decide constitutional changes, it would be acting soundly both legally and morally.

I was amazed that the member for Karrinyup and the member for Cottesloe seemed to suggest that the people's approval of the action was demonstrated at election time. Did they not both say that this legislation has been approved by the people because the legislation was clearly forecast in the Liberal Party policy? Let us accept that point.

What we say then is that if we want to change the Legislative Council or Parliament generally and we stipulate this in our policy and we are elected to office, we would be justified in making those changes. Of course that policy was not accepted by the people in 1977, but it could be in 1980 when the present Government could come tumbling down. That is very likely.

Mr MacKinnon: A flight of fancy!

Mr Clarko: You will come tumbling down in 1980!

Mr PEARCE: I am not particularly concerned about it! If we were to win the election in 1980, according to the member for Murdoch and the member for Karrinyup, we would be within our rights in abolishing the Legislative Council.

Several members interjected.

Mr PEARCE: If we were to go to the people with certain policies and we were elected to office, we would have exactly the same mandate for those changes as the Government claims it has for this legislation. That is the double standard to which I referred, and it is not surprising perhaps that the member for Cottesloe would say that the Government is not seeking to make a change when it is seeking to entrench the Liberal Party by fiddling with the electoral processes.

Mr Clarko: Cut it out! It requires two Houses of Parliament and the people, too.

Several members interjected.

Mr PEARCE: Does not the honourable member—

Mr Clarko: It requires the majority of two Houses and the people of Western Australia to approve. How undemocratic is that?

Mr PEARCE: Where has the member for Karrinyup been for the last 10 minutes?

Mr Clarko: You reckon that is undemocratic.

Mr PEARCE: When talking about one matter the member for Karrinyup says that if a change is required, both Houses must approve and the people must agree by way of referendum. However when we suggested that this legislation should be the subject of a referendum, the member for Karrinyup said that the Government has a mandate of the people to do it, because the Government won the last election. Can he not see the inconsistency in that? He should be able to if he cannot.

Several members interjected.

Mr PEARCE: The whole of the referendum and electoral system is biased against changes of any kind. It is well understood in this Chamber that with the gerrymander we have, and in the other place where the gerrymander is even greater so that the former Liberal Research Officer has called the Western Australian system the most gerrymandered in Australia—

Mr Clarko: I bet he referred to malapportionment, not gerrymander.

Mr PEARCE: He referred to gerrymander. Too right he did, although it does not matter what he called it. He was exactly right.

Several members interjected.

Mr PEARCE: The point is that as I was able to demonstrate a few weeks ago—

Several members interjected.

Mr PEARCE: I was able to demonstrate from *The West Australian* and the *Daily News*—

Several members interjected.

Mr PEARCE: I do this with reluctance—

Mr Jamieson: The most intelligent thing the member for Karrinyup could do would be to shut up.

Mr PEARCE: I ask for some protection from the member for Karrinyup. He repeatedly rules me out of order for interjecting when he is in the Chair. He has kept up a consistent barrage for 15 minutes, and I hope next time he finds himself in a higher place he will be as lenient with me as you, Mr Speaker, have been with him.

Mr Clarko: You named me and you expect me to sit here and say nothing when you twist the facts.

The SPEAKER: Order! The honourable member will resume his seat. I suggest the member for Gosnells would make more progress if he addressed his remarks to the Chair and ignored the interjections.

Mr PEARCE: I have been trying to do that for some time but it is rather difficult to get over the member for Karrinyup, or around him for that matter.

The point I am making is there is already a considerable conservative bias in the electoral processes and the parliamentary structure we have. For a Government from our side to be elected, by reference to the 1977 election figures and the current boundaries there is a built-in bias of something like 2 per cent against the ALP gaining government in the lower House and it would require something over 60 per cent of the vote on a Statewide basis for the ALP to gain a majority in the Legislative Council in order to be able to pass through the upper House legislation initiated in the lower House. So we would need 52 per cent of the vote down here and 60 per cent of the vote in the Legislative Council to get legislation passed through both Houses. The Government does not need anything like a 60 per cent majority to get legislation through the Legislative Council. It can get legislation through with a 47.8 per cent vote in the Legislative Assembly.

In essence, a minority Government of National Country Party proportions in the Council, in terms of the votes the Country Party gets in this State and in Queensland, can get changes of the type that are made here put into the Constitution.

Not satisfied with that, the Government has decided the Labor Party has to get more than 60 per cent of the votes before it can change anything, and there has to be a further step; that is, the matter has to be taken to the people. That is not because of any love of democracy. If it were, the Government would be putting this measure to the people for approval. The Government understands from past experience of Liberal Parties in this State and federally that if matters relating to the Constitution have to go to a referendum all that is required is to make a fuss so that almost every referendum proposal is defeated.

Mr Clarko: When you get in it is the will of the people.

Mr Sodeman: What percentage did you get in your electorate?

Mr PEARCE: I got 50.5 per cent.

Mr Sibson: That proves it is not a gerrymander.

Mr PEARCE: No it does not. Gerrymandering relates to the drawing of the boundaries. One cannot look at any one electorate where it is necessary to get 50 per cent to win. When one

looks at the electorates overall, at Gosnells something over 19 000 people vote for or against me and at Pilbara 15 000 people vote for or against the member for Pilbara. That is to say there is a gerrymander going on between our electorates because it requires fewer people to elect him.

Mr Clarko: You do not know anything about political science if you say that.

Several members interjected.

Mr PEARCE: The member for Gascoyne is elected by something under a quarter of the number of people it takes to elect me. The member for Murchison-Eyre would run a bad fourth; he would almost run behind the independent candidate in Gosnells if we were to count the winning vote in Gascoyne. For the member for Pilbara to suggest that because it requires any one of us to get more than 50 per cent in our electorates to win shows there is no gerrymander indicates that he knows nothing of politics, geography, or even numbers.

With regard to the point I was making before I was so loudly, if not rudely, interrupted, the way the Liberal Party has operated in the past to defeat referendum proposals was shown during the 1974 referendums which were put up by the Whitlam Labor Government. Members here doubtless went around the State campaigning against those referendum proposals in 1974. In 1977, a change of Government having taken place, the then Liberal Prime Minister (Mr Fraser) went around the country campaigning for almost exactly the same proposals, which three years before he had campaigned against.

Several members interjected.

Mr PEARCE: In 1974 these proposals were turned down by the people because of the confusion caused by the story put around by the Liberal Party. In 1977 when the same proposals were put forward by that party and again supported by the ALP—showing a marked degree of consistency in this matter, which was apparently beyond the grasp of Mr Fraser and his mates—these referendum proposals were passed. No-one can tell me there was any difference in the proposals of 1974 and 1977 or that the circumstances in the country were any different. The confusion campaign which was run was sufficient to defeat the referendum proposals.

When we look at the number of times efforts have been made to change the Australian Constitution and the number of those referendums which have been successful, it can be demonstrated that no constitutional referendum was ever passed where one party on either side opposed it. If one

party opposes it and one supports it, the referendum is always defeated irrespective of its merits. A referendum is carried only when it is unanimously supported by both parties.

With reasonably clear-cut changes to the Constitution, a Government of either party can exercise a right of veto over constitutional changes because of the system that is set up. It is unfair that an already conservative and biased electoral system should be further biased in the way proposed in this legislation.

We must point out the inconsistency and hypocrisy of the Government in seeking at other times a referendum of the people in regard to making constitutional changes when it is here seeking a constitutional change without a referendum. Speakers from the other side have implicitly recognised the inconsistency but when challenged they speak about other matters, like the member for Karrinyup.

It seems to me this Bill ought to be defeated. If it is not defeated, then members on the Government side should support a Select Committee to look into it or insist that the Government take the matter to the people by way of a referendum, at least to give it some legitimacy in the eyes of the people. However, I cannot imagine backbenchers on the other side bringing pressure to bear on the Premier or the Government, but if they had any sense of consistency or moral integrity that is what they would do.

**SIR CHARLES COURT** (Nedlands—Premier) [3.28 p.m.]: There is not much to which to reply in view of the paucity of argument put forward by the Opposition.

A complaint was made that the Bill has been on the notice paper for some time. The usual complaint is that Bills have not been on the notice paper for long enough.

Members of the Opposition know that with a Bill which calls for a constitutional majority it is not every day that one can bring the Bill forward. So in view of the pressure of other business leading up to the recess in May, this matter was not brought forward to conclusion. I think that made good sense, because we had to get through other measures for a number of reasons—which are well known to the Opposition—so that they could be effective by the 30th June.

Be that as it may, the fact is that the Bill is now before us, and it calls for a constitutional majority. I remind members of that once again, because this suggestion of fiddling with the Constitution and of using underhand methods is making a laughing stock of the Opposition.

**Mr Jamieson**: It is a very true statement.

**Sir CHARLES COURT**: How can we be fiddling when we have to bring a Bill before the House, place it on the notice paper for months, and it can be passed only with a constitutional majority in both Houses? How can that be fiddling or underhandedness? Suddenly the Opposition has fallen in love with referendums.

**Mr Jamieson**: No we haven't, but if you want to do it, do it by referendum.

**Sir CHARLES COURT**: The cold, hard fact is that when the Government went to the people this was an important and serious issue, and we featured it as part of our programme for the State. There was good reason for it. It does not matter what the member for Welshpool might say, the public as well as the Government had cause for apprehension about the attitude of Labor Party members towards the Constitutions of the States and towards the States themselves, and we had even greater cause for apprehension about the attitude of the Labor Party in the Federal sphere.

So I remind the member for Welshpool that one of the main reasons this was featured in our policy document at the 1977 election was the fact that the Australian Labor Party at its conference in, I think, 1976 decided that a future Labor Government would not appoint State Governors. Now members opposite would argue that does not mean to say they are abandoning the principle; they say they could have a Lieutenant Governor. However, we have to consider this in conjunction with the statements that have been made and in conjunction with the attitude of the former Leader of the Labor Party (Mr Whitlam) who took positive steps to try to sever the links between the sovereign States and the monarch in a number of matters.

For instance, he tried to get rid of Agents General and to break the link between the sovereign States in respect of the communication they can have with the monarch on a number of issues. It was the then Leader of the State Labor Party and Premier of this State (the Hon. John Tonkin) who joined with other Premiers to go to London to talk to the British Government in an endeavour to ensure that the rights of the States were preserved. At that time it was not a Liberal Premier but a Labor Premier who was apprehensive about what was being attempted by the Leader of the Labor Party at the Federal level.

Had Mr Whitlam been able to convince the Prime Minister of Britain that those links should have been severed, no doubt they would have been severed.

Mr Jamieson: You are saying in effect that the 21 countries of the British Commonwealth that are republics are disloyal.

Sir CHARLES COURT: There is no question of loyalty in this at all; it is a constitutional question of government.

Mr Jamieson: That is what your argument has been about. What a lot of nonsense.

Sir CHARLES COURT: Therefore, it is very interesting to hear that suddenly members of the Opposition have fallen in love with the monarchy.

Mr Jamieson: What about those republics? Are they disloyal?

Sir CHARLES COURT: Their attitude now is so foreign to all the comments made by Labor leaders over the years.

Mr Jamieson: Are they disloyal?

Sir CHARLES COURT: The question of loyalty has not arisen; it is a constitutional question of government.

Mr Jamieson: That is what you put at the hustings; it was a matter of whether or not we were loyal.

Sir CHARLES COURT: That question has not arisen; it is a question of whether we will have a monarchical system or whether we will not have one.

Mr Jamieson: You are always up on your soap box. You will fall off and break your neck one day, and the sooner the better.

Sir CHARLES COURT: I do not know what is wrong with the honourable member; he is poking out his tongue like a little child.

Mr Jamieson: Did you see the gestures of your own member? Of course you didn't. What a lot of nonsense.

Several members interjected.

Sir CHARLES COURT: Mr Speaker, I hope you have noted the new "in" word used by the Labor Party: "humbug". Their leader uses it, so now everybody opposite has to use it.

Mr Bryce: I thought your contribution was the word "diatribe".

Sir CHARLES COURT: I want to remind members that the public of the day were entitled to assume that, given a set of circumstances it felt was politically favourable, the Labor Party would move to destroy our Constitution.

Mr Wilson: You are saying you wouldn't trust the people to defeat that.

Sir CHARLES COURT: They would not have a chance if members opposite had their way.

Mr Wilson: Come on! That is not the point at all. You are saying you wouldn't trust the people and you have no confidence in them.

Mr B. T. Burke: You are frightened of the people.

Mr Jamieson: The people are loyal only if they are Liberals.

Several members interjected.

The SPEAKER: Order! The House will come to order.

Sir CHARLES COURT: I want to remind members opposite of what is recorded in my speech when I introduced this Bill, not only on the present occasion but on the previous occasion also: the major role of the Governor is to ensure that not even Parliament can exceed the authority the people give it.

Mr Jamieson: Of course, that is not so.

Sir CHARLES COURT: It happens to be so, but it would not be so if the Labor Party were able to give effect to its desires in this matter, because there would not be a Governor and there would not be any States.

Mr Jamieson: The Governor has done nothing in this State that you have not instructed him to do.

Sir CHARLES COURT: The honourable member is speaking nonsense because as a former Minister he knows there is a very clearly defined constitutional position, and there is one supreme action the Governor can take. If the Government and the Parliament go beyond the powers given to them by the people, that supreme power of the Governor can be used and the people can take over. That is the position we are going to preserve, and we will fight to preserve it. That is the position we brought to the notice of the people in our policy document at the 1977 election.

Mr B. T. Burke: Kerr did it, and how long did he last?

Sir CHARLES COURT: I remind members opposite that the former Leader of the Opposition, the member for Welshpool, referred to the Governor as a figurehead. I remind him that the Governor does have this supreme power. The member for Welshpool even referred to an occasion when that power was used during the term of the Tonkin Government. We believe it was used wrongly. It suited the Tonkin Government, but it also created a very convenient precedent for us.

Mr Jamieson: He acted only on the advice of his Ministers.

Sir CHARLES COURT: Very interesting! It so happens that the decision he made has set a precedent which will be very convenient from our point of view.

Mr B. T. Burke: It brought me to the Parliament.

Sir CHARLES COURT: Yes, I remember it well. I well recall that event because it gave us some electioneering practice that stood us in good stead for the 1974 election.

Mr B. T. Burke: Can't you keep to the Bill?

Sir CHARLES COURT: I want to make the point that the Government felt the time had come when something had to be written into the Constitution so that the people would have the chance to decide whether the Government of the day should be able to do what members opposite say is the policy and the objective of the Labor Party. That is all this Bill seeks to do: to enshrine in the Constitution that protection, not for a Government, but for the people.

Question put and a division taken with the following result—

#### Ayes 31

Mr Blaikie	Mr Nanovich
Mr Clarko	Mr O'Connor
Sir Charles Court	Mr Old
Mr Cowan	Mr O'Neil
Mr Coyne	Mr Ridge
Mrs Craig	Mr Rushton
Mr Crane	Mr Sibson
Dr Dadour	Mr Sodeman
Mr Grayden	Mr Spriggs
Mr Grewar	Mr Stephens
Mr Hassell	Mr Tubby
Mr Herzfeld	Mr Watt
Mr P. V. Jones	Mr Williams
Mr Laurance	Mr Young
Mr MacKinnon	Mr Shalders
Mr McPharlin	

(Teller)

#### Noes 22

Mr Barnett	Mr Hodge
Mr Bertram	Mr Jamieson
Mr Bryce	Mr T. H. Jones
Mr B. T. Burke	Mr McIver
Mr T. J. Burke	Mr Pearce
Mr Carr	Mr Skidmore
Mr Davies	Mr Taylor
Mr H. D. Evans	Mr Tonkin
Mr T. D. Evans	Dr Troy
Mr Grill	Mr Wilson
Mr Harman	Mr Bateman

(Teller)

The SPEAKER: I declare the Bill carried by an absolute majority.

Question thus passed.

Bill read a second time.

#### Reference to Select Committee

MR DAVIES (Victoria Park—Leader of the Opposition) [3.41 p.m.]: I move—

That the Bill be referred to a Select Committee.

I gave an indication when I spoke during the second reading that I would do just this. The way in which the debate has developed since then has shown there is a need for the appointment of a Select Committee.

I suggested that the premise upon which the Bill was being introduced to the House was very flimsy, indeed, and the facts and reasons as stated by the Premier did not exist. I repeat: the debate subsequent to that has done nothing to convince me that I was not absolutely right. I do not think we should go for an overkill on this question. I described the Bill as legislative paranoia; perhaps that is a little harsh, but on reflection that is not harsh enough.

I believe we have to be absolutely sure that the Bills we put through this House are required by the population; that there is just reason for them; and that the manner in which they are being dealt with is precise and exact. I am far from convinced on many of these issues as far as this measure is concerned.

If we believe, as has been stated, that what the Premier claimed to be true is absolutely true and is not, as I have said, a flight of fancy then there is need for the matter to be investigated thoroughly. As the member for Gosnells has said, the Government seemed to be interested in finding reading matter in the Labor Party's reports, constitution, and policies.

I believe this is an ideal opportunity for members opposite to examine this question in depth. They may call what witnesses they like, with the powers given to them, to ask for an interpretation of what it all means. Indeed, it would be a unique opportunity for the Parliament to examine a political party.

I am quite confident that the findings of the committee will be exactly as I have said they will be; and that what has been proposed as being the objective will be found to exist only in the mind of one man—who is behind the Bill, who introduced it into the House on the 22nd March last, and who has debated it further in the House this afternoon. This is the type of action which should be taken more often.

I am not anxious to bog down legislation. I have already pointed out that this question was initially brought before the Parliament last year, and the Bill was defeated in the Legislative Council only through the ineptitude, I believe, of the Government Whip in that place. It was defeated, and it was necessary to bring the measure back to Parliament this year.

The Bill was brought back to Parliament on the 22nd March last, but nobody bothered about it until the night before last when the item was brought up for debate. So, there is no urgency in the matter. A Select Committee could take up to a month or three months while Parliament continues to sit, and call such witnesses as the Select Committee feels should be called, including the Premier if that is considered to be necessary.

*Sitting suspended from 3.45 to 4.05 p.m.*

Mr DAVIES: No doubt amongst the other people they could call if they so desired would be the Governor General of Australia (Sir Zelman Cowen), a man who the Premier has often said—and we agree with him—is an eminent constitutional lawyer.

This committee would be in a unique position. Whatever its findings, the committee would give myself and all Opposition members a much greater sense of security that what was being done was being done in a proper manner and in a manner which would reflect the thoughts of the people who founded the Constitution.

As I have said, this has been with us for almost two years now. There is no urgency about the matter. I think everybody would rest much more comfortably if a committee of the House was able to investigate and report back.

MR BRYCE (Ascot—Deputy Leader of the Opposition) [4.06 p.m.]: I rise to support the comments of the Leader of the Opposition that this Bill be referred to a Select Committee. I have been sitting here this afternoon very quietly, listening to a stream of erroneous and highly misleading charges made by some of the younger back-bench members opposite—younger back-bench members who seem to have been brought up on a daily diet of tired, old fashioned rhetoric from the Premier. We saw them take their places in the debate, trying to impress the Premier, because they are not really sure when the next competition for Cabinet stakes will be on.

Last evening we saw the member for Murdoch, as the member for Gosnells has indicated already, grandstanding before his very own grandstand.

He had a group of guests here in the Speaker's Gallery and he thought it was a good opportunity to help consolidate himself in a marginal political position, but he performed abysmally.

Mr MacKinnon: They were not even from my electorate. How would you know?

Mr BRYCE: Today we heard from the member for Cottesloe who made some of the most astonishing claims which I doubt would impress even the Premier so extreme were they and so wide of the mark were they in respect of their accuracy.

I should like to take the opportunity to suggest very briefly to the House that if this Bill goes to a Select Committee it would be a fine opportunity to lay to rest some of these highly inaccurate and misleading misconceptions.

The Bill itself will be seen to be a memorial to the tired old warhorse of Western Australian politics. There is only one member of this Chamber who sees himself as the Prince Metternich of the 1970s and that is none other than the Premier. He spent the first part of his political career giving away the resources of this State as fast as he could, and as cheaply as he could, to please the captains of industry in Tokyo, London, and New York to the point where today they love him.

As far as they are concerned, he is the best thing that has ever happened for their industry. I draw this particular point to the attention of members, because during the course of this debate the loyalty of my political party in this Chamber has been questioned. I believe the litmus test of loyalty so far as the Government in this State is concerned should be applied to the performance of successive Liberal-National Country Party coalitions over the last couple of decades, in respect of what they have done to the property resources of the people of this State.

Having spent the first half of his political career squandering those resources in the name of development—as my colleague, the member for Balcatta, suggested earlier, in a hovercraft style of development, as it applies to these immediate years, designed to get off the ground with hot air only—he is fighting now a rearguard action. As the iron fisted conservative he has decided with his giant sized sense of paranoia—the man who is really afraid of the people—to try out this Bill.

Sir Charles Court: You funny little man.

Mr BRYCE: Suddenly, after 146 years of Liberal dominated majorities in the Legislative Council and after 80-odd years of performance in the Legislative Assembly Chamber, we find the Premier thinks it is necessary to thwart the attempts

of legitimate political parties—other political parties in this State—to change the Constitution. Suddenly the Premier has decided, after all these years, that this obstacle must be placed in the path of other political parties, because he knows in the short term at least, the principal arms of the media are at his beck and call and he presumes they will be at the beck and call of his immediate successors. He feels the principal arms of the media will be able to whip up the enthusiasm or the resentment of the public generally and, in that way, he will be able to control and manipulate referendums very effectively.

The Premier thinks that will be the iron clad source of security against changes to the Constitution. I should like to remind the Premier that it does not matter what he does with this Bill or any other similar Bill; he and his successors will not thwart the demands of the people for the modernisation of our Constitution—the efforts of the people to introduce fair dinkum, democratic systems of election—and a fair dinkum, democratic Constitution will in fact prevail. All the Premier may succeed in doing is perhaps to delay it a little longer in the interests of a very small handful of his friends who have a vested interest in seeing that happen. They are determined to cling to these vestiges of power and privilege as long as they possibly can.

There are three particularly erroneous suggestions which have been put to this Chamber by some members opposite during the course of the debate and which I believe need to be set right. The first suggestion, which has been repeated on numerous occasions deliberately to mislead the people, is the suggestion from the member for Cottesloe who is taking up the trappings of his leader's speeches very effectively. The suggestion was that the Australian Labor Party is interested in the abolition of the States. For the sake of the record, the facts need to be put straight so that everybody will know the true situation. Never at any stage has such a policy been held by the Labor Party. This policy has not been held at State or national level in Australia.

In my experience in the last 15 years in the councils of the Labor Party such a proposition has never been advanced, even at a policy-making conference which would, of course, be a perfectly legitimate exercise. We know that the former Federal leader of the Labor Party (Gough Whitlam) once delivered a speech—whether it was to a Fabian society or some other forum, I do not know—where he advanced this particular idea. It was his special pigeon. Gough

Whitlam was born and bred in Canberra and he happened to postulate a particular view as far as the future of our society was concerned in regard to the inappropriateness of present State political boundaries.

Mr Jamieson: Which he was entitled to do.

Mr BRYCE: That is correct; it was something he was perfectly entitled to do in this so-called democratic society. The Labor Party has never taken up the cudgels on that question. It has never, to my knowledge, discussed it seriously at a conference. Therefore, not only is it misleading, but it is also dishonest of any member of this House to suggest the Labor Party has ever been seriously interested in such an idea.

The other almost laughable suggestion from the member for Cottesloe—

Mr Hassell: Gough Whitlam was seriously interested in it and you made him the leader.

Mr Jamieson: I did not even have a vote.

Mr BRYCE: The member for Cottesloe, with his interjection, reminds us he is a member of a political party which allegedly upholds the principle that a member of Parliament or a member of a political party should be entitled to a personal point of view and should be entitled to express that view wherever he likes, and however he likes, without necessarily being bound by party politics. He cannot have his cake and eat it too.

The point is, of course, Gough Whitlam held that point of view as an individual and at no stage has it ever been seriously considered by the Australian Labor Party.

Mr Hassell: He tried for three years to destroy the States, backed by his Ministry.

Mr Bateman: This bloke has not done a bad job—the one you have there at the moment. He is destroying your whole party.

Mr BRYCE: The second matter to which I wish to refer, and which emanated from some of the wild assertions made by the member for Cottesloe, is that the Liberal-National Country Party coalition is dedicated to the democratic system and the democratic tradition.

Those words ought to evaporate after leaving his mouth and before they reach our ears in this Chamber. It is really the most preposterous statement we have ever heard. Do those members of the Western Australian Legislature belonging to the Liberal Party actually suggest that that party is seriously concerned with democracy?



They are only words, because we see that the actions of members opposite in this place, and the actions of the Government demonstrably place them at a great distance from the truth of that statement.

In the short time this Government has been in office we have seen a considerable loss of the democratic rights and privileges enjoyed by the people of this State. We have seen them evaporate. We have seen the highly undemocratic system of the member's own political party used and manipulated over many years to allow his party to remain in office.

The final aspect of the erroneous arguments put to us in relation to this debate, which I think warrants some semblance of reply, came from the member for Murdoch, not only during the course of his comments but also during the course of his interjections. He seems to have some fairly fanciful theory about who makes the policy of the Australian Labor Party. Since he has not been in the Chamber for very long, and perhaps not had an opportunity to be reminded, we will overlook his initial mistake. However, we will also remind him that there are some hundreds of branches of the Labor Party—between 150 and 200—in Western Australia with some thousands of people who are financial members. Those branches meet regularly and conferences are held regularly.

Also, believe it or not—as my worthy friend and colleague the member for Mt. Hawthorn has frequently reminded the House—we are the only political party that allows the media to come to our council meetings and hear our debate. There are none of the smoke filled rooms associated with the Liberal Party.

We do not have the traditions of the Menzies era when members of the Liberal Cabinet awoke one morning to read in the Press that because Menzies needed a new policy for the 1963 election, he did a back flip. The members of the Menzies Cabinet discovered one morning, from reading their papers, that suddenly they were in favour of State aid.

That cannot happen in our party. People who join our party and who meet collectively all over the State to form our policy have a right to see that policy followed through. We are proud of that fact; there is nothing cynical or mythical about it.

The sole purpose of this Bill is to try to entrench the position of the Liberal Party in Western Australia politically. The Premier received a fright in the mid-1970s. He suddenly realised

there was a political party in Australia which has loyalty to the interests of Australians, and which is not primarily interested in overseas companies and industries; a political party that places the interests of Australians first and foremost.

Might I suggest in closing that the particular expression of "vested interests" comes from the Liberal Party. During the last few days we have seen highlighted the attempts of the same political party, in another form, to featherbed the most successful and most financial multi-national company in Australia. I speak of Utah, the company that has made more from Australian resources than any other company.

I would like to demonstrate a particularly interesting point. During 1975 we saw the Labor Government introduce a fairly interesting levy on the export of coal. There was this immensely wealthy company in Queensland shipping coal to the United States and to Japan. The introduction of the levy was an attempt to bring a modicum of the wealth from Australian resources back to Australia. These are the people who, incidentally, question the loyalty of our party to the system of government. We question the loyalty of the Liberal Party throughout Australia, and particularly in this State, to the interests of the people.

Over the last few years the levy on that highly successful industry has been reduced to nothing. During the current financial year the Fraser Government, which is of the same ideological ilk as the Court Government, has granted to the shareholders of Utah a Christmas present of \$54 million per year. The Fraser Government is short of funds and capital works programmes are drying up everywhere.

Mr O'Neil: What has this to do with the motion to move that the Bill be referred to a Select Committee?

Mr BRYCE: I am trying to demonstrate to the Deputy Premier—he is a little hard of hearing—that a basic question of loyalty has been posed in this Chamber today. I would like to demonstrate to him that his own Federal colleagues in another place, operating on the same political wave length, have taken the same sort of decisions over the last few years to demonstrate the sense of extreme disloyalty to Western Australians and to Australians generally in the field of resource development. So, when it comes to a question of discussion about the Constitution let us not hear any

of the nonsense along the lines that the Australian Labor Party lacks some sense of loyalty to the Constitution.

We wish to change the Constitution, and we are not ashamed of that fact. The Constitution was drawn up by the forebears of the Liberal Party. Nobody else was involved. A set of rules was drawn up by the Liberal Party more than 80 years ago and at this stage of the twentieth century certain things need to be changed.

Irrespective of the method, it rings very hollow indeed to hear the Premier say he is concerned about the people—the will of the people. Why, he runs the Government without even consulting the will of Cabinet, let alone the Government party. How can he stand in his place here and tell us he is concerned with the will of the people of Western Australia?

**SIR CHARLES COURT** (Nedlands—Premier) [4.23 p.m.]: The motion that has been moved by the Leader of the Opposition is, in fact, just plain nonsense and a waste of time. To submit this Bill to a Select Committee would be a farce in the extreme.

The attitudes of the political parties are well known. The matter was ventilated and stated very clearly during the election policy speech. It was printed in our policy statement, and referred to on a number of occasions.

**Mr Bryce**: Do not deny it; you are frightened of the truth.

**Mr Jamieson**: When things were printed in my policy speech it did not matter!

**Sir CHARLES COURT**: There was no doubt in the public mind. All sorts of expressions have been used about old-fashioned rhetoric and goodness knows what. However, it still comes back to the fact that at last the Opposition has woken up to the fact—

**Mr Davies**: You are fiddling the situation.

**Sir CHARLES COURT**: —that if this Bill is passed and written into the Constitution their little caper of denying the people the right to protect the system which we have, would be defeated.

**Mr Jamieson**: It does the opposite.

**Sir CHARLES COURT**: It comes down to the question of whether the Opposition is prepared to trust the people.

**Mr Davies**: We want to take it to them.

**Sir CHARLES COURT**: If the Opposition was able to get Bills through both Houses it could go to a referendum and submit the proposals to the people. If it had the confidence of the people it would be able to have the referendum passed to give effect to the idea of destroying the Constitution as we know it.

**Mr Davies**: We want the people to have the opportunity; you are frightened of the truth.

**Sir CHARLES COURT**: It is fair enough to provide this protection we propose for the people. I oppose the motion for the appointment of a Select Committee as being a straightout humbug, to use the words of the member opposite.

**MR JAMIESON** (Welshpool) [4.25 p.m.]: If the Premier had acted in a similar manner to that of his counterpart in Queensland—when he brings a motion like this before the Parliament he says, "We have the numbers and we will pass it"—one might have some respect for him. However, what the Premier has implied in his reasoning in connection with what might happen to the democratic establishment of the Western Australian Parliament is so much nonsense.

What the Premier is doing, in all probability, at some future time will cause a revolt against the very system he attempts to screen. If the Premier wants to inflame the position, and cause an inflammatory situation, that is his choice. It is not my choice.

I suggest that a Select Committee would undoubtedly indicate to the Parliament, progressively, the changes which should take place. There should not be any need for violent changes. What has been implied by members opposite has never been suggested in the Labor Party policy, the Labor Party rules or platform, or during debates. I have been around the halls of policy making for a long time—long before Whitlam came on the scene—and I hope to be around for a number of years yet. However, I have never heard such statements. Neither has my colleague, the Deputy Leader of the Opposition, during his time ever heard any similar statements.

It is true that some individuals have made statements at lectures and on that sort of occasion. However, many members opposite have given lectures and made similar statements, such as the statement that 100 000 jobs would be available in 18 months. That is not a dinkum statement, but it was made.

**Mr Young**: That was not stated in the policy.

Mr JAMIESON: It was not stated in the policy, and that is the point I was making. Whereas Mr Whitlam may have said various things, it was not in our policy; that is the point. That must be remembered because it is the point at issue.

What a political party proceeds to do by progressive development, and by progressive usage of the system, should not be denied. If it is denied, in the ultimate it will cause revolt and will cause problems.

Getting back to the ALP side of the argument, it has always been a party responsible to the grass roots. If a member of the party gets an idea, and gets it approved, it becomes part of the party platform and our members are then obligated to it. What is wrong with that? That is democracy at work. When that happens in the Liberal Party—I do not know about the Country Party, I cannot keep up with them—it does not matter whether the suggestion came through from the grass roots, and moved through the State conferences, the Premier can do just what he likes. He can say that he does not agree with the idea, and the person who has battled to get his point of view through has done that work to no avail.

What I am saying does not have a great deal to do with the reference of this Bill to a Select Committee. What I want to point out is the difference between the political parties. Our party believes in progressive democracy, whereas the Liberal Party does not believe in that. The Liberal Party believes in maintaining the establishment which has existed for a long time. If necessary, it will take retrograde steps, such as this one, for the purpose of cementing that position.

I have referred to these other countries, provinces, and States of the British Commonwealth of Nations that have seen fit over the years to become republics in their own right; the Premier has implied that these people are disloyal beings. He said that about me very clearly on the hustings before the last election. I heard him say it in Kalgoorlie, but I defy him to prove his loyalty greater than mine on any platform. I was born in Australia, and I owe more to Australia than he does. Not that I have anything against people who migrate here, but as I was born here and exist here, I feel it is part of me. I am proud to be an Australian and I will remain an Australian always.

Sometimes I do not think the Premier is an Australian. I believe he still regards himself as a member of the United Kingdom and associated with the Government of that country. That is the difference.

We would like to bring forward as witnesses people who have the necessary constitutional knowledge. I am sure if we could hear Sir Zelman Cowen on the subject, he would literally throw up his hands in horror at the legislation. Over the years, on behalf of the United Nations, he has prepared Constitutions for the various emerging nations. He would be amazed that this sort of thing could happen in this day and age. Other qualified competent constitutional lawyers could give evidence, and I am sure they would agree that we should not be moving in the direction proposed in the legislation. I believe the legislation will cause more problems than it solves, and eventually the ultimate result will be very unpleasant and quite unnecessary.

We must be prepared to meet the changing times. I am sure that a Select Committee appointed by this House would say that the Legislature must be seen to be progressing, and progressing in a liberal way—with a small "l" of course and not with a capital "L" as we have here. Some new concept could be developed over the coming years.

The countries to which I refer have seen nothing wrong with changing their Constitutions, and we have seen nothing terrible happening after the changes. We have not seen demonstrations of disloyalty, although in recent times the Canadian leader has expressed his views on his country's association with the British Commonwealth, and of course he is quite entitled to his views. All these people who have individual views do not necessarily share the views of the concerted efforts of their parties. It is an unfortunate situation when we have a Premier who is prepared to be dogmatic, who does not listen to the views of the members of his party, and who puts his ideas into a form of legislation. It would not be so bad if he were like Mr Bjelke-Petersen who came to the Chamber and said, "I have the numbers and I will have this legislation passed." Probably we would not agree to the legislation in such a situation, but at least it would be an honest approach. However, we have not had the benefit of an honest approach and we have suggested that the Bill should be referred to a Select Committee so that we can obtain advice as to where we go from here.

Question put and a division taken with the following result—

**Ayes 19**

Mr Barnett	Mr Jamieson
Mr Bertram	Mr T. H. Jones
Mr Bryce	Mr McIver
Mr B. T. Burke	Mr Skidmore
Mr T. J. Burke	Mr Taylor
Mr Carr	Mr Tonkin
Mr H. D. Evans	Dr Troy
Mr Grill	Mr Wilson
Mr Harman	Mr Bateman
Mr Hodge	

(Teller)

**Noes 30**

Mr Blaikie	Mr Nanovich
Mr Clarko	Mr O'Connor
Mr Cowan	Mr Old
Mr Coyne	Mr O'Neil
Mrs Craig	Mr Ridge
Mr Crane	Mr Rushton
Dr Dadour	Mr Sibson
Mr Grayden	Mr Sodeman
Mr Grewar	Mr Spriggs
Mr Hassell	Mr Stephens
Mr Herzfeld	Mr Tubby
Mr P. V. Jones	Mr Watt
Mr Laurance	Mr Williams
Mr MacKinnon	Mr Young
Mr McPharlin	Mr Shalders

(Teller)

**Pairs**

Ayes	Noes
Mr Davies	Sir Charles Court
Mr T. D. Evans	Mr Mensaros

Question thus negatived.

**FIREARMS ACT AMENDMENT BILL.**

*Second Reading*

Debate resumed from the 3rd August.

**MR T. H. JONES** (Collie) [4.40 p.m.]: This is a Bill to amend the Firearms Act, 1973-1976. In my view it contains three major amendments and it updates the penalties presently applying in the legislation. It provides also in some instances that a penalty can be a fine plus a period in prison.

The legislation differentiates between persons in possession of a firearm who, on the one hand, are unlicensed, and those who, on the other hand, have been refused a licence or have had their licences cancelled. The penalty for the more serious offence is \$500, and for the lesser offence it is \$200.

The Premier introduced this measure on behalf of the Minister for Police and Traffic who was absent that day at a conference. The Premier said the Government was concerned about the increasing use of illegal firearms. He referred also to the fact that firearms are being altered from their original design by persons who do not hold licences for firearms. He referred also to the serious situation in regard to the discharge of firearms on roads and in public places in Western Australia.

Unfortunately we were given no evidence to substantiate these points. We are concerned, as is the Government, about the number of hold-ups, but the Premier did not explain some fairly radical changes contained in the Bill, and I refer to the fact that persons who are licensed to shoot kangaroos will now come under the provisions of the Act in regard to the shooting of animals on open roads as they are not excluded from the penalties that apply for this offence. Perhaps I will say a little more about that during the Committee stage.

The second major amendment is to control the alteration of firearms, and it will now be an offence to alter a firearm from its original design. No evidence was presented in regard to the need for this amendment and it seems we have to accept the opinion expressed by the Premier, which is, I understand, the opinion of the Commissioner of Police.

Once again no evidence was made available to us about incidents of this type. Perhaps it will be said that we could have asked numerous questions about the increased number of convictions for such offences, but surely it would have been better for the Premier to have referred to this matter when introducing the measure. It would help our decision if we knew the exact number of recorded convictions that have given rise to the alterations we are now considering. It has been found that a person in charge of an altered firearm can be charged only with the lesser offence under the Act if he does not hold a firearm licence. The penalty then is not so severe.

Paragraph (e) of clause 3 refers to three new subsections. Proposed new subsection (10) reads as follows—

(10) A person who, without reasonable excuse, uses a firearm on land belonging to another person without the express or implied consent of the owner—

Possibly there is a reason for the inclusion of this provision, but clearly it will restrict the freedom of people who shoot rabbits. Usually rabbit shooters do not approach the owners of properties to seek permission to shoot, but where a farmer

objects to this practice on his land, he puts up notices of prohibition on the property. On the other hand it usually becomes well known when a farmer does not object to people shooting rabbits on his property. However, under this provision it will be necessary to gain permission to shoot from the owner of the land.

Mr Blaikie: Farmers have never objected to the actions of responsible people.

Mr T. H. JONES: That is so, but clearly the Bill now provides a penalty of \$200 where a person shoots on a property without the express or implied consent of the owner.

It is all right to say that the farmer does not mind anyone going onto his property and shooting, say, parrots in the case of an orchardist, or rabbits in the case of general farming, because they are removing vermin from the property. However, that does not apply any more because without the express or implied consent of the farmer, a shooter may not go onto someone else's property. If a member of the Police Force approached a man discharging a firearm on a property and that man is unable to produce written authority or to satisfy the policeman that he has implied authority, he would be liable under these new provisions to a fine of \$200.

I will not argue with the member for Vasse that shooters generally know which farmers do not mind them shooting on their properties, but he should look at how the law is to be changed. I have gone shooting on properties without the consent of the owners because I know the owners involved would be very pleased to get rid of some of the vermin on their properties. However, the fairly stringent controls now to be applied under the legislation will prevent shooters from shooting kangaroos on someone's property without first obtaining consent.

I have a farmer in my electorate whose entire potato crop was destroyed by kangaroos, so do members honestly believe that the farmers would worry if a few licensed shooters shot some of the kangaroos causing the destruction on their property? Of course they would not.

The farmers down in the Preston Valley area are worrying about the number of wild pigs coming out of the forest. I am sure the member for Vasse knows about this problem. There are plenty of pig shooters around who like to go and shoot wild pigs to make sausages, or for some other purpose, but under the terms of this legislation those shooters will need the express or implied consent of the property owners. Perhaps there is good reason for this provision; I am simply pointing out to the House that it will take away some of the freedoms the shooters currently enjoy.

It is true that some farmers do not want any shooting to take place on their properties; I appreciate that. However, it would also be admitted by members representing rural areas that there are plenty of farmers who do not mind if kangaroos, pigs, or even rabbits are shot on their properties. The shooters—who, generally, are reliable people—get to know which farmers do not mind shooting to take place and also those who do mind.

Mr O'Neil: If they are aware of the fact that a farmer does not mind, that is implied authority.

Mr T. H. JONES: I presume the Deputy Premier is putting a legal interpretation on it now. He is on record as placing that interpretation on the words, so I hope the courts will follow the interpretation of the Minister handling the Bill. It might be good evidence for anyone who is charged to say, "The Minister for Police and Traffic of the day said in Parliament that this is the intention of the words." I am not a lawyer, but I have had some industrial experience, and I believe the Deputy Premier's interjection could be handy ammunition in the defence of such a charge.

Mr O'Neil: I am sure the judges and magistrates will not take the slightest notice of what I said.

Mr T. H. JONES: That is for the future. When introducing the Bill, the Premier made the following statement in the Press—not in the Parliament—

... the alteration of firearms was increasing.

The increasing use of altered firearms in hold-ups was worrying the police.

We on this side of the House share that concern. We are concerned with the increasing number of armed hold-ups and with people using firearms for criminal purposes, and we must be concerned about people altering firearms and not being able to be dealt with sufficiently under the law as it presently applies.

It is quite noticeable that the penalties have not increased on a uniform basis; in one instance, they are increased by 100 per cent whereas in others they are increased by 400 per cent and 250 per cent. I suppose there is good reason for this. I wonder whether there is ample evidence that the penalties should be increased to such an extent. Perhaps the police files contain evidence of a great number of breaches of certain sections of the Act and that therefore it is necessary to stiffen the penalties involved. However, we have not been presented with this evidence; we have had to rely only on the opinion expressed by the Premier in his second reading speech that the number of

cases had increased which is why the penalties are to be increased. I hope it is not for the reason of gaining extra revenue.

With those comments, the Opposition supports the measure. We would have liked more information, because we feel there are a few areas which perhaps need to be given close attention.

**MR H. D. EVANS (Warren)** [4.51 p.m.]: I wish to make reference to several points relating to this Bill. As the member for Collie indicated, generally the Opposition supports it. Naturally, everybody in the State who is concerned with the increase in violent crime and the tendency towards armed hold-ups would support more stringent firearm legislation. It would be most regrettable if we ever reached the stage the United States of America finds itself in at present.

However, there are several matters which need further clarification, which leads me to wonder whether or not the Government fully researched the need to change this legislation, particularly in relation to clause 3, which involves the alteration of firearms. The Premier's second reading speech contained the words, "from the design or characteristics of its original manufacture". While there is a strong and vital need to ensure that firearms are not changed into much more dangerous weapons for the purpose of criminal action, there are legitimate sporting bodies—namely, the various rifle and pistol clubs—whose membership throughout the State runs into many hundreds, which on occasions need to alter the characteristics of the firearms for the purposes of competition. The members of these clubs may need to alter or modify the sight, change the length of the barrel, alter the trigger mechanism and the guard and probably other areas as well to make the weapons more efficient for sporting and competition purposes. However, under this new provision, such modification would be against the letter of the law.

The purpose and the intent of the measure is clearly understood and approved. However, will it achieve its purpose without causing a great deal of inconvenience to many hundreds of legitimate sporting enthusiasts who will virtually be breaking the law if they carry out such modifications for sporting purposes? I ask the Deputy Premier whether these sporting clubs were consulted and their views solicited in this respect and, if so, whether they had any suggestions to put forward.

I understand the sporting clubs, the Riflemen's Association in particular, have done a great deal of research into this matter and also into other

aspects which are not covered in the Bill before the House at the moment but which are associated with the Firearms Act in general.

I wonder also whether this provision implies that a gunsmith, in the legitimate course of his trade, cannot modify a weapon in some way so that it is more ornamental, and can be used for display purposes. Although that would not involve many people—there would not be all that many gunsmiths—once again this new provision may have the result of putting a section of the community in jeopardy of breaking the law when that is not their intention. Certainly, such a modification would not represent any danger to the community.

I believe this section of the Bill needs to be defined more clearly before it can be regarded as acceptable legislation. We need to define the purpose for which a weapon is modified. I await with interest the answer of the Deputy Premier as to just what research the Government has undertaken, whether the Government consulted the various sporting bodies, whether the problem I have raised has been recognised and whether the Government proposes to do something about it.

I wish to refer also to the matter of shooting from roads. Many of the remote areas of our State—for instance, the Scott River country south of Nannup, towards Augusta—contain considerable numbers of kangaroos; in fact, at times they run into plague proportions. The farmers in the area have no problem in obtaining tags either for themselves or for licensed shooters, and the practice is that when the numbers build up sufficiently to do some spotlight shooting to thin them out, tags are obtained and the shooting is carried out. This is necessary otherwise fences and pastures would suffer to the extent that normal farming practice would be in danger.

Therefore, there is a real need for a periodical clearing out of vermin in those areas and elsewhere. However, in the process of travelling by vehicle from one paddock to another it frequently is necessary to take a shot at a kangaroo from a road or at a kangaroo on a road. I emphasise that the road would not necessarily be a main road and would certainly be in an area of great isolation. The person who uses a high-powered rifle for this purpose is not irresponsible; he is licensed and experienced and he has tags which entitle him to take kangaroos.

I believe that legislation as stringent as the Firearms Act will become will place a great many people in many parts of the State in the position of breaking the law. To implement this proposed

amendment in its entirety will create a considerable number of law breakers in Western Australia; it will make law breakers out of very responsible citizens and any legislation which does that to my mind is bad legislation and should be examined very closely before it is passed.

If the Deputy Premier has a sufficient and acceptable explanation for the provisions contained in this Bill I would be very pleased to hear them. However, as it stands, with the explanatory notes we have been given and the measure before us today, it certainly does not satisfy the two queries I have raised. I await with considerable interest the Deputy Premier's observations.

**MR BLAIKIE (Vasse)** [4.58 p.m.]: At the outset, let me say that I support the measures contained in the Bill.

**Mr H. D. Evans:** And the intent?

**Mr BLAIKIE:** Yes, I support both the intent and the measures; I believe they are quite important and necessary. If members were to study the intention of the Bill and the implied reasons contained in the Bill, particularly in clause 3 (d) and (f), to which the member for Warren and the member for Collie referred, they will see their fears are groundless. This section of the legislation will not apply to any person who obtains a damage licence from the Department of Fisheries and Wildlife and has the consent of the property owner before he goes out shooting.

**Mr T. H. Jones:** Are you setting yourself up as a magistrate and judge to interpret the Act?

**Mr BLAIKIE:** However, I take a strong exception to people who wander around the countryside and say they have permission to shoot on someone's property, and then give a fictitious name, or who say they have a permit from the Department of Fisheries and Wildlife which allows them to take kangaroos or other vermin but who in fact are shooting without the express or implied consent of the owner concerned.

If a person is going to shoot kangaroos he will need the necessary permit and the consent of the owner.

**Mr H. D. Evans:** You have to do that now.

**Mr BLAIKIE:** The Bill implies that a person needs the consent of the owner.

**Mr H. D. Evans:** You cannot just go out and shoot kangaroos now.

**Mr BLAIKIE:** As one of a number of rural property owners in this Chamber, I am petrified at the number of people who have guns. Why do

they need them? If one does not own a rural property and does not have to worry about the hazards of vermin, for what reason is a firearm required?

**Mr Jamieson:** You might happen to come on the property.

**Mr T. H. Jones:** How many farmers do not have the hazard of vermin?

**Mr BLAIKIE:** It is very difficult to put forward a valid reason for many people requiring a firearm. A person can be a member of a sporting club and he is covered under the provisions of the Act; I have no objection to members of the sporting fraternity having a licence. However, someone living in a block of flats can buy a gun for the purpose of going out and having a shot at something he may see move. I have had livestock shot in increasing numbers.

It is not good enough for someone to say he had permission of the owner. These people do not know where they are shooting at 8 o'clock at night. They are prepared to shoot at a pair of eyes hoping it is a rabbit and they could well fire in the direction of a home.

This Bill clarifies this subject and I believe it is necessary. The fears expressed by the member for Collie and the member for Warren are groundless.

**MR O'NEIL (East Melville—Minister for Police and Traffic)** [5.02 p.m.]: I thank members for their contribution to the debate on this Bill, and as the member for Collie indicated, it seems to be more of a Committee Bill than one in which the problems can be discussed during the second reading stage. Therefore, I will be happy to answer questions raised during the Committee stage.

In general terms this Bill upgrades the penalties now applying and which have not been upgraded for some time. The great majority of these recommendations are among the matters considered at various annual meetings of Commissioners of Police in respect of upgrading the control of firearms in Australia; that is, in those States where control of firearms exists.

**Mr H. D. Evans:** Did you talk to the gun clubs? You seem to be evading this question.

**Mr O'NEIL:** I am making this speech.

**Mr H. D. Evans:** It is a rotten speech anyway.

**Mr O'NEIL:** So was the interjection. I said that in other States where such laws exist an upgrading of control was considered necessary. There are States such as Tasmania which have no laws for the control of firearms. I wanted to make the point before the very rude interjection by the

member for Warren that concern is held by the Commissioners of Police as to a couple of matters.

One of these matters is the lack of control over the use of firearms—the increased use of firearms—for villainous purposes and what is seen by some as a movement towards much greater freedom in the use of firearms. As regards all these matters raised by the member for Warren he can rest assured that the Government is not short of submissions from those organisations representing legitimate users of firearms, such as the Sporting Shooters Association.

Mr H. D. Evans: Did you consult with them?

Mr O'NEIL: I personally did not consult with them.

Mr H. D. Evans: Did your department?

Mr O'NEIL: Yes. Furthermore, whilst I did not consult with them particularly as to whether the penalty should be \$5 or \$10, I have met with members of recognised shooting bodies on a number of occasions and members will find they are not reluctant to indicate they have met me and that they know my attitude. I would be surprised if members in this House have not had a number of circular letters from the association to which the honourable member refers. Let us accept that the Government has had considerable communication with those people.

In general, the policy of upgrading penalties is not unusual; the upgrading is a matter of course. I suppose a value judgment is always involved as far as what the maximum penalty ought to be. Members should realise that when a penalty is lifted from \$20 to \$200 it is still only a maximum penalty; the penalty which is imposed can be significantly less.

I think members have accepted the need to differentiate between being in possession of a gun without a licence and being in possession of a gun after one's licence has been cancelled. There is no differentiation in the Act at the moment and it is felt important that this be corrected. There are many reasons that a person can be in possession of a firearm without a licence; usually it is because he has forgotten to renew the licence.

Those who have firearms know that the police are meticulous in such matters and spend a lot of time with people who have forgotten to renew firearm licences. There are people who have had licences cancelled for some reason and this is not a more serious offence under the present Act than simply to have forgotten to renew a licence.

The matter of altering the characteristics of a firearm is already covered very substantially in the Act and there are extreme penalties. However, what the armed hold-up squad is concerned

about, mainly, is the change in character of a weapon from one that cannot be concealed to one that can be. In other words, the matter of a sawn-off shotgun or rifle.

I am sure the matters raised by the member for Warren in regard to the legitimate adjustment of a weapon to better suit a person for competitive purposes is not a matter of concern. I know this has not been of concern to the recognised sporting shooters and gun clubs.

There is a tendency now to manufacture rifles which, by very minor adjustment to the trigger mechanism, enables their conversion from a single shot to machine gun. This is the sort of thing which must be regarded seriously. There are many instances of this. I think there is a very heavy penalty even for removing the serial number on a firearm. The penalties already exist and these new amendments simply cater, essentially, for the modification of the manufactured characteristics which make a weapon more likely to be used for such things as hold-ups.

In regard to the matter of having consent to be on a property, I do not believe that throughout the country, firearm squads or local policemen are looking at this. However, it is a further added protection and I go along with the member for Collie when he says there are many people who are quite happy to have shooters entering their properties with 0.22 rifles. I would not imagine they would be prepared to accept 0.303s.

Mr T. H. Jones: They do for kangaroos.

Mr O'NEIL: If the permission is granted it is all right. I do not think it is a serious matter, although I accept there is a point of view holding that there are a few problems.

As I mentioned, I understand legislation controlling firearms is by no means uniform. There is pressure afoot from the Sporting Shooters Association centred in Sydney to propose that it should be the shooter and not the weapon who is licensed. In Western Australia the license is issued on the firearm itself and, certainly, this in my view gives much greater opportunity to detect those cases where firearms are used illegally.

As far as possible the police have regard for the type of registration and the serial number of a weapon and for the person who is supposed to have it in his care and control. I am sure we can all remember the case of the chap named Cook and the search that went on throughout the city in an effort to locate the weapon he used. Searches were made of various people and it was found that weapons in their possession were not always



theirs. I think a considerable number of them had been borrowed or loaned. Every now and again an amnesty is granted so that people with firearms in their possession and which they are not using, such as grandfather's old musket, can surrender them to the police for destruction without penalty.

As far as the Police Force is concerned—and I do not know that we should always pander entirely to its wishes—the system of control of firearms in Western Australia is regarded as efficient. It is only in the last few days that I read a public opinion poll on the subject of the registration of firearms. Despite the fact that there is a difference in the law in the various States, 89 per cent of the people questioned believed there ought to be registration of firearms in Australia. The Western Australian figure was 95 per cent, and this is a State where a law on firearms is in force. In Tasmania, where there is no law, the figure was 85 per cent.

There is a general feeling amongst the community of the need to control firearms and their use and to be able to identify just who owns them. It seems to me that the pressure coming from this responsible body—I am not decrying them at all—to change the system of firearms control in Western Australia and have it applied in all other States, does not have general public acceptance.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Chairman of Committees (Mr Clarko) in the Chair; Mr O'Neil (Minister for Police and Traffic) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 23 amended—

Mr T. H. JONES: This clause refers to the question of where a firearm can be discharged. Subsection (10) is to be substituted by three new subsections. The first is as follows—

(10) A person who, without reasonable excuse, uses a firearm on land belonging to another person without the express or implied consent of the owner or occupier of that land or some person apparently authorized to act on behalf of the owner or occupier, commits an offence.

Penalty: two hundred dollars.

This is one the member for Warren and myself argued on. New subsection (10a) will read as follows—

(10a) A person who, without reasonable excuse, carries a firearm, other than on a road open to the public, onto or across land

that is used for or in connection with primary production without the express or implied consent of the owner or occupier of that land or some person apparently authorized to act on behalf of the owner or occupier, commits an offence.

Penalty: twenty dollars.

The Bill also provides that those who are issued a permit to destroy vermin under the provisions of the Wildlife Conservation Act are subject to the regulations. I believe a little more discretion should be exercised because those who are granted permits are competent and authorised people and will not shoot willy-nilly just for the sake of doing so.

I know what the Minister has in mind and I agree with him to a certain extent. Too many people are using firearms in open places, but I am concerned about these provisions applying to authorised personnel. I think the Bill is being too stringent in this respect.

Mr O'NEIL: All the provision is doing is altering the penalty and rephrasing the existing law. There is no change to the law. We are now referring to the Wildlife Conservation Act instead of the Fauna Conservation Act, but the existing law is exactly the same.

Mr T. H. Jones: You are extending the definition under proposed new subsection (10a).

Mr O'NEIL: No.

Mr T. H. Jones: It is a new definition.

Mr O'NEIL: This clause and the following two clauses replace the existing section 23 (10).

Mr T. H. Jones: But it goes further now.

Mr O'NEIL: No it does not. The honourable member should read the provision carefully. The wording has been altered but the intent and purport of the legislation remains the same. All we have done is to alter the penalty.

Mr H. D. EVANS: I would like to refer to the changing of the characteristics of a weapon. Obviously, as the Deputy Premier has mentioned if we can prevent a weapon being altered so it can be used for violent purposes, we should do so and the penalties should be increased. However, I wish to comment on those persons to whom I referred earlier; that is, the gunsmiths, and members of sporting clubs. Special modifications are made to some rifles for the sake of efficiency and I do not feel that such alterations should be regarded as being a breach of the provisions. If a person is convicted of such an

offence, he can be debarred from transferring or purchasing a firearm at a subsequent date. I have no idea as to how the problem could be overcome, but I suggest that some consultation should take place with the groups involved. I suspect the department did not do this.

Mr O'NEIL: We agree on the first matter regarding the alteration of firearms for illegal purposes. It has also been pointed out by the police that a person in possession of a firearm for which he does not hold a licence can change the character of the firearm and upon detection he cannot be charged. In those circumstances it is an offence.

The honourable member has referred to specialised rifles used by sporting bodies and the like. I discussed this matter with the officers of the branch. Many alterations are made to weapons which make them better target weapons. This includes the addition of a telescope and the alteration of trigger pressures, and so on. I am given to understand that in respect of the people normally using those weapons, there is no difficulty.

There has been consultation between the firearms branch and the clubs concerned and with recognised gunsmiths and so on. Provision exists for certain things to be done quite legitimately. These people are concerned about the alteration of firearms by those with no expertise and, in all probability, to be used for illegal purposes.

Mr T. H. JONES: I do not altogether accept the explanation of the Minister. Let us consider the instance of a kangaroo shooter working by spotlight. The Minister knows this occurs. The Minister indicates that the penalty is to be increased five times. However, a person could go outside his boundary when chasing a kangaroo. If the Minister likes to come with me to the southwest I could introduce him to farmers who have complained about their crops being destroyed by kangaroos. It is not reasonable to expect a person to stop his vehicle when it comes to the boundary of his property when chasing a kangaroo, especially when the person involved is a professional shooter. This is what I do not like. I know the law can be interpreted in many ways and I am raising this matter on behalf of those people with authorised permits.

Mr O'NEIL: I give the honourable member an assurance that in the change of the framework and structure of these provisions, no alteration has been made to the law except with regard to the reference to regulations under the Fauna Conservation Act, because that Act has been now changed. The provisions currently in the law

have not been altered. The penalty has been increased from \$20 to \$200. The honourable member is arguing about a provision in the parent Act, but it is not in the Bill.

Clause put and passed.

Clauses 4 to 6 put and passed.

Title put and passed.

#### *Report*

Bill reported, without amendment, and the report adopted.

#### *Third Reading*

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr O'Neil (Minister for Police and Traffic), and transmitted to the Council.

### QUESTIONS

Questions were taken at this stage.

### STATE ENERGY COMMISSION ACT AMENDMENT BILL

#### *Second Reading*

MR YOUNG (Scarborough—Minister Without Portfolio) 16.07 p.m.: I move—

That the Bill be now read a second time. Members will all appreciate the need for the State Energy Commission to obtain increasing amounts of finance to enable it to provide the services required by its customers. Also, members may have read comment in the Press regarding its powers in the areas of tariffs and charges.

Members will be aware that the State Energy Commission came into operation on the 1st July, 1975, under legislation combining the old State Electricity Commission and the Fuel and Power Commission.

The intention at that time was to revise the existing State Electricity Commission Act, but the Government decided it would be of considerable value if the newly formed commission operated for a period and reviewed the whole situation in the light of experience gained.

This review has subsequently been completed, but, because of the amount of drafting required for a new energy Bill, it will not be possible to introduce the legislation until later in this session.

In consequence, it is necessary to introduce this amending legislation now to overcome several problems particularly in regard to borrowing powers and charges affecting the immediate operations of the commission. Complementary validating legislation will be introduced simultaneously in relation to the past.

The purpose of the amending Bill is to extend the commission's borrowing powers to meet its immediate financial obligations, and to remove all doubt as to its power to levy certain tariffs and charges.

These amendments have been taken directly from the draft legislation being prepared for the proposed energy Bill mentioned earlier so that it is expected no further change will be introduced in these areas when that legislation is presented.

The first area relates to the commission's ability to raise the funds necessary to carry out its obligations to its customers and it is quite evident that traditional funding methods are not sufficient for the commission's future capital needs.

Should it be impossible for the commission to raise sufficient capital, its needs would impose very considerable pressure on State funds for which there is great demand in many other areas.

The provisions of this part of the legislation will allow the commission to take advantage of the new overseas borrowing rules approved by the Loan Council and enable it to compete within the complexities of the money market on equal terms with other utilities and, to some extent, with private corporations.

In the interests of the energy commission's customers, and the State generally, it is essential that it be able to take advantage of all available financial means to obtain the necessary funds locally, nationally, and internationally.

There should be little basic difference between the commission as a public instrumentality and private enterprise either in efficiency, forward thinking or borrowing powers.

Typical of the financial amendments in this legislation is that which will enable the commission to use bills of exchange, a power which is generally given to a private company in its articles of association.

The increasing demand for energy by the people of Western Australia and projects such as the Dampier to Perth natural gas pipeline will further expand the financial needs of the commission.

An indication of the increasingly large sums of money required is given by the recent successfully completed loan of \$60 million, the largest loan floated by a State instrumentality in Australia.

The legislation has been the subject of considerable study by the commission, Crown Law Department, and the State Treasury and will define more clearly the powers of the commission in the particular areas mentioned and tidy up some administrative procedures.

(70)

The second area arises from legal doubts as to the powers of the commission relating to tariffs and charges generally, and in particular the account establishment fee.

Charging policies of any instrumentality need to be economically efficient, equitable, and related to the actual cost of providing the service.

Since the restructuring of the commission, it has been policy to institute and implement a system of charging based on the philosophy of "those who incur the costs pay the charges".

#### *Point of Order*

Mr PEARCE: On a point of order, Mr Speaker, I wonder whether we could ask the Minister to read more slowly, as we are having trouble understanding him?

The SPEAKER: There is no point of order. I would imagine the last person in the House who should be asking another member to speak more slowly would be the member for Gosnells.

#### *Debate Resumed*

Mr YOUNG: This is a principle of charging which is becoming almost universal throughout the service utilities of the world and is fully justified on any commercial, community, or economic criteria.

The account establishment fee was introduced last year in line with this policy. It covers the average costs incurred by the commission when a domestic account is established or transferred. Previously these costs were met from overall income of the commission.

The costs include the additional administrative costs of preparing and processing information to update the customer files and the cost of various field operations such as additional meter readings and reconnecting the supply. It is not reasonable that these costs be subsidised by other customers.

While there is no doubt that the commission's charging practices are justified, the section of the amending legislation dealing with tariffs and charges puts the matter beyond all legal doubt. I commend the Bill to the House.

Debate adjourned, on motion by Mr Jamieson.

### **STATE ENERGY COMMISSION (VALIDATION) BILL**

#### *Second Reading*

MR YOUNG (Scarborough—Minister Without Portfolio) [6.12 p.m.]: I move—

That the Bill be now read a second time. Members will recall that when introducing the State Energy Commission Act Amendment Bill earlier I foreshadowed this validating legislation.

As explained at the time of presenting the amending Bill, it had become necessary to broaden the borrowing powers of the commission and to define more clearly the legal basis for its tariffs and charges. The provisions of the amending Bill do that and have put future powers in these areas beyond doubt.

This validating Bill is intended to validate such actions taken by the commission in those areas of funding and charges prior to the enactment of the provisions of the amending Act Bill which would be clearly lawful in the terms of the amending Bill.

In the financial area there have been increasing problems in that the traditional funding methods were not sufficient to provide for the capital needs of the commission.

For this reason administrative actions have been necessary in practice which may not have complied with the strict legal provisions of the original legislation.

In the interests of the State Energy Commission customers and the State generally, it has been and will continue to be essential that the commission is able to meet its financial commitments without further recourse to State funds.

Legal doubts have also been raised as to the validity of the commission's tariffs and charges generally and in particular the account establishment fee. Members will be aware of the recent publicity in this regard.

An investigation has been carried out by the Attorney General and while there is no doubt that the commission's charging methods are justified, there are legal technicalities which could be considered to make the validity of some of the tariffs and charges doubtful.

The provisions of the amending Bill clearly spell out the powers of the commission to levy such tariffs and charges in the future and this validation Bill puts beyond doubt the legality of tariffs and charges made by the commission in the past.

Commission tariffs and charges are set at a level to cover as closely as possible the costs incurred. Any loss of revenue occurring from the non-validation of the existing situation would have to be recompensed by increased future charges. I commend the Bill to the House.

Debate adjourned, on motion by Mr Jamieson.

#### **BILLS (4): RETURNED**

1. Construction Safety Act Amendment Bill.
2. Art Gallery Act Amendment Bill.
3. Zoological Gardens Act Amendment Bill.
4. Suitsors' Fund Act Amendment Bill.

Bills returned from the Council without amendment.

*House adjourned at 6.15 p.m.*

#### **QUESTIONS ON NOTICE**

##### **INDUSTRIAL DEVELOPMENT**

###### *Financial Assistance*

964. Mr BRYCE, to the Minister for Industrial Development:

- (1) What are the different forms of financial assistance available to firms from the Department of Industrial Development?
- (2) What criterion is used to justify the granting of financial assistance?
- (3) Is preference given to Western Australian based firms?

Mr Young (for Mr MENSAROS) replied:

- (1) Financial assistance available to industry through the Department of Industrial Development is as follows:—
  - (a) Government guaranteed loans under the Industry (Advances) Act 1947.
  - (b) Carry-on finance in drought affected areas through the Consolidated Revenue Fund by way of the delegated agency account at the Rural & Industries Bank of Western Australia.
  - (c) Interest subsidies and/or establishment grants.
  - (d) Payroll tax rebates, interest subsidies, rail freight concessions, financial assistance and preferential tendering to decentralised industries under the Assistance to Decentralized Industry Act.
  - (e) Inventions.
- (2) Assistance is granted to assist the establishment and expansion of industry within the State of Western Australia and provided this industry is to the benefit of Western Australia and its people,

(a) Government guaranteed loans—

Applicant shall be an "Industry" as defined by section 6 of the Rural and Industries Bank Act.

Applicant must have exhausted all the normal avenues of financial assistance—that is trading banks and Commonwealth Development Bank—before applying to the Government for financial assistance.

Applicant is required to make a reasonable contribution to the venture by way of equity.

Applicant must be able to provide adequate security to support the loan.

Assistance must not conflict with the interests of others who have established without such assistance.

Applicant must be carrying on an activity which is viable or will be viable and also be in the interests of and benefit to the State.

Applicant must be willing to accept the conditions of assistance as required by the Government, whatever they may be.

Assistance is by way of guarantee only and the applicant is required to arrange his own source of funds.

Term of the loan, interest rates and repayment requirements are set by the bank but must be acceptable to the Government.

(b) Carry-on finance in drought affected areas—

Must be a locally owned business and in a drought declared area.

Must have exhausted all normal avenues of finance before applying for a loan.

Must be able to demonstrate their need, worth to the community in which they are situated and future viability given a return to normal conditions.

(c) Interest subsidies and establishment grants—

Must be able to demonstrate to the satisfaction of the Government their worth to the State of Western Aus-

tralia and that the assistance is needed to assist the venture to be sufficiently viable in the early stages.

(d) Assistance to Decentralized Industry Act, 1974—Where the Minister is of the opinion that it is, or will be, necessary for an applicant to receive assistance in order to ensure the continuation, expansion or establishment of the business the subject of the application at the decentralised location referred to in the application, the Minister may, having first obtained the consent of the Treasurer, approve of the payment of assistance to the applicant.

(e) Inventions assistance—

Section 4 of the Inventions Act 1975 establishes the criteria for this assistance.

(3) Assistance is only available to firms operating within the State of Western Australia.

Ownership is not a concern, it is where the firm carries out the activity for which the assistance is provided that matters as that is the source of employment.

## INDUSTRIAL DEVELOPMENT

### *Financial Assistance*

965. Mr BRYCE, to the Minister for Industrial Development:

In respect of each of the last five financial years:

- (1) How many different firms have received a financial guarantee from the Department of Industrial Development?
- (2) What was the largest individual and the smallest individual guarantee given during this period?
- (3) What is the total value of guarantees granted during this period?

Mr Young (for Mr MENSAROS) replied:

(1) 1973/74	15
1974/75	9
1975/76	6
1976/77	11
1977/78	5

(2)	Largest \$	Smallest \$
1973/74	6 000 000	8 000
1974/75	1 118 000	5 000
1975/76	1 570 000	50 000
1976/77	6 000 000	4 200
1977/78	2 618 000	100 000
(3) 1973/74	9 959 650	
1974/75	2 517 500	
1975/76	3 815 750	
1976/77	18 979 200	
1977/78	5 721 000	
Total	\$40 993 100	

### INDUSTRIAL DEVELOPMENT

#### *Loan Guarantees Outstanding*

66. Mr BRYCE, to the Minister for Industrial Development:

What is the total value of all outstanding loan guarantees held by the Department of Industrial Development?

Mr Young (for Mr MENSAROS) replied:

As at the 30th June, 1978, the contingent liability of the State in respect to current guarantees issued under the Industry (Advances) Act and controlled by the Department of Industrial Development was \$34 492 511.

### LAND

#### *Cape Naturaliste*

1019. Mr BRIAN BURKE, to the Minister representing the Minister for Tourism:

- (1) Did the Member for South Perth, when Minister for Tourism, meet with Mr D. L. Wake, Mr R. L. English and Dr David R. Thomas, on 1st May, 1974?
- (2) Was he presented at that meeting with a schematic plan and general outline of a proposal to develop a landholding at Cape Naturaliste?
- (3) Did he express general support for the proposition and indicate that his colleague Minister Rushton was likely also to support it?
- (4) Did he ask Messrs Wake, English and Thomas whether or not they required finance for the venture indicating that there was a possibility of Government assistance in this area?

Mr P. V. JONES replied:

- (1) There is no evidence of such a visit in the records of the Department of Tourism. However, the then Minister

for Tourism was a member of a Cabinet sub-committee, which visited the area on Sunday, the 10th November, 1974.

- (2) An unsigned letter on file dated the 31st May, 1974 from the partnership, which had been noted by the Minister, refers to discussion on the 1st May, and has a schematic plan attached to it.
- (3) Under date of the 15th August, 1974, the then Minister for Tourism informed the partnership that representations had been made to the Minister for Town Planning in support of the proposal, which was subject to an appeal in relation to a decision by the Town Planning Board.
- (4) The department's papers do not record an offer or request in relation to the financing of the venture. A preliminary financial analysis dated July, 1974 includes:

Borrowings—projected short term advances from a selected financial intermediary will be established, and such borrowings will be secured by assets of the English, Wake partnership, and the development sites.

### LAND

#### *Cape Naturaliste*

1020. Mr BRIAN BURKE, to the Minister representing the Minister for Conservation and the Environment:

- (1) Did the Environmental Protection Authority receive in the middle part of 1974, copies of proposals to develop a land holding at Cape Naturaliste by Messrs Wake, English and others?
- (2) If "Yes" was this documentation sought?
- (3) If "Yes" to (2), for what purpose was this documentation sought?

Mr P. V. JONES replied:

- (1) The Department of Conservation and Environment received such documents.
- (2) The documentation was offered by Messrs Wake and English and the offer was accepted.
- (3) It was accepted so that the Department of Conservation and Environment and the Conservation Through Reserves Committee should be informed of the details of the proposals.

## SEWERAGE

### *Bedford and Balga*

1074. Mr WILSON, to the Minister for Water Supplies:

In respect of the following projects, can he say:

- (a) what priority they are being given;
- (b) what specific areas they will serve;
- (c) when work is likely to commence:
  - (i) Bedford main sewer section 1;
  - (ii) Bedford main sewer section 2;
  - (iii) Bedford main sewer section 3;
  - (iv) Balga sub main sewer?

Mr O'CONNOR replied:

- (a) to (c) A copy of the Development Plan 1978-83 was forwarded to all members on the 31st May, 1978. The information requested is provided therein.

## SEWERAGE

### *Morley*

1075. Mr WILSON, to the Minister for Water Supplies:

- (1) Can he say what specific areas are covered by the following designations under the sewerage programme:
  - (a) Morley 15A;
  - (b) Morley 15B;
  - (c) Morley 15C;
  - (d) Morley 15D;
  - (e) Morley 21D;
  - (f) Morley 8A;
  - (g) Morley 2A; and
  - (h) Morley 3A?
- (2) Can he also say what projects are planned for these areas under the capital works programme for sewerage and what priority is being given to work commencing in these areas?

Mr O'CONNOR replied:

- (1) The specific areas are as indicated on the plan I have given to the member.
- (2) The projects proposed are for sewerage reticulation within the areas shown on the plan. The present relative priorities are those indicated by the tentative timing for the allocation of finance to them as shown in the Metropolitan Water Board Development Plan 1978-83. These will be subject to variation depending upon availability of finance or a change in circumstances.

## LAND

### *Balga: Hospital Site*

1076. Mr WILSON, to the Minister for Lands:

- (1) Can she say whether land adjacent to the Balga Technical College is still being held for use as a hospital site?
- (2) If "Yes" what are the dimensions of the land so reserved?
- (3) If "No" to (1), what is the currently designated use of the land concerned and what is the reason for its reallocation?

Mrs CRAIG replied:

- (1) to (3) There is no Land Act reservation for a hospital site adjacent to or in the immediate vicinity of the Balga Technical College. Adjacent land is freehold.

## EDUCATION

### *Mirraboopa High School*

1077. Mr WILSON, to the Minister for Education:

- (1) When is the Mirraboopa Senior High School due to be included in the repairs and maintenance programme?
- (2) When will overall repairs and maintenance be carried out at the school?

Mr P. V. JONES replied:

- (1) Mirraboopa Senior High School is scheduled to be included in the 1979-80 repairs and maintenance programme.
- (2) The commencement of work on an overall repair and maintenance of the school will depend on the availability of funds.

## HOUSING

### *Rents: Increases and Rebate System*

1078. Mr WILSON, to the Minister for Housing:

- (1) Are State Housing Commission rents to be increased in 1978?
- (2) What will be the amount of increase for relative units of accommodation and when will they be imposed?
- (3) What stage has been reached in the review of rental rebate system and when does he anticipate being able to announce the results of the review?

Mr O'CONNOR replied:

- (1) to (3) No decisions have been made by the Government as to changes in State Housing Commission rents or the rebate

structure. When and if these decisions are made there would be a public announcement.

### HOUSING

#### *Balga Developments*

1079. Mr WILSON, to the Minister for Housing:

- (1) Can he say what stage has been reached in plans for housing development in the following locations:
  - (a) land bounded by Beach Road, Princess Road, Balga Avenue and Redcliffe Avenue, Balga; and
  - (b) land bounded by Balga Avenue, Walderton Avenue and Heyshott Road, Balga?
- (2) What is the nature of the proposed development and what is the estimated number of people to be accommodated?
- (3) Are funds available for this development?
- (4) If not, when is it anticipated that they will be?
- (5) What discussions have been held with the Education Department regarding the capacity of local schools to cope with the increased numbers of children that will result from such development?

Mr O'CONNOR replied:

- (1) A subdivisional plan encompassing both areas has been conditionally approved by the Town Planning Board. The period for public comment has expired without any objections being lodged.
- (2) The proposed development envisages a variety of accommodation types, viz.: single detached dwellings on individual lots (205 units); duplex (33 units); single detached houses in clusters (26 units); town houses (92 units); medium density group housing (58 units); elderly persons (42 units). The estimated population is 1 800 persons.
- (3) Not in this financial year.
- (4) As the availability of funds is dependent upon a number of indeterminable factors, no timing can be given.
- (5) Prior to preparation of the subdivisional plan, full discussion took place with the Education Department, regarding the capacity of schools to cope with the number of children resulting from the development. Prior to, and when develop-

ment does occur, continual liaison will be maintained with the Education Department.

### POLICE

#### *Crime Commission*

1080. Mr WILSON, to the Minister for Police and Traffic:

- (1) Is he aware of the call by the Director of the Australian Institute of Criminology in the June 1978 edition of the institute's newsletter for the establishment of a crime commission in each State in Australia to provide for better planning and evaluation of criminal justice services?
- (2) Can he say whether the Western Australian Government has given any consideration to such a proposal?
- (3) If "No" to (2), can he indicate whether the Government will give the matter consideration in response to this proposal from the institute's director?

Mr O'NEIL replied:

- (1) Yes.
- (2) The proposal has received careful consideration. It is not considered practical having regard to this State's circumstances. However, new developments in criminological research and experimentation will continue to be monitored.
- (3) Not applicable.

### SHOPPING CENTRE

#### *Mirrabooka: MTT Arrangements*

1081. Mr WILSON, to the Minister representing the Minister for Transport:

- (1) With respect to his answer to question 887 of 1978 concerning the MTT and the Mirrabooka shopping centre, is it anticipated that direct bus services to the Mirrabooka shopping centre will be instituted prior to the completion of the proposed bus transfer station, or are they dependent on its completion?
- (2) In view of the possible difficulties confronting particularly the elderly and mothers with children having to catch two buses to get to the new centre from Balga, Girrawheen and Koondoola, will he consider reviewing the proposals for a shuttle service from Wanneroo Road?
- (3) Will he give consideration to an alternative such as "shopper buses" which will provide direct services to the centre?



Mr O'CONNOR replied:

- (1) Bus services to Mirrabooka shopping centre will not be instituted until completion of the bus transfer station.
- (2) and (3) No. It is felt that a transfer station is an essential component of such services.

#### BEEKEEPING

##### *Prohibition on Imports*

1082. Mr BLAIKIE, to the Minister for Agriculture:

- (1) Is he aware that his department was advised by apiarists, following an industry meeting held during April, to request the prohibition of importing—
  - (a) queen bees; and
  - (b) honey,
 from interstate because of the concern for European Foul Brood?
- (2) (a) What advice did he receive; and
  - (b) when and for what reason did his department advise him not to heed the industry's request?

Mr OLD replied:

- (1) (a) and (b) Yes.
- (2) (a) and (b) Queensland and Tasmania were completely free of the disease as were parts of New South Wales and South Australia.

The importation of bulk honey from disease free areas certified as such by the States of origin would not constitute a risk nor would the importation of pre-packed honey provided it was pasteurized to the recommended temperature and certified to this effect.

The member's attention is drawn to the fact that at the Beekeepers Annual Conference at Toodyay on 3rd July it was accepted that bulk honey could be imported into Western Australia from the Eastern States provided it was able to be certified as disease free from the exporting state of origin.

#### HOUSING

##### *Rental Accommodation: Flats*

1083. Mr MacKINNON, to the Minister for Housing:

Of the total flats rented out by the State Housing Commission:

- (a) how many are let on a rebated rental basis; and

- (b) what would be the average rental paid, as a consequence, on State Housing Commission rental flats?

Mr O'CONNOR replied:

It will take some time to collate the information sought. An examination will be required of each current rebate to ascertain the type of accommodation occupied, since the State Housing Commission does not record rebates according to accommodation type.

I will provide the information by letter as soon as possible.

#### HOUSING

##### *Rental Accommodation: Flats*

1084. Mr MacKINNON, to the Minister for Housing:

- (1) How many flats of all types has the State Housing Commission currently available for rental?
- (2) How many of these flats are currently unoccupied?

Mr O'CONNOR replied:

- (1) and (2)
- |           | Stock | Vacant |
|-----------|-------|--------|
| 1 bedroom | 216   | 8      |
| 2 bedroom | 1 964 | 189    |
| 3 bedroom | 908   | 149    |

The high vacancy rate in the 2 and 3-bedroom units is due to the increasing selectivity of applicants in relation to the type of accommodation that they want.

#### SHELLEY BRIDGE

##### *Lighting*

1085. Mr MacKINNON, to the Minister representing the Minister for Transport:

- (1) Will lighting be installed on the Shelley Bridge and its approaches?
- (2) If not, why not?

Mr O'CONNOR replied:

- (1) and (2) No decision has been made to install lighting on the Shelley Bridge and approaches or the unlit length of Leach Highway. The Main Roads Department is at present investigating the need for such lighting. Responsibility for lighting on metropolitan highways is shared between the local government authority

and the department but no decisions by either body have yet been made on this proposal.

### TRAFFIC ACCIDENTS

#### *Leach Highway Intersections*

1086. Mr MacKINNON, to the Minister representing the Minister for Transport:

In each of the last six months, how many accidents have been reported at—

- (a) the intersection of Leach Highway and Benningfield Road; and
- (b) the intersection of Leach Highway and High Road?

Mr O'CONNOR replied:

(1) (a) January	1
February	5
March	1
April	1
May	3
June	4
(July—not available)	
(b) January	4
February	6
March	2
April	7
May	9
June	9
(July—not available)	

### COUNTRY AREAS WATER SUPPLY SCHEME

#### *Retrenchments*

1087. Mr GRILL, to the Minister for Water Supplies:

- (1) Is he or his department giving consideration to retrenching a number of workers from the Country Areas Water Supply Scheme?
- (2) If that is not the case, can he give any reason for the strong rumours circulating in the goldfields to the effect that large-scale retrenchments are imminent?
- (3) If the department is planning retrenchments could he indicate the number of retrenchments and the date of the said retrenchments?
- (4) For what reasons are the retrenchments necessary?
- (5) What is the Government's policy in respect of such retrenchments?

Mr O'CONNOR replied:

- (1) to (5) No.

1088. *This question was postponed.*

### EXPLOSIVE DEVICES

#### *Warnbro Area: Discovery*

1089. Mr BARNETT, to the Premier:

- (1) Is he aware that subsequent to my raising with him the matter of high explosive projectiles in the Warnbro area, a number have been found and exploded *in situ*?
- (2) In view of the fact that they have now been found as far apart as three or more miles, some within the built-up area and some in an area soon to be developed, will he as a matter of urgency obtain a decision from the Federal Government with a view to having the area cleared by the Army?

Sir CHARLES COURT replied:

- (1) Yes.
- (2) The Prime Minister has been asked to give an urgent, practical response to the State Government's request in order that the best results possible can be achieved as quickly as possible.  
The indication is that an answer can be expected within two weeks.

### EDUCATION

#### *Teachers' Union Deputations*

1090. Mr MacKINNON, to the Minister for Education:

- (1) How many deputations from the teachers union has he met since his appointment to the Education portfolio?
- (2) During that same period, how many deputations from the teachers union has the Director General of Education met?

Mr P. V. JONES replied:

- (1) 11.
- (2) 24.

### REGULATIONS

#### *Availability*

1091. Dr TROY, to the Premier:

- (1) Can the public obtain official copies of regulations relating to any Act of Parliament from either the Government Printing Office in Subiaco or Perth?
- (2) If not, why not?
- (3) In view of the importance of regulations, will the Government take steps to ensure the availability at the Government Printing establishments of copies of gazetted regulations?

Sir CHARLES COURT replied:

- (1) to (3) The majority of regulations are available in Subiaco and Perth, but because of storage problems at the Printing Office, some slow moving regulations are distributed by the controlling departments. The present system aims to have the regulations most in demand readily available at Government Printing Offices and this aim will continue to be pursued.

### URANIUM ORE

#### *Tests at Kwinana*

1092. Mr SKIDMORE, to the Minister for Mines:

- (1) Where did the uranium ore come from that was used in the tests carried out at Kwinana by Western Mining Corporation?
- (2) What environmental safeguards were taken at the mine site to prevent radiation pollution?
- (3) Were tests taken in accord with the International Atomic Energy Agency or the "Code of Practice on Radiation Protection in the Mining and Milling of Radioactive Ores 1975"?
- (4) If tests have been taken of the mined area, what are the results of same?

Mr Young (for Mr MENSAROS) replied:

- (1) *Yeelirrie*.
- (2) Film badges were worn by all personnel who collected and handled ore at the mine site. Officers from the Atomic Energy Commission took tests for radon emission and radiation exposure at various times during these operations. Officers from the State X-Ray Laboratories checked vehicles used to transport the ore to Kwinana to ensure that they complied with the provisions of the regulation of the Radiation Safety Act with respect to the movement of radioactive materials.
- (3) No. Tests at the time were taken with the best equipment and current methods available. However, the tests were in accord with the "Code of Practice on Radiation Protection in the Mining and Milling of Radioactive Ores 1975" as it now exists.
- (4) Results of tests at the mine site were generally within the prescribed limits of the "Code of Practice on Radiation

Protection in the Mining and Milling of Radioactive Ores 1975" as it now exists.

### WORMALD INTERNATIONAL SECURITY

*Licence: Mr Pocklington*

1093. Mr BRIAN BURKE, to the Premier:

Referring to my question 609 of 1978, concerning Wormald International Security:

- (1) Did the applicant, Mr Pocklington, or any other person or organisation make representations to him or any other Minister prior to his licence being granted, about the granting of his licence?
- (2) If "Yes" were these representations oral or written and to whom were they made?
- (3) If the representation(s) were written will the Premier please table all correspondence relating to them?

Sir CHARLES COURT replied:

- (1) to (3) I can find no evidence of such representations.

### CONSERVATION AND THE ENVIRONMENT

#### *Kalbarri-Carnarvon Coastal Area*

1094. Mr HASSELL, to the Minister representing the Minister for Conservation and the Environment:

- (1) In the coastal area between Kalbarri and Carnarvon, including islands such as Fourie Island, does the Government place strictures of any kind on the exchange or lease of privately held land?
- (2) What strictures, if any, apply at present?
- (3) Is it intended for environmental or other reasons to remodel any such current strictures?

Mr P. V. JONES replied:

- (1) and (2) The member is referred to the answer to question 900 of 2nd August, 1978.
- (3) Implementation of the Environmental Protection Authority recommendations for reserves in the area (System 9) may involve negotiations in respect of some leasehold land. If the member has some specific query he should contact the Department of Conservation and Environment.

## TRAFFIC ACCIDENTS

### *Introduction of Speed Limit*

1095. Mr HASSELL, to the Minister for Police and Traffic:

In view of the concentration of the incidence of traffic accidents along sections of some roads, will he consider with his advisers the introduction—

- (a) along known high frequency of accident sections of some roads in the metropolitan area;
- (b) on a trial basis for 12 months (so as to cover all seasonal conditions), of a 50 kmph speed limit on those sections?

Mr O'NEIL replied:

- (a) and (b) The current 60 km/h speed limit in a built-up area is in accord with the National Code and the committee responsible for that code is presently reviewing the whole question of speed limits. It is not believed it would be desirable to introduce unrealistic speed limits on roads selected on a basis of accidents recorded. It is difficult enough now to enforce the permitted speed of 60 km/h. It is fortunate that most people at least comply with the legal direction that speed limits do not justify travelling at the permitted speed when it is unsafe to do so.

## CULTURAL AFFAIRS

### *Perth City Ballet Workshop: Grant*

1096. Mr DAVIES, to the Minister for Cultural Affairs:

- (1) Is he aware that the Perth City Ballet Workshop is concerned that the grant for 1979 which enables them to carry out a programme of extensive country touring may be in jeopardy?
- (2) Will he advise the House of the position with respect to this grant?

Mr P. V. JONES replied:

- (1) I have been kept fully informed by the WA Arts Council in this matter.
- (2) In January, 1978, the WA Arts Council and the Australia Council commissioned an enquiry into the future of dance in Western Australia. This committee reported to both statutory bodies in May and among its recommendations

were that the funding bodies should continue to allocate funds to the maintenance and advancement of dance in Western Australia, that the funding bodies should concentrate on making sums available to one resident ballet company, provided this company could maintain a high artistic standard and a reasonable level of activity, and that this company should be the WA Ballet Company. Perth City Ballet should be eligible for special project grants only. These recommendations have been accepted by the WA Arts Council and the Australia Council.

## SKILLED AND UNSKILLED LABOUR

### *Advice by Government Office in Singapore*

1097. Mr DAVIES, to the Minister for Industrial Development:

- (1) Is it correct that the Western Australian Government office in Singapore has informed overseas companies that Western Australian companies are in need of domestic help, skilled and unskilled personnel?
- (2) If so, was the Government aware that this information is being given to overseas companies?
- (3) In view of the high unemployment rate, does it condone these actions?

Mr Young (for Mr MENSAROS) replied:

- (1) to (3) No. Such advice has not been given by official representatives of my department nor to the best of my knowledge by any businessman using the facilities of the Singapore office.

## PUBLIC SERVANTS

### *Annual and Long Service Leave: Accrued Payments*

1098. Mr BERTRAM, to the Premier:

- (1) What provision has he made in the State's accounts as at 30th June, 1978 for salaries and wages accrued but not paid for long service, annual and other leave accrued but not taken?
- (2) How many millions of dollars had accrued as at 30th June, 1978 as a debt against the State for leave due and very long overdue but not taken?

Sir CHARLES COURT replied:

No provision is made for accrued liabilities for long service, annual and other leave in the Consolidated Revenue

Fund estimates other than in the case of business undertakings such as the Railways which maintain commercial accounts. Provision is made in the votes for departments for the actual cost of leave taken in the year.

As the Government service is a continuing operation and the payroll of such magnitude that the cost of leave taken in the year follows a regular pattern, there is little, if anything, to be gained by adopting accrual accounting techniques in this case.

# MINISTERS OF THE CROWN

## *Cabinet Reshuffle: Offices*

1099. Mr BERTRAM, to the Premier:

- (1) Now that he has re-shuffled his Cabinet once again will it become necessary for Ministers to move to new offices?
- (2) If "Yes"—
  - (a) which Ministers will be involved; and
  - (b) will it be necessary to refurnish offices and if so at what cost?
- (3) What other costs will have to be met as a result of this reshuffle?

Sir CHARLES COURT replied:

- (1) Following the reallocation of portfolios on 25th August, 1978 it will be necessary for some Ministers to change offices.
- (2) (a) Which Ministers will occupy which offices is still being determined.  
(b) It is not anticipated offices will require any substantial refurnishing. Some offices may require alteration of telephone numbers in due course.
- (3) None foreseeable.

# PERMISSIVE SOCIETY

## *Trends*

1100. Mr BERTRAM, to the Premier:

- (1) Has he stated recently that the trend towards permissiveness in our society is diminishing?
- (2) If "Yes" what evidence does he have to support this statement?

Sir CHARLES COURT replied:

Neither myself nor my staff can find or recall any statement along the lines mentioned.

In fact, all my comments have lamented the decline in moral values and the increase in and tolerance of permissiveness.

If he can give more information, I shall have the matter pursued and commented upon.

# TOTALISATOR AGENCY BOARD

## *Extension of Operations*

1101. Mr BERTRAM, to the Premier:

- (1) Is his new policy in extending the scope of operations of the Totalisator Agency Board designed to be—
  - (a) his contribution towards his "Life Be In It" concept; and/or
  - (b) another fund raising device?
- (2) If "No" what was the purpose of his new policy?
- (3) What is the expected increase in TAB—
  - (a) turnover from his new policy; and
  - (b) profit from his new policy,and in each case how has the figure been arrived at?

Sir CHARLES COURT replied:

From time to time new forms of betting are introduced by the Totalisator Agency Board. A new policy has not been introduced, consequently questions (1), (2), and (3) as listed do not apply.

However, turnover from the new form of betting is estimated to be \$50 000 per week, of which the Government will receive 6 per cent by way of turnover tax.

The weekly turnover figure is based on the average existing novelty event turnover.

# COMPUTERISATION

## *Effect on Employment*

1102. Mr BERTRAM, to the Premier:

- (1) Is it a fact that computerisation has hastened the trend for private industry to centralise in the Eastern States and thereby to increase employment opportunities in the Eastern States whilst reducing job opportunities in Western Australia?
- (2) If "Yes"—
  - (a) what has he done about this; and
  - (b) if nothing, when does he intend to do something?

Sir CHARLES COURT replied:

- (1) and (2) Some degree of centralisation through computerisation is a fact of life, and mainly in the field of record keeping.

Its effects on Western Australian private industry are not thought to be significant—some local companies have in-house computers, others use agency computers. National companies do tend to centralise their main computer functions but the trend is to install in-house units in each branch. This will grow as computers become cheaper.

There are a number of other factors which are far more significant and affecting the competitiveness of private industry throughout Australia. Here I particularly refer to productivity and costs.

#### MINISTERS OF THE CROWN

##### *Refusal of Salary Increases*

1103. Mr BERTRAM, to the Premier:

- (1) Is it a fact that he and members of his Cabinet refrained from accepting a pay rise recommended by the Salaries and Allowances Tribunal?
- (2) What was the ultimate saving by the State as a result of this move?
- (3) What form of documentation, if any, was required in order to give effect to this move?
- (4) How many rises recommended by the Salaries and Allowances Tribunal has he and his Cabinet now refrained from accepting?

Sir CHARLES COURT replied:

- (1) Yes, it is a fact that myself, together with my Cabinet colleagues and Government members, voluntarily refrained from accepting pay increases recommended by the Salaries and Allowances Tribunal during the prices and wages freeze last year.

To the best of my knowledge, these were the only members of the Parliament who refrained from accepting the increases in an attempt to set a lead to the general public at that time.

- (2) A saving of \$18 180.45 resulted for the State.
- (3) A formal Deed of Release was used by members to forgo the increase.
- (4) Two.

#### GOVERNMENT STORES

##### *Purchases by Non-Government Organisations*

1104. Mr BERTRAM, to the Treasurer:

What non-Government organisations buy goods through the Government Stores?

Sir CHARLES COURT replied:

Approval has been given in specific cases but these are mainly of a restricted nature for institutions recommended by the Department for Community Welfare.

#### PENSIONERS

##### *Comparison of Benefits*

1105. Mr BERTRAM, to the Premier:

Will he list State by State the benefits currently enjoyed by pensioners there but not enjoyed by pensioners in Western Australia?

Sir CHARLES COURT replied:

Full information relating to other States is not readily available and could not be obtained without the expenditure of a great deal of time and effort on the part of officers of this and other State Governments which I do not consider to be warranted at this time.

Mr Davies: You could have another inquiry.

#### WATER SUPPLIES

##### *Mandurah: Tests*

1106. Mr BERTRAM, to the Minister for Water Supplies:

- (1) During the last 12 months how often have tests been made as to the standard of the drinking water in and about Mandurah?
- (2) Will he supply details of the results of each of these tests?

Mr O'CONNOR replied:

- (1) 15 (10 bacteriological and 5 mineral).
- (2) The water was satisfactory bacteriologically and details of the mineral analysis done by the Government Chemical Laboratories are as follows—

	Milligrams/litre Total dissolved salts	Milligrams/litre Total Sodium chloride
Mandurah Reticulation	790	485
No. 1 Bore Ravenswood	850	475
No. 1 Bore Ravenswood	770	483
No. 2 Bore Ravenswood	780	470
No. 3 Bore Ravenswood	780	475

## COMMUNITY WELFARE

### *Adoptions: Age Restriction*

1107. Mr BERTRAM, to the Minister for Community Welfare:

- (1) Does his department oppose adoption applications made by married couples who are suitable persons in all respects except as to age?
- (2) Is it a fact that such a married couple aged, say, 38 and 30 years respectively, would not be approved for adoption of a child up to four years of age by his department?
- (3) Are there any variations of this policy for children not born in Australia and, if so, what are they?

Mr RIDGE replied:

- (1) Due to the shortage of babies available for adoption, an age criteria was introduced in October, 1975. That criteria requires that both applicants have to be under 35 years of age at the date of the initial application.
- (2) A couple, of the ages mentioned, would not be approved to adopt a first child but would be eligible for the placement of a second adopted child.
- (3) The age limits and number of children applicants may have depends upon the criteria of the overseas country. These vary. Young children are still being placed with applicants over forty years by some countries.

## RUSSIA

### *Treatment of Dissidents: Protest*

1108. Mr BERTRAM, to the Premier:

- (1) Will he supply the text of his protest to the USSR concerning the treatment of dissidents in that country?
- (2) Has he received a reply to the protest?
- (3) If "Yes" will he supply details thereof?

Sir CHARLES COURT replied:

- (1) Yes.
- (2) and (3) No.

*The document was tabled (see paper No. 293).*

## COMMUNITY WELFARE PROGRAMME AND SCHOOL DENTAL SERVICE

### *Commonwealth Grants: Reduction*

1109. Mr DAVIES, to the Premier:

In view of his comments reported in *The West Australian* of 14th July, to the effect that the Government would

have to review programmes which had been initiated by the Commonwealth and for which funds had now been cut off or reduced, is it correct that the community health programme and schools dental service will be either—

- (a) phased out;
- (b) continued on a much reduced scale?

Sir CHARLES COURT replied:

Continued on a reduced scale.

## STATE FINANCE

### *Commonwealth Specific Purpose Grants*

1110. Mr DAVIES, to the Treasurer:

Why were receipts from the Commonwealth under specific purpose programmes \$3.8 million less than estimated at the end of the financial year just completed?

Sir CHARLES COURT replied:

There were a number of minor variations between actual and estimated receipts from the Commonwealth in 1977-78 under specific purpose programmes.

The most significant variation occurred under the hospitals agreement which was \$3.4 million below estimate due primarily to the less than expected increase in award rates during the financial year.

## FLOODING

### *East Bunbury Area*

1111. Mr DAVIES, to the Minister for Water Supplies:

What action will the State Government take to diminish flood problems in the East Bunbury area?

Mr O'CONNOR replied:

The bund wall, which was constructed at East Bunbury in 1977, was designed to provide a realistic margin of safety against damage from the normal storm pattern which has been recorded since 1930. No damage occurred during severe storms of July, 1978.

However, the bund wall was not designed to cover the abnormal conditions caused by cyclone "Alby" in April, 1978.

Consequently, flooding occurred at East Bunbury in the same way as it did in Busselton and in other areas of the south-west coast.

Nevertheless, studies into the problem are being made and some preliminary proposals are being developed. I have arranged to meet with the Bunbury Town Council and discuss these on Friday, the 11th August, 1978.

#### BUSSELTON JETTY

##### *Funds for Restoration*

1112. Mr DAVIES, to the Premier:

In view of the Government's refusal to offer financial aid for restoration of the Busselton jetty, does the Government intend to support a submission from the Busselton jetty management committee suggesting—

- (a) that the Government be asked to give the Busselton Shire Council a reserve at Dunsborough to be subdivided into 64 building lots; or
- (b) that the Government give the council proceeds from land sales to enable the council to carry out restoration work on the jetty?

Sir CHARLES COURT replied:

Representations by the local member for Vasse have been made on this matter and he has been advised that the request cannot be agreed to for a number of reasons including the fact that such diversion of revenues from land sales has the same effect as an offer of financial aid.

I think I should add, if I may, Mr Speaker, that the member will recall from his own experience in Government that State Government for some years now has been very reluctant to endow any land to local authorities. The reason for this is as follows: Firstly, the amount of Crown land is becoming less as is to be expected; and secondly, once we make an exception like this to one local authority, we receive demands for land throughout the whole of the State for similar reasons.

Mr Davies: In some cases there could be special circumstances.

#### INDUSTRIAL RELATIONS

##### *Quality of Work Life Inquiry*

1113. Mr DAVIES, to the Minister for Labour and Industry:

- (1) Will the Government consider holding an inquiry into the quality of work life in Western Australia with particular reference to industrial relations in the north-west?
- (2) If not, why not?

Mr O'CONNOR replied:

- (1) No.
- (2) The State Government has appointed a liaison officer, worker participation, to research all aspects of worker participation which includes elements of the quality of work life and provide an advisory service to all interested parties. A review currently being undertaken on the Industrial Arbitration Act involves consideration of industrial relations in this State and includes specific reference to the north-west. The Department of Labour and Industry, through the activities of some 90 inspectors in the various branches, is constantly monitoring aspects pertaining to the quality of work life throughout the State.

#### MINING

##### *Income Equalisation Scheme*

1114. Mr GRILL, to the Minister for Mines:

- (1) Has the Government considered holding a study on the practicability of introducing an income equalisation scheme for the mining industry?
- (2) If so, does it intend to hold a study?
- (3) If a study is held, when will it be held, and by whom?

Mr Young (for Mr MENSAROS) replied:

- (1) No.
- (2) and (3) Not applicable.

#### MINING

##### *Wardens' Courts: Rights of Appeal*

1115. Mr GRILL, to the Minister for Mines:

Has the Government ever considered provisions for rights of appeal in wardens' courts?

Mr Young (for Mr MENSAROS) replied:

The Mining Act already makes provisions for certain appeal rights.



# **PORNOGRAPHY AND VIOLENCE**

## *Dissemination through Media*

1116. Mr HODGE, to the Chief Secretary:

- (1) Have any investigations been held by the Government recently into the effect which the dissemination of pornography and violence through all mediums, has on the community?
- (2) If so, when and by whom?
- (3) If not, is it expected to hold any inquiries into this matter?

Mr O'NEIL replied:

- (1) No.
- (2) Not applicable.
- (3) This is an area that is continually under general review, but at this stage no specific investigation is envisaged.

# **MINING WARDENS**

## *Elevation of Status*

1117. Mr PEARCE, to the Minister for Mines:

- (1) Has the Government considered elevating the position of mining wardens to judge status?
- (2) If so, does it intend to take these steps?

Mr Young (for Mr MENSAROS) replied:

- (1) and (2) No.

# **LOCAL GOVERNMENT RATES**

## *Commercial Softwood Production*

1118. Mr CARR, to the Minister for Local Government:

- (1) Has the Government considered the introduction of legislation to ensure the Forests Department is liable for the payment of local government rating on farmlands required for commercial soft wood production?
- (2) If so, will legislation be introduced?

Mr RUSHTON replied:

- (1) and (2) The question has been raised and considered at various times and at present the Government does not intend to introduce legislation for this purpose.

# **FREMANTLE POLICE DISTRICT**

## *Juvenile Offenders*

1119. Mr HODGE, to the Minister for Police and Traffic:

- (1) What suburbs are included in the Fremantle police district?

- (2) How many juveniles in the Fremantle police district have been charged with any type of offence during the past 12 months?
- (3) How many juveniles in the Fremantle police district have been convicted of any type of offence during the past 12 months?
- (4) Can he supply statistics on the numbers of juveniles convicted in specific categories of offences in the Fremantle police district?

Mr O'NEIL replied:

- (1) The suburbs included in the Fremantle Police District are—

Mosman Park (southern portion)  
 Rottnest Island  
 Fremantle  
 Palmyra  
 Attadale  
 Myaree  
 Alfred Cove  
 Ardross  
 Booragoon  
 Bateman  
 Rossmoyne  
 Willetton  
 Leeming  
 Ellis  
 Willagee  
 Hilton  
 White Gum Valley  
 South Fremantle  
 Coogee  
 Munster  
 Jandakot  
 Wattleup  
 Hope Valley  
 Orelia  
 Calista  
 Kwinana  
 Mundijong  
 Serpentine  
 Pinjarra  
 Dwellingup  
 North Fremantle  
 Garden Island  
 East Fremantle  
 Bicton

Melville  
 Spearwood  
 Applecross  
 Mt. Pleasant  
 Brentwood  
 Bullcreek  
 Shelley  
 Riverton  
 Canning Vale (western portion)  
 Kardinya  
 O'Connor  
 Beaconsfield  
 Hamilton  
 Coolbellup  
 Spearwood  
 Bibra Lake  
 Banjup  
 Naval Base  
 Caledonia  
 Parmelia  
 Medina  
 Mandogalup  
 Rockingham  
 Keysbrook  
 Mandurah  
 Ravenswood  
 East Rockingham  
 Wellard  
 Rockingham  
 Safety Bay  
 Cooloongup  
 Warnbro  
 Leda  
 Hillman  
 Peron  
 Shoalwater  
 Waikiki

(2) 3 611.

(3) and (4) Statistical records of convictions are not available.

## DAIRYING

### *Milk Quota Holders*

1120. Mr H. D. EVANS, to the Minister for Agriculture:

Will he table a list of liquid milk quota holders as compiled by the Dairy Industry Authority?

Mr OLD replied:

The Dairy Industry Authority considers it is undesirable to make public a list of its licensees. Any specific information which the member seeks regarding quota holders should be directed to my office.

## RAILWAYS

### *Ticket Cancelling Machines and Issuing Centres*

1121. Mr McIVER, to the Minister representing the Minister for Transport:

- (1) Would the Minister advise what cost will be entailed to install ticket cancelling machines on suburban trains?
- (2) Is it a fact the post office will be an issuing centre for train suburban tickets?
- (3) Is it also a fact shops will be designated as ticket issuing centres and all tickets issued will be on a commission basis?
- (4) If "Yes" to (3), will the Minister outline all details in relation to ticket sales as outlined?

Mr O'CONNOR replied:

- (1) Final selection of the most suitably designed automatic ticket cancelling machines has not yet been made and installation costs cannot be determined until this has been done.
- (2) and (3) No.
- (4) Not applicable.

## RAILWAYS

### *Electrification of Suburban System*

1122. Mr McIVER, to the Minister representing the Minister for Transport:

- (1) Since the last State election has the Government held any further investigations into electrification of the suburban rail system?
- (2) If so, when?
- (3) If "No" to (1) are any investigations to be held?

Mr O'CONNOR replied:

- (1) and (2) The Federal Government has indicated it will not provide funds for electrification of the suburban rail system and with fewer passengers using the services the heavy capital cost required to be met by the State could not be justified in the present economic climate.
- (3) Not in the short term.

## RAILWAYS

### *Finance Subsidisation*

1123. Mr McIVER, to the Premier:

- (1) Has the Government considered subsidising rail financing by direct charge against consolidated revenue to offset losses or depletion of work in capital?

- (2) If so, does it intend to take action on this matter?

Sir CHARLES COURT replied:

This question is not understood. All railway operating costs including provisions for depreciation and maintenance of assets, are a direct charge against Consolidated Revenue as the Public Accounts show.

It therefore follows that all operating losses are thus borne by Consolidated Revenue Fund—as are the debt servicing costs of the railways where there are operating losses, or the operating surpluses are inadequate to service railway debts.

### NON-URBAN ROAD FUNDS

#### *Allocation through Local Authorities*

1124. Mr McIVER, to the Minister representing the Minister for Transport:

Does the Government intend to urge the Federal Government that all Federal and State funds for non-urban roads be allocated through local councils?

Mr O'CONNOR replied:

No. It would be quite impracticable to expect small local government authorities to be responsible for major sections of national and other highways passing through their area.

### FIRE SERVICES

#### *Insurance Companies: Contributions*

1125. Mr BRIAN BURKE, to the Chief Secretary:

- (1) Is it a fact that some insurance companies do not contribute to the support of fire services though these companies insure properties—including buildings and contents—in Western Australia?
- (2) If "Yes" how is the fire services levy avoided?
- (3) What percentage of the total number of household policies written each year are written by companies referred to above?

Mr O'NEIL replied:

- (1) to (3) The Fire Brigades Act requires that insurance companies that are insurance companies within the meaning of the Act jointly shall contribute towards the cost of the Fire Brigade. Contributions are based on the premium income earned from property and contents,

etc., covered within fire districts, and insurance companies contribute irrespective of the domicile of the company.

### GOVERNMENT DEPARTMENTS

#### *Contracts to Parry and Rosenthal*

1126. Mr BRIAN BURKE, to the Minister for Works:

- (1) How many contracts or other forms of Government work have been completed by the architectural firm Parry and Rosenthal?
- (2) What was the value of the work awarded?

Mr O'CONNOR replied:

- (1) Parry & Rosenthal, Architects, have completed nine projects for the Public Works Department since January, 1974.
- (2) The constructional value of these works is \$1 131 071.

### SMALL BOAT LAUNCHING RAMPS

#### *Manning by Police*

1127. Mr BRIAN BURKE, to the Minister for Police and Traffic:

- (1) Were police stationed at small boat launching ramps in the metropolitan area last Monday?
- (2) If "Yes" how many policemen were involved?
- (3) What ramps were manned and for what period?
- (4) What was the cost of the exercise?
- (5) Was any evidence available to indicate this manning was necessary?
- (6) What was the evidence and what did it indicate?

Mr O'NEIL replied:

- (1) Yes.
- (2) 8 police officers.
- (3) Coogee, Woodman's Point, Kwinana and Rockingham from 0600 hours to 0900 hours.
- (4) Normal duty—\$137.88.  
Overtime—\$117.33.
- (5) Yes.
- (6) Anti-nuclear demonstrator behaviour against visiting USA ships in other ports and an article in a local newspaper containing a statement attributed to the Chairman, Mr Peter Cook, of the West-

ern Australian branch of the campaign against nuclear energy indicated security and safety measures were necessary.

### EDUCATION

#### *Gosnells High School*

1128. Mr BRIAN BURKE, to the Minister for Education;

- (1) Is he aware that the Gosnells High School is seeking permission to establish a rifle range at the school on Education Department land?
- (2) What is the Government's policy in respect of the establishment of such facilities at schools?

Mr P. V. JONES replied:

- (1) No.
- (2) A rifle range for .22 bore or smaller weapons may be built at a school for the youth education or cadet programmes if it meets all relevant safety requirements.

### MINING ROYALTIES

#### *Consolidated Revenue Fund: Shortfall*

1129. Mr BRYCE, to the Treasurer:

What does the Government anticipate the shortfall, if any, will be in consolidated revenue for this financial year from the decline in mining royalties?

Sir CHARLES COURT replied:

On present estimates it is not expected that there will be a shortfall over last year's receipts of \$57.5 million for mineral royalties and lease rentals.

### CONSOLIDATED REVENUE FUND

#### *Proportion from State Sources*

1130. Mr BRYCE, to the Treasurer:

What proportion of Consolidated Revenue during each of the last five financial years was derived exclusively from State Government sources?

Sir CHARLES COURT replied:

The proportion of Consolidated Revenue from State Government sources was:—

- 1973-74—58.7 per cent.
- 1974-75—57.1 per cent.
- 1975-76—52.3 per cent.
- 1976-77—49.1 per cent.
- 1977-78—47.8 per cent.

### MINING ROYALTIES

#### *Payments by Companies*

1131. Mr BRYCE, to the Treasurer:

- (1) What mining companies pay royalties to the Western Australian Government?
- (2) How much has each company paid in royalties to the State Government during each of the last five financial years?

Sir CHARLES COURT replied:

This is information of a confidential nature and therefore is not available.

Mr Bryce: What companies pay royalties?

What is confidential about that?

Sir CHARLES COURT: You have a think about it after and see. Come to me and I will explain it.

### MINING ROYALTIES

#### *Consolidated Revenue Fund: Proportion*

1132. Mr BRYCE, to the Treasurer:

For each of the last five financial years, what proportion of the State's consolidated revenue was derived from mineral royalties?

Sir CHARLES COURT replied:

- 1973-74—5.9 per cent.
- 1974-75—5.4 per cent.
- 1975-76—4.5 per cent.
- 1976-77—4.5 per cent.
- 1977-78—4.2 per cent.

### NORTH-WEST SHELF GAS

#### *Handling by WA Firms*

1133. Mr BRYCE, to the Minister for Industrial Development:

Which particular aspects of the North-West Shelf gas project has the State Government identified as being suitable to be handled by Western Australian firms?

Mr Young (for Mr MENSAROS) replied:

The joint venturers are proceeding with detailed studies including all the engineering features of the project. The State Government has encouraged Western Australian industry to examine the possible project needs, and is working closely with industry to identify progressively those portions of the work which may be most suitably handled by WA firms.

Both the private sector and Government are collaborating with the joint venturers to ensure that opportunities for WA firms are properly assessed.

This is a dynamic situation which will continue through at least to the end of this planning stage.

#### NORTH-WEST SHELF GAS

##### *Industrial Training Programme*

1134. Mr BRYCE, to the Minister for Industrial Development:

What preparatory work has been done by the State Government to determine the industrial training programme which will be necessary for the Western Australian work force in respect of the North-West Shelf gas project?

Mr Young (for Mr MENSAROS) replied:

The joint venturers are currently assessing their anticipated workforce needs as part of the overall project planning. The State has been making its own estimates of both the direct and consequential labour requirements and these estimates will no doubt require review when we have the joint venturers' figures.

Representatives of Departments of Labour and Industrial Development are examining the possible availability of labour in the various classifications and there has been initial talks with unions in regard to training programmes.

#### NORTH-WEST SHELF GAS

##### *Migrant Workers*

1135. Mr BRYCE, to the Minister for Industrial Development:

In the light of current record levels of unemployment in Western Australia, what particular fields of expertise will be required for work done on the North-West Shelf gas project in Western Australia which would warrant a significant intake of migrants?

Mr Young (for Mr MENSAROS) replied:

It is premature (in answer to Question 1134 of 1978) in the light of the assessments which are going on to identify workforce needs and availability and the likely impact of training programmes to be specific. However it is clear from the

number and type of very specialist operations which must proceed simultaneously that there will be a need for some migrant groups.

#### NORTH-WEST SHELF GAS

##### *Prevention of Industrial Disharmony*

1136. Mr BRYCE, to the Minister for Industrial Development:

What action has the State Government taken or planned to avoid likely causes of industrial disharmony during the construction phase of the North-West Shelf gas project?

Mr Young (for Mr MENSAROS) replied:

There have been preliminary discussions with the Trades and Labour Council and major unions involved, and with industry representatives.

The Government has emphasised that it is imperative to develop an industrial climate which gives all parties concerned with the project confidence in the ability to bring the gas project to fruition on time and at reasonable cost.

It has been agreed that discussions will continue to develop the industrial framework under which the project can proceed.

It should be realised, however, that the response to this question lies as usual in the lap of the unions as of the Government.

#### NORTH-WEST SHELF GAS

##### *Manpower Training Scheme*

1137. Mr BRYCE, to the Minister for Industrial Development:

(1) Has money been set aside by the State Government for a manpower training scheme associated with the special requirements of the North-West Shelf gas project?

(2) Has any approach been made to the Commonwealth Government for funds to commence a manpower training scheme?

Mr Young (for Mr MENSAROS) replied:

(1) Specific funds have not been set aside by the State Government for a manpower training scheme associated with the North West Shelf project. There are

however funds included in the Department of Labour and Industry vote for the promotion of industrial training generally.

- (2) The Commonwealth Government makes funds available for approved training under the National Employment and Training Scheme (NEAT).

As an example, the mature age training scheme for mechanical fitters which is currently being undertaken in Kalgoorlie is being funded by the State Government through the provision of technical education facilities and under NEAT by the provision of an allowance to the trainees in full-time training, and a subsidy to the employers whilst the trainees are undergoing the on-the-job component of the course.

#### NORTH-WEST SHELF GAS

##### *Location of Work Force*

1138. Mr BRYCE, to the Minister for Industrial Development:

Will the work force in the north-west associated with the North-West Shelf gas project be domiciled in Karratha/Dampier or is it intended to build another new company town?

Mr Young (for Mr MENSAROS) replied:

It is not possible to give a definite answer to this question until the site for the LNG plant has been finally decided.

If, however, the plant is located in the Dampier area as seems likely, then the Government would require housing to be established in Karratha.

#### NORTH-WEST SHELF GAS

##### *Handling by WA Firms*

1139. Mr BRYCE, to the Minister for Industrial Development:

- (1) What proportion of the total work associated with the North-West Shelf gas project does the State Government estimate can be done in Western Australia?
- (2) Has the State Government established any form of technical committee to thoroughly assess this aspect of the project; if so, will he please provide details?

Mr Young (for Mr MENSAROS) replied:

- (1) I have already responded to the member in my reply to Question 1133 of 1978. Industry and Government are studying this matter.

There are obvious construction and service areas where Western Australia will have the principal role and others where the extent will depend on the capacity and competitiveness of Western Australian firms alone or in collaboration with others.

- (2) Yes. We are collaborating with industry in a technical group to assess the opportunities. The technical group includes—

Federation of W.A. Industry,  
Heavy Engineering Manufactures Association,  
Australian Federation of Construction Contractors,  
WA Marine Services Association,  
Australian Pipeline Industry Association,  
Representative of Department of Industrial Development.

#### NORTH-WEST SHELF GAS

##### *Handling by WA Firms*

1140. Mr BRYCE, to the Minister for Industrial Development:

What action does the State Government propose to take to ensure that the highest possible proportion of the work associated with the North-West Shelf gas project is done in Western Australia?

Mr Young (for Mr MENSAROS) replied:

I am surprised that the member appears to be so unaware of the actions already taken by the Government over the last 12 months to encourage missions from industry overseas with special skills and experience to visit WA and discuss with WA companies joint venture opportunities.

Also in support of WA missions to become well informed on all aspects of the project with view to maximising WA participation.

The joint venturers have participated in examining Western Australian industry capacity with the Government, and have agreed at all levels to utilise WA indus-

try to the maximum degree commensurate with meeting quality standards, delivery schedules and cost.

1141. *This question was postponed.*

## CONSERVATION AND THE ENVIRONMENT

### *System 6 Report*

1142. Mr SKIDMORE, to the Premier:

In view of the fact that the System 6 report will not be considered by the Environmental Protection Authority until the end of the year, and as the report may have contained therein adverse reports on the mining of bauxite in the Darling Range, will he take action to ensure that no expansion to bauxite mining takes place until the report is made public?

Sir CHARLES COURT replied:

Both the Alumina Refinery (Wagerup) Agreement and the variation to the Alumina Refinery (Worsley) Agreement, which were ratified by Parliament last May, require the approval by the State of detailed environmental reviews and management programmes before construction can commence.

Reviews have been submitted for both projects and referred to the Environmental Protection Authority for assessment.

The Government will make its final decision after consideration of the Environmental Protection Authority's advice. The member would be aware that the purpose of the System 6 enquiry is to assess the suitability of various areas for reservation for conservation and recreation purposes, and not to examine the implications of bauxite mining.

## ELECTRIC VEHICLES

### *Finance for Research*

1143. Mr SKIDMORE, to the Minister for Fuel and Energy:

Would he make further overtures to the Federal Government in an endeavour to secure finance that would ensure quicker research into alternative vehicles, e.g., electric vehicles?

Mr Young (for Mr MENSAROS) replied:  
Yes.

## HEALTH

### *Vapech House Ceilings*

1144. Mr SKIDMORE, to the Minister for Health:

- (1) What are the types of precautions that will be taken to ensure that all people working in Vapech House will be protected when the asbestos ceilings are removed?
- (2) What are the world standards of safety under such circumstances?

Mr RIDGE replied:

- (1) All people working on the floor to be treated, will be evacuated while the ceilings are removed.
- (2) There are no world standards of safety under such circumstances but there is a proposed code of practice for the removal of insulation materials containing asbestos which will be used as a guideline.

## EDUCATION

### *Maida Vale School*

1145. Mr SKIDMORE, to the Minister for Education:

What are the reasons for the refusal of the Education Department to provide a resources centre at the Maida Vale primary school in the year 1978-79?

Mr P. V. JONES replied:

The Education Department has not refused to provide this facility. Maida Vale Primary School has been listed for a resources centre. However, it is unlikely that sufficient funds will be available during the current financial year for this project.

## HEALTH

### *Herbicides 2, 4, 5-T and 2, 4-D: Tests and World Standards*

1146. Mr SKIDMORE, to the Minister for Health:

- (1) What tests have been carried out to ensure that the hormonal sprays 2, 4, 5-T and 2, 4-D are not injurious to health?
- (2) What are the comparative world health standards covering similar types of hormonal sprays?

Mr RIDGE replied:

- (1) Acute oral and dermal toxicity tests, short and long term feeding trials, and teratogenicity and carcinogenicity tests

have been carried out overseas on 2, 4-D and 2, 4, 5-T and from these tests levels and patterns of use of these compounds have been established which ensure that they are not injurious to health when used in accordance with recommended procedures.

- (2) The latest information available to the Public Health Department does not indicate that any World Health standards for these compounds have yet been recommended.

There is a World Health Organisation specification which limits the TCDD content of 2, 4, 5-T to 0.1 ppm.

1147. *This question was postponed.*

#### SESQUICENTENNIAL CELEBRATIONS

##### *Log Chopping Championships*

1148. Mr SKIDMORE, to the Minister representing the Minister for Tourism:

- (1) Would the Minister take urgent action to reconsider his rejection of funds for the Westral sports fair committee with a view to ensuring that the world log chopping championships can proceed in the year of 1979 at the Westral sports fair?
- (2) If this funding is not available, what reason can the Minister give for his refusal to provide such funds?

Mr P. V. JONES replied:

- (1) Yes, the request can be reconsidered.
- (2) It has been the policy of the 150th Anniversary Board that as far as practicable, all sporting functions being organised and conducted in Western Australia as part of the 150th Celebrations should be self-supporting financially. This policy was the reason for rejection of the request from the Westral Sports Fair.

#### HEALTH

##### *Septic System: Midvale*

1149. Mr SKIDMORE, to the Minister for Health:

Further to my question 865 of 1978 regarding a health hazard that still exists at 117 Beaconsfield Avenue, Midvale, would he advise:

- (1) What was the name of the officer who carried out the inspection on 20th July and was the said officer from the Department of Public Health?
- (2) What tests were carried out to ascertain as to whether or not raw sewage was issuing from the septic systems in the area and thus contaminating the ground water that lies adjacent to the residences?
- (3) What action has been taken by the Mundaring Shire Council to ensure that the septic leach drains in this area operate correctly and efficiently and thus prevent a health hazard from leaking sewage?

Mr RIDGE replied:

- (1) (a) Mr R. Sonneman, Health Surveyor, Shire of Mundaring;  
(b) No.
- (2) Physical examination by local authority health surveyor did not establish the presence of raw sewage. The extent of surplus water flooding in this area, however, could allow the escape of treated effluent into the flooded areas.
- (3) It appears that the only permanent remedy for this situation is the provision of a comprehensive drainage scheme. The Mundaring Shire advise that negotiations with the Metropolitan Water Supply Department are in hand, in an endeavour to effect this.

#### BAUXITE MINING

##### *Alcoa: Dwellingup Project*

1150. Mr SKIDMORE, to the Minister representing the Minister for Conservation and the Environment:

- (1) Has the Environmental Protection Authority had before it submissions from residents of Dwellingup regarding certain safeguards to be undertaken relative to Alcoa's proposed mining in and around the townsite of Dwellingup?
- (2) If "Yes" what determination has been made on the issues involved and has a report been forwarded either to the Mines Department or any authorised person or department?



- (3) If a report has been made as mentioned in (2) above, would the Minister table same?

Mr P. V. JONES replied:

- (1) Yes.  
(2) and (3) The issues are under investigation by the Department of Conservation and Environment.

#### BAUXITE MINING

##### *Alcoa: Dwellingup Project*

1151. Mr SKIDMORE, to the Minister for Mines:

- (1) Has the Department of Mines carried out a study of the proposed mining of bauxite by Alcoa in and around the townsite of Dwellingup?  
(2) If "Yes" will he table the report?  
(3) Arising out of the report, what restrictions are to be placed on Alcoa to ensure that no mining takes place to the detriment of the environment or the life style of the residents of Dwellingup and/or contrary to their requests?

Mr Young (for Mr MENSAROS) replied:

- (1) to (3) No.

#### CONSERVATION AND THE ENVIRONMENT

##### *Kwinana: Pollution Monitoring Device*

1152. Mr TAYLOR, to the Minister representing the Minister for Conservation and the Environment:

- (1) Was a pollution monitoring device removed during the past few days from the BP Refinery wharf, Kwinana?  
(2) If "Yes"—  
(a) why was the device removed;  
(b) when will the device be restored?  
(3) Is the device the property of the Government or of the company?  
(4) If the device was the property of the Government, was the company authorised to remove the device and did it seek permission of his department?

Mr P. V. JONES replied:

- (1) No.  
(2) to (4) Not applicable.

#### ROADS

##### *Kwinana Freeway: Noise Level*

1153. Mr SKIDMORE, to the Minister representing the Minister for Transport:

Further to my question 950 of 1978 in which I asked the Minister to table any report prepared by Pamela Gunn and which he refused, would he make the report available to me?

Mrs CRAIG replied:

No. This is considered to be a non-public document.

#### NEPEAN NICKEL MINE

##### *Government Financial Assistance*

1154. Mr GRILL, to the Minister for Industrial Development:

- (1) What financial aid has the Government offered the operators of the Nepean nickel mine?  
(2) What, if any, conditions were attached to the offer?  
(3) What has been the reaction to the offer?

Mr Young (for Mr MENSAROS) replied:

- (1) Progressive advances over a four year term up to a total of \$1 000 000.  
(2) A secured interest bearing loan repayable within 8 years.  
(3) Some matters are still to be resolved.

#### CONSERVATION AND THE ENVIRONMENT

##### *Kwinana Beach: CSBP Works*

1155. Mr TAYLOR, to the Minister representing the Minister for Conservation and the Environment:

- (1) Is the Minister's department associated with an environmental study at present being undertaken at/or in the vicinity of the CSBP works at Kwinana Beach?  
(2) If "Yes"—  
(a) was the company advised of the impending study and  
(b) did the company thereupon take special measures either by directing that certain work functions within the works should not be carried out during the period of the study or curtailed during the period of the study and/or issue directives to sections of the workforce that certain activities should not be carried out during the period of study?

Mr P. V. JONES replied:

- (1) Yes, as part of the current Cockburn Sound study.
- (2) (a) The company is aware of and co-operating in the study programme;
- (b) not known.

#### CONSUMER AFFAIRS

##### *Goddards Long Term Silver Cloth*

1156. Mr HARMAN, to the Minister for Consumer Affairs:

- (1) Has he been advised that an article described as a Goddards Long Term Silver Cloth sells for \$1.83 at Charlie Carters in Morley and for \$4.25 at Hallmark Jewellers, Morley?
- (2) Is there any action he can take in respect of this discrepancy in price?

Mrs Craig (for Mr MENSAROS) replied:

- (1) No.
- (2) No, but I am grateful to the member for providing this opportunity to again remind consumers of the wisdom of being price conscious.

#### HEALTH

##### *Drug Detector Dogs*

1157. Mr HARMAN, to the Minister for Health:

- (1) Was he informed of an offer from the Commonwealth Government for State police officers to be supplied with and trained in the use of drug detector dogs, at a meeting of the Commonwealth and State Ministers concerned with drug abuse on 9th June, this year?
- (2) If so, has the offer been accepted?

Mr RIDGE replied:

- (1) Yes.
- (2) A formal offer in writing is to be made by the Commonwealth but this has not yet been received.

#### EMPLOYMENT AND UNEMPLOYMENT

##### *Medibank Retrenchments*

1158. Mr HARMAN, to the Minister for Labour and Industry:

- (1) Has he been informed that Medibank has retrenched some 30 employees?
- (2) Is he aware that further retrenchments are imminent?
- (3) Will he investigate to see whether any assistance can be offered to either ensure that the employees are retained or found alternate employment?

Mr O'CONNOR replied:

- (1) No.
- (2) and (3) Inquiries have been made and I am advised that Medibank has released 29 temporary staff who have been employed since March to deal with an abnormal work load.

I understand that Medibank will be releasing more of these temporary people as the work load returns to normal.

The people employed on this short term temporary work were engaged on that understanding.

#### RAILWAYS

##### *Television Advertisement*

1159. Mr HARMAN, to the Minister representing the Minister for Transport:

- (1) Which firm was responsible for making the most recent TV advertisement concerning Westrail currently appearing on local commercial television stations?
- (2) Where is this firm based?
- (3) Where was the advertisement made?

Mr O'CONNOR replied:

- (1) and (3) The "Prospector" film was made by Cyril Cornish Pty. Limited of Perth with tags by Channel 9 of Perth.

The "Indian Pacific" film used by Westrail was made for Railways of Australia (which comprises all railways systems in Australia, both State and Federal) by Russell Hurley Film Productions of Melbourne.

The Westrail tags were produced by Channel 9 Perth.

- (2) Perth and Melbourne.

#### STATE GOVERNMENT INSURANCE OFFICE

##### *Television Advertisement*

1160. Mr HARMAN, to the Minister for Labour and Industry:

- (1) Which firm was responsible for making the most recent T.V. advertisement currently appearing on local commercial television stations concerning the State Government Insurance Office?
- (2) Where is this firm based?
- (3) Where was the advertisement made?

Mr O'CONNOR replied:

- (1) Arrangements were made through the State Government Insurance Office's advertising consultants, Market Force Pty. Ltd., who are a Western Australian company.
- (2) Hay Street, West Perth, Western Australia.
- (3) The commercial was filmed over twelve months ago in Western Australia and includes shots of the S.G.I.O. offices at Perth, Kalgoorlie and Bunbury, as well as agency offices of the S.G.I.O. at Albany and Coolgardie. It is understood that the film was sent to Melbourne for processing.

### COMMUNITY WELFARE

#### *Single Parents: Financial Assistance*

1161. Mr HARMAN, to the Minister for Community Welfare:

What financial assistance is paid weekly to a single parent and children not in receipt of payment from the Social Security Department?

Mr RIDGE replied:

The basic rate of assistance paid to a single parent and children without Social Security payment is \$55.45 per week for the parent and \$7.50 per week for each child subject to the means tests.

An additional allowance of \$2 per week is paid where there is an invalid child or a child under six years.

A further allowance of \$5 per week to offset rental, mortgage or boarding commitment is allowed and this may be increased in circumstances where the commitment to secure accommodation causes financial hardship.

### HEALTH

#### *Herbicide 2, 4-D: Damage to Orchard*

1162. Mr HARMAN, to the Minister for Agriculture:

- (1) Was his department advised of damage to an orchard situated at Thornlie near the site of a factory manufacturing 2, 4-D?
- (2) What action was taken?

Mr OLD replied:

- (1) At the time the factory was operating, there were some complaints of damage to garden plants and street trees in the district—but no complaint is recalled concerning an orchard.
- (2) All complaints of damage were investigated. The damage observed was slight.

### WATER SUPPLIES

#### *Salinity: NHMRC Standards*

1163. Mr HARMAN, to the Minister for Health: Will he state clearly and concisely if the standards for total dissolved salts adopted by the Australian National Health and Medical Research Council have also been adopted in Western Australia?

Mr RIDGE replied:

The NH & MRC adopted a report on the desirable quality for drinking water in Australia, and this in turn has been accepted by Western Australia.

It stresses that the levels given for total dissolved salts and other materials are guides only and the levels are considered to be desirable goals.

### COCKBURN CEMENT LTD.

#### *Plant Expansion*

1164. Mr TAYLOR, to the Minister for Industrial Development:

With respect to a recent press report that Cockburn Cement were to carry out a substantial expansion programme at their South Coogee plant, can he advise:

- (a) what additional plant is to be installed; and
- (b) what increase in production is expected from this expansion programme?

Mr Young (for Mr MENSAROS) replied:

- (a) A new 300 000 tonne per annum lime kiln and associated plant with a total investment of around \$17 million. This was the subject of a press release by myself in September, 1977.
- (b) This new kiln will release cement kilns presently being used back to cement manufacture. Total lime capacity will then be 300 000 tonnes

per annum and cement capacity about 1 000 000 tonnes per annum. The capacity of both sets of kilns is not fully utilised at present.

## MINING

### State Batteries

1165. Mr COYNE, to the Minister for Mines:

- (1) In the light of recent reports relating to increased State Battery charges, could he give a breakdown in the cost and expenditure structure relative to this facility, in the various operational areas?
- (2) Could he also furnish a breakdown of mining revenue to the State for the years 1975-76 and 1977-78?
- (3) Could he also outline the breakdown of expenditure under the headings of "mines" for the same period?

Mr Young (for Mr MENSAROS) replied:

(1)	1977-78	1977-78
	Expenditure	Revenue
battery	\$	\$
Boogardie ....	69 305	6 456
Coolgardie ....	106 649	16 921
Kew ....	—	1 480
Kalgoorlie ....	419 084	46 057
Lake Darlot ..	2 978	—
Laverton ....	29 515	1 766
Leonora ....	141 529	30 399
Marble Bar ..	61 415	2 162
Marvel Loch ..	111 147	9 656
Meekatharra ..	108 865	6 938
Menzies ....	84 787	9 095
Norseman ....	67 062	10 356
Northampton	40 669	4 909
Ora Banda ....	87 202	13 902
Paynes Find ..	11 540	216
Peak Hill ....	—	120
Sandstone ....	7 309	925
Yarri ....	77 392	4 147
Administration	250 539	5 828
Totals	1 676 987	171 333

Expenditure exceeds revenue by \$1 505 654.

### (2) Territorial mining royalties:

	1975-76	1977-78
	\$	\$
iron ore ....	38 249 225	44 848 274
alumina ....	749 942	1 611 644
coal ....	56 464	65 074
natural gas ....	280 378	860 479
nickel ....	2 014 572	2 829 835
oil ....	1 293 713	2 930 762
salt ....	216 067	226 467
mineral sands ..	175 408	1 058 238
miscellaneous ..	72 116	88 397
rents ....	2 932 511	3 211 830
Total territorial	46 040 397	57 731 000
Departmental:		
chemical		
laboratories ..	86 443	114 374
explosives ....	124 140	130 272
mines ....	449 212	379 961
Total		
departmental	559 795	624 607
State batteries:		
	212 942	171 333

### (3) Mines expenditure:

	1975-76	1977-78
salaries ....	5 783 032	7 067 573
administration		
expenses ....	374 133	486 694
payroll tax ...	280 071	344 806
printing and stationery—		
Government printer ....	82 876	68 787
chemical		
laboratories ..	153 787	196 054
geological surveys ....	159 166	205 856
exploratory drilling ....	1 038 931	966 389
explosive—		
expenses ....	32 923	44 130
drilling plant replacements	24 556	—
survey of leases and areas ....	579 978	657 425
refund of survey fees and revenue ....	95 055	76 004
miners phthisis act comp. ..	4 997	4 760
medical examination of miners	50 175	—
cartage of ore subsidy ....	14 915	11 477
Kalgoorlie metallurgical laboratory ....	17 677	18 124

	1975-76 \$	1977-78 \$
research on environmental effects of the wood chip industry ....	84 205	33 091
advance to mine owners and assistance to prospectors ..	—	9 446
development of mining—losses on assisted ventures ....	114 924	182 531
	8 891 401	10 373 148
State batteries:		
salaries ....	42 713	56 690
administration expenses ....	152 736	140 567
payroll tax ....	47 778	53 281
operating expenses ....	1 157 483	1 405 539
minor improve- ments and plant replacements	18 029	20 910
	1 418 739	1 676 987

## QUESTION WITHOUT NOTICE

## ABATTOIR

*Midland Junction: General Manager, Accountant,  
and Secretary*

Mr SKIDMORE, to the Minister for Agriculture:

- (1) Will the Minister advise as to whether or not the General Manager, Accountant and Secretary of the Midland Junction Abattoir have resigned?
- (2) If they have resigned, what was the reason in each case for the resignation?

Mr OLD replied:

- (1) These positions as such ceased to exist on the establishment of the WA Meat Commission in July, 1976. Recently however, the chief executive officer of the commission resigned and the commission's management accountant was granted early retirement.
- (2) The Act does not require an officer of the commission to inform me of his intention to resign or reasons for resignation.