

# Legislative Council

Thursday, 4 November 1993

**THE PRESIDENT** (Hon Clive Griffiths) took the Chair at 2.30 pm, and read prayers.

## MOTION - URGENCY

### *Ground Waters Contamination*

Debate resumed from 3 November.

**HON SAM PIANTADOSI** (North Metropolitan) [2.35 pm]: Yesterday, I was making the point that the motion moved some weeks ago by Hon Doug Wenn now sits as Order of the Day No 30 on the Notice Paper. It shows that the Government is not interested in trying to resolve the problem.

Hon Jim Scott outlined concern about unlined urban landfills. Hon Doug Wenn mentioned that there are over 100 tips in the south west region that are not lined. As we have learnt from past experience, they have caused extensive damage to the environment.

Very few controls are exercised over what is buried in many of those tips. Much has been said about the size of the water mound in the south west, its capacity to supply water and the fact that it is a cheap source of supply. We do not want that source of supply to become polluted. Many have stated that that would not happen. It is claimed that, because the mound took 200 000 years to form, it would take a long time for pollution to occur.

I remind members again of my statement yesterday that there were many wetlands throughout the coastal plain. However, since European settlement - just over 150 years - many of those wetlands have been destroyed. The ones that remain have been considerably polluted. Very few have remained in their pristine state.

Hon Peter Foss: What do you think of the Water Authority's -

**HON SAM PIANTADOSI**: If Hon Peter Foss wants to make a speech, he should do so later.

Hon Peter Foss: I asked a question. I want your information. Don't you know?

**HON SAM PIANTADOSI**: Yesterday, the Opposition tried to elicit information from the Minister on the Bill that was being debated but he offered no opinion. Suddenly, he wants to be enlightened on this matter - as if he would act. Being the Minister for Health, he should be concerned at what is occurring. Again, there is no action. When Hon Doug Wenn's proposal came before this House, where was the Minister? We did not hear a whisper from him in support of the motion, which has been moved to look after the health of Western Australians. Suddenly, he is starting to show some interest.

Hon Peter Foss: I thought that the member knew more about it than just cockroaches.

**HON SAM PIANTADOSI**: The only cockroach I know is the Minister.

**THE PRESIDENT**: Order! I ask the member to ignore the interjections. He does not have to get into a discussion with the Minister. He should ignore him and address his comments to the Chair. He should comment on the motion before the House, which has nothing to do with cockroaches.

**HON SAM PIANTADOSI**: I would have thought so, Mr President. I will address my remarks to the quality of the water and pollution. I have a fair knowledge of the other matter that we discussed briefly also. On another occasion I will be more than happy to enlighten the House about who are the custodians now. I shed that mantle about 10 years ago, but we still have contacts.

There were concerns some time back about these matters and about the methods that could be used to try to solve the problems. I explained yesterday in my answer to an interjection from Hon Barry House the areas in which we need to get the right farming

mix. I guess the people who are involved in the farming industries would probably agree with me about that especially when we consider that at one stage damage was done to our export industries and the meat industry and it would have affected some exports for many years to come because the poisons lay there for some time. It is estimated that some of these poisons can remain in the soil for up to 30 years before they are wasted. The standards on toxin levels imposed by countries like the US apply to carcasses exported from Australia which in turn affects our farming communities. Maybe we should isolate sheep and cattle from the horticultural industries and plan ahead for those industries.

Many of these problems are compounded, especially in the metropolitan area. I have referred to the Jandakot mound. A lot of grazing still occurs in that area as well as small farming shareholdings, horse raising, beef and extensive horticultural industries. The same industries exist around the Gnaragara mound in the north metropolitan area. That area around Wanneroo and Yanchep has an extensive horticultural industry, yet both of those areas are the main sources of supply of water for the metropolitan area. I am not sure how long we can continue to accommodate those industries within the boundaries of those mounds before we do untold damage to a valuable resource.

Hon Reg Davies: We have to look at it now.

Hon SAM PLANTADOSI: That is right. That is the point I was making yesterday in the conversation I had with Hon Phil Lockyer. Some weeks ago we contemplated setting up a select committee to look at long term planning for the horticultural industry and at the same time protecting our resources. That should happen; it is the way we should go so that those areas are protected. The horticultural industry is increasing at the rate of 30 to 50 per cent and it will generate valuable income for the State. We need to protect that industry so that it can continue to generate that income. At the same time, though, we do not want to protect it at the expense of the taxpayers. Already, the taxpayer will have to foot the bill for the long term damage in several areas that we are now becoming aware of. We should be considering all of the areas to which we can locate the metropolitan horticultural industry and trying to get the people involved in that industry to move to those areas. Members opposite will agree that there are problems with land for domestic use at the moment. Only last weekend or the weekend before I think the Minister for Planning referred in a press release to restrictions on growth because of the lack of available land. One way to protect the horticultural industry and move it at the same time would be to make more land available away from the metropolitan area and therefore protect the ground water.

The main problem is that these industries, particularly the horticultural industry in the north, are on top of these mounds. Things need to change. Another area which is an extensive horticulture area but which has proved to be contaminated is the Manjimup area. Members opposite know that that area has generated a lot of export dollars especially from South East Asia. That is one of the few remaining freshwater supplies in great quantity available to the south west region. Most of the dams and rivers throughout the south west are saline and therefore the water is restricted in how it can be used. Water from the Wellington Dam, for instance, is barely suitable except for some forms of grazing and horticulture. The saline levels in that have not improved, which brought about the need for the Harris Dam to be constructed to try to rectify the problems in the south west.

We also need to look very closely at the kinds of chemicals farmers are using and we need to put in place some controls. I was alarmed in 1979 when the Agriculture Protection Board and the Department of Agriculture used a defoliant to clear trees in the catchment areas of dams in the hills. The defoliant used was Agent White which is of the same family as Agent Orange which was used extensively in Vietnam. Over the year, we have heard a lot about the dangers of using Agent Orange. That has been reinforced in recent times by the damage it caused to humans and to the environment. I guess that in time we will learn a lot more about the effects those chemicals had on humans. However, it is not necessary to look to Vietnam. One of the areas I will follow up is to try to secure more information about what is happening with regard to the use of that chemical in our water supplies. Of course, not many people knew it was occurring, but

when we discovered it we quickly put a stop to it. However, we do not know the long term effects of that chemical on our water supplies and on humans. It must be remembered that when water comes out of the ground it is often a brackish colour, and many chemicals are utilised to clear the ground water before it comes out of our domestic water taps. There are occasions, especially in the North Metropolitan Region during peak periods in summer after a number of days of high temperatures, when the Wanneroo and Mirrabooka treatment plants cannot maintain a water supply of the quality demanded. In many instances if one turned on a tap between midnight and 3.00 am, an amount of chlorine would come from the tap before the water could be drunk. That is an added service provided by the Water Authority! That occurs because the treatment plants cannot meet the demand, and that demand is ever increasing, as Hon Reg Davies very well knows, with the extensive building programs taking place in the northern parts of the North Metropolitan Region. That problem will compound in the future. At times the water has not been fit to drink, because much of it has been polluted. The Gwelup bore and other bores have been completed. It is strange that the Water Authority was reported in *The West Australian* a couple of weeks ago as saying that the Gwelup bore was the only bore that had been polluted. Two or three bores are contaminated, and there will be many more. The level of nitrates in many bores exceeds the level recommended and accepted by the World Health Organisation.

Hon Reg Davies: What effect does that have on people?

Hon SAM PIANTADOSI: Not much in the short term, but nobody knows what its effect will be in the long term.

Hon Reg Davies: Has no research been done?

Hon SAM PIANTADOSI: No. The most difficult aspect with regard to other chemicals, such as arsenic, used to clean the water is that we do not know what the long term effects of those will be. None of that information is available. We are told only the levels of chemicals a human body can tolerate. However, that is in the short term and we are not aware of the effects of the build-up of those chemicals over a long period. It may take some time to obtain that information. Hon Reg Davies is a Vietnam veteran and he will know of some of the suffering of some of his comrades as a result of the use of Agent Orange.

Hon Reg Davies: Including me.

Hon SAM PIANTADOSI: One does not now need to go to Vietnam to suffer from the effects of those chemicals; people can open their taps at home and get a dose of the same chemicals.

Hon Reg Davies: That is a concern because we know the effect of Agent Orange on young children.

Hon SAM PIANTADOSI: That was denied for many years. A lot of that information is only now being made available. I urge the Leader of the House to ask the Minister for Water Resources to make information available on the long term damage that could be caused in Western Australia. We all have families, and I am sure that Hon George Cash shares our concerns. I would be grateful if he would solicit that information from the Minister for Water Resources.

Hon George Cash: I have already worked one miracle for you today.

Hon SAM PIANTADOSI: Related to question 229?

Hon George Cash: Yes, you asked me at five o'clock this morning if I could get an answer, and it is now on the Notice Paper.

Hon SAM PIANTADOSI: Hon Reg Davies and I have both expressed concern about the Mindarie Park tip site in the northern suburbs and we both supported the proposal that the tip be lined. That did not occur and we are told continually of the damage that might occur. Notwithstanding the information available, mistakes were made and it gives me no joy to say that the Labor Government at the time agreed to allow that tip to be established.

Hon Reg Davies: I do not want to make excuses, but there was a certain amount of pressure from three of the major municipalities in that area.

Hon SAM PIANTADOSI: That may be the case, but at times a balance must be reached between the needs of local authorities and the public good. Again, as Hon Jim Scott mentioned, on many occasions there has been public pressure about the quality of water. However, that did not work sufficiently to direct the Government's attention to rectifying those problems. They continue to occur. It is not a case of scoring points with respect to this issue. As elected members of Parliament, we all owe it to our constituents to ensure that we do our utmost to rectify the mistakes that have been made.

Hon Reg Davies: It should be bipartisan.

Hon SAM PIANTADOSI: Yes. There are many examples worldwide of environmental damage beyond repair because of the profit motive and pressure from those with an interest in resisting change. Now those countries are looking at other means of maintaining their resources. Hon Jim Scott spoke about the possibility of the third world war being fought over water supplies. I mentioned some weeks ago during the Estimates Committee events that were taking place in Taiwan. That country has drawn too much water from the ground without replacing it and, as a result, buildings are falling over and land is subsiding. It is not possible to continue drawing water without causing major problems. In Western Australia we must look at ways and means of replenishing the water we remove in order to keep that balance. We are all aware of the fragile nature of the coastal plain; if the level of ground water fell below sea level, it would not take long for a major problem to occur on our doorstep. That is not so far away. Hon Eric Charlton some two years ago was pushing the Agaton water scheme, 150 km north of Perth.

Hon B.K. Donaldson: It is at Watheroo.

Hon SAM PIANTADOSI: We need to look for a source of water supply to complement supplies in the metropolitan area because that is where we have real problems. The water catchment area at Gingin has been earmarked for future use and that would be an ideal place for the horticulture industry to flourish. We could designate an area so that the industry can continue there because it contains loamy soil and a good water supply. We could consider targeting other areas, perhaps at Manjimup where only certain types of farming are carried out. We could remove the potato farmers and designate other areas because different types of chemicals are used in different industries. At least then the combination of agriculture, dairy farmers and meat farmers will not compound the problem and ground water would not have such pressures placed on it. The levels of dioxins entering the soil in the long term destroy any good areas. A number of other areas of agriculture could prosper but we need to consider areas where the horticulture industry can be located.

I am glad Hon Phil Lockyer has entered the Chamber.

Hon P.H. Lockyer: I have been out of the House on parliamentary business. Perhaps the rudeness of last night will extend to today.

Hon SAM PIANTADOSI: I was paying the member a compliment in that he shares our concern about the need to look at the horticulture industry -

Hon P.H. Lockyer: I understand the nervousness of Hon Sam Piantadosi.

Hon SAM PIANTADOSI: I know who should be nervous. I know the member's reputation. I have yet to find anyone who worries about my reputation. Perhaps the Minister for Health will worry about the fact that we have been called cockroaches. I have less to be nervous about than Hon Phil Lockyer, but we will not go into that. We both served on a committee about 10 years ago, inquiring into the fruit and vegetable industry.

Hon P.H. Lockyer: You were young and productive then.

The PRESIDENT: Order!

Hon SAM PIANTADOSI: I do not want to comment -

The PRESIDENT: Well don't!

Hon SAM PIANTADOSI: - about Hon Phil Lockyer's ability at that time. The only time he was productive was in Melbourne, but I will not go into details.

Hon P.H. Lockyer: We overcame our differences then.

Hon SAM PIANTADOSI: We did. It was good that we were able to do that. The member became much more enlightened after our four hour drive through the Dandenong.

Several members interjected.

The PRESIDENT: Order!

Hon SAM PIANTADOSI: I am sure that many members on the Government benches involved in farming would agree with my sentiment that there is a need to consider our ground water problem. Mistakes have been made over the years resulting from a lack of planning. Those mistakes should be the impetus for future plans. There is room for both the agriculture and horticulture industries, but we should consider the problems caused by them. Our ground water resources have been depleted. Ground water is one of our most precious resources, and there are not too many options available. We should consider the alternatives. We do not have many freshwater streams in the south west. Most streams are not fit to be used. How can we overcome the problem? Where can we find a good water supply?

One of our large water catchment areas is the city block, and again that causes a great deal of pollution. Most of the runoff flows into the Swan River. If we could redirect the runoff from the road systems into tanks for filtration and then return it to the wetlands, some of the pollution problems would be overcome. No-one seems to realise that one of the major water pollutants is the road system. I am sure that the CSIRO, the Water Authority and the Environmental Protection Authority would all agree that the road system contributes heavily to water pollution. Our water supplies are at risk and unless we rectify the situation our problems will increase. We could gather information worldwide from countries that face the same problems.

Most of the major waterways on the Canadian-United States border have been polluted. Some will never be used. We do not want to go down that path. We should continue to look for new sources of water, even though it will be expensive. I refer here to the Ord River which could supplement our water supply, although that would be a costly option. Another alternative locally would be to treat sewage.

[The member's time expired.]

HON MAX EVANS (North Metropolitan - Minister for Finance) [3.08 pm]: I wish to add my comments to the interesting contribution made by Hon Jim Scott and Hon Sam Piantadosi. I believe Hon Doug Wenn intends to contribute to the debate later. I could have allowed this matter to lapse, and thereby adjourn debate until 25 December. I do not wish to do that because we have legislation to consider.

Hon Jim Scott referred to the Gwelup situation, about which some information has been produced recently. The newspapers have addressed the problem, and many people are aware of the situation. I have been waiting to receive some answers regarding our water pollution problem. I agree with Hon Sam Piantadosi; horticulture is an industry which is growing very quickly in Western Australia. Unfortunately, if we are not careful, the problems created will increase as well. I am not sure whether the northern suburbs will rely heavily on scheme water in future. Recycling underground water affects the situation, especially when used for residential consumption.

Hon Sam Piantadosi: Toxins flow into the ground water.

Hon MAX EVANS: And people draw that water for drinking purposes. As to the Agent Orange problem, I remember a neighbouring farmer years ago who used the chemical on his farm. Many farmers stirred the chemical with their bare arms. They are still living.

No-one has worked out the difference between the chemical they used and that used in Vietnam; that is, whether the cancer problems are just part of life or whether it is due to the use of Agent Orange. Many farmers used the chemical in that way, long before rubber gloves were introduced.

I refer to a news release by the Water Authority of Western Australia on 20 October 1993 which states -

The Water Authority says monitoring and treatment procedures guarantee that water supplied to the public - including that taken from Gwelup - is safe and healthy.

The Gwelup wellfield, located in a fully urbanised area, and including a light industrial area, supplies six per cent of Perth's drinking water.

The Water Authority's Acting Director Water Resources, Harry Ventriss said today that the Authority has always been aware of the risks to the quality of the water drawn from the Gwelup wellfield stock.

We all know that Gwelup has been a market garden area since almost the beginning of time - at least, well before my time.

Hon Sam Piantadosi: It was all market gardens once.

Hon MAX EVANS: Years ago when I ran a plumbing business, I put through a large sewerage line in that area.

Hon Sam Piantadosi: There are still some left there.

Hon MAX EVANS: Is there? That has been a market garden area which presumably has seen a heavy use of fertilisers. I suppose we should all be getting back to organics and using mulches instead of using chemicals. I have seen reports from England suggesting that organic food is very good and, therefore, sells at a premium price. However, a couple of years ago research indicated that the produce sold as being organically grown was seconds and had been treated with chemicals. Organically grown food did not look as appealing as other fruit and vegetables because it had blemishes. There was a riot in supermarkets where damaged stock was sold as being organically grown and would get a high price. The report continues -

Mr Ventriss said the Authority has been closely monitoring the quality of water in the Gwelup area and particularly in the production bores. It also examines closely potentially polluting activities. In some cases the Authority has turned wells off temporarily or permanently to ensure there is no risk to public health while investigations are undertaken.

"A recent example of this was when a service station in the area reported a leaking tank we immediately shut down the closest well," said Mr Ventriss. "About six months ago odours were detected in one of the wells in the Balcatta light industrial area. That well was shut down permanently as a precautionary measure.

Mr Ventriss said that since the late 1980s the Authority has commissioned several studies into the impacts on the quality of this groundwater resource. The most recent of these studies, by the CSIRO, found that the water quality was within safe limits, but that contamination was occurring even in fully sewered areas.

The next paragraph in the report is quite interesting. It states -

The CSIRO study work identified that unsewered areas have a significant impact on groundwater quality. The Gwelup wellfield area is now fully sewered but not all properties have been connected. A Water Authority program requiring compulsory connection to reticulated sewerage was an integral part of the Authority's water quality improvement initiative.

The biggest sewage scheme with which I was involved took place in 1973. I completed the plumbing and air conditioning facilities at the premises of the Hospital Laundry and

Linen Service of WA. Just before the opening of the John Tonkin Water Centre I was running Instone Plumbers in Fremantle. The President would know that business quite well. It had two big contracts, one at Gwelup and the other for the Hospital Laundry and Linen Service.

Hon Sam Piantadosi: My concern is the vacuum effect: What we are bringing down quickly will only compound the problem. It depends on the levels.

Hon MAX EVANS: The member made a very valid comment about whether we should look at horticultural areas. I am not sure whether it is a bit late for us to think that we have the luxury of looking at that question. Huge areas in Carabooda and Yanchep have been opened up in the past few years which would be affecting the underground water table. Somewhere along the way we must overcome our need to use so much ground water for residential purposes. Hon Sam Piantadosi has indicated that the toxins in the ground water are building up to such a level that they are affecting plants and animals. Perhaps we will have to look at alternative chemicals. I am surprised that earlier debate on this matter has not covered this aspect. Although most of the debate so far has involved quoting articles, I am sure Hon Doug Wenn will provide a good contribution.

I remember that when I was young the chemical DDT was the saviour for everything in gardens. Alternatives were found. Of course, we had the thalidomide drug which affected babies. Many of these hazardous chemicals have had to be replaced. Members have talked about defoliants which have in the past done an effective job. The chemical Roundup seems to have survived because it is non-toxic, and as well as making a great contribution to farming, it is used widely to get rid of weeds. I do not believe it has an impact on the ground water.

We appreciate the Opposition's comments on the Ellenbrook development. A lot of new developments are commencing. The State has a shortage of low cost housing blocks. Some people say, "If you want to make more money, why don't you put up the price of the blocks of land?" That is not the case. To have low cost housing we need low cost land. As a result the low cost housing developments have spread from the outer northern suburbs to Rockingham. That has a huge effect on ground water.

Hon Sam Piantadosi: Do you believe that we should resurrect Hon Doug Wenn's proposal to give priority to having a select committee to look at landfills. We are talking about the concept of protecting ground water, but why is the proposal languishing?

Hon MAX EVANS: I had some terrible problems with the appointment of select committees when I was on the Opposition side. I wanted to have one appointed to look into the Teachers Credit Union. I could not get it up for various reasons. At that time, it was an important project. It was always put at the bottom of the Notice Paper and we were told by the then Government, "We will get to it if you will let us shorten the debate on other legislation." We have spent nearly 60 hours on the Committee stage of the industrial relations Bills.

Hon Kim Chance: The Opposition does not control the time.

Several members interjected.

The PRESIDENT: Order! This has absolutely nothing whatsoever to do with the motion.

Hon MAX EVANS: The member mentioned a motion that had slipped to the bottom of the Notice Paper. It has taken a long time to get to it and it also deals with the water pollution problem.

The PRESIDENT: Order! It has nothing to do with this motion.

Hon MAX EVANS: Not exactly.

*Point of Order*

Hon SAM PIANTADOSI: It has.

The PRESIDENT: Order! There is no point of order. This motion is a motion to

adjourn the House until 25 December for the purpose of discussing four or five significant items - nothing more, nothing less.

Hon SAM PIANTADOSI: Unlike urban fill.

The PRESIDENT: Order! The member needs to understand that what I am saying is right. It has nothing to do with this motion. The subject matters may be the same but it has nothing to do with this motion.

*Debate Resumed*

Hon MAX EVANS: To prevent having an argument on the matter I submit that we will take on board all of the extracts and press articles that have been referred to by the previous speakers. Hon Doug Wenn might provide a positive contribution as to how we can find a solution to the problem. We are well aware of the problem and we are now looking at how we can increase sewage facilities in the metropolitan area. As members have said, it has not been a problem for just this Government; it has existed for a number of years. We are trying to take the matter in hand, to identify the problem and to look at ways of rectifying it so that it does not get any worse.

HON DOUG WENN (South West) [3.16 pm]: I support this motion very strongly. I thank Hon Jim Scott for bringing it to the attention of the House to enable it to be debated. I am sorry that Hon Max Evans had to speak before me. I was delayed -

Hon Max Evans: I did not want the debate to lapse before you had spoken.

Hon Graham Edwards: We had another speaker.

Hon DOUG WENN: It does not matter. The Government members have been behaving in a petty way lately. The late hours must be getting to them.

The PRESIDENT: Order! If member stop their interjections, they will have an excellent opportunity to catch up on the sleep they missed out on last night.

Hon DOUG WENN: A similar motion is languishing at the end of the Notice Paper at the moment. That motion provides an opportunity for us to put together a committee to look at the serious problems that exist and the reasons for this motion being before the House today.

Over the past weeks, particularly on the Sunday before last, very big headlines appeared in the newspapers about the water problems in the metropolitan area. There is no question in any member's mind that this issue is not new. Last year it was pointed out to us that the water supply levels in the metropolitan area were in an almost drastic position, such that there was almost no water at all. In the past, many restrictions have been put on people's use of the local water supply.

It is understandable that if the low levels continue, as has been the case over the years - I am only referring to the metropolitan area and will come to the country in a moment - something else will fill the area that has been vacated. Hon Max Evans referred to the types of fertilisers being used nowadays, not only in farming areas but also in the residential areas. People moving into new homes now want instant lawns. The first thing a couple want after they move into a house is to have beautiful gardens and lawns, and the best way to encourage the lawns to grow is to throw on fertiliser. As a result, the fertilisers are washed back into the soils and, where they exist, into the underground water supplies. As we have seen over many years in other areas, and now here in Perth, where people have used fertilisers, drastic problems are occurring on our river fronts. Perth has a huge problem with the Swan River, but the finance is not available to immediately rectify the problem. However, I am hopeful this Government will give direction to those people in charge to enable them to rectify that very soon. The reality is that the problem exists and it is our job, as members of Parliament, to direct the appropriate people to rectify it.

One very big problem we have of course is how we dispose of sewage. Obviously the cost of sewerage systems prohibits them being built into every residential development in the metropolitan area. However, it has become almost standard procedure for the



developers to supply a sewerage system in the areas they propose to develop. I wonder whether it is not almost time to seriously consider the bioseptic systems now available on the market. Unfortunately the Health Department is not 100 per cent behind those systems. They can be implemented not only in the metropolitan area, but also in country areas. In Nannup, for example - in my and Hon Barry House's electorate - a problem exists where the shire wants to subdivide some of the land available to it. If it were to use bioseptics it could sell that land for approximately \$9 000 or \$10 000 for each one-fifth of an acre. Under the regulations that cannot be done because the area must be seweraged. As a result, the price of the land will increase to somewhere between \$15 000 and \$20 000 a block. The shire obviously believes that bioseptics will have a detrimental effect on the alternative life style. Here in Perth we must look seriously at how the bioseptics can be used so that the problem is not added to. If the House were to see fit to bring my motion further up the Notice Paper, the proposed committee could seriously examine the problem and propose to the Government a procedure to resolve it. As I said, better management is the way to go. We must educate people on how they handle their water supplies.

Country areas such as Augusta are also suffering with water problems. I listened very intently to the ABC radio program when Sharon Palfrey-Jones was talking to the management of the Western Australian Water Authority in the south west area. The authority ran some very big tests in Augusta and asked people how they could preserve the water system. Some of the many suggestions included use of the two button control on toilet cisterns which provide the half and full water supply. Mention was also made of placing a brick in a cistern so that the water level rises with less water, thereby causing the stopcock to cut off the water supply. Also, some shower heads use five times more water than some others on the market today which give a limited flow of water. As I said, part of the solution to water pollution is to educate the people of Western Australia on to better manage their water supply.

I was amazed to hear recently, also on ABC radio with Gerry Gannon, the problems occurring in Kings Park. I could not believe it when I heard that people have been dumping waste in Kings Park. Although it is surrounded by the city area, it is a national park. The attitude of people is that they are dumping only garden waste and that they are doing no harm because over a period the waste will break down. Nonetheless, they are introducing more pollution to Kings Park which is full of Western Australian native plants. The garden shrubbery and whatever else they are bringing in can react against the native plants. The plant disease, dieback, is one of the many concerns and that is a further example of why we must educate people. It will be a very big job to alleviate the problems in Kings Park and work must begin soon.

In my first term in this place, with Hon Tom Butler - unfortunately none of the other members on the committee is in this place today - I was fortunate enough to be a member of a select committee investigating salinity in Western Australia. Through that committee we were able to see how people abused the water supply system.

Hon Sam Piantadosi: They were farmers.

Hon DOUG WENN: Ninety per cent involved farming areas. We did not look at the city area. It was possible to see over a period how neglect and abuse had degraded the land to a point where it was useless. One farmer we investigated, and who farmed approximately 600 or more acres, told his father at that time that there was a problem in a bottom paddock. His father told him not to worry because it was only a very small spot. That man has now lost the use of well over one-third of his property through not reacting quickly to fix the problem.

The problems resulting from the abuse of water supplies were happening not only in Western Australia but also in the Eastern States. One of the alarming findings of that committee was that the Harvey Weir which is used for irrigation throughout the Harvey-Roelands area was showing signs of salinity. It was a problem that we were, thankfully, able to see challenged very quickly. However, the problem did not stop just at the Harvey Weir. The Wellington Dam, the major water supply for the south west, also showed signs of salinity.

Hon Barry House: It is improving.

Hon DOUG WENN: I have no doubt about that, but I am referring to when that committee was investigating the problem.

Hon Graham Edwards: Is the weather improving for the rowing events?

Hon DOUG WENN: The bloke upstairs picks the final day of the rowing championships and buckets the rain down and destroys the final day!

Hon T.G. Butler: It is cleaning up the dam.

Hon DOUG WENN: As Hon Barry House said, the Wellington Weir is improving through scouring and proper management.

Hon Sam Piantadosi interjected.

Hon DOUG WENN: Unfortunately, in some areas it is necessary to be cruel to be kind. Due to the problem with the Wellington Dam, the previous Government made a commitment to build the Harris River Dam. That was a huge project and is something that the south west was able to capitalise on. However, the authorities were in a hurry to get it open for some reason and, on opening day, the water was not exactly at its peak when it was released and, as a result, the dam had to be closed and rescored in order for it to be brought up to a standard fit for human consumption. It again shows the effects of proper management of our water and waste system in Western Australia. The Collie region has a huge problem where, for many years, normal waste has been disposed of around that area. Consequently, it has affected a fair amount of the water there. Again, thanks to the foresight of a few shire councillors in the area, and members of the previous Government, control has been taken of the situation and they are now going ahead to rectify it.

[Debate adjourned, pursuant to Standing Order No 195.]

## VETERINARY PREPARATIONS AND ANIMAL FEEDING STUFFS AMENDMENT BILL

### *Second Reading*

Debate resumed from 14 September.

**HON KIM CHANCE** (Agricultural) [3.31 pm]: In keeping with the cooperative attitude we have adopted to ensure the speedy passage of worthwhile legislation, the Opposition will be supporting the Bill. Hon Nick Griffiths will be introducing an amendment in Committee which, while it will not alter the general thrust of the Bill, will improve the proposed alterations to the principal Act. A copy of that amendment should be in front on members now.

This amendment Bill and the principal Act are regulatory measures to control the use of hormonal growth promotants and their sale, the registration of sellers, the identification of treated cattle and the auditing and overseeing of all aspects of the system by Government departments which have authority granted under the Act. This is a cooperative form of legislation which has been agreed by all States and Territories of Australia, and the Commonwealth. I am told that in practice the protocols of the Bill have been in effect since February.

The Bill and the Act are necessary to guarantee that Australian beef, particularly for export to the European Community, is totally free of hormonal growth promotants. The European Community is the only market in the world to enforce such a ban. This was brought about essentially by two factors: First, a strong push by the green movement in Europe and people's concern about the effect that food can have on human health; second, and possibly what drove the green movement, in West Germany in particular and later throughout all of Europe, to take such a strong stance on the question of hormonal growth promotants, was the bad experience that Europe had had with some earlier forms of hormonal growth promotants, some of which were very dangerous indeed. Some were powerful, cancer-causing substances. I will refer later to the effect the ban has had in the

European Community. I am sure that Hon Murray Nixon knows more about the subject than I do, and I hope he will take a minute or two to tell us about it.

This has been a matter of real concern to the Australian beef industry for some time. Hormonal growth promotants are still used in Australia, because cattle which have been treated by HGP's are still consumable in Australia and every other market of the world except the European Community. Part of the protocols of the principal Act and the amendment Bill deal with the identification of those cattle, so that Australian authorities may be absolutely certain that beef exported to the European Community is guaranteed free of any HGP's. The HGP's used in Australia are completely safe, at least as far as one can say by the determination of the known standards of testing. Principal among the HGP's used is testosterone, which occurs naturally in any male animal. I have been told that in order to consume sufficient testosterone to cause any real damage it would be necessary to consume five bullocks at one sitting.

Hon Peter Foss: How often have you tried that?

Hon KIM CHANCE: Only once or twice. I can assure the Minister for Health I did not get far and I can see no damage from the hormones.

Hon E.J. Charlton: I do not know about that, Mr Chance.

Hon KIM CHANCE: Possibly the beef itself might have done some damage. While the Opposition is ready to support the speedy passage of the Bill, it does so with some resentment towards the European Community for its inconsistent and high-handed attitude which has made this legislation necessary. The European Community ban applies to naturally occurring hormones. In many ways the ban has caused problems not only for Australia, Argentina, the United States and other countries exporting beef to the European Community, but also for Europe itself. Apart from generating some unreasonable fears of HGP's because of the potential damage which could be caused by some of them, the use of even the most safe, naturally occurring forms has created a degree of panic among beef consumers in Europe. Worse, the ban in Europe has led European beef producers to use some substances which are illegal, and should be illegal in any market. Those are the products which I said are the potent, cancer-causing agents.

I was unable to speak in the last debate when we were talking about agent orange and agent white. The fact that the word "agent" precedes the chemicals does not disguise the fact that they are totally different chemicals. It is rather like the conjunction between the chemical 2,4-D and the chemical 2,4,5-T. Strangely, the chemical we know as agent orange is a combination of those two chemicals, but the difference between 2,4-D and 2,4,5-T is rather wider than the difference between chalk and cheese. The fundamental difference for human health is that in the process of manufacture of 2,4-D it is impossible to create dioxin. If the heat process in the manufacturing process of 2,4,5-T is not properly controlled dioxins most certainly can form. Again, we are losing sight of the fact that Agent Orange was a malicious substance. It was designed as a weapon of war to kill people in the short and the long term.

The manufacturer of Agent Orange, Dow Chemicals, deserves our total condemnation for conforming to perhaps the United States' Government regulation which specified that a certain level of dioxin be produced in Agent Orange. Even though I am not an industrial chemist I can assure members that the process of the creation of dioxin in 2,4,5-T in a modern plant would almost have to be deliberate. Shortly after the Second World War a consignment of Italian 2,4,5-T was imported into Australia and it was finally disposed of in the Sydney Harbour where, even to this day, it is one of the major pollutants of that harbour. I am told that the disposal of that chemical was done with a lack of knowledge of the technology used to produce it.

Hon Peter Foss: It appears that other countries found out what it can do.

Hon KIM CHANCE: Those countries were employing a process which caused that chemical to be made. I am sorry that I digressed from the Bill, but there is a degree of similarity in the confusion people have between one substance and others which may be in the same group, but chemically they are entirely different.

This Bill is important because it is fundamental to the integrity of Australian exports. It is absolutely necessary to keep in mind that however much we may resent the impositions by and requirements of other markets, the customer is always right. We may complain about it in this place, but we must recognise that if Europe wants hormonal growth free beef it is our duty to do all we can to ensure that Australian producers are able to comply with its request. In the interests of the Australian beef industry the Opposition is willing to join with the Government and agree to this legislation.

**HON N.D. GRIFFITHS** (East Metropolitan) [3.43 pm]: This Bill is about maintaining the integrity of the reputation of Australia's exports. I agree with what the Minister said in his second reading speech and with the comments made by Hon Kim Chance.

The manufacture of stock feeds is an important industry in and near my electorate. The manufacturers are significant users of hormonal growth promotants and this Bill is of importance to them. The residents of the East Metropolitan Region are, of course, neighbours of the residents of the Agricultural Region. Many of my constituents are involved in the cattle industry in one way or another. The wellbeing of that industry and the people of the Agricultural Region is of great significance to the wellbeing of the people of the East Metropolitan Region.

Hon E.J. Charlton: Even in the transporting of cattle.

Hon John Halden: And in those road trains throughout your electorate!

Hon N.D. GRIFFITHS: The people of my electorate are opposed to the road trains which the Minister will impose on them, but I do not wish to bring that issue into this debate.

I trust this Bill is a bipartisan measure in each and every respect. I hope that the Bill is passed with appropriate expedition. If the amendment I propose to move, which is an enforcement provision, is passed I hope that the Legislative Assembly will deal with the amended Bill with appropriate expedition so that the best interests of this State and Australia can be well served.

*Sitting suspended from 3.45 to 4.00 pm*

**[Questions without notice taken.]**

**HON J.A. SCOTT** (South Metropolitan) [4.32 pm]: I admit that I have not thoroughly investigated the Bill and do not fully understand the ramifications of it. However, I cannot see the area of antibiotics in feedstuffs for animals covered in the Bill. Having previously been a pig farmer, I remember that some of the feedstuffs we fed to the growing animals, particularly weaners, were heavily laced with broad spectrum antibiotics. Although it has been mentioned that we must be careful about the integrity of our markets, we must also be careful about the health of people consuming the products. It is more widely known today that many people in medicine are concerned that overuse of antibiotics is leading to their gradual loss of effectiveness. That could prove to be a disaster for the human race. I would like members opposite to take consideration of this matter when we reach the Committee stage of this Bill. Perhaps something can be done about this issue.

**HON E.J. CHARLTON** (Agricultural - Minister for Transport) [4.34 pm]: I thank the Opposition members for their support of the Bill and also Hon Jim Scott for his contribution. As outlined in the second reading speech, and as Hon Kim Chance mentioned in his speech, a decision must be made with this legislation to safeguard the Australian meat industry. As a consequence of that, the purpose of this Bill is to put those safeguards in place to ensure that that occurs.

Question put and passed.

Bill read a second time.

#### *Committee*

The Chairman of Committees (Hon Barry House) in the Chair; Hon E.J. Charlton (Minister for Transport) in charge of the Bill.

**Clause 1: Short title -**

Hon J.A. SCOTT: I would like to see included in this Bill antibiotics, particularly broad spectrum antibiotics, because they are as much a health problem - perhaps even a greater health problem - as some of the other additives referred to in the Bill. Are antibiotics included anywhere in the Bill?

Hon E.J. CHARLTON: No, they are not.

This Bill is about seeking to ensure the reporting and identification of cattle that are involved in sale to specific markets and also for human consumption. Other legislation exists that takes into account the issue which Hon Jim Scott raises. At the appropriate time the Government could have discussions with him to ensure that those other chemicals, or medication of any type, do not have the detrimental effect about which he is concerned.

**Clause put and passed.**

**Clauses 2 to 28 put and passed.**

**Clause 29: Section 66 amended -**

Hon N.D. GRIFFITHS: I move -

Page 25, lines 2 to 26 - To delete the clause and substitute the following clause to stand as clause 29 -

29. Section 66 of the principal Act is amended -

(a) by inserting after the section designation "66." the subsection designation "(1)"; and

(b) by adding the subsection following -

(2) In the absence of evidence to the contrary, the allegation -

(a) that stock or a carcass was sold or intended to be sold; and

(b) that the sale or intended sale of any stock or carcass was to a particular market,

may be taken to be sufficient evidence of a sale alleged in proceedings for the purposes of Part VA.

The amendment balances competing interests. It does not in any way imperil the policy of the Bill. In fact, I suggest that it enhances it in that it provides for greater fair play in accord with our system of justice. I commend the amendment to the Committee.

Hon E.J. CHARLTON: The Government supports the amendment, which seeks to redefine section 66 of the principal Act by rearrangement of the section to make it more in line with what is intended. It does nothing to change the intention of the Bill; it complements it.

The CHAIRMAN: Order! In order for the Committee to accept that course of action, it will need to vote against the clause and then to substitute the words.

**Amendment put and passed.**

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

**Clause 30 put and passed.**

**Title put and passed.**

**Bill reported, with an amendment.**

**MINIMUM CONDITIONS OF EMPLOYMENT BILL**

*Report*

**Report of Committee adopted.**

**WORKPLACE AGREEMENTS BILL***Third Reading*

**HON PETER FOSS** (East Metropolitan - Minister for Health) [4.44 pm]: I move -

That the Bill be now read a third time.

**HON JOHN HALDEN** (South Metropolitan) [4.45 pm]: I am mindful of the parameters of a third reading speech, that is, that basically one has to put before the House why it should be that, having considered the Committee stages of the Bill, it ought not be read a third time. Throughout the debate of the Bill, which has been a lengthy debate, the Opposition has criticised the policy of the Bill. It has raised specific concerns about a variety of matters.

The Bill has not yet been proclaimed and is not in force, but already we see in the media problems in the Bill that the Opposition warned of quite specifically. Those concerns were first mentioned in *The West Australian* on Monday and again in today's *The West Australian*. I will take the opportunity of this third reading speech to highlight those concerns that are now coming to reality. They are now impacting upon people in the work force.

The Opposition stated that certain things would happen and, before the Bill is proclaimed, those things are happening, and they are acknowledged by the Minister for Labour Relations.

An article in *The West Australian* on Monday, 1 November stated -

Mr Kierath said he would not hesitate to make an example of employers caught using the changes to WA's industrial relations system to breach minimum wage and working conditions.

The warning came after a hairdresser tried to pay his employees on commission rather than on a wage and also failed to stipulate the number of hours staff would have to work.

Mr President, I am sure you are aware that last night the Opposition highlighted in respect of another Bill the very point raised in that article but which is still relevant to this Bill; that is, that the Minister will be given unbridled power to determine who can be excluded as a class of worker from the effects of this legislation. The Opposition highlighted that particular concern.

In today's *The West Australian* an article stated -

A steel fabricator claims he was wrongfully dismissed just one week after accepting an illegal contract that would have seen him earn \$275 for a 38-hour week.

Shahrahram Ardeshtirian, an Iranian migrant, said yesterday he was told by his employer, Fremantle-based Steelight Windows, that he had been dismissed after he agreed last week to accept an offer of employment from one of its directors for \$275 a week.

Last week, he was sent a letter by Steelight director Tim Booth offering him short-term employment at \$250 a week.

After discovering that the minimum wage under Labour Relations Minister Graham Kierath's yet to be introduced changes to industrial relations law was \$275, the company sent a second offer at the end of last week of \$275 for a 38-hour week.

Mr Kierath said both contract offers were illegal. The second would have been legal if the new laws were operating.

During this debate we have said - it has been denied by the Government and the Minister responsible for the legislation - that wages would be forced down by the introduction of the Bill. They said that it was only a minimum; it would not be a benchmark. I assume the gentleman mentioned in this argument is a process worker in the sheet metal

fabrication industry. If so, under the existing award system he would receive a wage of approximately \$340 a week. That is not a particularly large wage but, in the first instance of employees being covered by the provisions of this Bill, even before it is proclaimed, people are being forced from that low wage of \$340 a week to the lower wage of \$275 a week. People are being forced into piecework arrangements that will probably result in lower than award rates, where their hours of work are not stipulated. Our concerns are already coming to fruition, and the Opposition during this debate has tried to present these concerns and to include within the various Bills appropriate minimum standards. We have not at any stage accepted the philosophy behind this draconian legislation, but we have been assured by the Minister that our concerns are groundless and that this will be a safety net provision, and nothing more. The facts are already starting to emerge particularly clearly. The Opposition also said that the sorts of people who would be most vulnerable with regard to this legislation would be low paid and ethnic workers. In the second example to hit the Press this week, a low paid ethnic worker was offered a wage of \$275 a week, which is \$65 less than the award rate. In spite of the Minister's assurances, already there is a mounting - if small - public record indicating that the facts are contrary to the Minister's assurances about the likely outcomes. In an item in the newspaper on Monday, 1 November the Minister was reported as saying that workers would be protected by arrangements that provide for good record keeping. Quite clearly, if this worker wanted to claim underpayment of the award he would be hampered by clause 97(1) which states -

It is not a lawful excuse for the purposes of section 95(1) or (2) for a person to refuse to answer a question or produce a book, document or record on the grounds that the answer or the book, document or record might tend to incriminate the person, or make the person liable to a penalty.

These arrangements offer very little protection for the worker under the Workplace Agreements Bill. He would have a very limited opportunity to prove he had been underpaid. Of course, he would quite clearly be able to prove that under the current system. This legislation does not require employers to keep records about when a person signs on or off. Therefore, how could a worker prove that he had worked, for example, 38 hours a week? The employer could say that he had not worked those hours. An ethnic worker may not understand the contract he has signed and in that case he will have little opportunity - even with the costly methods proposed - to seek appropriate compensation, because the records the Minister claims are so wonderful, may be very sparse.

Throughout the debate on this Bill the Government claimed that the Opposition was fallacious in maintaining its position. This Bill is about reducing the wages and conditions of workers. The examples I have given are a clear indication that the very matters foreshadowed by the Opposition will occur. The Workplace Agreements Bill provides no protection for workers in this situation. The Government accepted some of the Opposition's more technical and minor amendments to the Bill at the Committee stage, but the Opposition's general concerns were not listened to. In some instances Opposition members were degraded because they put forward such stupid propositions that employers would do nasty things - as if we did not know that they already do so. Yesterday in debate on another of the trilogy of industrial relations Bills, an example was given of an 18 year old employed in the building industry who, in the space of six months, had been underpaid by \$8 000. I understand from the union representative to whom I spoke yesterday at lunch time that he could provide at least 150 similar examples for this calendar year of that sort of exploitation - some not so serious and others much worse. With that level of exploitation under an award system which offers so much more protection than is offered by this legislation, it is incumbent on the Opposition to advise the House, based on the new evidence, that its concerns are already coming to fruition. The Minister has said from time to time that a number of workers are not covered by awards in this State. However, minimum provisions apply which protect workers, whether or not they are covered by awards.

Hon Peter Foss: The current general order does not protect non-award employees.

Hon JOHN HALDEN: The Minister is wrong. The general order does protect non-award workers.

Hon Peter Foss: The minimum one does not protect non-award people.

Hon JOHN HALDEN: Which minimum?

Hon Peter Foss: The one which asks for \$275 a week.

Hon JOHN HALDEN: I do not understand the Minister's point. Protections are available for non-award employees through the Industrial Relations Commission. Those people will lose that protection the moment they enter into a workplace agreement. During the process of this debate the Opposition has been criticised for being naive, partisan and at the beck and call of the unions. However, the facts are already starting to speak for themselves. Inevitably the Government will use its numbers in this House to pass this legislation. However, at the end of the day, the impact will not be felt by members here. It will be felt by the people we represent. The Opposition will not be in any way merciful about the deliberately and strategically planned attack generated by the Government with these three pieces of legislation to force down wages and conditions in this State. It is a sad day when a House of Parliament, whose prime responsibility is to protect and ensure the community's standards and conditions, can enact this most draconian piece of legislation with the widest powers and implications for Western Australia.

The Opposition opposes the third reading of the Bill. It will be to the Government's shame when these three pieces of legislation are ultimately passed.

The PRESIDENT: I want to comment on the debate on the third reading in this Chamber for the benefit of members who may not be familiar with it. Hon John Halden acknowledged at the commencement of his remarks that he understood that the debate on the third reading of a Bill in this Chamber is a narrow one; that the debate is confined to the question of why the Bill should or should not be read a third time without regurgitating the arguments that have been advanced at a previous stage of the proceedings. The submission by Hon John Halden was a classic example of using the third reading debate to bring before the Chamber something that was not available at any previous stage of discussion on the Bill. I listened very carefully and with great interest to what he said because on his own acceptance the manoeuvrability he had was very limited. I am saying this now because it is obvious there will be several other speakers. Any subsequent speaker will not be able to go over the arguments that have been put previously or the arguments that have been submitted by Hon John Halden. I thought it was proper to mention that so that everyone clearly understands what the rules are, and so that members will not complain if and when I pull them up.

HON T.G. BUTLER (East Metropolitan) [5.05 pm]: Mr President, your advice was most interesting and informative - and probably valuable, had I intended to go over the same ground as Hon John Halden - which I had! Mr President, you said that during debate on the third reading it is necessary to give reasons why a member considers the Bill should not be read a third time - and that was because some new evidence within the narrow context of what we can do was brought forward. In the light of what Hon John Halden had to say and the information brought forward, the Bill should not be read a third time. Events have indicated the possibility that this legislation could lead to the exploitation of the work force. A great deal more consideration should be given to the Bill.

The comments of the Minister for Labour Relations, as outlined by Hon John Halden, indicate that the Minister should step back from the legislation, take a large breath, and reconsider what he has done. His actions do not flatter him. The possibility that people will suffer exploitation as a result of this legislation does not flatter the Minister either. He has admitted, in some instances, that the exploitation under the award system will be legalised by this legislation. The House should give serious consideration to opposing the third reading until such time as the Bill can be fully examined.

Hon E.J. Charlton: We will give it serious consideration.



Hon T.G. BUTLER: I do not think the Minister is capable of doing that. His track record indicates that he is not capable of giving anything serious consideration. It appears from the trouble he gets into that he does not have the ability to give serious consideration to the matters that fall within his portfolio.

I oppose the third reading.

**HON KIM CHANCE** (Agricultural) [5.07 pm]: Mr President, I thank you for your guidance regarding this debate and for the challenge you have set us. It is not an insignificant one, for some of us. With your permission, I will refer briefly to the comments of Hon John Halden outlining the Opposition's reasons for opposing the third reading. The reasons can be divided into two areas: First, the effect of the legislation - debate on which would be out of order; and, second, the manner in which the Government has dealt with the series of amendments brought forward by the Opposition. At the same time, compelling arguments were put in *The West Australian* of 4 November, justifying the Opposition's stance in respect of the third reading of this Bill. I draw three points from the article. First, the reference by Mr Kierath: He said, in relation to an illegal contract negotiated between a metal worker and a steel fabricator, that both contract offers were illegal but the second would have been legal if the new laws were operating.

It has been a consistent thread in the Opposition's argument that by setting a minimum under a new piece of legislation we will inevitably end up in a situation where, while some employees are currently at the minimum as determined by awards, very many more will come down to the minimum level. The effect of that on employees is obvious, and I will not canvass it further. Consider, though, how it will affect small employers. Let us look at an employer in an enterprise with a high labour component as a proportion of the price of its products. An employer who negotiated an agreement to pay near the minimum wage could significantly undercut the price of the product when compared with an employer who had to pay award rates. It would place other competing manufacturers in a position where they could do little to match their competitors' price. That is a matter of real concern.

Many employers will not be able to do that even if they follow this legislation to a T. They may already have negotiated contracts with their employees at a price significantly above the minimum. That is a matter of real concern to small businesses in my electorate, particularly those which employ people who are members of a large and powerful union and who will be the last to negotiate at the bottom end of the scale. Those workers at the bottom end of the scale who have the weakest unions will be more likely to fall first.

The second reference in the article states -

After discovering that the minimum wage under Labour Relations Minister Graham Kierath's yet to be introduced changes to industrial relations laws was \$275, the company sent a second offer at the end of last week for \$275 for a 38 hour week.

That indicates in this instance - it would not be atypical - that the legislative minimum will be the price that many employers look to as the starting block. For many employers that will be the only price they offer. That is a matter of concern that we expressed during this debate: A prospective employer will not have to offer the prospective employee the choice of award conditions or the conditions as structured in the workplace agreement offered by that prospective employer. The Opposition believes that is a breach of faith by the Government in the terms it offered for a policy which would lead to this legislation during the State election campaign.

The third, and probably most concerning, reference which comes out of this article in *The West Australian* is the paragraph that immediately follows the first to which I referred. The Minister for Labour Relations said -

Penalties under the existing system were not sufficiently severe to stamp out illegal workplace agreements. Under the new rules penalties for this will be much tougher . . .

What is the Minister trying to prove here? In making this point the Minister for Labour Relations has said that, while the award system can be flouted, there will be stricter penalties against contravening provisions of the new industrial relations legislation. The fact is that in flouting award conditions the employer would be performing what would be a legal act. In other words, we would stop people flouting the award and breaking the law by making that act legal. That is not an outcome that the people of Western Australia were promised in February this year.

The Opposition has moved numerous amendments in this debate. Those amendments would have gone some way to satisfying the Government's promises of fair play and the availability of choice. It is not going too far to say that of the fundamental and substantial amendments that were moved by the Opposition, none has been picked up by the Government. Certainly some of the amendments of a technical nature and some which have addressed some drafting deficiencies in the document have been accepted, but none of the substantial amendments offered by the Opposition - those which would have gone some way towards ensuring that the legislation reflected what the Government told us was its intent - has been picked up. I refer to the Opposition's amendment that we should have a clause -

Hon John Halden: Choice is a good one.

Hon KIM CHANCE: I have dealt with choice and I am trying to be aware of the President's advice. In terms of a prospective employee's opportunity to get advice on the wording of a workplace agreement before that workplace agreement became binding on that prospective employee, the Opposition's amendment to allow seven days for the prospective employee to obtain proper advice which would have gone some way towards addressing the imbalance in bargaining power which exists between some employers and employees was an entirely reasonable amendment, one which did not strike at the heart of the Government's intentions. In fact, it was one I thought would provide the Government with better legislation; legislation which would cause less trouble in the future, not more; legislation which would give some guarantee that when people enter into an agreement, they enter into it better armed with the facts and better knowledge of just what they were committing themselves to for possibly five years - an extremely long time. The Government rejected that amendment.

We asked that the Government consider that the Commissioner for Workplace Agreements should have the capacity to reject an agreement which was not fair. That is a simple enough proposition. The Government said that its legislation would be fair. I am sure the Government recognises that agreements will be put before the commissioner for registration which will not be fair. It is almost inevitable that that will be the case. The commissioner should have the capacity to look at an agreement and talk to the parties about it. If the commissioner were to be unable to get the parties to satisfy him that the agreement was a fair agreement, the commissioner should be able to say, "This is not fair and I will not register it unless -

#### *Point of Order*

Hon GEORGE CASH: Although I do not want to restrict the member at the third reading stage of the Bill, I do invite you, Mr President, to ask the member to confine himself to those areas he is able to discuss in the third reading debate. It appears to me that he has ranged far wider than your earlier advice to the House and is now introducing debatable material which should have properly been raised during the second reading debate.

Hon T.G. Butler: You cannot determine that.

The PRESIDENT: Order! There is no point of order.

#### *Debate Resumed*

Hon KIM CHANCE: Thank you Mr President. I thank the Leader of the House for raising the point, although that might seem inappropriate.

For the benefit of the Leader of the House, I am trying to establish that one of the reasons we should not support the third reading of this Bill is that the Opposition's substantive

amendments moved at the Committee stage were rejected. I have already said I would not canvass to any extent the matter of choice; suffice it to note that there is nothing in the Workplace Agreements Bill which provides that choice must be offered to a prospective employee. On that point, I think, hangs the most fundamental breach of the faith of the people of Western Australia in the Government. The Government told the people of Western Australia that it would bring forward legislation that offered employees the choice of staying in the award stream or moving over to the newly created agreement stream. That will simply not happen. Where we gave the Government the opportunity of addressing that point, it rejected our amendment.

Comments have been made during the debate that we have been making preselection speeches. I can assure members opposite that I am at the beck and call of no union and there is none which I call a power base. In fact, my whole background and training comes, in the vernacular, from the other side of the track. My Opposition to this Bill is based, as I am sure is Hon Jim Scott's opposition, on fair play. When the people of Western Australia have had the opportunity of working under the conditions of this legislation they will make their own judgment of the Government. I think I have said before that the Government had the opportunity of bringing forward legislation which would have honoured the qualified mandate on which it was elected, but it failed to do that.

Although we have been accused by some members of the Government of drawing this debate out rather longer than the Government would like -

Hon George Cash: Hear, hear!

Hon KIM CHANCE: Those members are quite free to make that criticism, but the Opposition has done all it can to make this legislation better and more workable. At no time has the Opposition operated in a manner inconsistent with the proper role of this House as a House of Review. It has been a huge task with over 100 clauses in this Bill alone. In saying that, I accept that there is no perfect system to do anything. There is certainly no perfect system in an area so problematic and so reliant on human nature as industrial relations. I have said time and again that it is not possible to legislate for good industrial relations. That comes from hard work and great skill.

Hon John Halden: And trust.

Hon KIM CHANCE: And good faith. In the past we have borne the cost of some breaches of faith in a system in which we believe. Most certainly the award system which has evolved over almost 100 years in this country has had its bad days - days which we all wish had not happened. Nonetheless, it has evolved into a system where there is trust and good faith. One hundred years of experience and great skill in the conciliation and arbitration area is being thrown away by this legislation. That is something we will all come to regret. This legislation should not be supported; it will take the State of Western Australia backwards.

HON TOM STEPHENS (Mining and Pastoral) [5.25 pm]: I express my Opposition to the third reading of this Bill, as a way of expressing finally my Opposition to the legislation. Over the years the Labor Party has paid close attention to the deliberation of legislation by the Legislative Council. The Opposition has watched with great interest the consideration of this Bill through both Houses of Parliament, especially this place. Much has been said about the role of this House as a House of Review. I would like to speak at length about this process, but I have had clear and precise instructions from the deputy Leader of the Opposition as to exactly how short and succinct my remarks should be in this third reading debate. They will be as brief as is humanly possible.

I do not want this Bill to proceed. However, if it must proceed because this Government has the numbers in this Council, it should not do so on the basis of any misunderstanding about what has happened in this Chamber during Committee. The Bill now before us, as a result of that stage, is not a dramatically enriched piece of legislation. In many ways, the amendments passed during Committee were necessary because of the shoddy way in which the legislation was dealt with in the other House in the first instance. It was

guillotined through that place without enabling it to be trimmed and tatted up so that at least all its "i's" were dotted and "t's" were crossed. During Committee we almost used the Legislative Council as some sort of new fangled word processor through which a spell-check was done, and the legislation was trimmed of all its technical errors, without dealing, as Hon Kim Chance said, with the substantial policy issues that needed to be fundamentally amended.

Hon Peter Foss: You can't amend the policy, it was passed at the second reading.

Hon TOM STEPHENS: The Committee could have spelt out to the Government that this Bill was in opposition to the policy as articulated and identified by the Government in the second reading stage of the Bill. The Minister described this Bill as being about freedom of choice and -

Hon Barry House interjected.

Hon TOM STEPHENS: I will come to that point.

The PRESIDENT: Order! I do not want you to carry on a conversation with the Minister or the Chairman of Committees. I want you to give us a reason why we should or should not have the Bill read a third time. You have not even got close yet.

Hon TOM STEPHENS: Certainly, Mr President. The reason this Bill should not be read a third time is because the fundamental changes which should have been made during Committee were not made. That Committee process should not simply be some automatic word processor spell check, but rather a process of checking the policy of the Bill against the claims made for it in the second reading speech. The Committee stage identified that by the debate waged on this side of the Chamber, but the Bill fell short of those claims.

An additional reason why the Bill should not go through the House is that in this process we have seen it given the closest scrutiny by members on this side of the House, but what became clear in the Committee debate is that not one member on the other side of the House rose to speak nor gave any indication of paying attention to the detail of the Bill. That is alarming. In the short period that hopefully we will be in Opposition we will keep a close tally of what the Government does in this place. Let it not try to claim that debate of the amendments to this legislation has in any way given this House any great stature as a House of Review. It has not given this House any legitimacy as a House of Review by the narrow range of amendments processed through the Committee stage that dealt with the piddling, insubstantial issues of housekeeping, of tidying up the legislation.

Hon Peter Foss: You added them and were raising those issues all the time.

Hon TOM STEPHENS: Yes, we did add them. We had some substantial issues on the Supplementary Notice Paper which this House while in Committee chose to reject. That means that this Bill is not one to be added to the belt - if one can put it that way - of this House which would give it legitimacy as a House of Review. This Bill should be defeated at the third reading stage, because it has not received the scrutiny that it deserves from both sides of the Chamber, particularly from members opposite. I oppose the legislation because it is bad legislation which will wreak havoc upon the work force of Western Australia.

HON PETER FOSS (East Metropolitan - Minister for Health) [5.32 pm]: I thank the members opposite for their views on the legislation, but I must say that this legislation has emerged from Committee in a fashion that enables us to carry out the pre-election promises of this Government. It does give people a choice and will carry out the promise we gave of more jobs and better management. It allows better management at the workplace and it allows workers to take part in that management. Hon John Halden gave examples of problems under the current legislation as being in some way a criticism of this legislation. That is a little difficult to understand. I would have thought it was an indication of a criticism of the current legislation and that something new needs to be done. This legislation will address those problems. Some of the comments made by members opposite reminded me of a sticker I saw, I think at Fremantle, which said "Protect our jobs. No multiskilling". That is the attitude the Opposition has taken.

Members opposite cannot see there are progressive things to be done and multiskilling is a classic example of where jobs can be made economical which would otherwise be uneconomical and lost; and, therefore, this legislation protects jobs.

### *Division*

Question put and a division taken with the following result -

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Ayes (15)		
Hon George Cash	Hon Barry House	Hon R.G. Pike
Hon E.J. Charlton	Hon P.R. Lightfoot	Hon B.M. Scott
Hon B.K. Donaldson	Hon P.H. Lockyer	Hon W.N. Stretch
Hon Max Evans	Hon N.F. Moore	Hon Derrick Tomlinson
Hon Peter Foss	Hon M.D. Nixon	Hon Muriel Patterson (Teller)

  

Noes (14)		
Hon T.G. Butler	Hon Graham Edwards	Hon J.A. Scott
Hon Kim Chance	Hon N.D. Griffiths	Hon Tom Stephens
Hon J.A. Cowdell	Hon John Halden	Hon Doug Wean
Hon Cheryl Davenport	Hon A.J.G. MacTiernan	Hon Bob Thomas (Teller)
Hon Reg Davies	Hon Sam Piantadosi	

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### *Pairs*

Hon Murray Montgomery  
Hon M.J. Criddle

Hon Tom Helm  
Hon Mark Nevill

Question thus passed.

Bill read a third time, and returned to the Assembly with amendments.

## **INDUSTRIAL RELATIONS AMENDMENT BILL**

### *Committee*

The Chairman of Committees (Hon Barry House) in the Chair; Hon Peter Foss (Minister for Health) in charge of the Bill.

### **Clause 1: Short title -**

Hon JOHN HALDEN: It will not come as any surprise to members to hear that the Opposition will oppose this Bill. This Bill is divided into four sections. The first limits the role of the Industrial Relations Commission; the second contains new procedures for unfair dismissal; the third is ministerial power to suspend awards; and the fourth is a series of punitive measures to be written into the Bill. The Opposition will not have any common ground with the Government on any of those sections.

This legislation is a great tragedy. The main reason that the Opposition opposes the Bill is that, philosophically, it supports the Industrial Relations Commission and sees it in some respects as an egalitarian making mechanism that has existed in this community for 100 years. Many countries have accepted the procedure as one which they would like to develop in their countries to solve industrial problems. In so many instances, it has circumvented what could have been bitter and protracted industrial unrest. It is, as I said before, an equaliser of people's power, from the individual to the multinational corporation. It has in it a mechanism for dealing with people who have been unfairly dismissed which is far more appropriate than the sorts of proposals that this Government has put forward. The lack of legalism and cost and the access available to it by workers is far more appropriate than the option that is being put forward by the Government which is far more expensive and legalistic and which will severely curtail people's access to it. I also understand that the unfair dismissal procedures will be heard under the provisions in the commercial arbitration legislation. I was advised about that by telephone today and I hope the Minister will tell me that I am wrong. The Industrial Relations Commission is a particularly appropriate body to deal with that sort of dispute.

Hon Peter Foss: Where did you get that information from?

Hon JOHN HALDEN: Someone rang me.

Hon Peter Foss: I would like to know a bit more about the basis for it.

Hon JOHN HALDEN: Perhaps we can clarify that later.

In encouraging people out of the Industrial Relations Commission and in limiting the impact and effectiveness of the commission, the Government has deliberately gone about what it wants to achieve. It has seen that the Industrial Relations Commission has been a barometer and a setter of standards which the community can generally expect to receive in the workplace. Politicians in this country have not set those employment standards as they have in other countries; the Industrial Relations Commission has done that. It has been an independent umpire. People have been appointed to it on a tripartite arrangement. Therefore, no-one could say that its members are union representatives or employer representatives. It is representative of all major sections of the workplace.

That is not what is proposed by this Bill. In many respects we will have in place of the industrial arbitration commission, arbitrators - not necessarily qualified or knowledgeable - who will be the deciders of industrial law. The Industrial Relations Commission, not encumbered by political bias or philosophical positions on one side or other of the work force, does and has set the standards in this country. To attempt in a deceitful way, as the Government is now trying to do, to attract people away from the umbrella of the commission and to diminish the commission's sphere of influence by attacking the very standards that people in this country have enjoyed is appalling. It is unfortunate that the commission's role will be impacted upon by this legislation. If members want to see how nasty and vicious this Government can be and how it wants to isolate the worker from the Industrial Relations Commission, they should look at the definition of "employee". Once someone becomes part of a workplace agreement, he is taken from under the umbrella of the commission. The Government will also change the definition of "industrial matter" to ensure that a person covered by a workplace agreement is outside the coverage of the commission.

One would have thought that the Government would be satisfied that it had achieved its goal of taking from the worker the industrial protection which is offered to him by the commission. It appears that this Government was not happy because it has incorporated in this Bill the potential for a prohibitive writ to be issued against the Industrial Relations Commission should it dare to want to become involved -

Hon Peter Foss: That is perfectly logical.

Hon JOHN HALDEN: It is perfectly logical if it is the Government's aim to make sure that people have as little industrial protection as possible.

Hon Peter Foss: It is to make sure that they observe the law.

Hon JOHN HALDEN: Under the workplace agreements legislation what level of protection could the Iranian migrant expect to receive from his employer? The answer is none. He would receive protection only by going to the union to seek advice.

Hon Peter Foss: He can still do that.

Hon JOHN HALDEN: He cannot do that if he has signed a workplace agreement. That device is not worth anything - it is inconsequential.

Hon Peter Foss: That is nonsense.

Hon JOHN HALDEN: The Minister knows that it is not nonsense. It has been said that what was illegal this week will be legal next week under the Government's legislation. The Government is proposing, by this legislation, that everything possible is done to distance the workers from the protection of the Industrial Relations Commission. It is absolutely outrageous that this legislation gives the Minister for Labour Relations the power to deregister a union should it consider that it would be better to take its membership under the Federal award.

Hon Peter Foss: That is good.

Hon JOHN HALDEN: I am sure the Minister would like to deregister every union.

Hon Peter Foss: That is an inaccurate statement.

Hon JOHN HALDEN: It is important to consider what the legislation actually does. It states that the Minister requiring deregistration can do so when a number, group or class of employees who are, or who are eligible to be, members of an organisation are bound to an award under the Federal Act. Does the union have a right of appeal? Of course not! It is clearly highlighted in this legislation that the Government is not providing justice for unions or workers. Does the Minister have to prove that the union actually was looking to go under a Federal award? No, he does not. The Minister for Labour Relations decides what to do.

Hon N.D. Griffiths: He must be a man of faith.

Hon JOHN HALDEN: He must be a man of something. One must have faith to believe him. If the Minister for Labour Relations believes in a fair legal process he must have some difficulty presenting this sort of legislation to the Parliament and supporting it. It is very difficult to know the extent to which the Minister in this place is prepared to support his colleague from the other place.

This is the last piece of legislation in the Government's industrial relations package. The first was the Workplace Agreements Bill, which provides the structure for individual contracts.

#### *Progress*

Progress reported and leave given to sit again, pursuant to Standing Order No 61(c).

### **ADJOURNMENT OF THE HOUSE - ORDINARY**

**HON GEORGE CASH** (North Metropolitan - Leader of the House) [5.56 pm]: I move -

That the House do now adjourn.

#### *Adjournment Debate - Western Women Financial Services Pty Ltd*

**HON R.G. PIKE** (North Metropolitan - Parliamentary Secretary) [5.57 pm]: The House should not adjourn until it hears the information I have about the Western Women saga in this State. Recently, hundreds of women who had invested in the financial advisory company Western Women Financial Services Pty Ltd received cheques for 66 per cent of their investment. It is not what they would have wanted, but it was a lot more than they would have received had it not been for the Legislative Council's committee system.

The Western Women saga is a particularly interesting one. The company was headed by a woman who earned her credibility by tapping into the women's movement. She capitalised on blatant prejudices against women which are perceived to exist in the financial world. She also capitalised on a Labor Government besotted with minority interests. The Lawrence Labor Government enthusiastically embraced Robin Greenburg, and, for a time, never was criminality so well rewarded. It promoted her exclusively, particularly to women in distressed circumstances, such as divorcees. The support of the Labor State Government gave Western Women a ready made clientele and a very distinguished image. As was later revealed in court, Greenburg was a grand dame in the rip off game. She left no dollar unspent and no client account untouched. Fortunately, on this occasion the media pursued the Western Women company with a great deal of vigour. I do not always agree with John McGlue's interpretation of events. However, in the case of Western Women and, in particular, the former Government's involvement, Mr McGlue displayed the persistency of a Rottweiler. He refused to give up on the story and he refused to accept the unctuous humbug of the Labor Government's press releases. Hon Tom Butler should make a note of the words "unctuous humbug". John McGlue and his colleague, Stacey Malloy, plus the television and radio media, ensured that Greenburg

and those in the previous Government who had supported and promoted her were exposed. What they could not do was ensure that the women who had suffered financial loss and emotional trauma, because of the collapse of Western Women, received compensation and some redress. That is a very important point. This is all about the Legislative Council's committee system.

Had the matter not been referred to a parliamentary committee which had the power to call witnesses and take evidence publicly it is unlikely that any compensation would ever have been forthcoming. It is unlikely, for example, that without the exposure of its involvement the R & I Bank Ltd would have admitted its culpability and faced the inevitability of paying compensation, which it was forced to do to the tune of almost \$2m.

It is my understanding that some sectors of our society like to attack the Parliament's committee system, particularly those who fear that at some time they may be the subject of scrutiny. It is also important that parliamentary standing committee hearings are public and that evidence is allowed to be published. Those with a clear conscience have nothing to fear. In special circumstances, evidence is held in camera, just as it is in the courts, but this should never be common practice.

I return to the Western Women affair. Where would those aggrieved women have turned for recompense had the Legislative Council committee system not existed? They could not have turned to the Government of the day because that was presided over by a Premier whose credibility on the matter was sadly lacking. Mr President, you may recall former Premier Lawrence said at the time that she had never heard of Robin Greenburg. Considering all of the publicity that had been given to Greenburg, the former Premier must have been the only woman in Western Australia not to have heard of Robin Greenburg. Of course, we discovered later that former Premier Lawrence allegedly forgot that she had in fact written to Robin Greenburg, endorsed her company and wished it success. It is unlikely that these discrepancies would have come to light had it not been for the use of the parliamentary committee, which gave women like Karry Smith, who headed the loss investors group, an avenue through which to pursue the truth.

I make this point because an assertion has been made by Mr Kent, as I recollect, from the R & I Bank Ltd, whose bank was apparently culpable in this matter, that the inquiry powers of the Legislative Council should be reviewed. Those powers are no different from the powers of the court. The community in general, and Mr Kent in particular, seem to be totally unable to grasp the fact that, in this committee system, on one day an accusation or allegation may be made but it may be one, two or three days before the opportunity to rebut it is given. That is one of the problems faced by both our committee system and the courts. However, the committee system should never be put aside simply because it is inconvenient for a bank which appeared in this case to be culpable. I did not want to let this matter pass unremarked because it is still topical, those women having recently received their funds.

*Adjournment Debate - Leederville Primary School, Parliament House Visit*

**HON GRAHAM EDWARDS** (North Metropolitan - Leader of the Opposition) [6.02 pm]: Members will recall that during the recent Estimates Committees, there was a visit to the Parliament by students from Leederville Primary School. Subsequent to that visit and during another debate, Hon N.F. Moore, Minister for Education, made some comments about the behaviour of the students from Leederville Primary School and also about a meeting of which he claimed he had received only two days' notice. I have received, unsolicited, a letter from the Leederville Primary School Parents & Citizens' Association, which I want to bring to the attention of the Chamber before we adjourn. The letter is dated 31 October 1993 and is addressed to me. It states -

**Re: Visit to Parliament House by Leederville Primary School Students**

The Parents and Citizens Association of Leederville Primary School have read the Hansard report regarding discussion in the Council following the recent visit to Parliament House by students of the School.



The parents have expressed concern regarding some of the statements made in the House by the Hon N.F. Moore, Minister for Education, and have asked me to write to you on behalf of the Parents and Citizens Association about these concerns.

1. The Minister reported that he was given two days notice of the request to meet with the children at Parliament House.

I posted a letter to Mr Moore on the morning of 7 October, requesting him to meet with the students at Parliament House on Wednesday 20 October.

2. The Minister also reported that he had invited the students to meet with him at any time in his Office to discuss their concerns.

The students have not received a formal reply from Mr Moore regarding their request to meet with him. A telephone message was left after hours on Tuesday 19 October informing the P&C that Mr Moore would not be available to meet the students on the 20 October. This was confirmed by a telephone call to the President of the P&C on the morning of the 20th October. At no stage have the children or the P&C been invited to meet with Mr Moore on another occasion.

Mr Moore has written to the P&C in response to an earlier letter indicating that it would not be appropriate to meet with the parents until after the Ministry had presented their recommendations on the future of the School to him.

The children and parents of Leederville Primary School are disappointed that the Minister appears to have misled the House regarding these two points, and also that the Minister has not responded to many of the letters that individual parents or students have written to him expressing their concern over the proposal to close their School.

The letter is signed Sue Eslick, Secretary. In view of the comments made by the Minister for Education when he criticised the school, it is appropriate, in defence of the parents and students at that school, to draw this matter to the attention of the House so that members can make their own judgment on this matter.

**HON N.F. MOORE** (Mining and Pastoral - Minister for Education) [6.06 pm]: I need to respond to the comment made by the Leader of the Opposition about the notice that was given in regard to the meeting that was to be held at Parliament House. I was not given notice of that meeting until two days prior to that meeting. I do not know whether that letter went astray or whether it was not processed properly in my office.

Hon Graham Edwards: That is a possibility, is it not?

Hon N.F. MOORE: Yes, it is. I can go only on what I know. I said to my staff, when I was told about the request to meet them at Parliament House, that it would not be possible for me to meet them because my program was such that I would be at a previously arranged and accepted function. I did say that Mr Tubby, the Parliamentary Secretary assisting the Minister for Education, would meet with the students at Parliament House, and that was arranged. However, it seemed that for some reason - I suggest the students would not have made this decision - that was not acceptable. However, that unacceptability was only conveyed to Mr Tubby when he went to meet the students and parents at the meeting that had been set up at Parliament House.

I arrived at Parliament House at about 3.55 pm on that day, and having assumed that the meeting would be held at 3.00 pm, which was the original time, I was under the impression that the students and parents had met with Mr Tubby. However, as I raced through the door to attend the Estimates Committee, I was advised by my private secretary that they had refused to meet Mr Tubby and wanted to see me. I said that I did not have time; I had to go into the House and participate in the Estimates Committee. I then told my private secretary to tell them that if they wanted to see me at some other time, I would see them in my office; and I left it at that.

In regard to their behaviour in the House, I am not the only one who made a comment about that. I raised it not of my own volition but in response to some of the allegations

made about me. I found out subsequently, when I asked my private secretary a day or so later whether he had actually made a verbal invitation to the students at Parliament House, that he had not. I then requested that a letter be sent to the students to say that in view of the fact that they had come to Parliament House and I had not been able to see them, I would see them at my office if they cared to make an appointment. That is where the situation now stands, as far as I know.

Hon Graham Edwards: Has that letter gone out?

Hon N.F. MOORE: To my knowledge, it has. I requested that to happen. The Leader of the Opposition has been a Minister and he would know that a significant amount of correspondence goes in and out. I have requested that the message be conveyed to the students and parents at the Leederville Primary School.

If the Minister for Education gets involved in every little issue in the education portfolio, and does not allow the Education Ministry to manage its own affairs, we will have a highly qualified and relatively highly paid staff leaving every decision on every matter to the Minister. I have asked the ministry to work out the situation in respect of the Leederville Primary School. Officers will make a recommendation about its future.

The problem is that the previous Government was not prepared to make hard decisions about school closures, or about proper management of the Government's assets in education. The previous Government left the situation hanging with a large number of schools grossly underutilised. It was not prepared, for clearly political reasons, to make a decision about the future of schools. Had the previous Government simply left in place a process whereby schools were properly assessed and closed when grossly underutilised, we would not have this silly nonsense now. We would have a certain and assured process where people would know well in advance the circumstances surrounding their schools. That process will be in place in the next week or so. Members of the committees will know that their schools are being assessed in a proper way. They will understand that it is not proper management of the State's resources to simply leave grossly underutilised Government assets sitting around forever. I regret that was the attitude of the previous Government; it was prepared to waste money hand over fist. It had zero financial accountability, and could not care less about anything that did not affect the politics of a matter. It did nothing, except get involved in matters that would result in votes. It ignored all the hard decisions, and left them to the current Government.

Hon Kim Chance: Keep going - you will end up believing this!

Hon N.F. MOORE: I do believe it. It is a pity members opposite do not. We are in such dire straits in this country as a result of the actions of Governments like the previous Labor Government. The member's Government did not have the guts or the determination or the political will to make hard decisions. The Labor Government sat around for years putting out glossy brochures to cover all its little problems. That Government did not make a decision of any consequence the whole time it was in power. It wasted money hand over fist. It left us with a significant debt, and a rundown education system which needs \$400m for maintenance. That was the real disgrace. I would bury my head in shame were I a member of the previous Government. I would not stand up in this place and say another word. I would be very embarrassed, had I been a member of the previous Government.

The Leederville Primary School, with 59 potential registrations next year, would have been kept open by the previous Government because it happens to be in the former Premier's electorate. That is the thinking of the former Government. It would make a decision based on whose electorate was involved. That is how that Government spent its money. That is how it made decisions. The Kimberley received not one cent for technical and further education - and I am sorry that Hon Tom Stephens is not present - because, I was told, it was a very safe Labor seat.

Hon Kim Chance: Couldn't you work that out for yourself?

Hon N.F. MOORE: Yes, I could, and now it has been confirmed for me by people who made those decisions. The money was spent on the basis of politics and winning votes.

Members opposite could not care less about what is proper and what is right. Schools such as Leederville Primary should have been closed when it was on Carmen Lawrence's list for closure, but she conveniently ignored it because it was in the middle of her electorate. That is how decisions were made.

For the Leader of the Opposition to continue to whinge about this is typical of the attitude of the Opposition.

Hon Graham Edwards: I did not whinge about anything. You did not have the courage to meet those children.

Hon N.F. MOORE: The invitation has been sent out.

Hon Graham Edwards: You think! You admitted that you did not know. It was not important enough to find out.

Hon N.F. MOORE: It is important.

*Adjournment Debate - School Cleaners and Gardeners, Negotiations Refusal*

HON JOHN HALDEN (South Metropolitan) [6.15 pm]: I draw the attention of the House to the situation that arose today at 5.00 pm when the Minister for Education, who apparently advocates the notion that the managers should manage, decided not to accept the recommendation of Commissioner Fielding and go back to the negotiating table with the cleaners and gardeners in Government schools. He said that he will not go back to the negotiating table.

Hon N.F. Moore: I said that we will not negotiate a pay rise.

Hon JOHN HALDEN: We heard that the Minister called off negotiations and refuses -

Hon N.F. Moore: Do you believe they should receive a pay rise? Tell us what you believe.

Hon JOHN HALDEN: The Government's policy is that a pay rise will be associated only with an increase in productivity.

Hon N.F. Moore: And after that productivity has reached the level of everyone else.

Hon JOHN HALDEN: It is appropriate to negotiate a situation through and not to do what the Minister is doing now.

Hon N.F. Moore: When they reach the same productivity level as everyone else, we will take it further.

Hon JOHN HALDEN: The Minister has said that he will withdraw from the negotiation process because he does not like it. He said that the redundancy scheme is off the agenda -

Hon N.F. Moore: Not at all. I said there will be no pay rise attached.

Hon JOHN HALDEN: The Minister said that he would place the umbrella of uncertainty over workers. He will place contract cleaners in schools. When will the contract cleaners be placed in schools?

Hon N.F. Moore: If the process that we are going through does not work, there will be contract cleaners. The member should tell his union mates that they have been offered a good deal, and if they want to screw it up they will finish up seeing contract cleaners employed.

The PRESIDENT: Order! The Minister for Education should come to order. I had a meeting at 6 o'clock, and I am fed up with listening to people interjecting and saying nothing.

Hon JOHN HALDEN: The situation is despicable. The cleaners and gardeners form a vulnerable group of workers who will be affected by the Government's industrial relations legislation. That group does not have large resources. The cleaners and gardeners are not well paid. They have basic commitments to their families and to the community. The Minister can disguise the situation in any way he likes. He can use any

rhetoric he likes; he can abuse the former Labor Government's members as much as he likes, but the decision is his.

Hon N.F. Moore: I do not resile from any decision.

Hon JOHN HALDEN: The Minister has withdrawn himself from the negotiation process -

Hon N.F. Moore: I said there would be no pay rises.

Hon JOHN HALDEN: He did not like the prospect of any outcome that was not totally what he wanted.

Hon T.G. Butler interjected.

Hon N.F. Moore: There will be no pay rise, and that is that.

Hon JOHN HALDEN: The Minister has stated that the managers should manage.

Hon T.G. Butler interjected.

The PRESIDENT: Order! If Hon Tom Butler and the Minister do not stop their interjections to each other I will take some action that will make both very unhappy.

Hon JOHN HALDEN: The Minister has said that the managers should manage, but before the process reached the stage of recommendations being made, he interfered - as a result of his passionate dislike of unions.

Hon N.F. Moore: Rubbish! Tripe!

Hon JOHN HALDEN: He interfered because he seeks to ensure that whatever he wants will happen with industrial relations matters. The travesty of that attitude is not the impact on industrial officers or the organisers of the Miscellaneous Workers Union, it is the impact on the cleaners and gardeners who earn \$320 to \$340 a week, if they work full-time. The Minister should be responsible and at least tell those people where they stand. He should tell them what will happen with their jobs and with the redundancy scheme.

Hon N.F. Moore: There will be no sackings.

Hon JOHN HALDEN: When will the axe fall?

Hon N.F. Moore: Never.

Hon JOHN HALDEN: When will the Minister's mates in the cleaners' association get their way? Actions are being taken behind the scenes to move contract cleaners into schools. If that is not the position, it is incumbent on the Minister to make a statement. The Minister should go back to the negotiating table. The Government does not like the Industrial Relations Commission because it makes people think; it makes people come to an agreement. As a result, people cannot use their powers against the workers in this State. The Minister owes it to the workers to clarify the situation because a series of threats have been made - perhaps not by the Minister, but by the ministry.

They may be speculative statements, but gardeners and cleaners right throughout the State - many of whom are ethnic and women workers who may depend on the income for their families to survive - are affected by this situation. The requirement is for the Minister for Education to at least clarify the situation. If he is hell-bent on locking horns with the Miscellaneous Workers Union, so be it. However, in doing that -

Hon N.F. Moore: I could not care less about the Miscellaneous Workers Union.

Hon JOHN HALDEN: The Minister could not care less about workers!

Hon N.F. Moore: It is a deal between me and the workers.

Hon JOHN HALDEN: It is incumbent upon the Minister not to treat the most vulnerable workers as pawns.

Hon N.F. Moore: They have been offered a very good deal.

Hon JOHN HALDEN: The deal stinks, to be honest! If I were in the union, the Minister

would be getting a harder time than he is at the moment. However, that does not matter. The Minister should make the future of these people clear.

Hon Peter Foss: The "miscos" have been scaring their members for years.

Hon JOHN HALDEN: It does not take any encouragement to do that at the moment. The Minister has used his chief executive officer and his own statements to intimidate people; that is the industrial relations members opposite advocate. If that is not the case, the Government should go back to the commission and negotiate.

Hon N.F. Moore: Most of them will take the deal.

Hon JOHN HALDEN: The Minister does not know what he is talking about!

*Adjournment Debate - School Cleaners and Gardeners, Productivity and Pay Rises*

HON SAM PIANTADOSI (North Metropolitan) [6.22 pm]: Mr President -

Hon N.F. Moore: Are you going to have a go at me too?

Hon SAM PIANTADOSI: I am.

Hon N.F. Moore: It is a pity that you waited until I had made my speech.

The PRESIDENT: Order! I ask the Minister to stop interjecting. If members who are playing up think the action I will take will apply this afternoon, they have another think coming. Any penalty that I will impose today would be no penalty at all. However, members should not think for a moment that I am not prepared to impose a penalty on Tuesday; I can and I will.

Hon SAM PIANTADOSI: I have no say regarding the timing of the Minister's speech. Obviously, some of his comments need clarification. In fact, he seems to have a memory lapse because I asked him a question about his intention regarding school cleaners some months ago. The Minister may well recall - if not, I will remind him - the response he gave, and he can then consider whether I am having a go at him. His actions are no different from those of the Minister for Health; namely, scaring people within the system. It is not the unions who are scaring people. We have seen the Ministers for Education and Health not wanting to be accountable as they will not clarify matters in answer to questions. However, they have the audacity to point the finger at people within the Industrial Relations Commission.

Hon Peter Foss: What an extraordinary statement.

Hon SAM PIANTADOSI: These Ministers do not want to be accountable to the people.

However, I am heartened by some of the comments made by the Minister for Education. I certainly hope he will pass the message on to the Minister responsible for the Building Management Authority. The Minister may recollect that over the last two years the Estimates Committee established that the gardening and mowing section of that authority achieved productivity gains which far exceeded those required of it. Will the Ministers for Education and Health be guided by the Minister's comments of five minutes ago and give pay increases to that section for productivity gains? The Minister stated that once productivity level targets had been reached, workers would receive a pay increase.

Hon N.F. Moore: I did not say that.

Hon SAM PIANTADOSI: The Minister did.

Hon N.F. Moore: I said there was no pay increase.

Hon SAM PIANTADOSI: The Minister said that once the workers reached a productivity level -

Hon N.F. Moore: If they went above that level and they wanted to argue their case, we will discuss it.

Hon SAM PIANTADOSI: The gardening and mowing section of the BMA went above its productivity target. Is the Minister saying that workers in this section are due for a wage increase? Obviously, the Minister does not know what he is talking about. He should read *Hansard* because he cannot recall his own comments.

The PRESIDENT: Order! The member is defying me by entering into discussions and enticing the Minister to step outside of the request I made that he stop interjecting. The member spent a great deal of time asking questions of the Minister. The member's job is to tell the House his views and not to ask questions. Also, the member should not try to elicit other people's views. Members are interested, I think, in the member's views.

Hon SAM PLANTADOSI: I certainly do not want the Minister to step outside with me! The Minister made a statement that once cleaners had reached a certain productivity level and passed it, they would be in line for wage increases. People within the BMA have achieved such targets. It is the Minister's responsibility to clarify to the House, and the members of the Miscellaneous Workers Union at whom he has pointed the finger, that achieving a productivity level means that the workers are due for a wage increase.

*Personal Explanation - School Cleaners and Gardeners, Productivity and Pay Rises*

HON N.F. MOORE (Mining and Pastoral - Minister for Education) [6.25 pm]: My personal statement relates to matters raised by the members who misrepresented me. The situation is that I have said that as far as I am concerned the requirement for the day labour force in schools for cleaning and gardening is that it must reach a productivity level equivalent to that of the private sector. No deal has been made regarding pay rises in that regard. The work force is required under the arrangement we are attempting to put in place to be as productive as the private sector. The private sector is paid the same amount as the day labour force, yet it is 30 per cent more productive.

The only time I said I will talk about pay rises is when productivity goes above that of the private sector. In that case, negotiations can be conducted if people wish to do that. However, until the Government and the private sector have the same productivity levels, no justification can be made for a pay rise.

Question put and passed.

*House adjourned at 6.30 pm*

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QUESTIONS ON NOTICE

MEDICARE AGREEMENT - SIGNED; NO FEDERAL FUNDING 1 JULY

229. Hon SAM PIANTADOSI to the Leader of the House:

Further to my question without notice to the Leader of the House of Wednesday, 30 June 1993 -

- (1) Is he aware that as of 1 July 1993 Western Australia will be on its own without Federal funding from Medicare?
- (2) Has the Medicare Agreement with the Commonwealth been resolved and signed?

Hon GEORGE CASH replied:

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

PORT KENNEDY - LANDCORP, LOT 605 SALE

*Boundary Realignment; Agreement Changes; Scientific Park; Vermin Proof Fence*

567. Hon REG DAVIES to the Minister for Health representing the Minister for Planning:

- (1) Is LandCorp negotiating to sell lot 605, adjacent to Port Kennedy?
- (2) If yes, to whom?
- (3) Has the Minister received a request from the Port Kennedy developers to realign the boundary between stage 1 and stage 2 of the development?
- (4) Have the developers of Port Kennedy approached the Minister with a proposal to vary the agreement?
- (5) If yes, can the Minister report these discussions to the Parliament as required by the Port Kennedy Development Agreement Act 1992?
- (6) Is the Minister aware of the coalition parties' promise last year that if the Fleuris development at Port Kennedy failed to obtain financial support, they would consider making all of Port Kennedy into a scientific park?
- (7) When will the vermin proof fence at Port Kennedy be constructed as promised by the coalition last year?

Hon PETER FOSS replied:

- (1) No.
- (2) Not applicable.
- (3) No.
- (4) Yes. The developers informally discussed an urban development proposition with the Minister for Planning that would have required an amendment to the agreement. This proposal was not proceeded with.
- (5) Not applicable, as there has been no formal submission.
- (6) No.
- (7) The conservation areas will be fenced by the developers to a standard acceptable to CALM, as soon as the land is vested. This is likely to be within the next two to three months.

AIR TRAVEL - ATTORNEY GENERAL

*Expenditure for Statutory Authorities, Departments, Agencies*

905. Hon TOM STEPHENS to the Minister for Health representing the Attorney General:

What has been the total expenditure on air travel -

- (a) interstate;
- (b) intrastate

for all statutory authorities, departments and agencies within the Attorney's portfolio between 1 July 1993 and 30 September 1993?

Hon PETER FOSS replied:

- (a) Details will be contained in the September quarter report on travel tabled in Parliament.
- (b) The information sought would require considerably research and I am not prepared to allocate resources for this purpose. However, if the member has a specific question regarding travel he can direct it to me in writing and I will be pleased to respond.

#### WATSON, IAN - PLANNING, DEPARTMENT OF, POSITION

918. Hon TOM STEPHENS to the Minister for Health representing the Minister for Planning:

- (1) What position is held by Ian Watson in the Department of Planning?
- (2) What salary level and other allowances and benefits relate to this position?
- (3) What are Mr Watson's specific duties and responsibilities with this position?
- (4) When was Mr Watson recruited to the Department of Planning?
- (5) Is Mr Watson a permanent public servant or is he on a term of Government appointment or some other form of contract?
- (6) What is Mr Watson's previous employment history that has qualified him for appointment to his current position?

Hon PETER FOSS replied:

- (1) Mr Watson holds the position of Manager, Community Liaison with the Department of Planning and Urban Development.
- (2) Mr Watson has a salary of \$38 660 per annum, increasing to \$42 815 per annum over four incremental steps and receives allowances and benefits as per the Public Service Award 1992.
- (3) Mr Watson is responsible for managing the community liaison branch of the Department of Planning and Urban Development and coordinating and implementing media and public relations for the department.
- (4) Mr Watson commenced with the Department of Planning and Urban Development on 26 July 1993.
- (5) Mr Watson is a permanent public servant.
- (6) Mr Watson's previous employment history includes five years' relevant experience in media, public relations, community liaison and public affairs. Most of this is in the mining industry. Mr Watson has relevant knowledge through his work with media releases, editing and publication of materials, and public relations campaigns in the mining industries. He possesses a bachelor of economics degree and a graduate diploma in education qualifications.

#### EXMOUTH DEVELOPMENT TRUST FUND - CONSOLIDATED REVENUE FUND APPROPRIATIONS, US NAVY HOUSES SALES

921. Hon TOM STEPHENS to the Minister for Education representing the Minister for Commerce and Trade:

- (1) Does the Government currently have in place a precise program for the release from consolidated revenue fund of the proceeds from the sale of US Navy houses in Exmouth to the Exmouth development trust fund?



- (2) In view of the fact that over \$6.23m had been generated as State Government income from these sales by June this year, and only \$1m has been allocated to the trust account in the 1993-94 Budget, can the Minister confirm claims made in Exmouth by Liberal MLC Phil Lockyer that \$4m will be allocated to the trust fund in 1994-95 and the remainder of the proceeds will be allocated in 1995-96?
- (3) Does the Government intend to pay into the trust fund interest payments that the money would have otherwise earned if the proceeds had been paid directly into an interest bearing account rather than into CRF?

Hon N.F. MOORE replied:

The Minister for Commerce and Trade has provided the following reply -

(1)-(3)

The Exmouth development trust fund was established on 11 October 1993. There has been only one appropriation of \$1m into the fund, made in the 1993-94 year. The decision about future appropriations to the fund or the payment of interest has not been finalised.

**AUDITOR GENERAL - GOVERNMENT DEPARTMENTS AND AGENCIES,  
LETTERS ADDRESSED TO CHIEF EXECUTIVE OFFICERS**

938. Hon TOM STEPHENS to the Leader of the House representing the Minister for Resources Development:

Would the Minister indicate for the financial year 1992-93, which departments or agencies within his portfolio area he has received from the Auditor General copies of management letters addressed to the chief executive officer?

Hon GEORGE CASH replied:

The Minister for Resources Development has provided the following answer -

The Department of Resources Development has received one management letter from the Auditor General. SECWA will hold its audit exit interview with the Auditor General on Wednesday, 3 November 1993. Matters arising from this interview will subsequently be confirmed in writing by the Auditor General in his final management letter. The audit for the Western Australian Tourism Commission for 1992-93 has not been completed and therefore no management letter has been received.

**AUDITOR GENERAL - GOVERNMENT DEPARTMENTS AND AGENCIES,  
LETTERS ADDRESSED TO CHIEF EXECUTIVE OFFICERS**

944. Hon TOM STEPHENS to the Minister for Education representing the Minister for the Environment:

Would the Minister indicate for the financial year 1992-93, which departments or agencies within his portfolio area he has received from the Auditor General copies of management letters addressed to the chief executive officer?

Hon N.F. MOORE replied:

The Minister for the Environment has provided the following reply -

As at 1 November 1993 the following agencies in the Environment portfolio have received management letters from the Auditor General - the Department of Conservation and Land Management and the Environmental Protection Authority.

**AUDITOR GENERAL - GOVERNMENT DEPARTMENTS AND AGENCIES,  
LETTERS ADDRESSED TO CHIEF EXECUTIVE OFFICERS**

945. Hon TOM STEPHENS to the Minister for Finance representing the Minister for Housing:

Would the Minister indicate for the financial year 1992-93, which departments or agencies within his portfolio area he has received from the Auditor General copies of management letters addressed to the chief executive officer?

Hon MAX EVANS replied:

The Minister for Housing has provided the following reply -

The member's question is unclear. If the member would be more specific in relation to his definition of "management letters" I will provide him with a response.

**MINISTERIAL OFFICES - MINISTER FOR HOUSING**  
*Budget Allocation for Office Operations*

961. Hon TOM STEPHENS to the Minister for Finance representing the Minister for Housing:

- (1) What is the Budget allocation for the operation of the Minister's office for 1993-94?
- (2) Could the Minister provide a break down of this Budget?
- (3) What has been the actual expenditure up to 30 September 1993 in the -
  - (a) relocated area; and
  - (b) ministerial office area?

Hon MAX EVANS replied:

The Minister for Housing has provided the following reply -

- (1) \$340 000 excluding salaries.
- (2)
 

Other staffing costs	\$30 000
Communications	\$42 000
Services and contracts	\$219 000
Consumable supplies	\$39 000
Maintenance of assets	\$4 000
Purchase of assets	\$6 000
- (3) The member's question is unclear. If the member could be more specific I will provide him with a response.

**REGIONAL PARKS - ESTABLISHMENT LEGISLATION**  
*Beeliar, Final Planning Report; Peel, Establishment*

972. Hon J.A. SCOTT to the Minister for Health representing the Minister for Planning:

- (1) When was the final planning report for the Beeliar regional park released?
- (2) Has the Government now implemented all of its recommendations?
- (3) If not, why not?
- (4) Has the amendment to the metropolitan region scheme been gazetted to establish this park?
- (5) If not, why not?
- (6) Does the Government intend to introduce legislation to establish regional parks?
- (7) If not, why not?

- (8) Does the Government intend to establish regional parks at Port Kennedy, Rockingham Lakes and Jandakot?
- (9) Has the Peel regional park been established?
- (10) If not, why not?

Hon PETER FOSS replied:

- (1) June 1992.
- (2) No.
- (3) Implementation depends on the Government's decision on the management of regional parks and consequent amendment of the Conservation and Land Management Act.
- (4) No.
- (5) The State Planning Commission will consider public submissions on the amendment on 16 November 1993.
- (6) No.
- (7) Proposed amendments to the Conservation and Land Management Act are not part of the Government's current legislative program.
- (8) Yes. Rockingham Lakes and Port Kennedy are proposed as a scientific national park.
- (9) No.
- (10) The final report on the proposed park will be released with a review of the Peel regional plan in 1994.

#### WETLANDS - PROTECTION PROMISE; STATE STRATEGY

973. Hon J.A. SCOTT to the Minister for Education representing the Minister for the Environment:

- (1) Did the Government promise, prior to the 1993 State election, to "give unprecedented attention to the protection of wetlands"?
- (2) Is the Minister aware that wetlands are still being destroyed at an unacceptable rate?
- (3) What, if anything, has the Government done to honour the promise referred to in part (1)?
- (4) Is the Minister aware that the previous Government prepared a State wetlands strategy and that this was released for public review last year?
- (5) Does the Government intend to complete the strategy and implement it?
- (6) If not, why not?
- (7) If so, what is the target date for its completion?

Hon N.F. MOORE replied:

The Minister for the Environment has provided the following reply -

- (1) Yes.
- (2) Any further wetland loss is a matter of great concern and the Government is working on strategies to address this.
- (3) The Government has initiated development of an environmental protection policy for wetlands of the south west, a register of wetlands in the south west agricultural zone, and development of the wetland conservation policy for Western Australia.
- (4) Yes, referred to in (3).
- (5) Yes.

(6) Not applicable.

(7) Early in 1994.

**ABORIGINAL LEGAL SERVICE - ASSOCIATION INCORPORATIONS ACT,  
REPORTING REQUIREMENTS COMPLIANCE**

977. Hon M.J. CRIDDLE to the Minister for Health representing the Attorney General:

Has the Aboriginal Legal Service complied with the reporting requirements of the Association Incorporations Act between 1988 and 1992?

Hon PETER FOSS replied:

There are no requirements under the Act for incorporated associations to report to the Commissioner for Corporate Affairs.

**ABORIGINAL MEDICAL SERVICE - ASSOCIATION INCORPORATIONS  
ACT, REPORTING REQUIREMENTS COMPLIANCE**

978. Hon M.J. CRIDDLE to the Minister for Health representing the Attorney General:

Has the Aboriginal Medical Service complied with the reporting requirements of the Association Incorporations Act between 1988 and 1992?

Hon PETER FOSS replied:

There are no requirements under the Act for incorporated associations to report to the Commissioner for Corporate Affairs.

**PAYROLL TAX - GOVERNMENT DEPARTMENTS OR AGENCIES**

986. Hon TOM STEPHENS to the Leader of the House representing the Minister for Resources Development:

Which departments or agencies within his portfolio pay payroll tax and which are exempt?

Hon GEORGE CASH replied:

The Minister for Resources Development has provided the following answer -

The Western Australian Tourism Commission and SECWA pay payroll tax. The Department of Resources Development is exempt.

**PAYROLL TAX - GOVERNMENT DEPARTMENTS OR AGENCIES**

992. Hon TOM STEPHENS to the Minister for Education representing the Minister for the Environment:

Which departments or agencies within his portfolio pay payroll tax and which are exempt?

Hon N.F. MOORE replied:

The Minister for the Environment has provided the following reply -

In the Environment portfolio the following agencies are, I am advised, exempt from payroll tax: Department of Conservation and Land Management, Kings Park Board, Environmental Protection Authority.

The following agencies are liable for payroll tax: Zoological Gardens Board, Swan River Trust, Waterways Commission.

**PAYROLL TAX - GOVERNMENT DEPARTMENTS OR AGENCIES**

993. Hon TOM STEPHENS to the Minister for Finance representing the Minister for Housing:

Which departments or agencies within his portfolio pay payroll tax and which are exempt?

Hon MAX EVANS replied:

The Minister for Housing has provided the following reply -

The following departments and agencies within the Housing portfolio pay payroll tax: Government Employees Housing Authority - 3.9 per cent of gross payroll; Homeswest - six per cent of gross payroll. The following departments and agencies within the Housing portfolio are exempt from paying payroll tax: Rural Housing Authority, Industrial and Commercial Employees Housing Authority.

**PERTH CITY COUNCIL - REPRESENTATIVES ON BOARDS OF STATUTORY AUTHORITIES OR GOVERNMENT AGENCIES**

1008. Hon TOM STEPHENS to the Minister for Education representing the Minister for the Environment:

- (1) Which statutory authority or agencies within his portfolio have on their boards representatives of the Perth City Council?
- (2) What number of representatives on these boards are from the PCC in each case?
- (3) Which of these representatives are there by virtue of statutory requirements?
- (4) What is the basis upon which the other representatives of the PCC are on these boards - ie Cabinet decision, Government agreement or some other basis?

Hon N.F. MOORE replied:

The Minister for the Environment has provided the following reply -

- (1) None. However, a representative of the Perth City Council is entitled under the Swan River Trust Act to attend meetings of the trust when a matter affecting the council is being considered, and for that matter has all functions of a member of the trust. This provision applies to all local government authorities that interact with the Swan River Trust management area.
- (2)-(4) Not applicable.

**GOVERNMENT DEPARTMENTS AND AGENCIES - BUDGET FUNDS ALLOCATED TO NON-GOVERNMENT AGENCIES**

1019. Hon TOM STEPHENS to the Leader of the House representing the Minister for Resources Development:

What funds have been allocated from which departments and agencies within his portfolio in the 1993-94 Budget for non-government agencies?

Hon GEORGE CASH replied:

The Minister for Resources Development has provided the following answer -

The member's question is unclear; however, if the member means funds in relation to grants and subsidies, then the following applies -

Department of Resources Development -	
Contribution to the Channar fund	\$800 000
Industrial Supplies offices	\$140 000
Nifty Copper project loan	\$2 000 000
Shire rates Kwinana (PIL land)	\$120 000
Ashton rare earths project	\$830 000
Compact Steel	\$250 000
Zeolite project	\$90 000
Payments from forest residue utilisation levy	\$50 000
Western Australian Tourism Commission -	
WA Week Council	\$150 543
Tourism industry training committee	\$22 500
Country Tourism Association	\$6 000
SECWA -	
Apart from community based sponsorships, which vary from year to year, SECWA does not allocate funds for non-government agencies.	

#### CONCRETE BATCHING PLANT, NEERABUP - LAND ADMINISTRATION, DEPARTMENT OF, APPROVALS

1051. Hon JOHN HALDEN to the Minister for Lands:

- (1) What approvals have been given by the Department of Land Administration to enable a concrete batching plant to be established on reserve 27575, Quinns Road, Neerabup?
- (2) If approval has been given to establish an access road to the plant site, either on this reserve or an adjoining land reserve, what conditions apply to its construction or use?

Hon GEORGE CASH replied:

- (1) The proposal to establish a concrete batching plant on vacant Crown land adjoining reserve 27575 is currently under investigation by the Department of Land Administration. The proponents have been advised by DOLA that a Land Act special lease can be granted over the area encompassing the batching site.
- (2) Access to the site would be via the proposed road as shown on the attached plan which exits at Quinns Rock Road adjacent to lot 20. Clearance by the City of Wanneroo, the Main Roads Department, CALM and DOME is yet to be obtained. Conditions on establishment, standard of construction and legal status of the road will be considered in due course in consultation with those authorities. Approval to establish the road will not be granted until all clearances have been obtained.

[See paper No 778.]

#### QUESTIONS WITHOUT NOTICE

##### BOXING - PROFESSIONAL, BAN

624. Hon GRAHAM EDWARDS to the Minister for Health:

I refer to comments reported in today's *The West Australian* where the Western Australian representative on the National Health and Medical Research Council strongly supports the call for a ban on professional boxing.

- (1) Is the Health Department taking any action to assess the health risks associated with professional boxing?

- (2) If so, what type of assessment is being made, and is it anticipated that a report containing recommendations will be presented to the Government?
- (3) What is the Government's attitude to professional boxing?

Hon PETER FOSS replied:

I thank the member for some notice of the question. Unfortunately I have not been able to use that notice period in order to give the member a full answer.

- (1)-(2) I am not sure at this stage whether the Health Department is taking any action, and will follow that up.
- (3) The Government has not formed a formal attitude on it, but in the light of the first two questions I will try to let the member know as soon as possible what is the Government's attitude.

#### WESTERN AUSTRALIAN SPORTS CENTRE TRUST - CHAIRPERSON APPOINTMENT

625. Hon GRAHAM EDWARDS to the Minister for Sport and Recreation:

- (1) Has a new chairperson of the Western Australian Sports Centre Trust Board been appointed?
- (2) If so, can the Minister advise who is that person?
- (3) If not, when does the Minister intend to appoint a new chairperson?

Hon N.F. MOORE replied:

- (1) No.
- (2) Not applicable.
- (3) I will be making some recommendations to Cabinet in the near future.

#### WESTERN AUSTRALIAN SPORTS CENTRE TRUST - LAURENCE, IAN, CHAIRPERSON CONSIDERATION

626. Hon GRAHAM EDWARDS to the Minister for Sport and Recreation:

Can the Minister confirm that the Government, or a representative of the Government, has approached a former member of the Legislative Assembly, Ian Laurance, to be chairperson of the Board of the Western Australian Sports Centre Trust; and, if so, what was the response?

Hon N.F. MOORE replied:

I have discussed the matter with Mr Laurance and he is considering the matter, as am I and as will all those other persons involved.

#### EXMOUTH - US NAVY HOUSES, SALES

627. Hon P.H. LOCKYER to the Minister for Lands:

- (1) How many houses were made available in the latest tender of former United States Navy houses at Exmouth; how many were sold; and what price was realised?
- (2) How many houses have been sold in total?
- (3) What is the total amount received before distribution to the United States Navy and the Exmouth trust account?
- (4) How many houses remain to be sold?
- (5) By what means will these be released, and when?

Hon GEORGE CASH replied:

- (1) Thirty houses were made available and all were sold. The total price realised is \$2 888 826, with an average price of \$96 000.
- (2) 176.
- (3) \$13 197 107.
- (4) Five.
- (5) The houses are yet to be released to Department of Land Administration for disposal; however, that is anticipated for early 1994. It is likely that the houses will be sold by public auction.

SMITH, WAYDE - LAND, UNITS, PRESALE DETAILS

MEMBER FOR WANNEROO

628. Hon A.J.G. MacTIERNAN to the Leader of the House representing the Premier:

On 28 October 1993, the Premier issued a media statement in which he said that the member for Wanneroo was not required to service a loan standing in his name because the units being developed with that loan had been presold. Will the Premier provide details of the land upon which the units were developed and details of the presale arrangements, including when the sales were made and the purchase price of each unit so sold?

Hon GEORGE CASH replied:

The Premier has provided the following reply: No.

SMITH, WAYDE - 92 DORCHESTER AVENUE, WARWICK, DETAILS

629. Hon A.J.G. MacTIERNAN to the Leader of the House representing the Premier:

- (1) Is the Premier aware of the statement contained within the Kyle report into Wanneroo City Council that the member for Wanneroo claimed he had bought a part interest in land at 92 Dorchester Avenue, Warwick, in 1988?
- (2) Has the member for Wanneroo provided in his report to the Premier details of this acquisition of an interest in 92 Dorchester Avenue, Warwick?

Hon GEORGE CASH replied:

The Premier has provided the following reply -

- (1)-(2) I do not have access to Mr Smith's statement to which the question refers. However, the Kyle report notes that no legal consequences flowed from any finding in regard to this matter; therefore, it will not be pursued.

SMITH, WAYDE - FURTHER REPORT REQUEST

630. Hon A.J.G. MacTIERNAN to the Leader of the House representing the Premier:

Perhaps I will get an answer to this question.

Hon P.H. Lockyer: Perhaps you could question some of your people.

Hon A.J.G. MacTIERNAN: That is absurd. Members opposite are in Government and are subject to the scrutiny of the House.

Hon P.H. Lockyer: I understand that you are not without some questionable -

*Withdrawal of Remark*

Hon A.J.G. MacTIERNAN: I am happy to stand up to scrutiny. I have no difficulty with that.

The PRESIDENT: Order! Hon P.H. Lockyer will withdraw that suggestion and stop interjecting.



Hon P.H. Lockyer: I withdraw.

*Questions without Notice Resumed*

Hon A.J.G. MacTIERNAN: I ask -

- (1) The Premier has stated that the terms of reference for the report requested of the member for Wanneroo were to provide details of all his financial dealings subject to media speculation in the week commencing 23 October 1993. Will the Premier now undertake to ask the member for Wanneroo to provide a similar report in respect of matters raised subsequently by the media?
- (2) If not, why has the Premier chosen to so limit his inquiry into the member for Wanneroo's affairs?

Hon GEORGE CASH replied:

The Premier has provided the following reply -

- (1) No.
- (2) Inquiries are never without limit.

**STATE PLANNING COMMISSION - RESTRUCTURE, CONSULTATIONS**

631. Hon JOHN HALDEN to the Minister for Health representing the Minister for Planning:

In announcing the restructuring of the State Planning Commission, did the Minister -

- (1) Consult with local governments or their representative bodies? If yes, with which local governments did he consult? If not, why not?
- (2) Was the City of Perth consulted on this restructure? If not, why not?

Hon PETER FOSS replied:

I thank the member for some notice of the question. The Minister for Planning has provided the following reply -

(1)-(2)

The reorganisation of the State's principal planning agency to achieve improved performance and efficiency is a matter for the Government. Before determining the new structure, comments were requested from representatives of various client groups, including local government planners, the local planning profession, planning consultants, related State Government agencies, the Real Estate Institute of WA and the Urban Development Institute of Australia. Input was also received from the present State Planning Commission, which includes a representative from the Western Australian Municipal Association.

**MARINE AND HARBOURS, DEPARTMENT OF - SAFETY PATROLS  
CURTAILMENT**

632. Hon JOHN HALDEN to the Minister for Transport:

Will he confirm that safety patrols by the Department of Marine and Harbours will be curtailed as a result of this year's Budget?

Hon E.J. CHARLTON replied:

There is certainly no intention to curtail the safety aspects of Department of Marine and Harbours patrols. A rearrangement has occurred in the operations to ensure greater efficiency, and in some areas that will result from patrolling done by new vessels.

**MARINE AND HARBOURS, DEPARTMENT OF - SAFETY PATROLS  
MAINTENANCE CURTAILMENT**

633. Hon JOHN HALDEN to the Minister for Transport:

Will he confirm that safety patrol maintenance will be curtailed as a result of this year's Budget.

Hon E.J. CHARLTON replied:

No.

**MARINE AND HARBOURS, DEPARTMENT OF - COASTAL  
MANAGEMENT, PROTECTION PROGRAMS CURTAILMENT**

634. Hon JOHN HALDEN to the Minister for Transport:

Will he confirm that necessary protection programs which would normally be carried out by the coastal management section of the Department of Marine and Harbours has been deferred because of this year's Budget.

Hon E.J. CHARLTON replied:

I make it clear to the member that no aspects of the operations of the Department of Marine and Harbours will be curtailed as a result of this year's Budget allocation. The member will probably be aware of the amalgamation of the Department of Marine and Harbours with the Department of Transport, initiated by the previous Government and continued by this Government. The legislation to further enact these changes will be before the House shortly. A number of the management initiatives made by the Department of Transport will be incorporated in that amalgamation. Both organisations will be known as the Department of Transport. As a consequence of those initiatives, which the member will see incorporated in the legislation to come before Parliament, further change will generate greater efficiency and produce more services for the same amount of money.

**MARINE AND HARBOURS, DEPARTMENT OF - SERVICES DECREASE**

635. Hon JOHN HALDEN to the Minister for Transport:

In spite of the Minister's assurances in his long answer, I shall continue my specific questions regarding the Department of Marine and Harbours: Will he confirm that the level of customer services and maintenance of marine facilities by the Department of Marine and Harbours will decrease as a result of this year's Budget?

Hon E.J. CHARLTON replied:

The benefits will increase rather than decrease. We have had a number of discussions with people around the coast who want to take over a greater managerial role within their own region in these operations. This may involve the local government authorities or changes implemented through the Department of Marine and Harbours. Last week a decision was made regarding the Irwin Shire and the operations in Dongara, which was in response to local community initiatives. The same thing has happened on the south coast. When the member sees the legislation, he will see even more progressive decisions being made which will result in greater efficiencies in, and more money being spent around, the coastline by the organisation currently known as the Department of Marine and Harbours.

**MARINE AND HARBOURS, DEPARTMENT OF - MAINTENANCE,  
HIGHER COSTS**

636. Hon JOHN HALDEN to the Minister for Transport:

Will he confirm that the lack of recurrent funding for the marine facilities program at the Department of Marine and Harbours for maintenance will

lead to higher maintenance costs for the Government to support in future years?

Hon E.J. CHARLTON replied:

No. Definitely no! Absolutely no! The amalgamation, as part of the new legislation, will be a progressive development. I am sure Hon John Halden will totally support the legislation as he is a progressive man and will see the progressive developments. The member will fully endorse the legislation which will result in greater benefits. Also, the concerns the member raises which result from decisions made by his party when in Government will be alleviated.

**MARINE AND HARBOURS, DEPARTMENT OF - COASTAL PROTECTION  
WORK, ESPERANCE AND ALBANY, FUNDING**

637. Hon JOHN HALDEN to the Minister for Transport:

Will he confirm that some coastal protection works scheduled to be undertaken at Esperance and Albany - at Emu Point specifically - will not proceed unless funded fully by the local government as a result of this year's Budget?

Hon E.J. CHARLTON replied:

The funding for the projects to which the member refers has not been sufficient to carry out the full operations for a number of years. The decision which caused this problem was not made by this Government. In addition, the problems at Esperance and Albany have led to a reassessment of the program to improve that coastal operation. Some funds have been spent in the past, particularly at Albany, which resulted in a deterioration of the coastline. We do not want to continue to pour money into a plan which has proved not to work. A reassessment has been made in that area, and new plans are being considered which should improve the situation.

**MARINE AND HARBOURS, DEPARTMENT OF - SAFETY PROGRAM  
CUTS, DELAYS IN COMPLAINTS AND EMERGENCIES**

638. Hon JOHN HALDEN to the Minister for Transport:

Will he confirm that cuts to the marine safety program at the Department of Marine and Harbours will lead to delays in responding to complaints and emergency situations?

Hon E.J. CHARLTON replied:

No.

**IN TOUR PTY LTD - CENTRAL ABORIGINAL RESERVE, ENTRY PERMIT**

639. Hon TOM STEPHENS to the Minister for Mines:

Did he request the Minister for Aboriginal Affairs to grant an entry permit to the central Aboriginal reserve for a resource company known as In Tour Pty Ltd.

Hon GEORGE CASH replied:

If the member puts the question on notice, I will provide an answer.

**IN TOUR PTY LTD - CENTRAL ABORIGINAL RESERVE, ENTRY PERMIT**

640. Hon TOM STEPHENS to the Minister for Mines:

Has the Minister received representations from a Mr John Merrety, solicitor for In Tour Pty Ltd, regarding his application for an entry permit to the central Aboriginal reserve?

Hon GEORGE CASH replied:

If the member cares to put that question on notice, I will provide him with an answer.

**MINISTER FOR THE ENVIRONMENT AND ABORIGINAL AFFAIRS -  
RESIGNATION CONSIDERATION, PRESSURE BY MINISTER FOR MINES**

641. Hon TOM STEPHENS to the Minister for Mines:

Is he aware of reported comments allegedly made by the Minister for the Environment and Aboriginal Affairs that this week he had been considering resigning from his portfolios owing to the undue pressure placed on him by the Ministers for Mines and Resources Development urging that Minister to overturn the advice of his statutory authorities?

Hon GEORGE CASH replied:

No.

**MINISTER FOR THE ENVIRONMENT AND ABORIGINAL AFFAIRS -  
RESIGNATION CONSIDERATION, PRESSURE BY MINISTER FOR MINES**

642. Hon TOM STEPHENS to the Minister for Mines:

Will he take the opportunity to speak with the Minister for the Environment and Aboriginal Affairs to see whether these concerns are held by the Minister, and whether the Minister should reduce some of the pressure he has been applying to that Minister in carrying out his statutory responsibilities?

Hon GEORGE CASH replied:

One of the reasons that I make a habit of asking Hon Tom Stephens to put his questions on notice is that I like to be able to read the words of his question to provide an adequate answer. Any claim by Hon Tom Stephens that I have exerted any pressure on the Minister for Aboriginal Affairs and the Environment or any other Minister for access to any Aboriginal reserve is quite ridiculous - although that is in keeping with many the questions Hon Tom Stephens asks.

**ESPERANCE - BULK LOADING FACILITY, POWER PLANT  
CONSTRUCTION**

643. Hon J.A. SCOTT to the Minister for Transport:

- (1) Is it correct that extra generating capacity will be required to be built to power the bulk loading facility at Esperance?
- (2) Will the Esperance Port Authority build this power plant, and if so, was any allocation made in the Budget?

Hon E.J. CHARLTON replied:

(1)-(2)

I recommend that the member put his question on notice. There has been no comment to me about the power generating output required for the operations at Esperance.

**COMMONWEALTH BUDGET - SPECIFIC PURPOSE AND GENERAL  
PURPOSE FUNDS TO WESTERN AUSTRALIA, HIGHER OR LOWER**

644. Hon KIM CHANCE to the Minister for Finance:

Are Commonwealth allocations of specific purpose and general purpose funds to Western Australia higher or lower in dollar terms in 1993-94 compared with 1992-93, and if so, by what percentage is the amount higher or lower?

Hon MAX EVANS replied:

Commonwealth general purpose funds to Western Australia for 1993-94, as defined in the Commonwealth Budget papers, are estimated to be \$40m less than in 1992-93. This represents a decline of 2.4 per cent.

Comparisons of specific purpose funds are complicated by the change in funding arrangements for technical and further education. Commonwealth payments for TAFE from 1 January 1994 will be made through the Australian National Training Authority and are not shown in the Commonwealth Budget papers. Excluding TAFE, Commonwealth specific purpose funds to Western Australia for 1993-94 are estimated to be \$73m higher than in 1992-93. This represents an increase of 4.8 per cent.

The decline in general purpose funding and the increase in specific purpose funding partly reflect changes in the Commonwealth health funding arrangements, with an effective transfer of \$70m, in 1992-93 terms, from general to specific funds.

#### ABORIGINAL RESERVES - ENTRY PERMITS, STATUTORY REQUIREMENT

645. Hon TOM STEPHENS to the Minister for Mines:

Is the Minister aware that entry permits to Aboriginal reserves can be granted only following an application being referred to the Aboriginal Lands Trust, requiring of the trust consultation with the Aboriginal community before permits can be granted? If the Minister is aware of that statutory requirement, would he assure the House that neither he, his officers nor the department has pressed or will press the Minister for Aboriginal Affairs to grant permits to the central Aboriginal reserve in breach of that section of the Aboriginal Affairs Planning Authority Statute?

Hon GEORGE CASH replied:

If the member cares to put that question on notice I will provide him with an answer. I have often said there is a tremendous amount of rumour and innuendo that abounds in the corridors of Parliament House, most of which has very little substance.

#### *Point of Order*

Hon GRAHAM EDWARDS: Mr President, I understood the practice of this House was that if the Minister requests that a question go on notice, that is the end of the answer.

The PRESIDENT: It was previous practice and I can recall on many occasions endeavouring to get the then Minister for Police to conform - most unsuccessfully. I suggest that if the Minister for Mines wants to make a statement there is a provision to do that other than at question time when he says he will not answer the question.

Hon GEORGE CASH: I did invite the member to put the question on notice so I could provide a full reply. The point I was making in inviting the member to do that was that I have said in the past that Parliament House often abounds with rumour and innuendo, much of which regrettably has little substance in fact. From the questions asked this afternoon by Hon Tom Stephens, he may be the source of some of the rumour and innuendo.

Hon Bob Thomas: Ask one of your backbenchers about that, because he is saying it.

The PRESIDENT: Order!

*Questions without Notice Resumed*

**NURSING HOMES - COLLOCATING WITH COUNTRY HOSPITALS,  
COMMONWEALTH NEGOTIATIONS**

**646. Hon KIM CHANCE** to the Minister for Health:

Has progress been made in negotiations with the Commonwealth for collocating Commonwealth-funded nursing home facilities with rural district hospitals?

**Hon PETER FOSS** replied:

Some progress has been made, although not as much as I would like, because part of the program for progressing that was that the Federal Minister for Health would visit a number of Western Australian country hospitals. Unfortunately, the arrangement was cancelled by the Federal Minister. I have submitted to his office a proposal for him to visit a number of country hospitals. We have not as yet been able to secure from him a date on which he will carry out that visit. Many of the places within the visit itinerary are within the member's electorate and when I do have a date I will make sure the member is advised so that he is able to participate.

**HEALTH DEPARTMENT OF WESTERN AUSTRALIA - BLACKWOOD  
REGION HEALTH STUDY**

**647. Hon BOB THOMAS** to the Minister for Health:

- (1) Has the Health Department finalised the tender for a consultant to undertake the Blackwood region health study?
- (2) How much is being allocated to that study?
- (3) When is the report expected to be provided?

**Hon PETER FOSS** replied:

(1)-(3)

I must take that question on notice.

**RAILWAYS - MANDURAH-PERTH RAPID TRANSIT SYSTEM,  
PRIVATE SECTOR INVOLVEMENT**

**648. Hon JOHN HALDEN** to the Minister for Transport:

- (1) Is the Minister considering seeking the involvement of the private sector in the provision of a rapid transit system from Mandurah to the metropolitan area and, if so, what form of rapid transit system is being considered - heavy rail, light rail or busway?
- (2) Will the extent of private sector involvement be limited to construction of the system or does the Minister plan to allow the private sector to operate the system?
- (3) Will the private sector have input into the route for a rapid transit system?
- (4) What funds does the Minister plan to allocate to investigate private sector involvement in this project?

**Hon E.J. CHARLTON** replied:

(1)-(4)

I do not intend to invite expressions of interest from the private sector at this time. As the member will be aware, the new arm of the Department of Transport which has been given responsibility for investigating the public transport system in the metropolitan area will also be considering the south west area. As the member is aware, studies were conducted by the previous Government, which this Government continued. The previous Government's assessments were all made on a rail system. The Government has already considered the issue of a busway to ensure that

that option of the public transport system is also fully evaluated. The information the Department of Transport has on that matter will now be made available to the new arm of the department to evaluate further and to progress to a public transport system in that area of the metropolitan region.

**RAILWAYS - MANDURAH-PERTH RAPID TRANSIT SYSTEM,  
\$200 000 FOR PRIVATE SECTOR OPERATIONS STUDY**

649. Hon JOHN HALDEN to the Minister for Transport:

Will the Minister confirm that Cabinet is about to consider, or has recently considered, the provision of \$200 000 for a study into the transport system from Mandurah to Perth to be operated by the private sector?

Hon E.J. CHARLTON replied:

There has never been, and will not be, a proposal to Cabinet about the private sector operating a transport system. As I said, an interdepartmental operation made a number of recommendations which are now being handed over to the Department of Transport.

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