

# Legislative Assembly

Tuesday, 4 April 1989

THE SPEAKER (Mr Barnett) took the Chair at 2.15 pm, and read prayers.

## PETITION

*January 26 - Observance*

DR ALEXANDER (Perth) [2.17 pm]: I have a petition addressed in the following terms -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

The Petition of the undersigned citizens in the State of Western Australia respectfully sheweth:-

1. That the 26th January is the date chosen for our national day (Australia Day) and should be a day of observance and celebration for all Australians.
2. That it is quite inappropriate for the Australia Day public holiday to be held on any day other than the 26th January.

Your Petitioners, therefore, Humbly Pray that the Parliament of Western Australia will amend the applicable Acts of Parliament, to make provision for the Australia Day Public Holiday to be observed on the Twenty-sixth Day of January each year.

And your Petitioners, as in duty bound, will ever Pray.

The petition bears 34 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 2.]

## BILLS (3) - INTRODUCTION AND FIRST READING

1. Criminal Code Amendment Bill (No 2)
2. Liquor Licensing Amendment Bill
3. Farm Practices and Agricultural Operations Bill

Bills introduced, on motions by Mr House, and read a first time.

## ADDRESS-IN-REPLY - THIRD DAY

*Motion*

Debate resumed from 30 March.

MR NICHOLLS (Mandurah) [2.23 pm]: In speaking to the Address-in-Reply debate I will cover the future directions and needs of my electorate and its surrounding regions as we progress towards the next century.

I take this opportunity to express my appreciation to the electors of Mandurah for the confidence they have shown in me and to the people who gave their support, time and energy to ensure the success of my campaign.

I also express my deep appreciation to my wife Janette and my four children who, along with my campaign committee, were placed under extreme pressure and hardship at many times.

As in any contest there is rivalry between competitors and a desire for victory. During my campaign for the seat of Mandurah I was privileged to be competing with a worthy opponent, the previous member for Mandurah, John Read, who I believe represented Mandurah to the best of his ability. I thank him on behalf of the electorate of Mandurah and wish him well for the future.

As a former town councillor I worked continually towards responsible progress. My election as the MLA for Mandurah simply means the lifting of that commitment to a new level.

Mandurah is an ideal location affording the convenience of a beautiful and relaxed environment in which to live within easy reach of the employment centres of the metropolitan area, Pinjarra and possibly Bunbury. Mandurah's future progress will not involve industrialisation due to the lack of suitable land and the fragile environment of the Peel Inlet and surrounding regions. Rather, Mandurah's progress will revolve around its development as an employment source and around recreation and tourism. To that end facilities such as a high speed, rapid transit rail link are essential to allow workers to reach employment locations and to provide an efficient transport service.

A spur line connecting Mandurah to the existing Bunbury-Perth line would open a potential employment area from Perth to Bunbury. If that facility were in place trains could leave Mandurah and proceed to Perth or Bunbury with either destination being reached within approximately an hour. The benefits would be far greater than just providing the Mandurah community with a suitable public transport service as it would mean that families and workers would no longer need to live in an area of large industrial build up with its associated environmental disadvantages when their leisure time could be spend in Mandurah.

I estimate that approximately \$15 million to \$20 million would be required to provide such a high speed spur line and the necessary station facilities. Whilst this is a relatively small cost when viewed in the broader context, the benefits to the community would be great. The long term objective should be to connect that spur line to the existing Fremantle line, thus providing a full circuit through the coastal centres and joining up with the main artery back to Perth. With the continued growth of tourism such a rail link would provide an essential avenue to boost the local industry on which Mandurah has based its commerce for many years.

If we analyse the expected congestion on our freeways there seems little doubt that the only real alternative is a railway service. At present there is no public transport from Perth to Mandurah after 5.06 pm Monday to Thursday and after 5.35 pm on Friday. On Saturday there is no service after 3.35 pm. This service does not cater for community needs and is ludicrous for a location which is dependent to a large degree on tourism. An airport for light aircraft would also provide greater opportunities for the private community and the commercial sector to access the area.

Due to the population increase there is already an urgent need to provide and expand educational facilities in Mandurah. This would allow the many people wanting to improve their knowledge and training before, during and after joining the work force the necessary opportunity to do so. It could also cater for our senior citizens who might wish to utilise such a facility during their retirement, as education endures throughout everyone's lifetime. Any Government, irrespective of which party, has a duty to ensure that everyone in the community has access to education at all levels. The need to ensure that appropriate land is made available in suitable locations is a matter of great importance. Although I am delighted to know that there are areas currently earmarked and identified as possible future locations for primary and secondary schools, they need to be continually reviewed and assessed as growth patterns change.

I have a feeling of achievement because during the course of the election campaign my expressions of concern and my focusing on the overcrowding being experienced in Mandurah primary schools led to a commitment for two new primary schools, to be built and become operational by the start of the 1990 school year. These new schools, unfortunately, will only alleviate the current stress being felt in primary schools and the Mandurah High School will get virtually no relief. Temporary classrooms are very common in Mandurah today, as they are in many areas of our State, and there is a likelihood that such facilities will be used far more in years to come. However, it is apparent that the use of this type of accommodation is questionable when some schools, such as Mandurah High School, have had temporary classrooms for the past six or seven years. During that time the number of temporary classrooms rose to 21, which I believe is a record, but a record of dubious quality.

The need for capital spending on an ongoing basis is crucial to ensure that future children of Mandurah have a chance to achieve the academic levels which will be required as employers search for suitable talent from an increasing number of applicants. The announcement that a TAFE annex would be located in Mandurah, which was made last year before the election, has resulted in an expectation of local access to full time TAFE studies. However, as yet

there are no adequate facilities provided for such studies, although I hope that they will be provided in the near future. I also see a need for a tertiary institution in Mandurah, hopefully by the turn of the century, if technology has not provided an alternative.

I turn now to the matter of law and order, which has become an issue of major importance in our whole society today; Mandurah is no exception to that. Gone are the days when the community in general had a major influence over the actions of its members, particularly its young members. Although I would like to commend the Government for its recent focus on the Neighbourhood Watch and Safety House programs, such programs can only be supplementary to the police and their role in our society. The Mandurah community was given to understand that its needs would be catered for by a 24 hour manned police station. To my knowledge, this has not been achieved to date. I appreciate the relay service which is now operating through the metropolitan network and the relief that has been provided in the past, but the time has come to acknowledge Mandurah's right to a permanent, 24 hour manned police station. This is a priority, and while I am sure residents would like to see it provided immediately, the absolute deadline should be no later than Mandurah's proclamation as a city, which will take place in approximately 12 months. Police presence is only one third of the solution, with the penalties for the various crimes and parental responsibility making up the other two thirds.

The role of the courts is becoming harder by the day, but it appears that the current approach to the punishment for the crime committed is not acting as a deterrent, especially when it involves juvenile offenders. I believe that the majority of our youth today are both well behaved and community minded. However, when it appears that crime and antisocial behaviour does not attract any real retribution and that some sections of our community are seemingly exploited, it is little wonder that many people see crime and antisocial behaviour as a natural part of growing up. As a father of four children, I continually worry for their future and for the future of our nation as a whole, which seems to be slowly deteriorating to the point where the victim of a crime has fewer rights than the perpetrator.

I learned a valuable lesson regarding discipline during my 10 years in the Royal Australian Navy: Discipline exists only when the repercussions of breaking a law or for unacceptable behaviour are followed by being held accountable for one's actions; and this was, when required, followed by a form of punishment, which generally established a real disincentive to repeat the previous act. For the interest of members, I was 15 when I joined the Navy, and being held personally accountable at that age did not appear to harm me. This does not mean that I support the concept of all criminals being deprived of their liberty. Punishment in the form of work orders may prove to be a better solution. In saying that I do not mean just mowing the lawns for a couple of people; I am referring to removing graffiti, cleaning the pavements, or cleaning up the litter in our waterways, to suggest a few examples.

It is regrettable that the role of the parent seems to have diminished, to the point where many children today as young as 12 or 13 years of age believe they have a God given right to decide their future. Unfortunately their call for independence is closely followed by a demand for social welfare or other forms of charity because they suddenly find themselves homeless and destitute. We need to adopt a proactive approach; for example, we need to enhance family structures to the point where it is easier and less expensive to get marriage or family counselling than it is to get a divorce.

I turn now to the provision of Government services. It is my view that the Bunbury 2000 strategy has had a negative impact on Mandurah, with residents frequently seeing regional offices being located in Bunbury to service Mandurah. Although I have publicly criticised the spending of \$2.8 million on a Government office building in Mandurah, I do support the State and Commonwealth Governments' leasing appropriate premises from the private sector to accommodate increased staff and to provide new services. In the months and years ahead there will be increasing pressure for a fully operational hospital in Mandurah, and there will need to be ongoing planning for the provision of additional beds. We may very well be found wanting with a lack of funding or services to cater for our community due to the rapid growth of the Mandurah area.

Mandurah has become synonymous with a relaxed and enjoyable environment, with the emphasis being on recreational activities, which will continue to be an integral part of Mandurah's future. The opportunities for new ideas will have to be explored and, where

appropriate, exploited. The concept of an artificial reef for amateur fishing certainly falls into the exploration category and may well fall into the exploitation category also. Artificial reefs have been tried successfully in Busselton and South Australia, and there is every indication that a strategically placed reef north of the entrance to the Mandurah Estuary would be a boon to the area. Such a reef could be constructed out of old tyres, which would have the dual benefit of not disturbing the ocean patterns while at the same time contributing towards solving the longstanding problem of how to dispose of the tyres themselves. They are at present an environmental nuisance, and given the opportunity they could become an environmental blessing. For all those reasons, the concept is worth pursuing, which is what I intend to do.

The condition of the Peel-Harvey Estuary is of major significance to the community of Mandurah because its association with the water is very intimate. My initial investigations over the last few days have led me to believe that there is an organism which has the potential to clean up the Peel-Harvey Estuary. This organism has been developed in the United States over the last 10 years, and it operates by immediately seeking out and digesting nutrients such as ammonia, nitrates, phosphates and organic matter, such as algae, upon being introduced to the water body. The organism works in both fresh and salt water, and is purely biological. It is chemical free, non toxic, non pathogenic, and harmless to all fish, plant and aquatic life. Once organic wastes and algae have been consumed, the organism dies, turns into water, and forms a balance with nature. I intend to continue my investigations into this organism, because if a solution were available which used nature itself, without requiring major man made alterations, the benefits would be immense. The inventor of the organism will be travelling to Asia in the near future, and I hope he can be invited to visit Western Australia to discuss the problems of the Peel-Harvey Estuary and the suitability of this organism as a solution. While I do not expect the Government to stop the planning of the Dawesville Cut at this stage, I hope the various Government departments will be interested in further investigations regarding this alternative.

It has become more apparent to the community at large that funding for essential services is continually under pressure. The need for a bipartisan approach is often required if positive and fruitful solutions are to be achieved. It is my intention to pursue this approach whenever possible. I place on record today my disgust at the seemingly common fact of "starving" an electorate of capital works funding for a few years, only to subject it to political pork barrelling just prior to an election. I do not wish to elaborate on this subject today, only to say that I hope Mandurah will receive due consideration in the years to come.

This Parliament is at a significant point in history, with the public's focus being firmly fixed on Government accountability. While this may not be a revelation to members, the responsibility for ensuring that the integrity of this institution is upheld cannot be overstated. Personal integrity and Government accountability are the very backbone of our State, nation and, indeed, democracy.

I meet the coming years with anticipation and enthusiasm, and it is my intention, as the MLA for Mandurah, to explore every avenue for promoting improvements for the region and, where appropriate, to do my utmost to bring them to fruition. Mr Speaker, I would like to thank you and members for your indulgence during my first speech in the House. I look forward to listening, to learning, and to contributing to the strength and success of our Parliament.

[Applause.]

**DR TURNBULL (Collie) [2.36 pm]:** Mr Speaker, I take this opportunity to congratulate you on your appointment to the position of Speaker in this Parliament. I feel very privileged to stand here today representing the people of the electorate of Collie. I wish to thank the voters of Collie for the confidence they have placed in me, and I assure them that I intend to do my utmost to justify their choice. I am only the fourth elected representative for Collie to enter this Parliament, and I follow Mr Tom Jones, who retired prior to the last election. Throughout his 21 years as Collie's representative Tom Jones served the people of his electorate with a dedication that earned him the respect of all of them. During his last term of office he saw the realisation of some of his greatest wishes: A splendid Senior Citizens' Centre and a fine headquarters for the Police and Citizens' Youth Club. He has been a faithful and loyal parliamentarian both to Collie and to his party, and on behalf of the people of Collie I would like to pay tribute to him.

Members: Hear, hear!

Dr TURNBULL: Another gentleman to whom I would like to pay tribute is Mr Tom Perry, who was the member for Lower Central Province from 1965 to 1977. Tom Perry was a determined individualist who inspired the deep respect of the constituents of his widespread electorate. He was a man who always made himself available to anyone who needed assistance. I have learned from these two men what a parliamentarian really is: A representative of the people.

I view my entry to Parliament as a magnificent challenge. It is an honour to represent those people involved in the mining and associated energy industry; in agriculture and forestry; in small business and service industries; retired people and pensioners; and all the people of the Collie electorate who contribute not only to the wealth of Western Australia but of the nation as a whole. The electorate of Collie has always been based on the mining industry. This emphasis is even more apparent now that the new electoral boundaries have been established. The three mining areas which make up the Collie electorate represent more than half of the electors of the seat of Collie.

The people of Boddington are proud of the fact that Boddington Gold will have the highest single-mine production of gold in Australia this year. The 400,000 ounces of gold mined will be worth \$US 150 million. There have also been very encouraging results in exploration, and the mine could experience further growth next year. Worsley Alumina is mining for bauxite at Boddington, which is then refined at Worsley. Worsley Alumina is the most efficient large scale producer in the world, and at 1.6 million tonnes of aluminium this year, it directly creates 900 jobs. Worsley Alumina is one of the most impressive parts of Western Australian aluminium production; it produces \$1.2 billion a year, and supplies 22 per cent of the world's requirements.

Western Australia is on the verge of a great new value-added industrial expansion into aluminium smelting and the associated manufacture of aluminium products. The enormous value of our bauxite will be truly realised only when there is a total vertical integration of this industry. The aluminium task force is at present grappling with the task of establishing a structure to enable an aluminium smelter to be built which will bring a profit to the operators and substantial benefits to Western Australia.

Mining at Greenbushes commenced in 1888 with tin production, which is currently enjoying a resurgence of interest. More recent discoveries are tantalite and spodumene, both of which are essential to the high tech world. Spodumene, which is refined into lithium, has a vital role as a glass toughener. It is also used in the development of super conductors. Both these metals are enjoying high prices at the moment, and the future expansion in refining at Greenbushes looks bright.

Whittakers Ltd is establishing a large timber mill there which will be operational later this year. All this activity in Greenbushes requires more housing. Homeswest should build accommodation for single and aged students and retired people, and more family homes will also be needed in Greenbushes.

Collie is, of course, well known for coal mining, and I would like to expand on this later. I feel honoured to represent the farming communities at Boyup Brook, Donnybrook, Balingup, Boddington and Collie. Agricultural production in these areas is expanding and there is a resurgence of profitability in the wool industry. Farmers are taking advantage of this to consolidate their flocks and modernise their equipment.

The Rylington Park Research and Educational Centre at Boyup Brook is a fine example of how much value the farmers themselves place on research and planning for the future. Orchards and horticulture are flourishing in the picturesque areas of Donnybrook, Mullalyup, Balingup and Greenbushes. A resurgence in apple production is occurring, with four new varieties showing very great promise. Stone fruit capacity increased by more than 77 per cent between 1981 and 1986. Most of these orchards are now being grown on the Tatura trellis system, which greatly improves their efficiency. Fruit produced in this region is being sought in overseas markets, along with horticultural exports, such as potatoes, cauliflowers and other vegetables. The Donnybrook area is becoming a garden to feed Asia and to enrich Western Australia.

Country towns are especially sensitive to the decisions of Government in respect of the

employment of public funds. Collie and other towns have suffered from the rationalisation of Westrail. Collie in particular has suffered from the decision to recentralise the Water Authority office to Bunbury. The loss of Government jobs can start a snowballing of retrenchments affecting everyone in a country town - schools, councils, retailers and private services.

Hospital services in country towns must be retained both as essential services and as employers. Farming and small businesses bear the brunt of increases in Government charges. Telecommunications, water and electricity, especially for irrigation, are examples. Taxes such as land tax, payroll tax, FID and BAD, fuel and freight taxes, fringe benefits, capital gains and income taxes and high interest rates reduce incentive and lead to a reduction of jobs in country areas.

People want to live in the country right now. There is a positive desire to live outside the urban areas. In all the shires in my electorate there has been an increase in population. Government facilities must be provided at prices comparable to those paid in the city to encourage people to settle in rural areas.

Housing in country areas is very important, particularly in my electorate, where industrial developments in Boddington, Greenbushes and Collie are resulting in shortages and high rentals. SECWA, GEHA and Homeswest must allocate more of their precious funds to these towns to help alleviate the housing shortage and thus attract more people and more workers to live in these towns.

Members can see that my electorate not only has a great range of concerns and problems, but also it covers a large area with a diversity of industries and pursuits. Despite this diversity, there is one concern which has unified the whole electorate. Overwhelmingly I have been made aware of the concern, alarm and even anger being expressed about the overutilisation of the jarrah forest. One third of the Collie electorate is covered by jarrah forest, but it is a forest under threat. In the near future we will have a silicon smelter at Kemerton which will use 135 000 tonnes of jarrah this year. While the EPA report says the Jarrah will all come from non commercial timber, well respected people in the forest industry believe that while at present it may be possible to obtain this tonnage, it cannot be sustained. In a number of years, perhaps even as few as five, all the forest floor waste will be gone and more thinnings and more waste from thinnings will have to be used.

As a result of the charcoal needs of the smelter, there is already pressure on the availability of waste timber. The large mills at Donnybrook, Balingup and Greenbushes are no longer able to supply local people with mill ends which have always been available for domestic use. Although two small mills in this area are still able to provide some millings, the supply will be limited, and one cannot get on their lists if one was not a customer last year.

This seems to suggest that perhaps waste timber is not as readily available as the developers would lead us to believe. Surely the domestic needs of local people must be met before the industry makes demands. Barrack Mines, the developer and operator of the silicon venture, now proposes to double the size of the smelter operation, thus doubling the amount of jarrah which will have to be taken from our central and northern jarrah forests. If the silicon smelter is to expand, alternative sources of charcoal production will have to be considered. Tasmanian blue gums and two other varieties of eucalypts have been successfully used elsewhere. While I do not object in principle to the expansion of the smelter, the jarrah forest must not come under undue pressure and the possibility of using alternative charcoal sources must be accepted by that industry.

It is very important that any arrangements include the provision of the rights of private individuals to access to the forest areas all over the south west for domestic wood collection. Quite simply, we cannot afford to jeopardise our water supply and catchment areas. We cannot afford to damage our jarrah forest when it is vital for water, for fuel, for domestic supplies, for tourism, for recreation and salinity control. There is a definite incongruity, a contorted logic, in allowing the rape of our jarrah forests at the same time as Western Australia is being advised to plant more trees to counter the salinity problem and the greenhouse effect.

Of course, the problems associated with the Greenhouse Effect are being used by many people to justify the recommendation for the use of gas rather than coal. It must be pointed

out that the Greenhouse Effect is a scientific theory relating to changes in weather patterns because of the build up of carbon dioxide in the earth's atmosphere. We must be very careful not to concentrate entirely on the effect of coal on the Greenhouse Effect. It is important to note that it is in fact the car which causes the greatest emissions of carbon dioxide. We will not, however, find the transport industry being attacked because it is easier to focus on a great big coal fired power station than to face the prospect of giving up our family cars.

The Greenhouse Effect is in fact a composite effect and curbing the world's population is the most effective way of controlling the Greenhouse Effect. End use efficiency must play a bigger role in preventing the build up of the Greenhouse gases - end use efficiency by all consumers, both domestic and industrial. Research into economically efficient energy use and production is essential. A power station using the pressurised, fluidised bed technology is a project that Western Australia should undertake. This could be done by converting the Bunbury power station, thereby increasing the efficiency of that power station by 20 per cent while reducing pollution.

Many scientific bodies around the world are studying the new technologies needed for environmentally benign coal usage. At the recent international coal conference, Coaltech 1988, held in Amsterdam in November, many papers on this subject were presented and their publication is eagerly awaited. These new technologies offer positive hope for the use of coal in power production. Extensive research on environmentally benign coal usage should be carried out at the Collie School of Mines under the auspices of the Curtin University of Technology using funds from industry and NERDEC - the National Energy Research and Development Corporation.

There is now another, most serious subject which is vital to the people of my electorate, to all the people of this State, and to every member sitting here today. As I have already said, the electorate of Collie is a very diverse one, centred of course around the town of Collie, the coalmines and the Muja power station. They are the hub of the energy industry in Western Australia, with the Muja power station having a generating capacity of 1 040 megawatts, which is half of the State Energy Commission of Western Australia's total capacity. For the Government of this State the energy crisis of Western Australia is the greatest challenge and problem which must be addressed in the next few months. The Government must make a decision to build generating capacity, or this State faces, amongst other problems, the prospect of blackouts. If members do not think this will be much of a nuisance to those of us sitting here today, they should think again. Next summer the business people in their magnificent glass hotboxes in Perth will discover that the power supply will not cope with the demands of their air-conditioners. Members should think of Bond's tower, which requires six megawatts. Members should be prepared for those people to storm the steps of Parliament House demanding that members find immediate solutions. Members should not be surprised if the nerves of the business people in Perth become a trifle frayed when the power surges and fluctuations damage their computer systems, which need air-conditioning and steady supplies of energy. Surges and fluctuations have been occurring this year while controllers at the Muja power station have tried to prevent the total blackouts, and they have been using the old Kalgoorlie oil fired power station to keep us going. This situation will not be able to continue next year.

Why are we facing this energy crisis? One cause of the delay in building a new power station in Collie is the Rothwells debacle. Parliamentarians sitting in this House today may very well believe that Rothwells is just a Treasury concern over an amount of \$150 million, or the Opposition probing the Government's involvement, or the Government fielding clever questions and answers; but in Collie the Rothwells collapse is very real. The Collie work force still recalls that due to the actions of senior members of the previous Government the largest mining company was three days away from insolvency, and 800 people were three days away from an empty pay packet. It is very difficult for the people of Collie to understand why, in view of the critical situation of the energy supply, there is still no new power station - not even the plans for one. After all, even when Muja stage D was commenced in the late 1970s the authorities knew that another power station would be needed. Even Prime Minister Hawke, in his infamous appearance in the Collie Park, categorically promised the Collie electorate a new power station; that was five years ago, and we are still waiting.

The fact is that Western Australia will need two coal fired power stations of 100 000 megawatts each if the industrial development of Western Australia continues at its present rate to the year 2 000. The delay in having a power station is costing Western Australian taxpayers. There are reasons for the ever increasing numbers of gas fired turbines proposed at Pinjar and elsewhere, firstly as a stopgap measure to cope with the peak power demands and thus prevent the blackouts, and secondly because the introduction of a base load coal fired power station is at least four years away. These stopgap measures will take large quantities of gas so the developers are being exhorted to find gas in the Perth Basin, but a significant suitable gas find in the southern half of this State is not very likely. If gas is not found there will be no other option but to use imported oil in these proposed turbines, and I am sure this is not a prospect that any member here would like to contemplate. Gas reserves are not defined and established, and the establishment of these will take time and an indeterminate amount of money. Recent Press releases have stated that royalty holidays and other incentives could be applied to gas exploration and production, but I point out that without the taxes, royalties and other imposts on coal the coal industry could be truly competitive. State payroll tax alone adds more than five per cent to the wages cost, which is nearly three per cent of the total cost of coal.

It is possible to detect signs of panic in the Government's frantic search for elusive gas, yet coal at Collie is solid, reliable, ready and available to be used right now. If a lack of finance, escalating interest rates and mammoth debts are the reasons SECWA is promoting small, low capital, short term gas fields and generators, I can only say that the decision makers are passing by the most reliable and ultimately the best solution to this crisis; that is, to build and develop immediately a power station at Collie. The gas fields of Dongara have very limited life, and gas finds at Busselton are only coal drainage gas, which is almost pure methane and suitable only for small generators of about 15 megawatts. The best use for these generators is as line loss compensators at the end of the grid. In the debate over the usage of gas or coal for power generation I must also point out that in the total analysis coal is cheaper than gas as a primary energy source for electricity production.

The Greenhouse Effect, which is being used by advisers at the Energy Policy Unit and many of the Press reports, has in reality very little influence in the decision about where to build a new power station - at Collie, or at Hill River, Eneabba. It will be remembered that Hill River coal has considerably more sulphur and ash than Collie coal and therefore is environmentally less acceptable.

In the next four years, while a base load power station is being established, Western Australia's power requirements could increase by up to 700 megawatts. Decisions to be made shortly should not be made purely for the sake of expediency. No further stopgap measures should be permitted. I urge all members of this House to go out into the work force, to go to Kwinana and Collie, and to start asking questions of SECWA to ensure that pressure is kept on the decision makers to continue planning and to keep to a very tight schedule.

The Government has just called for expressions of interest in a new coal fired power station in Collie. Any genuine expression of interest is likely to come from the company that already owns a coal mining capacity in Collie. At present Western Collieries Ltd is anxiously awaiting a decision by Rothwells' liquidator, Mr Ferrier, in respect of what offer he will accept for Western Collieries. This puts the purchaser in a very difficult position when tendering for this expression of interest, and it may have difficulty in presenting this before the due date. Western Collieries' position is a direct result of its involvement in the Rothwells debacle. Therefore the Government must take some responsibility for the problems which have been created. It is the Government's responsibility to act quickly to honour the promise made prior to the election only two short months ago, and to develop a coal fired power station in Collie.

Collie is ready now. It has the infrastructure, the manpower, the organisation, the expertise and the desire to be involved in such a vital part of the State's future. Preparations are already under way in readiness for development. The companies are geared up, are ready for change and are ready to expand. Equipment has been purchased. The Griffin Coal Mining Company has already spent \$20 million on equipment while Western Collieries has been researching and testing the latest available underground mining technology. Dewatering and total extraction systems of underground coal reserves have already been proven so that



whoever does purchase will have the ability to introduce long wall mining technology almost immediately. In this way economies of scale in price structuring could be introduced in order to keep Collie at the forefront as a cost efficient fuel supplier for a new power station.

After all this preparatory work the total Collie work force must be given the opportunity to optimise the productivity potential now possible. All people engaged in energy production in Collie recognise the realities of the modern mining scene. Considerable change has been going on in Collie mining techniques over the last 10 years. There is a new generation of men who are intelligent and who realise that their mining future is dictated by economics. They understand that change is a part of all modern business ventures and they want to have a part in directing which way the changes will go. They need to be consulted, especially in the case of the introduction of three shifts and changes to work schedules where recognition of the sociological impact of such changes is essential. There must also be a speedy resolution to the morale destroying protracted restructuring at the Muja Power Station.

The people of Collie have been concerned about statements, supposedly made by a Minister, that seats held by the Opposition do not receive the same consideration as Government held seats. It has also been said that Collie people rejected the Government's program. However, I point out that the people of Collie are not negative. They are forward thinking people who know that in order for their town to progress they must be prepared to accommodate the changes that progress brings.

Industrial development such as the petrochemical plant, the aluminium smelter, the silicon smelter and the ammonia and urea plant means that a new power station is imperative. In fact, most likely two new power stations are necessary. SECWA now has to produce electricity at world competitive rates to attract industry which has to sell its products on the world market. Collie recognises that the intensive use of valuable capital and the use of the latest technology by skilled operators is the way to ensure that our town continues to develop steadily. Collie people want to ensure a good future for their youth. At present 2 000 children are currently attending school in Collie. Their employment opportunities are basically limited to energy production and forestry. These children are our future and to deny Collie the opportunity of having the next coal fired power station is to deny them their chance for a future they can look forward to. I therefore urge all members, particularly Government members, to make it their urgent business to understand this energy crisis in all its complexities. I am sure they will then all agree that Collie is the best available site for the next coal fired power station.

In conclusion I wish all new members and members of long standing - especially those with responsible positions - a truly productive Thirty-third Parliament.

[Applause.]

**MR HASSELL (Cottesloe)** [3.06 pm]: In opening my remarks I commend the member for Collie on her very fine maiden speech to the House. It was very well thought out and thoroughly researched, and I hope she and the other new members from both sides have a long and fruitful time in this House. Mr Speaker, I congratulate you upon your re-election as Speaker of the House and offer my best wishes for your work in that role.

Today I want to speak to the House about a case of injustice. My interest in this case precedes my appointment as shadow Attorney General with responsibility for legal matters on behalf of the Opposition. On 20 August 1988 there appeared a front page report in *The West Australian* about the trial of Nicholas Meredith. On that day I wrote to one of the living victims of the offence committed by Nicholas Meredith, of which he was convicted. I wrote to Mrs Traudl Tan, the widow of 52 year old Peter Michael Tan who was killed by Nicholas Meredith. Mrs Tan is in the Gallery of this House today and I seek to bring her case before the House.

Peter Michael Tan left a widow, two teenage children and an adult daughter. The story of the events leading to the death of Peter Tan, the charging, trial and sentencing of Nicholas Meredith and his term of imprisonment, which will shortly expire, raises serious questions about our system of justice. Specifically it raises questions about the treatment of victims of crime, our attitude as a community to them and the competence of the Crown Law Department.

Time is short and all of the details cannot be told, but nevertheless it is desirable for me to go

into a little of the background of the victims of this crime, whom I represent and who in turn symbolically represent other victims of crime. Firstly, as is obvious from their names, Peter and Traudl Tan come from other countries. Peter Tan came to Australia to study accountancy and Traudl arrived later. Both became Australian citizens, having married here.

Peter Tan practised as a qualified member of the Australian Society of Accountants all his working life. He drove taxis as a temporary interlude and a week before he died he planned to return to his profession. Mrs Tan has a Master of Philosophy Degree and is now a language teacher at Mt Lawley Senior High School. The Tan children are Heidi and Gingkai aged respectively 14 and 13 and are students at Willetton Senior High School; Yasmin is 21 years of age and has a young child.

The story of Peter Tan's death is extremely unpleasant and indeed horrifying. The story is horrifying because it represents the kind of senselessness and violence unmotivated by anything except hatred and inadequacy - of the kind that only a few years ago we regarded as substantially alien to our community and of the ilk that titillated the concern of Australian tourists visiting New York and other places renowned for violence. The story is also horrifying because the element of racism involved in the events which happened adds its own dimension of horror of the events and their results.

Mrs Tan has not only borne the sudden, traumatic, violent and unnecessary loss of her relatively young husband, but also a burning sense of injustice, dissatisfaction and disillusionment. She has taken her case to the Government; she has taken it to the Human Rights Commission; she has spoken to a number of political people, and she has continued to investigate and probe and to ask and to seek. Her seeking fundamentally has been for acknowledgment of injustice. At the end of the day all that she can now ask for, in practical terms, is an acknowledgment of injustice. Her husband cannot be brought back, and I am advised that no retrial is open and that no avenue of appeal in relation to sentence is open - although I think the latter should be further investigated.

Let me tell the story: A few months ago, in February last year, Peter Tan was driving his taxi, doing the job which earned him a living. His car broke down on the freeway. With another taxi driver he obtained a lift to a telephone stop. He was left at the telephone beside the freeway and coincidentally he was there with Nicholas Meredith and another person. Peter Tan was orally abused by Meredith. The abuse included reference to his Chinese race in such terms as, "Chinese are stupid, they don't know anything. . .". Meredith told the police later - and I am sorry to use the kind of word used in this sentence but the word was used in the police record - "I don't like Chinese so I beat the shit out of him". The reference for the quotation is the police record of interview, and it is a quotation of Meredith.

At the telephone on the freeway during that night Meredith bashed Tan. In fact, he bashed him to death. When Tan was found he was unconscious. Despite tremendous efforts through the intensive care system of Royal Perth Hospital, he did not regain consciousness and died a couple of days later. When Mrs Tan visited her husband in hospital for the first time he was so severely injured that he was literally unrecognisable.

Meredith was charged with wilful murder of Tan; Meredith was represented by Mr Geoffrey Miller, QC. Mr Miller did his job for his client very successfully because Meredith, having been charged with wilful murder in a very serious case, was convicted of manslaughter. Meredith was sentenced to two years five months imprisonment which means that with remissions he will be out of prison in approximately three months from now.

Remember, Mr Deputy Speaker, that the crime occurred in February last year. In three months from now the man responsible for having killed a totally innocent taxi driver on the freeway, without provocation, without cause or motive, will be free. All in all, between the date of the crime - 18 February 1988 - and his release from prison in approximately three months, Meredith will have been inconvenienced in his life by 15 months.

Mr Tan has been deprived of his life; his wife has been deprived of his life and his support; his children will be brought up without their father. The Crown, through the Attorney General, refused to appeal against the leniency of the sentence. The Attorney General answered questions in this House, both by the former shadow Attorney General, the member for Floreat, and by myself. The Attorney General answered questions which indicated that he had received advice that an appeal against sentence would not be successful but that he

had instituted a study of sentencing by the Crown Prosecutor. The Crown Prosecutor has been charged with a review of the effect of the Child Welfare Act on juvenile sentences and asked to provide an opinion on the desirability of any amendments beyond those already presented to Parliament. I do not know whether that study has been completed; I placed a question on notice today about it but considering that the events took place last August-September, it is surprising no announcement has been made before now.

Mr Deputy Speaker, one might ask why it was that in a case of such glaring injustice an appeal on sentence was not taken in any event at the very least to satisfy the outrage of those people who have considered this case.

The law draws a distinction between categories of unlawful killing. Wilful murder is that which takes place when the offender intends to kill the victim. It was unlikely that Meredith would have been convicted of wilful murder even though that was the charge laid against him, and even though some people think it was justified. Murder is the description given to an unlawful killing where the Crown establishes an intention to commit grievous bodily harm. One might have thought that Meredith's admission that he "beat the shit out of" Tan indicated his approach to the offence that he committed; indeed, indicated an intent. However, it was a jury which decided that Meredith should be convicted of manslaughter - unlawful killing where intention to kill or maim is not involved. I speak in layman's terms.

It is important to ask the question why Meredith was not convicted of murder rather than manslaughter, just as it is important to ask the following questions: Why Brush and Martin were not convicted despite major admissions and disclosures during their trial? Why was there not a conviction at least of murder in the Sampi case in Broome recently? But those cases are for another day. I only mentioned them in passing to place the context of questioning I now raise. That questioning centres on the thoroughness, if not the competence, of some Crown Law officers involved in trials in this State. Manifestly it is a very serious question, and I emphasise at this stage that it is only a question which I am raising. But I must say that ever since the O'Connor case, when the Attorney General entered a nolle prosequi against a union official who had been committed for trial and produced in support of his action an opinion from the Solicitor General, I have had a question on my mind about the Crown Law Department.

The defence of Nicholas Meredith, undertaken by Geoffrey Miller QC, rested on the proposition that Tan fell over backwards and fractured the back of his skull, and the fracture to the skull was the cause of death. Mr Deputy Speaker, you and the public will be amazed to know three things. Firstly, that the medical people who attended to Tan at the Royal Perth Hospital were not called as witnesses at the trial, but the pathologist who carried out the post mortem was called as a witness. Secondly, that the post mortem report, of which the pathologist gave evidence at the trial, showed a fracture to the back of the head of Tan but did not show two fractures to the front of Tan's head. In fact, the pathologist at the trial denied that there were fractures to Tan's face. Thirdly, that the medical reports from Royal Perth Hospital, which were not produced at the trial, did show various serious injuries to Tan's head, including two fractures to his face, but those reports did not show a fracture to the back of the head. Dr Salmon, at the Royal Perth Hospital, has reported to Mrs Tan that two CAT scans were taken of Tan, as well as a skull x-ray, and that none of those investigations showed any fracture to the back of the skull. Another senior doctor at the Royal Perth Hospital has said subsequently, and as recently as yesterday, that such a fracture would not necessarily show up in those tests.

However, the point is not whether or not that fracture would show up, or whether it was or was not there. The point is that at a trial about a violent death vital evidence was not called by the Crown; that evidence was in conflict with some evidence that was called; and, most importantly, that evidence which was not called was vital to the prosecution case against the accused.

The jury at the trial was presented with evidence totally consistent with the defence case, namely, that there was no serious injury to the front of the face, which obviously would have been the sort of injury Meredith would have inflicted on Tan if he had been bashing him, but that there was a fracture to the back of the skull, which could have occurred as a result of his falling over backwards on hard ground or bitumen. Evidence consistent with the prosecution case was not presented. Available evidence - from the people who treated Tan when he was

taken to hospital and from people who were in attendance on him during his time in intensive care - that there was no fracture to the back of the skull - or, at least, if there was that there were also fractures to the front of the face - was not presented to the court.

It is a fact, as shown by the Royal Perth Hospital report dated 17 January, which I have here, and confirmed in a further report dated 9 March 1989, which I also have here, that Tan received serious injuries to the front of the head. The fractures to the front of the face were consistent with -

... blows or kicks to the face, and that behaviour, in turn, is consistent with murder or an intent to inflict grievous bodily harm which results in death. That evidence was available but was not called by the Crown. It seems to me that the Attorney General must give a satisfactory explanation as to why this did not occur. Had that evidence been called, then a reasonable jury, properly directed, would have had a sound basis upon which to return a verdict of Guilty to murder.

That is a quotation from a letter from Mrs Tan's solicitor, Mr Jack Courtis, dated 29 March 1989.

When the Attorney General was asked in this House by me on 12 October 1988 why some of the evidence for the prosecution relevant to the events was not called, why eight witnesses were not called, and why medical evidence from the Royal Perth Hospital was not called, he said -

All evidence available or known to the prosecution which was legally relevant to the events at the scene was led by the prosecution.

A number of witnesses were not called at the trial because admissions made by the defence made their evidence unnecessary. Evidence was not called from medical staff at Royal Perth Hospital because the evidence of the expert pathologist who was called by the prosecution made that evidence unnecessary.

That was question 1463.

That evidence very clearly was necessary to the prosecution case. Of course, it is not the duty of the Crown to obtain convictions in criminal trials; its duty is to present all evidence relevant to the court so that justice might be done. In this case, justice was not done.

Mrs Tan has made complaints about the trial, the process leading up to the trial and her treatment before, during and after the trial. She has only recently articulated what I have just described - the most critical complaint of all - the lack of presentation of vital evidence, because it was only recently, after her persistence, that she received a written report from the Royal Perth Hospital.

Months ago Mrs Tan formulated her concern about the trial of Nicholas Meredith. I want those concerns included in the record and I will seek leave at the appropriate time, at the end of my remarks, to have them incorporated in *Hansard* if time does not allow me to read them. There are 10 points, and they are all important.

The detailed concerns expressed by Mrs Tan, an educated person, deeply and personally involved, and thoroughly capable of understanding what was going on, were formulated months ago and have never been fully or adequately answered, although presented to the Attorney General on more than one occasion.

Mrs Tan was invited to have a chat with a senior officer of the Crown Law Department. She remains dissatisfied, as I do, as does her solicitor and as do most people who have studied the case. The technicalities of the law are a mystery to many people but the concept of justice is understood by most people. My challenge to the Attorney General in this State today is for him to assert the belief that justice has been done in this case. If he cannot assert that belief, and I am sure he cannot, it is incumbent upon him to acknowledge the failings of his own department and his own administration, and take some appropriate action.

I want to suggest some action which ought to be taken. Firstly, the complaint of Mrs Tan must be officially acknowledged; it cannot be swept under the carpet, explained away or ignored. This case will not go away until the wrong is in some way purged.

Secondly, the Crown should take legal advice from outside the Crown Law Department from the most highly qualified Queen's Counsel in Australia as to whether there is any basis upon which, if not the verdict, at least the sentence, can still be challenged.

Thirdly, the Government should immediately proceed with what the Opposition has been advocating for many months - indeed, for years - which is the establishment of a highly qualified, totally independent, statutorily protected office of public prosecutions. The independence of such an office should be spelt out in a law of this Parliament. Its discretion should be defined; its obligations should be stated; its accountability should be set out; and the quality of the people appointed to that office should be such that its integrity will never be questioned, nor its competence.

Fourthly, we must do something about the victims of crime. Some years ago, when I was Minister for Police, I discussed with the Commissioner the need for some office within the Police Department which had a special responsibility to deal with the victims of crime. It was an idea which I had gathered during a visit to the United States as a guest of the Government of that country in 1981 where I had visited a number of police agencies and discussed with them their handling of law enforcement.

Mrs Tan and her children are innocent victims of crime; they cannot be ignored. Mrs Tan has had dealings with police and Crown Law officers, some of whom were courteous and polite. But in neither case does their job specification include the care of Mrs Tan. There is no job specification which includes the care of Mrs Tan as a victim of crime in our system of justice. She symbolises many victims. Not only does the Police Department need some identified people, not necessarily police officers, responsible for dealing with the victims of crime, but also the Crown Law Department and perhaps the courts. Perhaps such a system should be centred in the courts as, by way of analogy, there are counsellors in the Family Court. These details need to be considered. The principle is that our system should officially recognise victims.

Mrs Tan has gone through the process of seeking information. She has been fobbed off and sent from one place to another and wandered the corridors of the courts wondering what was going on. Worse than that, she has seen in the conduct of the trial the good name of her husband besmirched with no correction. She has seen it made out that he was the aggressor when he was the victim. She has seen it made out that he provoked the vicious violence against himself. One of the witnesses in that case gave evidence that he was driving along the road and saw a person jumping on and kicking what he thought was a hessian bag. He went by and after a minute or two he thought it was peculiar and so turned around and came back. That hessian bag was Peter Tan and he was still being jumped on and kicked when the witness came back.

That is the measure of this case and that is the case for which a man was convicted of manslaughter, of having no intention to do grievous bodily harm and no intention to kill. For that he was given a sentence which allows him to be out of prison 15 months later - not 15 months after the trial, but 15 months after the crime, taking into account his imprisonment between his arrest and trial. That is the case that represents a system which is not working as well as it should. I understand, although I have not seen it, that Meredith had a long string of various convictions at the time of the trial. It seems to me - I have dealt with this case over some time and in great detail - that a great injustice has occurred and, although not much can be done, something can be done and should be done. The starting point of that is for the injustice to be acknowledged officially even though no consequence in action may be able to flow from that.

I propose to move an amendment to the Address-in-Reply in light of this case. However, before I do I ask your guidance, Mr Deputy Speaker, on the incorporation in *Hansard* of Mrs Tan's concerns.

The DEPUTY SPEAKER: Order! While there is provision in Standing Orders to incorporate statistical tables, charts, etc., there is no provision for the incorporation of written material where that material could reasonably be read as part of the speech. I know the member has covered that to a point, but the Standing Orders are fairly clear. It is up to the speaker to make the choice as to whether he reads the material, but if he does not read it I do not think there is any easy method for incorporation of it in *Hansard*.

Mr HASSELL: Will the Government allow me time to read these points by granting me a short extension?

[Leave granted for the member's time to be extended.]

Mr HASSELL: These are the concerns expressed to me months ago by Mrs Tan and is a total quotation of hers. She said --

- 1) Evidence was not adduced: a) specific, documented evidence (racial abuse of the victim in presence of two witnesses prior to physical assault) and "a lot of other evidence", which was not produced or called for (source and quotation: Det. Serg. Terry Ryan, CIB Warwick).
- 2) 8 witnesses were cancelled at the last minute, among them Sen.Det.Serg. John McRoberts, Maylands Detective Training Centre (source: Ryan, during trial, and McRoberts, telephone communication a few days before trial).
- 3) Omitted evidence was replaced by grotesque fabrication, maligning the victim as a result. This exchange of documented fact with fictitious allegations effected a total reversal of roles in court: the victim, unable to speak for himself, ended up portrayed as the aggressor, and the accused as the innocent, allegedly insulted by the alleged verbal provocation of the victim!
- 4) Why was the accused represented by Q.C. and the victim was not? We were informed by the CIB we could not have our own lawyer for this trial as the Crown was prosecuting. Could we not also have had a Q.C. to represent the victim's case?
- 5) How could the accused's companion (the only witness who saw the crime from start to finish, and originally apprehended with the accused), become a prosecution witness, when he lied in court and refused to give certain evidence (point 1a above) ten minutes before he was due to go into the witness stand, in order to protect his friend? (source: Crown Prosecutor John McKechnie, in answer to my inquiry in the corridors of the court building during interval).
- 6) Why was the trial over so quickly? Court was booked for three days, CIB believed it would at least take four.
- 7) Why was medical evidence not called from Royal Perth Hospital doctors, who examined my husband on admission 35 to 40 minutes after the assault and who performed a CAT-scan and subsequent brain surgery on him? The pathologist, Dr. Hilton, who gave evidence, concluded that the cause of death was brain damage, due to a fractured skull, after the victim had allegedly fallen over backwards. The defence dwelt on this as the single cause of death, named it an accident and called for acquittal. In the face of evidence presented in court by 2 witnesses, who saw my husband pushed, beaten, kicked and many times stomped on his head as he lay on the ground, the Defence asserted in the strongest terms and repeatedly that all this "in no way contributed to the death", and denied any intent to harm or kill. I question this. Dr. Hilton, whom I consulted on my own initiative in March, took care to explain to me how susceptible the brain is to being shaken and how easily this can cause severe damage. How can anybody then say that the blows administered to my husband's head before and after he ended up on the ground "in no way contributed to his death"?

I further question why, in spite of meticulous inquiries at the hospital and Doctor Hilton, I was never told my husband had suffered a fractured skull.

That has been explained subsequently by the later medical reports from the Royal Perth Hospital. It continues -

- 8) I question the composition of the jury, who according to name and appearance, seemed to me to be all Anglo-Saxon. The Prosecutor said later there were 2 persons of ethnic origin or mixture. I don't believe this is enough ethnic representation in a case such as this. When I voiced my concern regarding the composition of the jury 5 months before the trial to the CIB, I was given a lecture on the virtues of British justice.
- 9) According to the evidence presented the verdict should have been at least murder. The verdict of manslaughter is wrong because it means there had

been no intent to harm or kill. This was conceded by the Prosecutor (telephone conversation 18.8.). Asked if he would or could appeal, he said: "The Crown has no right of appeal."

- 10) There is no provision in the justice system to assist the victim's family with legal advice before, during and after a trial. What is needed is a kind of information service about pre-trial and trial procedures and the police inquiry in cases where the Crown prosecutes. As it is, the victim's family may as well not exist, judging by the way we are treated now.

I wanted to include those comments made by Mrs Tan. They are not necessarily the points I have taken up because I have sought to approach this matter by concentrating on the peak issue which seems to be the strong sense of injustice felt by many people in relation to the outcome of this matter.

*Amendment to Motion*

I move the following amendment to the Address-in-Reply -

That the following words be added to the motion -

But have to advise Your Excellency that as a result of the grave injustice in the case of the unlawful slaying of Peter Michael Tan and the subsequent trial of his killer, Nicholas Meredith, this House calls upon the Attorney General and Government to,

- (a) acknowledge the injustice of the outcome of this case;
- (b) seek legal advice of the highest order in relation to the case and its outcome;
- (c) establish an independent statutory office of Director of Public Prosecutions as advocated and proposed by the Liberal Party; and
- (d) establish in conjunction with the Liberal and National Parties in Parliament a Select Committee to study and make recommendations on appropriate changes to laws and procedures to better support the victims of crime and their families.

MR LEWIS (Applecross) [3.42 pm]: I formally second the motion. For quite some time there has been a growing perception in society that Government - by that I mean Governments generally and not just this Government - cares more for, shows more understanding towards, and gives more support to the perpetrators of crime than to the victims of those crimes. Of course, it has been suggested for some considerable time that the judiciary reflects the society of the time. As an example one has only to read a little about and reflect upon Hitler's Germany in the 1930s, where the courts appointed by the Government reflected the will of that Government. The many terrible injustices perpetrated on the Jewish people in Germany against their person and their property were unfortunately after a time accepted by the German community in a general sense. Indeed, many people in Germany recognised the outrage and believed that what had been happening was wrong; but the facts are that the Government continued in office for more than a decade and was supported in the main by that community.

The point I make is that if Governments are seen as lame duck Governments, which do not give proper support to the prosecutors of injustices within a society, and if they are seen to go soft on their obligations to the community they are entrusted to represent, it is only a matter of time before people in that community will feel that if it is good enough for the Government, it is good enough for them. Thus the whole process of law enforcement and law and order breaks down. Of course, in Germany the police and members of the community witnessed the atrocious things done to their fellow Germans who were of a different religion, and they turned their backs on them. That may have been because of their fear of persecution by the brown shirted youths who roamed the streets and carried out the atrocities, or it may have been because the Government, by not taking action, indicated that it was acceptable behaviour.

One could ask why it happened in Germany, and whether it could happen in the United Kingdom or in Australia. Indeed, it happens in Latin America and Africa, and has happened

in the USSR, China and many other countries. The members in this Chamber should not think that it cannot happen in Australia; of course it can. The Government is the means by which people are indoctrinated, via the media, the Government's pronouncements, the way it makes and enforces the law, and the penalties that Parliament and the Government put in place to deal with those who break the law. The point I make above all is that if the community is to obey the law, the Executive Government - and indeed, Parliament is subjugated to that Executive Government - must ensure that all matters are within the law and are dealt with in a proper manner. The Government makes the laws, and its example in the way it conducts the prosecution of those who break the law is vital to the continuation of our society as it exists today. I commend the member for Cottesloe for bringing this matter to the attention of the Parliament. A very grave breakdown has occurred in our system of justice. There has been a breakdown in law and order in our society in recent years and I accept that perhaps tougher penalties and more policemen may be measures by which to treat the problem. However, these solutions are only treating the symptoms, and perhaps we should treat the cause of that breakdown which has been evident in Australia in the last decade. It should be done by example; our educators must get into our schools and teach the principles of right and wrong.

Many people in society, and those who perhaps should know better, have for too long grown to accept what is happening as being normal and reasonable. The time has come when the Governments and Parliaments of Australia must set an example. There are many reasons why the public holds in contempt parliamentarians, the law and the process of justice. We can find examples in the Parliament of Western Australia. Select Committees of this Parliament are in a technical sense superior to the courts of the State, yet witnesses have treated with contempt such Select Committees and have told lies while giving their evidence. I happened to serve on one Select Committee and I know that untruths were told to that committee.

Dr Gallop: What did you do about it?

Mr LEWIS: I wrote a minority report, which this Parliament did not even give me the opportunity to debate. I have brought to this Parliament statutory declarations of witnesses to a Select Committee to the effect that they have been intimidated by an officer working for a Minister of the Crown. This Parliament did not accept my motion to that effect, and no action was taken. There was within that Select Committee *prima facie* evidence of collusion.

The DEPUTY SPEAKER: Order! I say to the member for Applecross that while this may be a very interesting discourse on that particular Select Committee, I suggest it is not central to the amendment before the Chair. The amendment does not mention that particular Select Committee. It mentions a Select Committee in the last paragraph, but I do not see how these remarks illuminate the argument for that proposal. I ask you to direct your remarks more specifically to the amendment.

Mr LEWIS: I am trying to develop the point that this Parliament has a responsibility to show the electorate that it is beyond reproach in the conduct of its affairs. The public of Western Australia have grave doubt and scepticism about this Parliament's having pursued certain matters in the way in which they should have been pursued. The amendment moved by the member for Cottesloe made the point that the courts are now perceived as not dispensing justice in the proper way. That is part of the breakdown of society which we are currently experiencing. If the Attorney General can come to the view after the manifestation of that case that no further action need be taken then I suggest he is incompetent. The first thing that should be done is to call for reasons why there should not be an appeal. In saying that I refer not only to this case but to the O'Connor case. Cases have been presented to the courts of this State where an eminent Queen's Council has been representing the defendant, yet an ordinary, second rate solicitor has been prosecuting for the Crown. I do not know whether that is intentional or -

Mr D.L. Smith: That is an outrageous statement. You are not the least bit qualified to make a judgment about legal practitioners. This adds nothing to the debate. You are the worst example that I have ever seen of a seconder of an amendment of this kind. Your behaviour is deplorable when the widow is sitting in the gallery.

Mr LEWIS: I will not comment on that interjection. I reiterate that I am talking not about what I think but about what the public think. The public believe that the prosecution



mounted in the Martin-Brush case, the Sampi case and the Tan case was inadequate. This motion calls for an independent prosecutor who cannot be directed by the Attorney General but who stands apart from the Government and who has the credentials to fairly go about his business without any allegation of being got at. The Minister may accuse me of making outrageous statements, but these statements should be made because they represent what the public think. I have heard what people have said to me, and if the Minister wants to close the door, stay in his closeted environment, and say these sorts of things do not or could not go on, good for him, but I have my responsibility to the electorate to say what I believe and what the public want me to say.

Mr D.L. Smith: As long as that is the reason, and you are not trying to grab a headline for the next day. I suspect the latter in your case.

Mr LEWIS: The Minister can be as cynical as he likes. He should be the last person to comment because he was the chairman of that infamous Select Committee, the report of which was never debated, and which the Government could not get out of this Parliament quickly enough to get away from.

Mr Carr: What about the tail shaft?

Mr LEWIS: That is a good point. I have a few minutes left, and I will mention that a member in the other House made allegations about phone tapping, and jokes were made around this Parliament that -

#### *Point of Order*

Mr D.L. SMITH: I hate to raise the issue of relevance, but we are speaking to an amendment.

Mr LEWIS: I accept the situation, but I was responding to an interjection.

The DEPUTY SPEAKER: I was about to make the point which I made previously: Your response was not relevant to the amendment. I agree with your point that some of the interjections are not relevant to the debate, so I ask members making interjections to ensure that they are pertinent to the matter before the Chair.

#### *-Debate Resumed*

Mr LEWIS: Thank you, Mr Deputy Speaker. The point is that the terrible goings on of the Tan case - the way the Crown handled that case and the way it is perceived that justice has not been done - are matters of grave importance to this Parliament and should be of grave importance to all of us and to everyone in Western Australia. The question to be asked is: Why did it happen? It is very interesting that the perpetrator of this heinous crime, which was absolutely unprovoked, was sentenced to two years and five months' gaol and will be out in 15 months. The Parliamentary Library found for me some sentences relating to other crimes in recent months. One person received three years for breaking and entering a dwelling at night and depriving a person of his liberty; someone else received two years for breaking and entering with intent to commit an offence; someone else received two years for stealing from an employer; someone else, who happened to have robbed a taxi driver - not taken a life or anything like that - received four and a half years. This is a manifest case where justice has not been done and where something should have been done about it rather than sweeping it under the carpet and saying, "It is all too hard to appeal." That is not good enough and the member for Cottesloe has spelt that out very loudly and clearly.

Perhaps the whole question is fairly put in a true light by a statement made by Mrs Tan, which I will quote -

Justice means "to be just; to treat fairly". Ordinary people have the intrinsic right in a democratic society to expect justice to be seen to be done, understand it and feel protected by it.

I put it to the members of this Parliament that if they believe that what we have been told today about the Tan case is justice, maybe I should not be here.

To summarise, the first thing the Government must do is recognise that an injustice has been done. The second thing it must do is seek very high legal opinion as to whether it can in fact appeal against the sentence, or what other measures it can take at this time to right an injustice. The Government should also appoint an independent statutory office of Director of

Public Prosecutions; and of course I think it is high time that this Parliament and this society recognised and took some account of the situation of the victims of crime and their families rather than that of the perpetrators of the crime.

**MR WIESE (Wagin) [4.04 pm]:** On behalf of the National Party I support the amendment moved today by the member for Cottesloe. The issues raised in relation to the case of the death of Peter Tan and the subsequent trial and sentencing of Nicholas Meredith are very serious indeed, and I congratulate the member for Cottesloe for raising them in the House today and bringing them again before the public of Western Australia.

Peter Tan's death was needless and tragic. The subsequent trial and sentence of Nicholas Meredith appeared to almost every person in Western Australia to verge on the farcical and to be a grave miscarriage of justice. It has done the whole concept of justice a great deal of harm in the eyes of the general public in this State, therefore it is a very important matter that we are discussing today. The member for Cottesloe's amendment seeks to remedy that injustice to some small degree. There should be a review of the case at the highest level to ascertain some answers to the questions that have been raised by the member for Cottesloe and to re-establish in the minds of the public some respect for the administration of justice in Western Australia. Why has Mrs Tan not been able to get some acknowledgment of the injustice that has been done? Why was all the available evidence not put before the courts? Why were all the witnesses not called? Does anyone in this House believe that the jury would have brought down a verdict of manslaughter if its members had been aware of the injuries to the front of Mr Tan's face and head? Does anyone in this House believe that there was no intent to harm when Mr Tan was beaten, kicked, and had his head stomped upon in the most brutal manner, as has been described in the House today? Mrs Tan does not believe that a jury could have given a verdict of manslaughter if it had been made aware of these facts; neither do most of the people in Western Australia. It was a brutal, senseless murder and the perpetrator may be free within the next three or four months.

I believe very strongly that the Attorney General should acknowledge that an injustice has been done to Mrs Tan and her family by the verdict, and that is one of the things which the amendment before the House seeks to do. The Attorney General should take all possible steps to investigate what course of action is open to him to reassess the verdict and to reconsider the sentence subsequently imposed upon Nicholas Meredith. The second clause of the amendment before the House seeks to do exactly that: It calls upon the Attorney General to seek legal advice of the highest order in relation to this case and its outcome, and I support that call. I believe the Attorney General has an obligation to convince the people of Western Australia that the Crown's decision not to appeal this case did not compound the injustice that was done to Mr Tan and to his family.

Nothing can bring Peter Tan back to his family. He will remain and live on in their memories, but I believe they deserve to see justice done and that they should at least see some positive improvements to our legal system result from what has happened in this case. This amendment seeks to set in motion some steps that are aimed at bringing about these improvements. The establishment of an independent statutory office of director of public prosecutions would be a very positive step down that road to establishing once and for all the independence of the prosecution, and to establishing in the minds of the people of this State that everything is being done that can possibly be done by this Government and this Parliament to ensure that justice is done and is seen to be done.

Ever since I entered this House, the National Party has sought to achieve improvements in our system of justice. I am sure that was the aim for many years before my appearance in this place. Today we are witnessing an increasing breakdown in law and order and an enormous increase in the prevalence of violent crime. These actions are becoming more and more common every day. When the police apprehend the people responsible for violent crimes - and I give the police the highest praise possible because I believe they do an excellent job - it must be heartbreaking for them when the perpetrators of crimes are brought before the courts and inappropriate sentences are handed down. So often the sentences are completely unrealistic and the public are becoming increasingly disturbed at the level of sentences in so many of the cases which involve violence. The public believe that sentences should be more severe and that offenders should be gaoled for long terms both as a punishment for the crime committed and as a protection for society in general. I fully support the beliefs expressed by the public of Western Australia today.

The Tan case highlights so many of the public concerns about crime and justice. I join the member for Cottesloe in supporting the four aspects of the amendment before the House. I hope that the member for Avon will receive the opportunity to enlarge on the general aspects of the law and order issue and the questions raised by the amendment. I am very happy to have been given the opportunity to speak in support of the amendment moved by the member for Cottesloe.

**MR TRENORDEN (Avon) [4.12 pm]:** With some interest I have watched members in this House during this debate and this has been one of the few times I feel real empathy within the Chamber. There is not one member in this place who does not feel sympathy for the Tan family and indeed for other people who have been victims of crime.

During the election campaign we were all able to get out and talk to many people. All members know that the law and order issue is the prime issue, and this case goes to the core of that issue. Some months ago I undertook to familiarise myself with the legal system; I visited Longmore and other institutions which deal with juvenile offenders. I also visited the East Perth court which I found to be a disgrace, and that has not changed. I happened to visit Longmore at the time when Nicholas Meredith was brought in on remand. I was walking past the cell into which he had been placed and I could not help but note the size of the man, his stature and attitude. He may be young in age but he is certainly a man. I would not like to face him in a dark street, or anyone else of his stature or attitude. Meredith's attitude was fairly obvious even though I had seen him for only a few moments. I also listened to the comments made about Mr Meredith by the people at that establishment at that time, because he was very much a topic of conversation. His record is not one of which he should be proud. His record sends shudders down my spine. Many members would know many children like him. He is not very old; I cannot recall his age but he was around 17 years of age at that time, but he did not have the stature or attitude of a 17 year old person.

Mrs Tan has a right to be concerned about this case, as has the community at large. In recent times we have seen comments in the Press about early release schemes and about the soft sentencing of criminals. We also see a constant reference - and that is the only word to use - to people who are paroled on early release schemes, reoffending immediately. Only recently Press comments referred to an individual on parole who reoffended three times in one week. That type of activity is very common.

The fact that Meredith received a sentence of two years and five months has been mentioned many times; he will serve only a portion of that. Is there any worse offence against society than to take someone's life? If we consider history we will see that the taking of another person's life is the highest offence against any society. We are talking about an individual who decided that he had the right to get involved physically with another individual. I do not say that the offender intended to murder Mr Tan on the spot but that was the net result. I often wonder why, when we see reports about people waving firearms at bank tellers, the comment is made that because the person did not place ammunition in the gun he may not have intended to use it. The only reason a person holds a gun is to shoot someone. The only reason a person jumps on and kicks another person is to do grievous bodily harm at least; because that person is a youth and because that person has a very poor background - I do not speak particularly about Nicholas Meredith, because I do not know his history - these things call for a lenient sentence. We have been giving these people lenient sentences for decades but to no avail.

Turning to the fourth aspect of the amendment, I have a particular interest in youth and members who have taken an interest in debates are aware that I usually have a lot to say about juvenile crime. We cannot keep on placing youths in gaol; that is why I recommend we consider appointing a Select Committee to look into the rules and regulations in relation to crime. Throwing young offenders into gaol is placing them into the university of crime. I do not advocate that we soften up on crime. Offences committed by youths are usually against the community. They usually involve assaults on other children, stealing cars, breaking into houses - offences which are direct attacks against the community. We should find measures that address that question, and make the juvenile offenders more responsible to their own community, but not in a lenient manner.

Unfortunately, community work orders and community release schemes exist in our system. It would be interesting to look into the future and see how community work orders work in

the metropolitan area. In country areas, however, they are considered to be a joke. People are given community hours to work and are delivered to the place of work and picked up hours later, but their work is not supervised. The community deserves more than that. If a person offends against the community, the community should put it in hard to him and force him to pay back to the community in kind, not just by gesture.

The United States of America and China have established schemes whereby children entering primary schools are taught their responsibilities to their parents and to themselves. Many children beginning their school lives come from poor families or from situations that do not place them on an even keel, and they remain that way. It is important that we help these children and teach them to have a responsibility to themselves, to other people, and to the nation. That system has been very successful in China, as has the new system in the United States of America, yet the two cultures are very different. We need to consider the options open to us.

If we are going to implement community work orders and work release schemes we must resource these schemes. Courts in the United Kingdom have been presented with these options, but have not been provided with the physical resources to back them up. Judges, magistrates and justices of the peace have refused to hand out those penalties because they know they will not be followed through. When the community sees that they do not work, they apply pressure to the judicial system not to hand down those penalties, and offenders are then returned to the gaols.

I am not suggesting that offenders such as Mr Meredith should not be in gaol. I believe that he offended many times before he committed this crime. Maybe we could have headed him off at an earlier age and handled him in a different manner, rather than with the kid gloves with which all Western societies tend to handle offenders against society.

New Zealand has introduced schemes for dealing with offenders, as have New South Wales and the Northern Territory. Those schemes include taking youths out of gaols and teaching them their responsibilities which will allow them to grow in the community. Unfortunately, that is not happening in Western Australia. Despite law and order being a key issue at the last election, very little has been done or will be done unless the community forces the Government to do something. The decisions made by the courts are dividing the community. Many of those decisions were referred to by the member for Cottesloe and I will not repeat them. The community acknowledges that the laws of this country are not applied consistently and that is a serious problem. The system needs reviewing.

Two years ago I attended an excellent seminar which addressed this issue and which was conducted by the Law Society of Western Australia. Not much has come from it. It is time that we reviewed our methods of dealing with offenders. I have asked before and I ask again: What would Mr Meredith's sentence have been if he had robbed his employer or a bank?

Mr Lewis: Probably four years.

Mr TRENORDEN: Yes, depending on the amount of money he took. However, Mr Meredith took another person's life and that is the worst crime he could have committed.

Victims of minor offences are beginning to take action. Two examples of reactions to offences include a woman whose car was stolen and who did not want that car back because it had been violated, and another woman whose house was broken into and who scrubbed that house from the back to the front because she felt her castle had been violated. These people feel that a grave injustice has been committed against them. More and more Australians are being offended against, particularly by violent crime. In fact, these violations are becoming the greatest breaches of liberty that have ever been perpetrated in Australia and people are becoming more vocal.

To be a little unkind, I was interested in the Minister for Police and Emergency Services's attitude when his car was stolen. I compared his comments to what was said in the debates in this place. His attitude changed considerably after his car was stolen.

On ABC radio this morning, the Commissioner of Police said there had been a dramatic increase in violent crime. He said that what was portrayed in violent videos was being reflected in the activities of offenders against the police and against the community. If he is feeling the heat that much, there is very little hope for the rest of us.

I have attended many meetings on law and order, and the attitude at those meetings has been consistently that we should not hang criminals but that the system should be changed. I commend the member for Cottesloe for raising this matter in this place today. He is a lawyer and he presented his case very clearly. I believe that all members would have been touched by what he said. The nature of this place being what it is, I suspect that someone opposite will jump up and say that what the member said was a load of rubbish.

Mr D.L. Smith: I will not do that.

Mr TRENORDEN: I suspect that all members have a great deal of empathy for Mrs Tan, but what will we do about it? I hope that every member has been touched by this story and will accept that it is time for change.

I have concluded my comments, but I repeat that the Government above all cannot ignore the will of the people, and the will of the people is responsible for changes taking place. I know from my contact with a great number of Western Australians that they believe the system is breaking down. From the same contacts, I know that people believe the law is not the same for everyone. They are very important signs in the structure of any society. There are fractures in our structure and in the base of our structure that must be addressed. I commend the member for Cottesloe for moving this amendment and support it entirely.

MR D.L. SMITH (Mitchell - Minister for Justice) [4.33 pm]: I respond on behalf of the Government as the Minister for Justice and as the Minister representing the Attorney General in this Chamber. The first thing I need to say is that the Government will oppose the amendment, and there are two basic reasons why it will do so: The first is parliamentary practice and the consequences that flow from amending an Address-in-Reply to the Governor. It is not the practice to support amendments to the Address-in-Reply. If the Opposition had genuinely sought a more definite response from the Government in some form of cooperative action, it could have chosen other avenues. For example, it could have chosen to move this amendment in the upper House where it might have had more prospect of success, and also the Attorney General is in that place.

The second reason the Government opposes the amendment is that it does not purport to require anything which the Government is not already doing. I will elaborate on that in due course, but it seems to me that some members opposite are rather like the member for Avon; they run around talking a lot but do very little listening. The member for Avon was not aware that I am the Minister for Justice and he has not become aware of the number of actions the Government has taken in response to the Tan case and the general concern of the community in relation to the law and order issue and the violence taking place in our community. I also include the member for Cottesloe, because it is inherent in his moving this amendment that he is not aware of some of the things the Government has been putting in place.

The Government and all members on this side have an absolute abhorrence of the events leading to the death of Peter Tan. Under no circumstances in the sort of society we wish to govern could we tolerate or contemplate that that could happen to a man going about his trade in the transport business - to be met with in the circumstances involved, to be dealt with in that way, with those tragic consequences for him and his family. The Government shares the sympathy of every member in this House for Mrs Tan. It is an absolutely shocking matter to lose one's husband and the father of one's children in those circumstances. I recently had a personal experience of that kind, although not in the direct way that Mrs Tan had. At the weekend I was informed that the recent victim of a very violent, abhorrent crime was the sister of an uncle of mine. I could tell members of my reaction in that case which involved a distant relation by marriage. For Mrs Tan the circumstances are much worse; she has lost a loved one, the person who has provided for her and with whom she hoped to share her later years. He has gone and his death was caused by an absolutely abhorrent act by another member of this society. The fact that we abhor what happened, and the fact that we share with everyone else our sympathy for Mrs Tan, do not mean however that we agree with everything Mrs Tan may say about the matter, however hard it is to say that; nor do we agree necessarily with everything said on her behalf, or with those who may seek to use what happened for their own political advantage or because they want to press a particular view about what should happen.

Unfortunately, because of the way this Chamber operates, I have a limit of 20 minutes in which to make my comments and it is difficult in that time to deal with all the matters that

need to be dealt with in my response. The first and foremost comment that needs to be made is that Meredith, the person who perpetrated this crime, was tried by a jury and acquitted of wilful murder and murder, and convicted of manslaughter. Today we have heard an assessment of firstly, whether that outcome in terms of the verdict was correct and, secondly, whether the penalty imposed was appropriate for the crime he was convicted of - the crime of manslaughter. We must address ourselves to whether the penalty imposed was sufficient in terms of that conviction. The member for Cottesloe knows that the maximum penalty imposed in this State in recent times on an adult person for the crime of manslaughter has been in the order of 10 years, and serving less. He also knows that until recently children guilty of these kinds of heinous crimes were treated much more leniently than were adult offenders, so one could not expect the penalty imposed to rank with that imposed on adult offenders. When the opinions of both the Crown Prosecutor, the senior officer in the prosecution office, and the Crown Solicitor were sought by the Attorney General, who was as shocked as anyone at the outcome of the verdict and the sentence imposed, it was pointed out that special provisions in certain legislation prevented judges from dealing with children as harshly as the community may wish. Also, certain amendments would need to be made to the legislation if the Government were serious about succeeding in appeals of this kind. I remind the House that in another place the Attorney General made the following comments when proposing certain amendments to both the Criminal Code and the Child Welfare Act, directly as a consequence of what happened in the Tan case and the general community concern. He stated -

It is important that I should elaborate in some detail on the amendments and the reasons for them, and I will proceed to do that in the best order available. I start with amendment No 1 . . .

The proposed amendments to section 282 of the Criminal Code address concerns which have recently been expressed about lenient sentences imposed on older juveniles who are guilty of serious criminal offences. Members will recall, for example, the brutality and callousness of the Meredith and Yorkshire cases.

Members opposite, including the member for Cottesloe, who was formerly the Minister for Community Services and responsible for juvenile offenders under the previous Liberal Government, must be aware of the limitations imposed under the Criminal Code and the sort of approach the judiciary had to take towards juvenile offenders because of the provisions of the Child Welfare Act. This Government is the first to enact the legislation which enables those offenders to be dealt with in a much more serious way, with penalties similar to those for adult offenders. I am surprised that the member for Cottesloe did not seem to be aware of that amendment to section 282 of the Criminal Code and the Child Welfare Act. When the Attorney General, in answer to the question referred to, indicated other action that might be taken, he was addressing himself to the fact that a Children's Court had been established to ensure that a judge of District Court standing was Chairperson of that court; the control of that court was with Crown Law and not the Department for Community Services; and juvenile offenders in that court could be dealt with in a very serious way. The Attorney General said those amendments to the Children's Court procedures needed to be accompanied by something much more.

That was what he was doing on 29 November 1988 when he introduced those amendments to the Criminal Code. We share the view of members opposite that the penalty in the Tan case was inadequate, which is why we have amended the Criminal Code and the Child Welfare Act to ensure that more adequate penalties are imposed.

The second issue, which is really the new matter which the member for Cottesloe sought to raise today, is whether the conviction of manslaughter was the appropriate one on the evidence that was presented or that might have been available if the job had been done, in his view, in a more thorough, proper and workmanlike way. The member for Cottesloe seeks to simplify the process of a criminal trial and by that simplification to isolate one person, the Crown Prosecutor, or in this case the Senior Assistant Crown Prosecutor, as being to blame for the manslaughter verdict. It was not a junior prosecutor in this case, nor was it, as in the Sampi case, the Crown Prosecutor himself. The member for Cottesloe seeks to infer they were junior members of the prosecution team, or junior solicitors, or in some way incompetent. It is wrong to isolate one aspect of the criminal process and to say that one person is responsible for what happened in the case of Mr Tan and for the consequences for

his family. The people who had the last say in this matter were the members of the jury, and because of the system under which they operate, none of us will ever know the matters which weighed on their minds or which caused them to come to their verdict. We do not want to see a system in this country where people are able to talk about what happened in the jury room or where they are worried that if they become members of a jury they will be harassed by the Press, legal researchers or politicians, who all want to know what happened. Members of a jury have an onus on behalf of the community to try a person according to law and to find that person guilty beyond reasonable doubt in terms of the definition of that expression, as interpreted to them by the judge, and not on the basis of what they might think is right or wrong.

The judge is the next part of the scenario of the criminal system, and has a responsibility to conduct the trial, to direct the jury as to the law, and to impose the penalty. The next part of the scenario is the criminal prosecutor and the defence. The role of the prosecutor is not in every case to ensure a conviction but to ensure that all the evidence that is available and relevant to the matter at issue is before the court. The role of the defence is to ensure that every protection available to the accused within our system is given.

The next part of the scenario is the witnesses who appear in court. The member for Cottesloe will know that some witnesses perform up to proof and others do not perform up to proof when they get to trial. Some witnesses are called to the court because of the broad range of issues which may be relevant, but when the issues are narrowed by admission and other processes they may not be relevant and there is no sense in calling them to give evidence. The next part of the scenario is the investigators, who are generally members of the Police Force - the Criminal Investigation Branch. Their role is to seek out the available evidence, to interview all the witnesses, to prepare the proofs for the Crown, and to ensure that the Crown has available to it all the evidence. The member for Cottesloe seeks today, out of that range of people, to narrow in on the Crown Prosecutor. He does not seek to narrow in on the forensic pathologist. He makes some criticism of him and says there is a conflict between what he said and the medical evidence from the hospital in terms of the medical report, but he does not seek to suggest he was incompetent, or that he has a record of giving evidence which is wrong or which results in outcomes which are not proper according to the evidence which is available.

The fact of the matter in this case is that after the outcome of the trial the Attorney General sought advice from the Senior Crown Prosecutor and the Senior Crown Solicitor, and the advice was that there was no prospect of an appeal. The member for Cottesloe tried to imply that they said the Crown could or should not appeal, but the fact was that on the basis of law, they could not succeed on an appeal. The member for Cottesloe jumped from that to say that even if the advice was that an appeal could not succeed, the Government should have directed the Crown to lodge an appeal to ensure that there was a political show of the concern of the community; that is, we should use the criminal and appellate processes to achieve a political or social end. If what he is promoting is that there should be show appeals which cannot succeed, in order to demonstrate a political or social objective, that is not what the system is about; nor is the system about the Attorney General or politicians directing officers of the Crown Law Department to use their powers for political or social ends. That sort of political interference in the legal prosecution process is the very thing which the Office of Director of Public Prosecutions is meant to avoid.

In terms of the particulars of the amendment, we are concerned and shocked at the outcome of this case, which is acknowledged by the fact that we have amended the legislation in the way I have explained. The second element of the amendment is to seek legal advice of the highest order in relation to opinions on the case and its outcome. We sought the advice of the Crown Prosecutor and the Crown Solicitor, who are the two most senior legal advisors to the Crown. Is the member for Cottesloe suggesting that somehow the Crown Prosecutor and the Crown Solicitor are not amongst the highest order in relation to the case and its outcome?

Mr Hassell: What I said is precisely what I am suggesting and no more.

Mr D.L. SMITH: The third thing that is being sought is the establishment of an independent statutory office of director of public prosecutions as advocated and proposed by the Liberal Party. The member for Cottesloe ought to know that the Government has already committed itself to the establishment of a Director of Public Prosecutions in this State.

Mr Hassell: Is that why you threw out our legislation?

Mr D.L. SMITH: The member should know that the Government is in the process of drafting legislation to establish the Office of Director of Public Prosecutions. There is no need for the member or anyone else to stand up over there and talk about it. We are establishing the very office called for in item 3, but we are doing it in a way which will ensure that the proper task is carried out and achieved.

I might point out that the notion that a Director of Public Prosecutions will always be free of political interference ignores the fact that such a person is appointed by the Government for a term and needs the funding of the Government, and in that way is not a panacea for all the problems that are perceived as being overcome by the establishment of that office. We on this side believe that the Director of Public Prosecutions should be absolutely independent and should have the right to prosecute. Our legislation to establish such an office is currently with Parliamentary Counsel.

The fourth part of the amendment deals with the establishment, in conjunction with the Liberal and National Parties, of a Select Committee to study and make recommendations on appropriate changes to laws and procedures to better support the victims of crime and their families. Members opposite do not seem to realise that in 1987 - before the Tan case - a Labor Government established a working party with that in mind.

If they had bothered to read the policy of the Government in relation to the issue they would have found a comprehensive document which deals with the whole issue of how to beat crime and the needs and rights of victims, which I will read into the record -

Historically, the State's justice system has devoted the lion's share of its resources to the prosecution and conviction of offenders. While this effort must be maintained, the Western Australian Government believes that more consideration is required of the needs of those who suffer financially, physically or emotionally as a result of criminal activities.

To date, the Government has taken some important steps towards supporting the victims of crime by:

introduction of a new Criminal Injuries Compensation Act. The maximum claim under the compensation arrangements was increased by one-third in the 1987 State Budget;

establishment of a system whereby victims of crime are not required to have expensive legal representation when seeking compensation for injuries.

Further to these pioneering provisions, the Government established a Ministerial Working Party to prepare proposals for meeting the full range of the needs of crime victims.

The Government has considered the recommendations of the Working Party and will:

establish a Charter of Victims' Rights entitling victims to information on the progress of prosecutions arising out of crimes against them;

expand the opportunities for financial restitution by introducing a strictly controlled "deferred sentencing" system . . .

establish a special unit to improve and co-ordinate care and support services for victims;

provide for victims to be shown more consideration in the physical arrangements for court hearings.

All of that is being done by the Government and a unit is being established to ensure those recommendations are enacted, either in legislative form or in a form which makes assistance readily available to victims. The notion that somehow or other by appointing a Director of Public Prosecutions the director himself, or a Queen's Counsel, will conduct all the prosecutions, or that there will be a different outcome, or that the forensic evidence will be different, or that the sorts of conflicts possible in this instance will not be present is just not on; it just does not follow as a matter of logic.

I repeat that we have complete sympathy for Mrs Tan and the situation in which she finds



herself. We have an abhorrence of what happened, but at least we on this side of the House are not merely talking about it but are enacting legislation in an expeditious manner to ensure that something positive is done. I regret that I am allowed only 20 minutes in which to speak; there are many other issues I would have liked to cover.

**MR KIERATH (Riverton) [4.52 pm]:** I support the amendment moved by the member for Cottesloe and will raise three basic aspects of this question. The first is the moral aspect. Why hand down a sentence of 29 months? That in itself is a gross insult to the Tan family; and then less than 12 months was actually served. The public should be made aware that there seems to be little relationship between crimes, sentences handed down, and the actual periods served in jail. The current parole and remission provisions make a mockery of many sentences. One newspaper report said that a tragic coincidence led to a fight, and I will quote from that report in a moment. How many more unhappy coincidences will there be? Who else will be unlucky enough to cross the path of this or any other aggressive young man in the mood for a fight, perhaps having consumed alcohol or other drugs? Can one honestly be expected to give credence to the explanation that, although Nicholas Meredith repeatedly kicked Peter Tan in the head, he had no intention to cause him serious injury? Australians used to pride themselves on the unwritten code of not kicking a man when he is down. Sadly, those days seem to be over.

When we look at the offence committed, the wrongdoing and the wrong charges, I want to read from a couple of Press reports. The first is from *The West Australian* on Tuesday, 9 August -

Meredith, 17 . . . went on trial . . . on a charge of wilful murder.

He admitted fighting Mr Tan and kicking him in the head as he lay helpless on the ground - but he denied that he intended to kill him or cause him serious injury.

Crown prosecutor John McKechnie told the jury Meredith's "callous and brutal acts" had caused Mr Tan's death.

Meredith admitted telling police: "I lost my temper. I don't like Chinese to start with, and then when he hit me I started belting him."

Another news item from *The West Australian* on Friday, 2 September 1988 reads in part -

Three weeks ago, Meredith was found not guilty of wilfully murdering taxi driver Peter Tan, but convicted by a jury of the lesser crime of manslaughter . . .

Mr Miller said that the jury, by its manslaughter verdict, decided the crown had failed to prove Meredith intended to kill Tan or cause him grievous bodily harm . . .

It was clear that Meredith had provoked the situation and there was no excuse which could be offered.

I turn my attention now to the trial itself. We have heard the member for Cottesloe mention the fact that there was some evidence that was suspect and much evidence that was not even called. He raised the issue of a QC appearing for one side and not for the other, and of no help for the family. I will read from another Press release which outlines some of those things; it is from *The West Australian* again -

"As I understand it that means he had no intention to kill him or to do him any serious harm," said Mrs Traudl Tan, a quietly-spoken language teacher. "That doesn't strike me as justice.

"The evidence was that that boy kicked my husband repeatedly in the head that night on the Mitchell Freeway.

"When I saw him in hospital he was beyond recognition. His face was three times its normal size." . . .

Although Meredith admitted kicking Mr Tan, the medical evidence was that this was unlikely to have caused his death.

His main injury was a skull fracture and brain damage, probably caused by his head striking the road after Meredith knocked him down.

We have heard the evidence that should have been introduced before. The newspaper article also stated -

Mrs Tan was critical of the lack of support for her and her children as they sat through the trial.

"The accused person and his family had their lawyers to turn to but there seems to be nothing in the system that provides for the victim's family," she said.

This is one of the essences of the member for Cottesloe's amendment. The article continues -

"I was reduced to stopping people in the corridor to ask them what was happening.

"It has caused me sleepless nights. What could I do? Who could I approach? Who is there to help us?

"I was just stunned by what I heard and by what I couldn't hear because of the acoustics. We had some idea of what had happened but a lot of the evidence came as a shock.

Perhaps we should compare the offence itself with other offences and the sentences that are handed down; for instance, some property offences. I refer to another case, described in a Press report, where a 19 year old bandit held a taxi driver at knife point and stole his cab. He received a six year sentence and was denied parole. The same article stated -

(Nicholas Meredith, 17, was sentenced in September to two years and five months' jail for the manslaughter of Mr Tan and, with parole, could serve just 10 months of the sentence.) . . .

The young man sentenced yesterday did wield a knife but the taxi driver wasn't attacked or injured.

"He only lost his wallet and his taxi. By contrast, my husband was battered to death."

A letter to the editor of the *Daily News* on 19 October 1988 stated -

For the crime of stealing \$438,000 and having repaid \$140,000, Robert Watson has been sentenced to four years' imprisonment with no parole.

For bashing taxi drivers to death I understand you get two years with parole.

I think those articles highlight exactly what I am referring to when I say the Meredith sentence seems somewhat inadequate, especially when compared with sentences for other offences. Let us look at the words of the Minister for Transport which appeared in *The West Australian* on 23 November last year. The article reads -

The State Government plans to introduce tough new penalties in a bid to curb night-time attacks on Perth's taxi and bus drivers . . .

The results will be to raise the maximum penalty applying to most attacks on taxi, bus, train and ferry operations from 18 months to five years in jail . . .

The amendments will be introduced into State Parliament soon.

I heard someone mention the previous convictions of the offender in this case, and I will quote parts of an article which appeared in *The West Australian* on 25 October last. The article reads -

Mr Justice Franklyn said Meredith, who had been drinking and smoking cannabis, went out of his way to display aggression towards Tan who tried to avoid a confrontation.

Punches were thrown and Tan was knocked to the ground - fracturing his skull on the bitumen.

The judge said that Meredith - not knowing or caring whether Tan was conscious or unconscious - then kicked Tan in the head. . . .

Mr Justice Franklyn said that Meredith had 24 previous convictions from 1983 which showed he had little regard for the rights of others. He was an aggressive youth with a quick temper. . . .

"Everything seems to have been done to help this boy with the result that the jury was not told the full story," said the mother of three.

"We have had to get on with life as best we can but the family has been permanently scarred by this incident."

Further on, the article reads -

A senior Opposition spokesman, Mr Hassell, said last night that he hoped the Attorney-General would review the case and consider a crown appeal on the ground of inadequacy of sentence.

"It is this kind of case that brings home to ordinary families the stark reality of violence and great dissatisfaction with the judicial system," he said.

The Government by its own acknowledgment said that the sentence was not enough and that it would review the process. The Government acknowledged the wrongdoing in *The West Australian* of 14 October with a review being ordered by the Attorney General, Mr Berinson. I refer members to a Press release of 24 October 1988 by the Minister for Transport which reads -

The Minister for Transport, Mr Pearce, wants to create a new category of offence with an automatic minimum penalty on conviction.

This would ensure stricter penalties for assaults on people who are vulnerable because they provide passenger services late at night.

Further on -

He said yesterday that taxi drivers stayed off the road late at night because the judicial system did not give them enough protection.

I had wished to refer to the industrial aspects of the case but considering the time limits I will put those matters aside. I will comment on the ethnic aspects of this case. Meredith told the police, "I don't like Chinese to start with." But he told the jury he had nothing against Chinese. Apart from that sounding suspiciously like perjury, when has racial bigotry been an excuse, a reason, or a mitigating factor in any case? We must make it abundantly clear that it is unacceptable for people to show racial prejudice or to commit acts of violence on other people, and that a combination of physical violence and racial hatred is an indication that the perpetrator is either mentally disturbed or just plain vicious.

Looking at the results of this case, people of non Anglo-Saxon origins would be justified in feeling insecure about their safety, and it may seem to the people of Nicholas Meredith's disposition that racial intolerance can be used as some sort of perverted excuse for violence.

I refer now to a newspaper article on 18 November 1988 in relation to Mrs Tan. It reads -

She is angry that the jury at Meredith's trial decided that her husband Peter, 54, died accidentally during what was depicted as a "fight" - and not what she claims was a savage, unprovoked, racially inspired beating.

The jury's decision was despite evidence that Meredith repeatedly kicked her husband while he lay unconscious on the ground.

And further on -

Following the trial, Mrs Tan hoped the Crown would appeal against the two years and five months sentence - with provision for parole - on the grounds that it was far too lenient.

But Attorney-General Joe Berinson has ruled out an appeal, saying that senior Crown counsel believe it could not succeed.

This leads me to the injustice of the situation. There should have been an appeal on the verdict, and an appeal on the sentence. This injustice supports the case for an independent Office of Public Prosecutions. I feel and understand the anger and outrage felt by the family at the verdict and the sentence in this case. I feel disgrace that in many cases property seems to have greater principles of protection than human life. I feel a sense of frustration at a system which did not allow any appeals, which seemed to be stacked against the victim and in favour of the criminal. No-one on the Government side seems to be interested in helping the victim and the family of the victim. The system seems to favour the criminal and disadvantage the victim.

I support the amendment which officially recognises the injustice but I ask the Crown Law Department to seek legal advice on an appeal, to appoint an independent public prosecutor, and to establish a system to help the victims of crime rather than punish them.

When the Minister for Justice was on his feet he said that he would not support amendments to the Address-in-Reply motion. What a pathetic excuse. The Government is saying that no matter what the merits of the argument are, it is not prepared to support this case under any circumstances.

Mr D.L. Smith: We are already doing the things required by this motion.

Mr KIERATH: The Minister said that he wanted more time to respond. I refer to a letter from the Attorney General to taxi drivers which reads in part as follows -

The sentencing of the offender Nicholas Meredith has drawn attention to the need to review the law on the sentencing of juveniles, especially where they are close to the age of 18 and have committed serious offences.

And further on -

It is important to stress that the evidence those witnesses would have given was admitted by the defence during the trial and was considered by the jury. The calling of these witnesses was therefore unnecessary.

Earlier today the Minister for Justice said a couple of other things, and accused this side of the House of using this case for political advantage. We have approached the Attorney General but we did not get any justice using that method. If the Government had appealed in this case we would not be debating this issue here today. I urge the Government in the name of decency and justice, and above all before party politics, to support the amendment.

MR MENSAROS (Floreat) [5.07 pm]: The Minister's reply prompts me to say a few words. The Minister for Justice in his maiden speech as a Minister of the Crown has said that he cannot accept the amendment to the Address-in-Reply motion. I will not argue with that because I have long memories of the customs which are in place. To accept an amendment to the Address-in-Reply could be construed as discourtesy to the Governor. The Minister said, however, that he would outline what the Government has done in connection with the amendment. Yet the Minister did not say a word in relation to the amendment. In acknowledging the injustice in this case, the Minister said that he was sorry. That is far from acknowledging any injustice.

Mr D.L. Smith: We abhor the crime. We will amend the penal code, the Child Welfare Act -

Mr MENSAROS: I am not arguing with that. But the Minister has not come near to saying that he acknowledges the injustice of the outcome of the case. Throughout the Minister's speech the part missing was that justice must be seen to be done. I will come back to that when I reach the third paragraph of the amendment.

The Minister did not touch on the first paragraph of the amendment. As to the second paragraph, he said that legal advice had been sought, and the advice was that if an appeal were entered upon it would be highly unlikely that the Crown would be successful. I do not agree that if the prosecuting authority decides to mount an appeal - even if perhaps there is faint chance of success - that becomes a showcase and is not appropriate to justice. Again, I refer to the necessity for justice being seen to be done. What other avenue does the Government have open to it but to command the prosecution -

Mr D.L. Smith: In that circumstance who makes the recommendation on whether there will be a show appeal, the Government or the Crown Law Department?

Mr MENSAROS: Undoubtedly, the Attorney General. It is his prerogative. That is the reason for the third amendment and that is the amendment to which I mainly wish to refer. It is up to him to make the decision.

Mr D.L. Smith: How do you tally that response with what is required by the Director of Public Prosecutions?

Mr MENSAROS: With or without advice, the Attorney General is entitled to make a decision, as he did in the O'Connor case. In any event, I am not attacking the Minister, I am

disagreeing with him when he says that an appeal should not be mounted simply because it appears it might not be successful. I think it is the prosecuting authority's and finally the Attorney General's duty to mount an appeal in this case when there was a public outcry that justice did not seem to be done. The argument that, because an appeal may be unsuccessful or too expensive, it should not be proceeded with is becoming common practice. The argument presented against a prosecution being mounted in the Burswood Casino case was its questionable outcome and the expense.

Mr D.L. Smith: How do you distinguish between a show appeal and a show prosecution? Are you saying that we should prosecute people against whom we will not obtain a conviction to demonstrate a point?

Mr Hassell: How do you know?

Mr MENSAROS: As the member for Cortesloe said, the prosecution could not tell in advance because he would immediately offend against an independent judicial authority by saying that a prosecution would not achieve anything. He cannot make that assumption. No lawyer would tell his client that he has no chance of winning; he would inform him that he has a greater or lesser chance of winning. I am not happy with the excuse that an appeal would not have achieved anything.

In relation to the third paragraph of the amendment to the Address-in-Reply, I had the honour to propose legislation in that regard which was rejected by the Government. The Minister knows that I have many disadvantages. I will never lose the accent which I have had since I came here nearly 40 years ago. However, against that I have the advantage of being able to compare because I was not a young man when I came here and I had experience in law and in business behind me. I am very capable of comparing the situation which existed on the Continent to the situation which exists here under English law. I have come to the conclusion that, by and large, the English system of law is a much better system. I do not want to dwell on the many aspects of why I believe that, but the Minister might have heard me refer to case law as opposed to excessive codification, to the evolution of a constitution instead of a written constitution, to acceptance of ever-changing customs and the latest custom regarding human rights which is much better in England than anywhere else. We have seen what happened in America as a result of its trying to codify human rights. That does not mean we should not improve the situation, learn from it or compare it.

Every continental country, without exception, has an independent prosecution, the members of which are not appointed for four or five years by the Government of the day. The Minister implied that, because a prosecutor is appointed for a four or five year term by the Government of the day - I think this displayed almost a contempt of the institution - he could not be absolutely neutral or detached from politics. All that does is imply what sort of appointments this Government makes; it clearly implies that it makes political appointments. However, that does not have to be so because I remind the Minister that, on the Continent, the institution of prosecution is a special branch of the Government akin to the judicial branch. Undoubtedly, people are appointed - judges are also appointed - to the prosecution arm. They are absolutely independent because they are not appointed for four or five years; they are appointed for life. They cannot be pensioned off before the end of their time as is the case for judges in America or was the case here before we amended the Constitution. They cannot be transferred from one court to prosecute in another court because that would be considered an interference in their independence. It is a completely and utterly independent prosecuting authority.

Mr D.L. Smith: In this State, under this Government, there has never been interference in the selection of any counsel of any trial or case.

Mr MENSAROS: Is the Minister saying with the exception of the O'Connor case? There was a clear interference there.

Mr Peter Dowding: That is absolute hypocrisy on your part.

Mr MENSAROS: What was it then?

Mr Peter Dowding: This afternoon I have heard some of the greatest hypocrisy from your side that this Parliament has heard for six years.

Mr MENSAROS: The Premier is not saying what it was. What was it?

Mr Peter Dowding: You have been hypocritical in your concerns for the Government staying away from the process of the judiciary. You want us to interfere in it all the time.

Mr MENSAROS: The Premier did not listen. I think the Minister understands me. I know that a public prosecutor cannot be as independent as one would like him to be. However, almost all the countries on the Continent, including the Scandinavian countries, have special prosecuting arms of government which are equally independent, if not more independent than the judiciary. Whatever comment the Minister made to the third paragraph of the amendment, he did not prove that the Government had done anything about it.

Finally, the Minister ignored the fourth paragraph of the amendment which refers to victims of crime. Although the amendment is connected to the Tan case, it is not directly connected with the prosecution and the verdict that was brought down. It is one of our policies that the victims of crime will be afforded a much better deal, as is the case in other countries. I hope the Government will take up that policy as it has taken up many of our policies. I am not complaining about that because it shows a lack of imagination on the Government's part. The amendment will bring this matter before the public again; it is more than justified and I support it.

Amendment put and a division taken with the following result -

Ayes (24)			
Mr Ainsworth	Mr Grayden	Mr Mensaros	Mr Thompson
Mr Bradshaw	Mr Hassell	Mr Minson	Mr Trenorden
Mr Clarko	Mr House	Mr Nicholls	Mr Fred Tubby
Mr Court	Mr Kierath	Mr Omodei	Mr Watt
Mr Cowan	Mr Lewis	Mr Shave	Mr Wiese
Mrs Edwardes	Mr MacKinnon	Mr Strickland	Mr Blaikie (Teller)
Noes (29)			
Dr Alexander	Dr Gallop	Mr Parker	Mr Troy
Mrs Beggs	Mr Graham	Mr Pearce	Mrs Watkins
Mr Bridge	Mrs Henderson	Mr Read	Dr Watson
Mr Carr	Mr Gordon Hill	Mr Ripper	Mr Wilson
Mr Catania	Mr Kobelke	Mr D.L. Smith	Mrs Buchanan (Teller)
Mr Cunningham	Dr Lawrence	Mr P.J. Smith	
Mr Donovan	Mr Leahy	Mr Taylor	
Mr Peter Dowding	Mr Marlborough	Mr Thomas	
Pair			
Aye		No	
Mr McNec		Mr Grill	

Amendment thus negatived.

#### *Motion Resumed*

Debate adjourned until a later stage of the sitting, on motion by Mr Pearce (Leader of the House).

### BILLS (4) - MESSAGES

#### *Appropriations*

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

1. Stamp Amendment Bill
2. Supply Bill
3. Treasurer's Advance Authorization Bill
4. Western Australian Petrochemical Industries Authority Bill

## QUESTION ON NOTICE

*Question 92 - Out of Order*

**THE SPEAKER** (Mr Barnett): I refer to question on notice 92 of 1989 addressed by the member for Floreat to the Minister for Fuel and Energy, and advise the House that as it is based on a hypothetical situation I have ruled it out of order.

[Questions without notice taken.]

*Sitting suspended from 6.00 to 7.15 pm*

## ADDRESS-IN-REPLY - THIRD DAY

*Motion*

Debate resumed from an earlier stage of the sitting.

**MR OMODEI** (Warren) [7.17 pm]: I join with my fellow members in congratulating you, Mr Speaker, on your election to the position of Speaker of this House. I also congratulate the newly elected members. At this time, in my first speech to this House, I am more conscious than ever before of the responsibility which has been placed on me by the electors of Warren to represent them in the best possible way.

My family played a great part in my election to this Parliament. It is a far cry from a small town called Tirano in the mountains of Northern Italy, to Gwalia in the goldfields of Western Australia, to a condemned group settlement block in karri country in the Pemberton district, to these hallowed halls of the Parliament of Western Australia. The family farm at Eastbrook has now been farmed for more than 60 years and compares well with some of the best farmland in this State. I am very proud of the contribution which my family has made to the district in which it lives.

It is from this ethnic and farming background that I come to this place to further my contribution to the community in which I live and to represent the Warren electorate. It would be remiss of me not to mention my campaign committee which worked so diligently to change the political representation in the new seat of Warren. There are too many names to mention. Many people spent their time doorknocking, canvassing and making sure that a Liberal represented the seat of Warren after 50 years of Labor representation. Among those who helped in my election were my wife, Ros, and my family who were raw recruits in the 1986 election. It was because of their campaigning that we made tremendous strides and worked so relentlessly that we were able to make my winning the seat of Warren in the 1989 election a reality.

Apart from my campaign chairman and committee who worked so hard, I wish to mention my treasurer, Mr Len Blyth, who was an inspiration to us all during the campaign. I pay tribute also to the retiring member, Hon H.D. Evans, who represented the electorate since 1968. I wish him and his wife well in their retirement.

The electorate of Warren takes in the south west corner of Western Australia and encompasses the shires of Manjimup, Bridgetown, Nannup, part of the Augusta-Margaret River shire - excluding the Margaret River townsite - and all of the area south of the Margaret River to the mouth of the Blackwood River. My electorate takes in some 13 000 square kilometres and includes some of the best country in Western Australia. The electorate of Warren has some marvellous natural resources. Most importantly it has a rugged coastline and it enjoys some of the most beautiful physical features of the Western Australian landscape, from the magnificent surf beaches at the mouth of the Margaret River, to the caves at Margaret River-Augusta, to the magnificent karri, jarrah and marri forests in the Manjimup-Pemberton and Nannup-Northcliffe areas, to the yellow tingle in Walpole. My electorate includes coastal land, rich fertile horticultural land and lakes and rivers, including the mighty Blackwood River which travels through Bridgetown and Nannup to Augusta, the Warren River, the Lefroy River, the Carey Brook, the Treen, the Deep, the Franklin, the Wilgarup, the Tone, the Perup, the Gardiner and the Donnelly.

The Warren electorate is in the high rainfall area of this State and has within it some of the best farmland in Western Australia. The dairy industry continues to flourish in the area

despite the Kerin plan which caused losses of up to and in excess of \$10 000 per milk quota. The south west dairy industry is fortunate to be located in some of the best dry land dairy farming country in Australia. It boasts some of the best grazing country for beef and sheep, and the wool industry is enjoying good prices which will allow farmers to plan for their future.

Unfortunately, the beef industry has not enjoyed the same good fortune. The pesticide residue issue has caused many problems and it is incumbent on this Government to put measures in place for the continued protection of our domestic export market. The measures in place at this stage need to be maintained. They include the fat testing of beef cattle for pesticide residues, the buy-back scheme in areas with chemical residue problems, and consideration of compensation for farmers who are adversely affected because of the actions of Government instrumentalities.

The very fact that the electorate of Warren enjoys high rainfall and good soil types means that it has some of the best horticulture land in the State. In spite of the criticism levelled at Sir James Mitchell in the early development of this State about his group settlement scheme and all the connotations attached to the scheme it has proved to be a success. It may have taken 60 years - 60 years of hardship for those farmers who took up the land in the 1920s - but the high rainfall, good soil types and the availability of good surface water has proved that the Warren electorate is the land of milk and honey.

The horticulture industry is of major importance not only to the economic viability of the electorate of Warren, but also it provides employment opportunities. A case in point is the area with which I am most familiar; that is, the Manjimup Shire Council area. It grows 45 per cent of the State's potatoes, 50 per cent of the State's cauliflowers, and 32 per cent of the State's apples. Other important crops in this area are onions, beans and peas for processing, Chinese cabbage and exotic crops such as Kiwi fruit and avocados.

The Blackwood Valley has historically been famous for its apple production and there is no doubt in my mind that, with the evolution of new micro-irrigation techniques, the future for horticultural production is still a reality in this locality. It will depend, of course, on whether this Government continues to plant this fertile valley with large scale pine plantations.

In so far as the Manjimup-Pemberton area is concerned the establishment of the Edgell Birdseye processing plant will further boost production of potatoes in that region and by 1992 the processing plant will require over 40 000 tonnes of potatoes - it is expected to increase the production of potatoes twofold. Members of this House will recall the ailing Manjimup Canning Company and its problems. It is now history that a group of farmers in the Manjimup-Pemberton area, with the help of the State Government, were able to facilitate the sale of the old cannery to Edgell Birdseye.

Mr Speaker, it is vital that we continue to evaluate the potential for production and downstream processing in the horticulture sphere. To this extent the Manjimup Horticultural Research Centre should receive adequate funding to ensure that research into all aspects of agriculture, horticulture and floriculture continues. Research facilities should be extended so that the plant propagation techniques may be investigated, including tissue culture and plant genetic improvements, so that these techniques may be used for both horticulture and the production of our native tree species.

The potential for viticulture in this area has already been recognised and will complement the vineyards and wineries of Margaret River and the great southern.

I turn now to another industry within my electorate that has received great media attention in recent times and which has some emotional aspects to it that sometimes cloud the real issues. I refer to the timber industry. In recent times this Government, to its credit, put in place plans and strategies for forest management which have secured the tenure of what were once management priority areas but are now national parks, and also has secured a percentage of the forest for wood production. This has taken place with the consultation of foresters, the timber industry, conservationists and the broader community. Great emotion is being attached to the cutting down of mature age trees, whether karri, marri, blackbutt or yellow tingle. However, rather than be led by the nose by some extremist elements in the community, I urge members and people who are interested in forest issues to take the opportunity to tour the forests and seek advice from reliable sources.



Another aspect to the timber industry is the paper wood industry, or the woodchip industry, and the timber industry now exports some 800 000 tonnes of raw woodchip product. Often there is great debate about the validity of information when decisions are made to harvest timber, including timber for wood or paper production. The reality is that every person in this House lives in a dwelling substantially constructed with the aid of timber products. Every day we use wood and paper products. There is no doubt that there is a great need to recycle a large percentage of this product. However, we need to make available the same opportunity we have enjoyed to young Australians. The collapse of the Wesley Vale project for paper pulp in Tasmania has now focused attention on Western Australia where a paper pulp plant has been proposed for some time. It should be made perfectly clear that any proposed paper mill in the south west should not be built unless it meets the highest environmental standards. Any paper mill built in Western Australia must be super clean by prevailing world standards. Every possible alternative processing method should be investigated. We must value-add our raw products, but we must take into account the cost to the community, including the environmental cost.

I know that in other parts of the world the Kraft chlorine process for wood pulping has been one of the most polluting processes. Emissions of sulphur dioxide into the atmosphere have been shown to adversely affect horticultural crops. I place on record the fact that although I do not oppose the construction of a pulp plant in Western Australia I believe that any new pulp plant must be clean and environmentally acceptable to the community. Australia's import bill for forest products is in the vicinity of \$1.5 billion to \$1.7 billion yet our exports of forest products amount to a mere \$400 million. It is obvious from this exercise that a considerable proportion of this is paper or paper products.

This leads me to the production of forest plantations and the need for replanting insofar as soil conservation is concerned. There is no doubt that the huge problem of salinity in Western Australia has emanated from an over clearing of native forests. It is my wish that while I am a representative of the people of Warren in this Parliament the Government, whatever its colour, takes steps to redress the current land degradation problem. This will be made possible by supporting soil conservation district committees and by planting trees on agricultural and forest land. At the same time, I make clear that any large plantings of plantation forests on agricultural land should only take place after the economic impact on the agricultural industry has been determined.

We do need to plant trees to combat salinity, whether they be native or exotic species. So far as the agricultural industry is concerned, tree planting for wood lots, shelter belts, and plantings on the landscape to combat salinity appear to be the best and most economically sensible direction to take. I call on this Government to reconsider its policy of not planting exotic species in State forests and to allow the reforestation and planting of low conservation areas of many millions of acres of Western Australia. It is incumbent on us as members to ensure that the Government of this State takes steps to restore our landscape to a reasonable level of what existed in the early days of land selection. In saying that I do not mean that we should replant every acre, but suggest that with proper planning we may be able to maintain, enhance and improve agricultural production. The various Government departments should not just concentrate on the higher rainfall areas of this State for reforestation but also on those areas suffering from serious salinity problems and soil degradation.

Tourism is also an industry that is flourishing in the Warren electorate. The abundance of natural physical attractions including lands, forests, rugged coastline, inlets and vistas are second to none in this State. It is important that we maximise our natural resources in this industry and ensure that information is made available and development of marketing strategies takes place. I invite you, Mr Speaker, and other members to inspect the wineries of Margaret River, the Blackwood Valley, the forests of Nannup and the Windy Harbour plains, Deadman's Lake, the mighty forests and farmlands of Manjimup and Pemberton-Northcliffe, Mt. Chudalup, the inlets of Broke and Walpole, and the mighty Tingle.

I turn now to another phase of life in our community and more particularly in my own electorate of Warren. There is no doubt that although we need to make a commitment to a fair society based on firm economic foundations there is also a vital need for a social strategy that will assist all Western Australians. I believe that families in Western Australia should come first. There is no doubt whatever that the family composition is the fundamental unit in our society, and no other institution has such importance and responsibility. We must

ensure that communities are able to plan and program development so that local needs and conditions are met.

It is the responsibility of members of this House and the Government of Western Australia to promote fairness in the distribution of resources, to ensure that all people have adequate access to services essential to their quality of life, and to provide the fullest opportunity for all people to participate in personal development and social community life. Church groups and other community organisations should be assisted in ensuring that the needs of our communities are met. Organisations such as Home and Community Care and Silver Chain are vital to the wellbeing of our communities, particularly those comprising people in their twilight years. It is incumbent on us to ensure that the people who have spent their energies for the benefit of this State are catered for in their retirement.

Our other great resource, of course, is our young people. The youth of today face greater challenges than ever before. To assist them we must develop programs with the objective of ensuring that all young Australians, and in particular young Western Australians, have access to information and programs and a choice of opportunity. We must encourage them to develop their own potential and to lead productive lives. We must encourage them to do more rather than less, and to embrace the principles of family and family life, and to take part in community affairs and make a contribution to the community for the benefit of future generations.

Education is a vital ingredient of this proposal. We must ensure that all children have access to a quality education, if necessary providing extra alternatives or tuition for those less academically inclined. We would be far better off putting in place education and training measures than allowing children to go on to school for social interaction. To this end the Government has much to answer for. Changes to our education system have been put in place too quickly and have led to confusion for students, teachers and parents alike. As a parent of teenage children I find our education system encourages students to take easy subjects and, in so doing, to achieve a higher TEE score. That is the state of play at the moment. Surely this is counterproductive. We need to encourage our students to aim higher. There is no doubt in my mind that the marking procedure should take into account the degree of difficulty of subjects.

My colleague, Mr Tubby, the member for Dale, expounded his opinion of the education system last May in his maiden speech to this Parliament, Mr Speaker. The education of children depends not only on administration and curriculum, but also on facilities. I bring this matter to the attention of the House for good reasons. There are 19 schools in my electorate most of which are in desperate need of renovation or replacement. Much of their equipment is in excess of 20 years old. We expect the students to leave school after using 20 year old typewriters and be able to use modern computer keyboards.

The Bridgetown High School requires a library and administration centre; Manjimup requires more classrooms; Augusta, a new administration centre; Northcliffe, new classrooms; Pemberton, a new school; Walpole, new classrooms; and at Nannup children are being taught in an old single men's quarters shack which was constructed on the school site. It is not good enough and it is time that these pressing needs were treated as a priority.

I turn now to our roads. The Federal and State fuel tax levies are the most iniquitous levies ever to be imposed on a section of the community. Roads within the Warren electorate are used extensively by interstate and local residents and are in dire need of repair and upgrading. The Southwest Highway and the Muir Highway are only three to four metres wide in places. Much of the road length has subsided through waterlogging and there is not enough provision for passing lanes on crests or curves. Despite some attention to the road north of Manjimup road reconstruction is still imperative.

Members of this House would be aware of the concern in the community with regard to road standards in this State. The Country Shire Councils Association, the RAC, and the Australian Automobile Association are mounting a strong campaign in regard to this matter. It is now an electorate issue. It will be to the peril of Governments both State and Federal to ignore this issue. It is important also to note that the safety of our school children and the efficiency of our school bus services rely on good road surfaces. This House has an obligation to ensure that this State Government and the Federal Government make a greater apportionment of State and Federal fuel tax levies for the construction of better roads.

Mr Speaker, I thank you for your indulgence. Although the Government is concerned with the quality of life of all Western Australians whatever their circumstances its most pressing charge is for the improvement of the position of all those who are most disadvantaged. I look forward to the challenge of playing a part in the better Government of this great State of Western Australia. I thank you.

[Applause.]

MR WATT (Albany) [7.40 pm]: I hope you will not think it insincere of me when I offer my congratulations to you on your election as Speaker.

The SPEAKER: You can hardly be insincere - you were one of the class of '74!

Mr WATT: There are not many of us left. However, I offer my congratulations on your appointment, and I am sure you understand the circumstances under which the challenge took place. I assure you that, as with any Speaker of this House, you will always have my respect for the position you represent. It is a very responsible one.

Mr Pearce: Did you find out whose the two votes were?

Mr WATT: I have a pretty good idea. I think members opposite probably also have a pretty good idea.

I join with other members who have spoken in the debate so far by congratulating those members who are newly elected to this Chamber on both sides of the House. It is a responsibility that they have accepted. The rewards will be varied. Sometimes they will wonder why on earth they got themselves into the job, and at other times they will feel highly satisfied about doing their bit for their fellow man. I hope for their sake that they will have more of the latter than the former, and I am sure they will.

As I enter my sixth term in the Parliament, I suggest that we probably tend to approach each election feeling we have a little more to lose. We are motivated by a number of things, but one of those things which comes into our thinking at election time - subconsciously perhaps - is the ego part. The longer one has been here I suppose the more one feels he is regarded as one of those candidates one's opponent would like to defeat.

Mr Pearce interjected.

Mr Lewis: You went close.

Mr Pearce: We have not gone too badly.

Mr WATT: I suppose one has more to lose for that reason. I accept the responsibility given to me by the electors of Albany and, as I have done in the past, I shall endeavour to represent them honestly and faithfully in this Parliament.

The result of the election was disappointing for the Liberal Party, but I offer my congratulations to the Government on its re-election. It scraped home by the narrowest of margins. Despite the fact that it has a five seat majority, a handful of votes would have seen a different result, and that is a disappointment to the Liberal Party.

In the lead up to the election in the last year or so a number of members of the Government were displaying an unhealthy degree of arrogance, and I hope they will take note of the electoral lesson handed to them by losing something like 11 per cent of the vote as compared with the previous election, and that they will conduct themselves with more humility than they have been doing in recent years.

One of the disappointing things for the Liberal Party has been trying to understand the reasons why the Labor Party lost something like 11 per cent of its vote, but that vote did not come to the Liberal Party, or the coalition or non-Labor Parties - call them what we like. I suppose, in trying to look at the position objectively, one of those issues was the perception of disunity between the National Party and the Liberal Party. That is something for us to work on, and I believe we can and will, so that by the time the next election comes around we will be seen in a better light than at this election.

We were also swamped by advertising. The Labor Party, with the combination of Government advertising and its own advertising, clearly had far more advertising than the Liberal Party was able to put forward. I am disappointed that the question I had on the Notice Paper today asking for details of Government advertising was not answered in time

for me to produce in this debate. Nevertheless it will be interesting to see firstly, whether the question is answered, and secondly whether the details being sought are answered in full.

One thing I found particularly irritating about the campaign was the constant reference by the Premier to so called mud slinging. If ever the pot was calling the kettle black, that was a classic example. The Premier has probably been responsible for more unpleasant activity inside the Parliament during the time he has been both here and in the other place than just about any other two members put together. For him constantly to accuse others of mud slinging was, to those of us who know him better, a joke. When he was asked to define what he meant by mud slinging he declined to do so. As recently as today, on three separate occasions, he has referred to the Deputy Leader of the Opposition as the "boy wonder". That sort of reference would have been referred to during the campaign as mud slinging, yet he and some of his colleagues have made frequent uncomplimentary references to the Deputy Leader of the Opposition and to other members of the Liberal Party. Some of their nicknames are anything but complimentary, and the references by the Premier and others to the family of the Deputy Leader of the Opposition have, if anybody was ever guilty of mud slinging, been classic examples of everything he says should not be done. It is very much a case of do what I say, not what I do. It made me sick every time I heard it, and I hope that now he is preaching to us how we need to lift our performance in terms of parliamentary conduct he will practice what he is preaching.

Mr Pearce: He has been. Be fair! Since this Parliament has been sitting this Premier has been a model of decorum.

Mr Lewis: He has not been here.

Mr WATT: I think the Leader of the House and the Premier have two different personality styles. The Leader of the House can make rather sarcastic and cutting remarks with a bit of a wrinkle in his eye and a quirk in his face and we know he is having a bit of fun.

Mr Pearce: Now you are suggesting I am insincere, and I hate that.

Mr WATT: I think the Leader of the House enjoys the cut and thrust of debate and that sort of thing. I would that the Premier's motives were the same, but I do not believe they are.

While we are satisfied with the Press generally, one thing we had to live with during the campaign was a strong media bias, and I want to make special reference to the media bias of the *Albany Advertiser* during my own election. For some little time before my ALP opponent's endorsement was announced, and afterwards, the local newspaper displayed a bias against me, or the Liberal Party, I am not sure which - the result was the same I suppose - greater than any I have seen in the 15 years I have been in the Parliament. Until now that newspaper has always been extremely fair and pretty impartial, but this case was very different. Press releases issued by me were either not printed, or they were printed in an inconspicuous place, reduced at times to something quite insignificant. At times Press releases were turned around. It was obvious to me that they had gone to my opponent with the remark, "Look, your opposition has released this", and they printed the story featuring his comments, with perhaps a paragraph tacked on the bottom with my comment.

Mr Lewis: That couldn't happen!

Mr WATT: I could show members several Press releases with the corresponding Press clippings to prove my point. Worse than that, my opponent's photograph appeared in the paper doing all sorts of things. He had a raffle of a bicycle to raise campaign funds and there was an enormous photo, by newspaper standards, in the paper with the raffle being drawn. They took every opportunity they had to put his photograph in the paper. I recall only one occasion when my photograph was put in the newspaper alongside an article. That day the newspaper ran three articles - one for the National Party, one for me and one for the Labor Party. Each had a photo against his article, but even then the newspaper put the Labor Party candidate's article at the top of the page. It was so bad that two journalists - obviously not from the *Albany Advertiser* - suggested that I take my case to the Press Council. While I was contemplating that, people were stopping me in the street and saying, "What have you done to the *Albany Advertiser*? They are clearly so biased against you that it is pretty obvious". It became apparent that it was working against my opponents rather than for them, so I decided it was probably better to say nothing. It was so bad that the newspaper has been nicknamed "The Bradley Echo" or "The Bradley Comment" - my Labor opponent's name

was Bradley. In fairness I must say that in the last two weeks before the election the position improved markedly. I am not altogether sure of the reasons for that; however, I was certainly grateful that in that very nervous time for all of us I did not feel as bad about it.

The election in Albany was fought largely on local issues and obviously it would be a matter of disappointment to some people in Albany that they have an Opposition member representing them. However, I have confidence that that does not necessarily have to make a lot of difference, and on behalf of the community that I represent I want to place on the record a few of the more important issues which need to be considered, and call on the Government to make sure that Albany is not overlooked in the four year term of office ahead.

The first of those issues is the foreshore redevelopment, which is a big issue in Albany. I have brought along a copy of the redevelopment study. It is a fairly considerable volume and contains some colour pictures of what is proposed. Originally the proposal contained four options but that has been reduced to two - option 1A and option 5A.

Mr Gordon Hill: Which do you support?

Mr WATT: I do not think it is appropriate for me to say at the moment. I have made a submission to the development authority indicating what my personal preferences are but I have made it quite clear, both publicly and privately, that I will represent the view of the majority and I am happy to accept the will of the majority. That is one of the things I wanted to comment about. Although it seems to have taken for ever to get to this point, the process that is being followed at the moment, of public consultation and an opportunity for public comment, is one I have always urged and one which I strongly support, and for that reason I think it is much more appropriate that, based on the community input that has been made, the development authority and the consultants who have been responsible for the preparation of this very fine document should be able to make their recommendations. I will support the final decision when it is determined, notwithstanding my own personal views.

Mr Gordon Hill: Can I ask which option you believe the general public in Albany support at this stage?

Mr WATT: I really could not answer the question with any degree of accuracy. One of the other things I want to say is that I have been particularly pleased that although there is strong support, publicly at least, for each of the options, by different people of course, the debate has been conducted in a very sensible and responsible way. There has not been public acrimony. People have been able to express their views without an opponent becoming offensive in his remarks and that sort of thing. It is very healthy for the community that this debate about a very important matter which will affect the town and its future for a long time can be conducted in that responsible way. So although I am not sitting on the fence - I have written to the authority and made my own views known - I think my responsibility is to represent that majority decision when it is made and that is certainly what I will do. However, it is important that when that decision is made the project proceeds with all haste, because the Albany community does feel that it has taken too long to get to this point. I was pleased to read after the Minister's recent visit to Albany that he made the commitment that the project would proceed.

The second matter I wanted to mention was the Albany Regional Hospital, which has been the subject of a redevelopment that was to have taken place in three stages. Stages 1 and 2 were completed in the middle of last year. In May last year I asked the then Minister for Health a question in the Parliament about whether stage 3 was to be continued immediately on completion of stage 2, as had been promised at the commencement of the redevelopment. I was disappointed to be told that stage 3 was not to continue immediately but that it might be continued in the 1988-89 financial year, subject to funding. That is a pretty vague answer, and is no guarantee of anything in this day and age when funding is a bit scarce, especially with the Commonwealth cutting back on funds for the States. Obviously, therefore, I made strong representations and I represented the community's view that it was less than impressed that the Government had chosen to go back on the commitment it had given previously to proceed immediately to stage 3. Therefore it was somewhat galling that, two or three weeks before the election, when the Premier was in town, he visited the hospital with the Labor Party's candidate and said, "Yes, this is terrible", and gave an immediate commitment that funds would be made available straightaway or as soon as possible to get

on with stage 3 of the hospital. Some would call it pork barrelling. I would not be so nasty as to do that, but at the time it did seem slightly less than coincidental that the announcement should have been made at that time. I simply place on the record again the importance of the provision of a proper and adequate regional health service, and that includes the need to complete the refurbishing and upgrading of the hospital.

The next matter I want to put on the record is the community's concern about some environmental issues. First of all, I refer to the main sewerage treatment plant serving the Albany area which is located by the seaside at Point King. In hindsight this project should never have been placed there; however, we all have 20-20 hindsight and it is no good worrying about what has been done in the past. The fact is that now there is an environmental problem coming from that treatment plant because the effluent pipe discharges into the sea. On some days when certain weather conditions prevail an unpleasant slick extends around to Middleton Beach and there have been instances of that beach being closed to swimmers. While it is not as bad as the Sydney experience, and while the type of sewage being discharged is treated, whereas in Sydney I think it is untreated and is a quite different situation, nevertheless there is a strong demand from the community that action be taken. The Water Authority of Western Australia is addressing the question and has proposed that the Point King sewerage treatment plant be closed down within 15 years, but the town and shire councils are strongly of the view that that is far too long and they are calling on the Government to have it closed down within five years. I do not know the practicalities of whether or not that is a realistic target; all I can say is that it is a problem that needs to be solved. I know a lot of work has been done on it. I am liaising with Tony Field of the Water Authority and the member for Stirling - we are all working together on it. It is a serious problem which does have a very urgent priority.

Mr Bridge: You say you are working towards its closure eventually. Is there any short term measure you think we could consider for the existing facility?

Mr WATT: No, I do not think so. Besides, that is a question I would not be competent to answer anyway. That is a job for the experts and I think the Minister would have to agree with that. I would not presume to teach my grandmother to suck eggs on that issue. I might have a talk with the Minister afterwards because I have some thoughts on the matter.

The other serious environmental issue in Albany is the condition of both the Princess Royal Harbour and the Oyster Harbour, with the problem of algae and the death of some of the natural sea grasses. Monitoring of this problem began not long before the Liberal Party went out of Government, but so far we have not achieved a great deal. No attempt has been made to take practical measures by way of physical experiments such as trying to remove the algae. One of the positive things done only recently was the appointment of an officer from the Department of Agriculture to liaise with the farming community and the superphosphate company to try to, as I understand it - and I have not had an opportunity to talk with him - slow down the rate of agricultural nutrients being washed into those harbours, which is causing much of the problem. Industrial effluent is also going into the harbours, and there is a whole range of problems. It causes me and many other people great concern and it leads me to believe that one of the urgent needs for Albany is the establishment of an environmental office to coordinate the activities down there. It would then not be necessary to have people coming from Perth - flying down, staying overnight at hotels with expense accounts and so on - and I am absolutely certain that it would be at least as cheap, and probably cheaper, to establish a composite office in Albany. This would mean that one or two officers could do much of this work - particularly the monitoring - and coordinate the activities involved. I call on the Government to seriously consider the establishment of an environmental office in Albany. There are similar offices in Dampier, Kwinana, and at the Leschenault Estuary; there is nothing new about it. Albany's needs are very pressing. Much is said about the Peel Inlet, but the situation in Princess Royal and Oyster Harbours in my view is every bit as pressing, and we should be taking action now. It is bad enough now, but the longer we leave it the worse it will get.

Mr Gordon Hill: How much of a problem is industrial effluent?

Mr WATT: I do not think it is as much of a problem as agricultural nutrients. That is something that the Environmental Protection Authority would be better qualified to talk about. I do not know about the proportions; they all contribute. That is part of what the

monitoring process is about. One of the things that bothers me a bit is that the industries which are discharging industrial effluent into the harbour have been licensed recently but there are no conditions on the licences. Therefore effectively no prosecution could be brought against them anyway. That needs to be dealt with quickly so that conditions appropriate to the industries apply. In the medium term I hope something can be done, either industry by industry, to prevent that discharge, or to clean up the effluent going out so that it is non polluting. I guess that will also be done by the EPA.

I also want to refer to housing. There is a severe shortage of rental housing in Albany, both private and public. I spend an extraordinary amount of time seeing people who have housing problems. Although the waiting period is less in Albany than it is in Perth, one of the issues compounding the problem in Albany is that there simply is not as much private rental housing available as there is in the metropolitan area. One of the other problems is that people simply are not vacating their Homeswest properties and the turnover is much slower than it used to be. Therefore people are tending to wait much longer than they did in the past. I think members would find that the waiting time in the last few years has probably doubled. It can only be an estimated waiting time but people are being forced to live in conditions which are unsuitable for families. We urgently need the building of new accommodation. I am particularly concerned about the poor condition of some of the older homes in the Lockyer area. Quite frankly I think they should be bulldozed and redeveloped. I would also like to see as urgently as possible the subdivision and sale of some prime residential land in the suburb of Collingwood, in the vicinity of the regional hospital, which is high quality land overlooking King George Sound with magnificent views and which is quite inappropriate for the development of welfare housing.

Mr Wilson interjected.

Mr WATT: I do not know what the Minister said, but there is nothing snobbish about that. We have a responsibility to provide housing. That land has been sitting there forever and it is far too valuable. It could be sold at very high prices and that money used to build a good standard of homes for people who do not have homes. That is my concern; I am not saying it is too good for welfare housing. I hope the Minister does not misunderstand my motives.

I also want to put on the record the need for a community health centre. The records will show that when we left Government Albany was the next regional centre due to receive a community health centre. We still do not have one. Since that time they have been built just about everywhere. I think Albany is just about the last town that does not have one. As recently as last year a community health centre was supposed to be built in Albany, but by some strange circumstance it was cancelled and one was built in Esperance. That centre had not been planned and one can only contemplate the reason for its construction. I can tell the House that the people who work in the community health centre as it is at the moment are in extremely cramped circumstances in a building which is quite inappropriate for the services they provide. They are regional services; they provide counselling and educational services. The school nurses and a whole range of people offering services to the community are based there, and there is an urgent need for that community health centre to be built. It is a priority which needs to be looked at.

I wanted to talk about a number of other things but my time is just about gone. I would briefly comment on the courthouse, which is badly in need of upgrading. There is a lack of space, poor security - especially for prisoners - poor facilities for jurors and witnesses, no interview rooms for visiting counsel, and there is no disabled access. I am told it is extremely cold in winter. Another issue related to law and order which I was going to canvass briefly and which has always bothered me was that I understood that one of the basic tenets of Australian justice was that a man or a woman was innocent until proven guilty. However we have the situation where as soon as somebody is charged with something - particularly if they happen to be a person of some prominence - as happened to a former Town Clerk in Albany, headlines are splashed all over the papers. In the particular case to which I refer - I will not mention the charge - the man was publicly judged guilty; he was subsequently found not guilty by the courts. There are many examples of people charged with something and found not guilty but, because of the publicity given to them, are judged to be guilty by the community. I think it would be far better if the names of people charged with offences were not permitted to be publicised until such time as they were proven guilty. At the moment people's reputations are being seriously impaired by adverse publicity.

Mr Pearce: We have had people found guilty by the Opposition in this Parliament subsequently cleared by the courts.

Mr WATT: This is "Do as I say not as I do", because the Minister who just interjected has been guilty of what the Premier likes to call "mud slinging", "bad mouthing" people and falsely accusing them as much the media has done.

MR TRENORDEN (Avon) [8.10 pm]: Before I get to the point I wish to make, I congratulate you, Mr Speaker, on your election to that office. I trust that you will be as lenient with me as you have been during the past two years.

Mr Pearce: For your second term we expect you to know better.

Mr TRENORDEN: I was trying to get a plug in early in the hope that the Speaker will think I am doing the right thing by brown-nosing, and will allow me to get through the next four years with my many indiscretions. One can only try.

I wish to raise a number of very important issues, mainly to do with my electorate. The first concerns the Avon River. Conservation matters are really rising to the fore in this State. The Avon River is a very important catchment area and river system in this State; it goes from Lake Grace almost to Kalgoorlie, and well north of Wongan Hills. It is a catchment area greater than Tasmania and, therefore, runs a great deal of water.

The problem is that to some people the river is not a river but a sewer or a drain. The river is, in fact, a river. Its purpose is not to quickly get rid of excess water down the system. I would like to point out, as I have done in the past, that the Avon River is the Swan River, and all our problems come down the Avon River to end up in the Swan. The river is definitely deteriorating. Years ago when the then PWD did a management training system on the river it doubled the flow of the water which dramatically increased erosion and many other problems. It is time that some attention was paid to this very important river system.

There is a proposal at the moment that the brine required for the petrochemical plant will be taken out of the Yenyening Lakes, near Beverley. That has been received quite well, even though the proposal is new to my electorate. The idea of extracting water from fairly deep under the lake and river system and, therefore, keeping the salt watertable down, is of great interest. One of the three hydrologists in this State believes that it will be very healthy for the river and the ecology of the area. I have not seen the relevant report, but it seems that large quantities of water are being brought out, which are three times as salty as the sea. Therefore, on the face of it this would seem to be a great benefit for the system.

In my electorate I have literally thousands of people who are very concerned about the river. That concern runs through all areas of the spectrum including the farmers, who are really the practising greenies, who care about the ecology and who have a great deal of interest in keeping the silt out of the river, their phosphates on their own land and, very importantly, keeping their own water on their own land. In a country like ours where the rainfall is not high it is obviously very important to keep the water in the ground and the normal system operating.

There are groups on the river like the Toodyay Naturalists Society, which have a high interest in the flora and fauna on the river, and gauge it very closely. Those people have done a wonderful job over the years of recording what comes and goes on the river; which species are no longer there; the effects of pollution in the river - the salt and the phosphates; the cloying up of sour sop, which is a problem with the river because it cuts out a lot of the vegetation; and the wildlife that was on and around the river. There are a number of birds which are no longer to be found around the Avon.

Questions about ecology and the environment are very important. I read an article in *The West Australian* some weeks ago which I am sure most members will have read. It was in the weekend supplement. I read it with a great deal of interest as, I think, did nearly everyone in rural Western Australia. I do not believe it was totally fair, but it did raise some questions. It prickled the back of my neck a little bit with its criticisms of previous Governments and their actions concerning the river. One thing we all have is 20:20 hindsight. People should not throw rocks at people in the past for making decisions which they believed were the best for the agricultural industry which, at the time, was able to be dramatically increased for reasons of economy.



Members on the other side of the House should remember that they are doing precisely the same thing at the moment, using the same arguments, with petrochemical plants, aluminium plants and smelters which will have an effect on the environment. Those people who throw rocks without thinking about the reasons why and the pressures on the people who made the decisions in the past ought to look at themselves.

A lot of people in Fremantle are very pleased about the petrochemical plant. I see the Speaker looking at me, and I think there was probably some reaction to the plant in his electorate. The environment is a very important issue and we need to balance the issues of the economy and the environment properly. Our children will be looking at us just as we are looking at our parents who, perhaps, did the wrong thing. Both sides of my family came from the Eastern States to the goldfields. They spent many years in the goldfields, then entered into farming. None of them were trained farmers - they were market gardeners and miners. They did not have the knowledge to handle the environment as it should have been handled. However, as the article stated, there were restrictions and rules which said that if people did not clear the land they would not get benefits, just as now restrictions are being put on the industries I have just referred to with the same type of pretence. It is very important that we look at the past and learn from history.

I was at Muresk a few weeks ago when the then Minister for Agriculture said that there was a proposal to put 200 million trees into the State within a decade. I ask the Minister if those figures are correct.

Mr Bridge: I think so.

Mr TRENORDEN: I issued a Press release, I do not know whether the Minister saw it, stating that I would like the Avon Valley to be the place where that type of activity starts. I know that the people in the Avon Valley, which includes much of my electorate, would be very keen to get involved in a proposal whereby trees can be put back on the land without costing the farmers an arm and a leg. That is the problem. It is all very well to say that the farmers took the trees away, therefore, they should be put back at the farmers' cost. This State and this nation has lived off those people for 100 years. It is about time we recognised that if we want the environment to be put back where we think it should be we need to bite the bullet, and that means the people in the city as well. We need to be able to give the people out there, who want to do the job, the resources to do it.

It is interesting, when talking to farmers - particularly farmers' wives - to see how much they know about trees. Each farmer has a plan for putting trees back on to his property. They fence their property around the creeks, particularly those that flow into the Avon River and the catchment area, and spend tens of thousands of dollars restructuring their farms. They are very keen to put deep rooted trees into the system. Many farmers are planting trees around rocky outcrops on their properties. We must understand that there is a limited amount they can do with the resources available to them. Interest rates are going through the roof and in a few months we will hear what we heard two years ago about small business, which includes farmers, being in financial trouble. If the Government is serious about the ecology it must give the people the tools to undertake the work which is required.

I could go on ad infinitum on the subject of the Avon River. In my electorate there is no more important resource than the Avon River. It is a beautiful river and it has its natural qualities and it can be restored. It can never go back to what it was, but it can be clawed back. I ask members to remember that the river exists and that it flows into the Swan River. When Western Australians visit San Francisco and travel around its bays they come back to Perth and say that they are proud of the Swan River and the Avon River is part of it.

Mr Pearce: You are right with what you are saying. A number of people are prepared to replant their properties and we are prepared to work with you and your colleagues to set up a program of funding for this problem.

Mr TRENORDEN: I will take up the Minister's offer, which I am very pleased to hear. Often those things which people have done successfully are held in isolation and there should be some coordination. If something is done in a certain shire it is only that shire and the neighbouring shires which know anything about it. We need to know what is going on and we need to know the measures which have failed in order that people do not waste time. We have often heard about the arguments between WISALTS and the Department of

Agriculture. The people involved have become confused and it requires a concentrated effort to solve the problem. It is an issue to which every member in this House should be open. If the Government is extending an offer it will be taken up.

The Minister for Agriculture's predecessor paid a lot of interest to the Avon River and I hope that the current Minister will do the same. The previous Minister was looking at coordinating the conservation groups in the catchment area - 19 of them - to exchange information. This is important. If the successes and failures of isolated measures are not passed on the solution will be determined much more slowly. The necessary coordination can be undertaken without a great deal of cost.

I refer now to the racing industry and it was with some sadness that I read of the change to the Ministry.

Mrs Beggs: You cannot get stuck into me now.

Mr TRENORDEN: I always smiled at the previous Minister for Racing and Gaming - I cannot resist a woman's smile. The previous Minister is well aware of what occurred at the meetings she attended. Unfortunately, the current Minister for Racing and Gaming is in another place. However, promises were made, but those promises have not been kept. The country racing clubs are anxiously waiting for funding. The winter racing season is about to commence and they do not know from what direction the funds will come.

Mrs Beggs: Funding from where?

Mr TRENORDEN: From the Racecourse Development Fund. That is the only fund I am talking about. How can these clubs run a business, albeit by voluntary means, without knowing what their income will be? They know what their outgoings will be. The bank managers want to know how secure their overdrafts are. Most clubs are in that situation and they are desperately waiting for some indication from the trust and from the Government, although the Government does not run the trust. The promises which were made last August and September have not been fulfilled and it is disgraceful.

Another issue that requires some consideration is country representation on the two major boards - racing and trotting. This issue is a thorn in the side of country people. The Western Australian Turf Club is constantly reminded of the needs of the country clubs but it arrogantly snubs them. The Western Australian Trotting Association is not much better; however, it is marginally better. Until the two organisations are forced to take notice of the full spectrum of the industry they will not do it. The Government made a promise and I call upon it to fulfil that promise quickly because it is six months overdue.

Another area of concern is that of roads. People can see the roads deteriorating in front of them and many of the roads are becoming dangerous. I arranged with the "7.30 Report" team for a program to be televised on the Brookton Highway. I visited the Brookton Highway with a couple of people from Beverley and Brookton and the team from the "7.30 Report". They were astounded at the problems associated with driving a truck on that highway. On one occasion we were travelling behind a truck which passed a truck travelling in the same direction and the dust was so bad that we could not see the road in front of us for at least a minute. It is exceedingly dangerous that two trucks cannot pass without getting off the road. It is a disgrace for this busy highway which is used by trucks transporting heavy goods to be in this condition. Unfortunately the number of deaths on that road is of no surprise to me and only recently another death occurred. I was annoyed when I heard about the recent death because I do not like to hear about people dying unnecessarily. I am even more annoyed because the Government says that irresponsible people who die as a result of smoking should have their deaths recorded and that the same should apply to the irresponsible people who drink and drive. A Federal election is not far away and irresponsible Governments which are responsible for the lack of maintenance of roads to which deaths can be attributed should have those deaths recorded against them. We hear about the deaths on the Brookton Highway only from the RAC, the people who use that road and occasionally from a member of Parliament. We hear about the statistics of people who die from smoking and from drinking and driving, but we do not hear the statistics of the people who die on roads because of the poor condition of the roads.

Mr Gordon Hill: Commonsense would tell a person that he should drive according to the condition of the road.

Mr TRENORDEN: I become emotional about this subject. On Christmas Day I drove from Collie to Mandurah and I passed three motor vehicles which were being driven on a narrow road and each of those drivers played chicken with me. There was no way that they would leave that one strip of bitumen. They drove straight at me until I went bush. There was no way that any one of those three people would get off the bitumen. One could say that it is commonsense to do so, but one meets that in the country all the time.

Mr Gordon Hill: Do you suggest that there should be all three lane highways?

Mr TRENORDEN: No. What we do is give people special licences and they are not allowed to leave the city until they get a licence to drive in the country.

Mr Pearce: Do you suggest that we put toll gates on the edge of the metropolitan area?

Mr TRENORDEN: I like the way the Minister for Transport thinks. We could stick toll gates at Greenmount and city people could not get out until they proved that they could drive in the country - and they would have to pay. That is being facetious, but the truth is that some of the people who come from the city are a menace on the road.

Mr Pearce: Country people say that about city people and city people complain about country drivers. Unless you wish to push a partisan political view there is no need to make this sort of differentiation between our citizens.

Mr TRENORDEN: If one looks at the Brookton Highway - and this has been put on film but did not have an impact - one sees places where one could put a cool drink can or a beer can on the edge of the road and it would not meet the verge. The drop from the bitumen to the gravel is six inches or more. Imagine what that does to tyres and to heavily laden trucks that have tonnes on their front wheel and it falls off the bitumen onto the gravel and then the driver tries to haul it back. That creates a very dangerous situation. Sometimes the vehicle comes back too quickly and, unfortunately, sometimes it does not come back at all and the driver ends up in the scrub. The question of roads will not go away and will be a key issue in the next Federal election.

Another issue I feel honour bound to raise, one which is taboo and about which I have had a word with the Minister for Agriculture in the past - and I am not having a go at him in any way, shape or form - is the deteriorating relationship between Aborigines and whites in this State, particularly the youth. We are seeing very aggressive people on both sides who are getting involved in activities that nobody wants to know about. These people are fighting each other in the streets, in the schools and at sporting functions, and their attitude is poor. I am not blaming the Aboriginal children, or the white children, because I know that in my community - where I have a lot to do with both - there are problem people in both areas. The problem is that if we do not start to resolve this problem we will regret it very sincerely in years to come.

I had talks with the Minister for Agriculture when he was Minister for Aboriginal Affairs and I would like, as I am in still in Opposition, to progress with those talks with the Government and to look at the real proactive ways of getting these communities together. It is dangerous to talk about this subject and I do not want to talk about Northam being a terrible place because it is no different from Balga, Lockridge, Narrogin, Kalgoorlie or Geraldton; we have the same problems as they have elsewhere. The problem is that when there is violence in our streets the most worried people in the town are the Aboriginal women. They worry about their men and they worry very much about their children. If one asks what is being done about this the answer is precious little.

Many people in the community believe that there is a law for one and a law for the other. One can argue for as long as one likes, but that is the belief of many people. There are situations where Homeswest will not bite the bullet in relation to poor families on both sides. I believe absolutely that Homeswest should reject poor tenants, be they Aboriginal or white, because what happens - and I have seen this happen in my own community and elsewhere - when a very poor family moves into an area and starts disturbing its neighbours by its verbal and physical activities is that those neighbours get very hostile. I have seen very reasonable people, whom one would not expect to get steamed up, come into my office very angry - and I am talking about both Aborigines and whites. That position is getting worse and worse. I despair when I see it happening.

This does not have to happen because there are many people on both sides who would

happily seek some solution to this problem and some joint ground in this argument if we went out and attempted to do things on a positive basis. What do we do? We hand over nearly a billion dollars a year to the Aborigines. That causes a great deal of animosity, not only between whites and Aborigines but between Aborigines. The argument about Aborigines getting all these benefits is not totally true because there are Aborigines who have a full-time job. If one asks what benefits they get one finds that they do not get the benefits that their next door neighbour who is Aboriginal gets. Their animosity is very severe. If one talks to single income families in these towns who see other people, both white and Aboriginal, getting it easy, one finds out where a lot of this animosity comes from. People out there are getting angrier and angrier. I put to the House that if we do not start looking at being positive about Aboriginal-white relations a serious situation will develop because a lot of the young people on both sides are building up animosity which will not go away as they grow older.

I do not want to paint a totally dismal picture because in the Northam high school we had a poor situation 18 months ago. After months of argument with the Government we got an Aboriginal aide who has improved matters dramatically since then. This Aboriginal aide is one of the most respected adults on the campus. He is respected by all the kids in the school. He is an excellent individual who breaks down the tension before it starts. He understands the kids and gets on well with both white and Aboriginal children. That is okay at the high school but when one gets to sporting groups or on the streets there is not that sort of liaison. There is an outreach group in Northam which is working hard on this problem and which is no doubt having a fair amount of success, but we need to back up those people who want to do the right thing in relation to Aboriginal-white relations and unless we do that we will be deep in the mire.

I hoped to have time to talk about a commuter train from Northam to Perth. I will take the opportunity to speak about that during the debate on the Supply Bill. I believe that that, after the Avon River, is the most desired event in my electorate, and also outside that electorate. During the last session of Parliament we heard about the pressures in the northern suburbs, the requirement for a railway and for the reconstruction of the water supply system because they are growing so fast. We also heard of the need for road infrastructure. Surely, if we can encourage growth out over the hills into the Chidlow, Toodyay, Northam area where all those resources are undermanned, thousands of people could be put in the towns of Toodyay and Northam without expending much money on roads, water and power resources. The Government would have to spend precious little and the community would appreciate the growth in rates and the opportunity it would allow many people who currently live there and drive to Perth to work. If a train were run on a special basis we would get growth up there. I am told - and believe - by people in the railway system that the only reason it does not run is a political one.

Mr Pearce: That is unfair; it is uneconomic.

Mr TRENORDEN: I have one minute left. Is the northern line going to be economic? No.

Mr Pearce: It will not pay its way in cash terms, but it is economic.

Mr TRENORDEN: Nor will the commuter track be economic in that area, but it will come a lot closer than the northern line. I shall carry that argument further in another debate.

MR STRICKLAND (Scarborough) [8.40 pm]: I wish to add my congratulations to you, Mr Speaker, on your appointment. In addition I take this opportunity to commend you on your work in promoting the awareness of Parliament. As a former teacher I support these educational objectives. I also congratulate all members, old and new, on their electoral success. May I thank the many members on both sides of the House who have made me welcome since my election. It is perhaps unusual but noteworthy to say that at this early stage, and because of my local government role, I have had more interaction with some Government members than with my colleagues in the Opposition.

It is indeed a proud moment for me to stand here as the member for Scarborough, as a representative of the people from the suburbs of Innaloo, Doubleview, Scarborough, Trigg, Karrinyup and a small portion of North Beach. This all started about 18 months ago when I was asked by members of the Liberal Party to consider a political career. I received acceptance of membership to the Liberal Party just 12 months ago, leading to my

endorsement for Scarborough last May. I am aware that I have been talked about in the Parliament, I have had my picture tabled in the Parliament, and perhaps it is only fitting that I should front in person.

Opposition members: Hear, hear!

Mr STRICKLAND: As the district's representative it will be my responsibility to serve the people well. Before progressing to the main part of this speech I would like to record my thanks to the electors of Scarborough for their trust, to the Liberal Party members who endorsed me, to the many friends who assisted with the campaign, and to my family who sustained, encouraged and supported me throughout.

Turning to the election itself, from the Scarborough viewpoint and some priority problems needing to be addressed in Scarborough, in early January political reporters were saying that Scarborough was the seat to watch on election night. It was to be the battleground of the ex-mayors. At this point I would like to acknowledge the fine work done by my predecessor, Mr Graham Burkett.

Government members: Hear, hear!

Mr STRICKLAND: Graham was a hard working member, and over six years had developed a strong personal following and gained much respect, which was reflected by a 3 200 vote margin in 1986, more than 60 per cent of the two party preferred vote. Why, then, has the Scarborough electorate seen fit to change its member? The Scarborough district has a full range of socioeconomic groups, and has tended to reflect Statewide voting trends. It could be considered a litmus seat.

I wish to focus on three important factors: Firstly, boundary changes; secondly, electorate judgment on performance; and thirdly, the strength of the alternative. It is relatively easy to identify the impact of boundary changes. Only part of the northern boundary has changed, which resulted in the addition of Kartinyup and a small section of North Beach, both areas having a related polling place. The margin of Liberal votes from these two boxes was only 765 votes out of a total movement of some 3 815 votes, or about 20 per cent of the change. This means that 80 per cent of the change, or some 3 050 votes, occurred in the old Scarborough district. Boundary changes were an important but minor factor.

[The following material was incorporated by leave of the House.]

#### SCARBOROUGH DISTRICT ELECTORAL RESULTS - PRIMARY VOTES CAST

PARTIES	1986	1989	CHANGE SINCE 1986
LABOR	8 846 (55.9%)	7 915 (41.9%)	- 934 (-14.0%)
LIBERAL	5 642 (35.7%)	8 436 (44.6%)	+ 2 794 (+ 8.9%)
MINOR	1 335 (8.4%)	2 556 (13.5%)	+ 1 221 (+ 5.1%)
TOTAL	15 823	18 907	

Mr STRICKLAND: From the table it can be seen that the fall away in the primary Labor vote was fairly large - some 14 per cent. There was a reasonably strong move to the Liberal vote of 8.9 per cent, and a move of 5.1 per cent towards minor parties, where, when compared to the 1986 election, there was one extra candidate, a Greypower candidate.

During my campaigning many electors indicated their respect for Graham Burkett as a member, but condemned the performance of the Labor Government. This was obviously reflected in the poll, and was the main factor in the election result. Graham has been gracious in defeat, and he readily acknowledges the strength of his opposition, which was the third factor. The Liberal campaign in Scarborough was at all times positive, and the policies promoted on law and order, senior citizens, small business and education had strong majority support.

Let me now highlight some priority needs of the district. Two out of three houses in Innaloo have had special security doors fitted - a feature which is obvious when doorknocking. People throughout the district have voiced their opinion that crime prevention has deteriorated. The scaling down of the number of police officers working from the local police stations and the mobile squads' consequent lack of local knowledge of problem areas and repeat offenders has contributed to this. My investigations with the local police and the Police Union highlight some basic reasons for this problem. Nearly two years ago the drive by police officers for a 38-hour week was approaching success. A lack of foresight has resulted in a police manpower crisis. Two hours less work a week for an officer must necessitate a five per cent increase in manpower just to hold the level of manpower available on the ground. This did not eventuate, let alone address the need to increase in line with the needs of an expanding population. The people of Innaloo cannot understand why their local police station was closed and later reopened, not with five officers as previously but with only one officer. Currently they have an eight hour station which closes at four o'clock. The officer there works for only 40 hours a week, has no radio or car, and is surrounded by empty desks.

I must relate the story of a crime which occurred over the road from the police station at the Morris Place Shopping Centre. After money was grabbed from a till the shopkeeper raced across the road to seek police assistance. The officer concerned had to telephone Scarborough to request assistance - a somewhat farcical situation. The people of Innaloo and adjacent Doubleview are entitled to - and rightly expect - a proper level of police service. To this end and on their behalf I request the re-upgrading of the Innaloo police station.

Problems have also been experienced at the Scarborough Police Station, although the problem intensity has fluctuated somewhat, depending on the transfers taking place at various times. As I understand it, the current operational needs of Scarborough are 14 officers - nine for the mobile patrol and five for the station staff. As a result of annual leave alone - which is eight weeks - for every seven officers posted an additional officer is required to maintain operational strength.

There has been a shortage of police manpower at times because of this, and as the patrol has a priority the situation developed whereby only three or fewer officers were available for inquiry work, serving warrants and so on. This has meant that inquiries have fallen behind and the station's hours had to be decreased. It is imperative that the Government keep faith with its commitments to increase police manpower in order that these problems may be properly resolved.

The next issue I wish to raise concerns the Newborough Primary School. Since the election I have been brought up to date by the principal and the P & C association of the school on a plethora of correspondence relating to the upgrading requirements of the school. For members' background information, six transportable classrooms were located at the school and along with the use of some other available classrooms they form the accommodation necessary for the Scarborough and Joondalup District Education Offices. The Newborough Primary School is adjacent to the North Scarborough Primary School, and the grounds merge. For some time now there has been an amalgamation proposal to create one school. The combined parent bodies unanimously accepted the amalgamation proposal subject to certain conditions. Basically new buildings containing the necessary classrooms, toilet blocks and specialist features were to be ready for the 1991 school year and to be located in the North Scarborough Primary School grounds. This would make the six transportables available for other uses; the district offices could be completely relocated within the old Newborough Primary School, and the students would belong to one school in a physical sense without a disparity of classroom conditions, archaic toilets and intolerably hot and cold classrooms. In fact if the health surveyors of the City of Stirling had the ability to inspect the toilets, they would probably condemn them. This proposal is seen by parents as a constructive use of Government funds.

By letter dated 9 September 1988 Mr Burkett committed himself to the project; further he stated that he had the absolute assurance of the Minister for Education, Dr Carmen Lawrence, that she would totally support the project. I am pleased and encouraged by this letter because I fully support the agreements reached; they are a commonsense solution. However concern has been expressed by the P & C association that there could be a shift in

priorities leading to a reneging on the commitment. The principal can get no definitive answer to the queries because everything hinges on the budgetary process. By separate letter I will make further representations to the Minister in support of this project.

The population of Scarborough is aging to the extent that 29 per cent of people in the area are older than 50 years compared with the State figure of 22 per cent. There are three large centres for senior citizens - Moline House, Crystal Holiday Homes and the Geneff Village Lodge. Many blocks of retirement units are being built in Scarborough itself and there are many aged who have simply retired "at home". The common message from pensioners concerns the need for the Government to lift priorities in the area of health to reduce the long queues for elective surgery, particularly for cataract removal and joint replacement. Pensioners and superannuants are having a difficult time financially both in respect of the amount of money received and the tax payable. Since the rules on taxing assets, trusts and superannuation continue to change, there is a build up of resentment and uncertainty. People are being frustrated in their efforts to plan ahead for retirement. Since the election I have received queries as to when the Government will meet its promises to seniors.

When talking about Scarborough, mention must be made of the beaches. Scarborough and Trigg Island beaches are well known and attract a large number of visitors. Each is serviced by a surf lifesaving club, and both the City of Stirling and the Government can be proud of assistance rendered by them to these clubs. In 1986 the Scarborough Surf Lifesaving Club received a State Government grant of \$250 000 plus a further offer of up to \$125 000 on a dollar for dollar basis towards the redevelopment of suitable club premises. Three years later the City of Stirling more than matched this grant and Scarborough rightly has modern and necessary support facilities to accommodate its needs.

In 1987-88 the Scarborough Lifesaving Club effected 29 per cent, or 191, of the State's rescues. However, what of the Trigg Island Surf Lifesaving Club? In 1987-88 it effected 51 per cent, or 341, of the State's rescues. The club has approached both the council and the State Government with regard to its urgent needs. It seeks to receive similar financial assistance, in real terms, from both the Government and the council in order to sustain the necessary and acceptable standards of beach surveillance dependent on membership and facilities. I will pursue this matter with both the State Centre of Lifesaving and the City of Stirling to establish the priority properly and I will make representation to the Government on this matter during the budgetary process.

The last point I wish to make relates to the concern of a large number of my electors about public debt. In my capacity as a councillor of the City of Stirling I have been active in trying to achieve the resolution of this problem at local government level. What is of importance is the process involved. Initially a thorough investigation over many months allowed the basic factors and their relationships to be identified. This was done by both graphical and computer analysis. Having identified the problem - a debt of more than 100 per cent of a year's rates, annual commitments of more than 20 per cent of rates and a permanent negative cash flow - policy objectives were to be set in the first instance to bring these things under control. In communications to ratepayers it was demonstrated that there had been no clear benefit from the city's loan borrowing programs; in fact there had been a cost. Hindsight showed that with minor adjustments to work schedules over the previous 23 years more work could have been accomplished or fewer rates levied if there had been no loan borrowing at all. The total borrowed from 1962 to 1985 was \$67 million. Loan repayments in the same period were \$70 million.

Further monitoring and analysis allowed the debt free city concept within a decade to evolve, and policies to effect this have been adopted and brought into action. It has reached the stage whereby the necessity to borrow annually to supplement works programs will cease after this next financial year and the city can be debt free by 1993. An indication of the benefit of this program is that the ratepayers of Stirling could be 12.5 per cent better off - approximately \$3 million per year - for each and every year beyond 1993.

I recently read a book entitled *The Power of Being Debt Free*, by Robert H. Schuller and Paul David Dunn, which highlighted how the elimination of national debt could radically improve the standard of living in the USA. The first chapter was entitled "Stealing from our Children". The point was made that as individuals we necessarily plan to eliminate our private debt before retirement because of the dire alternative consequences if we do not.

Governments do not retire, and members come and go, and public debts mount. Who then is ultimately held responsible and who will repay these debts? Our children will, or theirs, but not the creators of the debts. Nothing looms more threatening to limit their economic freedom than a growing public debt.

As Thomas Jefferson said some 200 years ago -

I place economy among the first and most important virtues and public debt as the greatest dangers to be feared . . . to preserve our independence, we must not let our rulers load us with public debt . . . we must make our choice between economy and liberty or confusion and servitude . . .

If we run into such debts, we must be taxed in our meat and drink, in our necessities and comforts, in our labor and in our amusements . . . if we can prevent the Government from wasting the labor of the people, under the pretence of caring for them, they will be happy.

How happy are our people and how well are we really caring for them?

Mr Deputy Speaker, I gave notice to my electorate about my intention to maximise the opportunity for their voice to be heard in this Parliament. This "keeping in touch" has its practical difficulties but will be effected by the establishment of the Scarborough electorate advisory council over the next year or two. The advisory council will allow a wide range of groups and organisations to have input in a coordinated way to help plan Scarborough's future.

I look forward to this term in Parliament and the opportunity it affords me to serve my district.

[Applause.]

**MR BRADSHAW** (Wellington) [9.03 pm]: I congratulate and welcome the new members to Parliament, together with those members who have been re-elected.

The proposed paper pulp mill in the south west has had much publicity over the last few months, following the Wesley Vale debacle in Tasmania where the project has been abandoned. As much as we all wish to see secondary industries developing throughout Australia, we cannot continue to export raw materials, then buy them back at inflated prices - as shown in the balance of payments. I support the development of secondary industries but we should be extremely cautious about any paper pulp mill and make sure that any proposal for the south west of this State is environmentally acceptable. The Government has not responded to ensure that research in this area is carried out in universities and other institutions. The Government should provide finance for research to ensure a clean paper pulp industry. I support this type of industry with reservations - if the plan is to have a chlorine process I will oppose this proposition in the south west. In past years we have witnessed the problems with the organic chlorines in the beef industry. As a result of the paper pulp process, organic chlorines will be discharged into the atmosphere, and liquid effluent and dioxins will be flushed out to sea. I am concerned about the matter, as is the member for Mitchell who has indicated he would prefer to see the mill developed in Albany. I know that the member for Albany has grave reservations about its going to Albany.

**Mr Pearce:** The member says that the member for Albany has grave reservations about Albany. Do you mean that the member for Albany is afraid of his electorate?

**Mr BRADSHAW:** No. The member for Albany queries why Albany should have an industry that nobody else wants.

**Mr Pearce:** I understood you to say that the member for Albany has reservations about going to Albany.

**Mr BRADSHAW:** No. We are concerned, particularly when these places pump out organic chlorines and dioxins; people are concerned about these things.

**Mr Taylor:** If we all used brown paper we would all better off.

**Mr BRADSHAW:** It is pretty hard to write on brown paper.

**Mr Gordon Hill:** I was out of the Chamber when the member mentioned his preference. Would the member like to see a paper pulp mill in Albany?



Mr BRADSHAW: From an environmental point of view, it would be better placed there, if effluents are being flushed out into the ocean. The intention is to put the effluent discharge pipe several kilometres out from Kemerton into the ocean. Dioxins are known to be highly carcinogenic; they can enter the food chain through fish and build up over the years. People are worried about that. As the member for Avon said, in the past we have had problems with the overclearing of land, although carried out in good faith. If we look at these industries in the future we may find they are not as safe as they are made out to be, although they are developed in the name of economy and to provide jobs.

The Swiss process in the development of a paper pulp mill has disadvantages in that it is an expensive exercise. The process uses much power and the paper produced is not pristine white. I do not consider that a disadvantage but some people prefer pristine white paper.

Mr Taylor: It is only what we have become used to.

Mr BRADSHAW: That is right. We should educate people to use these things. In Europe the off white paper is used for disposable nappies. In future we will find that we will be doing the same in Australia, and that will not be before time.

Currently the recycling of paper products is at a low point in Australia. The Government should encourage the recycling not only of paper but also of other products such as glass. The process exists on a minor scale but households are not encouraged to separate the different waste products. People should become more environmentally conscious and make use of the recycling bins throughout the community which take papers, glass and metal objects. That would be a move in the right direction, but the process is under utilised.

An article in the April 1989 edition of *Wood Magazine*, under the heading "Hiring Fungi", reads -

Everyone's discovering spalted wood! Thirteen corporations, including giants such as Boise Cascade, Procter & Gamble, and Weyerhaeuser, want to put lowly, decay-causing fungi to work. Calling themselves the Biopulping Consortium, the companies support research using fungi to turn wood chips into paper pulp. Studies suggest a 25 percent energy savings over the present "cooking" method from pretreating the wood with fungi to break down wood fibers.

So other ways exist to reduce the cost of producing paper pulp and some of these represent a safer way for the environment. The Government and the people in the wood chip industry should ensure that research takes place into ways to do away with the chlorine process - the preferred way from the economic view of the company concerned.

I am also concerned that the paper pulp mill at Kemerton will need a large volume of water, necessitating the damming of the Brunswick River near Meelup. The farmers in the area are disturbed about their future, especially those who plan to build a house in the next year or so. One farmer has a two year old orchard and feels very disappointed with the prospect that the orchard will go under water if the paper pulp mill gets the go ahead. A decision should be made in the very near future, but I gather the proposal to establish a paper pulp mill is more of the Government's pushing than as a result of pressure from WACAP.

I do not believe that sufficient timber resources are available for a mill to operate. It will therefore be many years down the track before a paper pulp mill becomes a viable concern. However, there has been a lot of talk about it and it appears that money is being pushed towards the development of this resource by the Government rather than by the company. It is a little like what occurred with the aluminium smelter. The Government promised the people of Western Australia an aluminium smelter but it has still not been developed. I would not be surprised if a similar situation existed with the paper pulp mill in the future.

The member for Warren referred to the state of schools in his electorate. I do not think one school in my electorate does not need attention. This Government has been immoral and insensitive in its handling of the education portfolio. It was immoral in its promising at the election \$100 for every high school student and \$50 for every primary school student totalling \$20 million over a full year. As I said, not one school does not have a need in my electorate. The primary school at Capel has demountable classrooms and the Dardanup Primary School has no resource centre. The students are using antiquated equipment such as old typewriters. We should be giving our students up to date methods of learning.

At both the 1983 and 1986 elections, the Government promised places for four year olds in preprimary schools, while not supporting the system that already exists.

Mr Clarko: The Government promised it in 1983 and did not fulfil the promise and promised it again in 1986 and again did not fulfil the promise so the Government did not waste much.

Mr BRADSHAW: No, it did not waste much, but it was immoral to build up hopes in the community. The Government's promise to give each high school student \$100 and each primary school student \$50 was disgraceful.

Another area of concern was the Government's handing out of cheques to every parents and citizens' and parents and friends' group in Western Australia.

Mr Taylor: You did that too, didn't you?

Mr BRADSHAW: Yes, but I said it was wrong.

Mrs Beggs: Didn't you hand them out?

Mr BRADSHAW: I did, but I might as well do it as anybody else.

Mrs Beggs: So you went to P & C associations and said, "This is wrong, but here is your money"?

Mr BRADSHAW: No, I do not agree with that. It was wrong because the associations were not asked whether they needed it. It was immoral that those cheques went out just prior to the election. We need new schools and new facilities.

Mr Gordon Hill: Do you think that library facilities are not important?

Mr BRADSHAW: Of course they are important, but teachers and students should have comfortable facilities first.

Mr Clarko: Wasn't it a weakness in the handout that the money could not be spent on anything else but libraries? Two schools that I know of wanted to spend the money on other things but could not do so. They had previously spent a lot of money on library facilities and were then given this cheque which also had to be spent on those facilities.

Mr BRADSHAW: It was crazy. Obviously the parents' associations accepted the cheques because one does not look a gift horse in the mouth. However, one would have thought that the Government would have asked the schools whether they wanted the money before dishing it out. I believe the money should have been put into the capital works funds of schools.

I was concerned also with the Government's handing out of medallions to students in the bicentenary year. The bicentenary was a Federal issue and it surprised me that the State Government decided also to hand out a medallion to all students. The cost totalled approximately \$2 million which, again, could have been put into schools' capital works projects.

Mrs Beggs: Didn't the parents and kids love them? It was something special.

Mr BRADSHAW: They would have been happy just to receive the Federal medallion.

Mrs Beggs: You are sounding very mingy.

Mr BRADSHAW: I am not mingy. Government members were trying to make big fellows of themselves.

The Ross River virus has been getting a lot of attention in the south west and a little attention in the metropolitan area. It is disgusting that the Government did not do anything about it until all of the publicity in December. An article that appeared in the *Sunday Times* on 18 December was headed "Mosquito virus fear sweeps SW resorts". It was not a fear; it was a fact. The article stated -

WA health authorities are warning South-West holidaymakers of the alarming spread of a mosquito-borne virus which can make victims ill for a year.

In just three months this year, there has been a seven-fold leap in the number of victims compared with last year.

Australind-Eaton and Peel-Murray were pinpointed as breakout areas.

Since October, there have been 27 cases of Ross River virus spread by mosquitoes, compared with four last year and nine in 1986.

It is obvious that there was going to be a major epidemic in Western Australia and the Government did nothing. Not until a few articles appeared in the *South Western Times*, on local radio and television stations and in the *Sunday Times* did we get a little action from the Government. It knew that an election was coming up and that something had to be done. A fogger was sent to the south west in an attempt to eradicate the mosquitoes. The article was published on 18 December. I asked the Minister the following question -

What dates in 1988 and 1989 did the Health Department treat the Mandurah-Murray and Australind-Eaton regions for mosquito control?

The answer was -

21-22 December 1988.

Not only was there no publicity, but also there was a major spread of the Ross River virus in the south west and the Government did not take any action. It was wrong of the Government not to react sooner to the situation. Soon after the publicity some sporadic eradication measures were undertaken but they were not of the level that they should have been. We experienced a major downfall of rain in January and generally seven days after heavy rainfall there is an outbreak of mosquitoes. After high tides in the estuary large pools of water are left and there is an outbreak of mosquitoes. It is incredible that we had such a large number of mosquitoes and no concern was expressed by this Government. The Government did issue a warning suggesting to people that they did not go outdoors between sunset and 9 pm but it is obvious, from a letter to the editor of the *Mandurah Telegraph*, that the mosquitoes did not listen! The letter stated -

Mandurah is not the only place with mosquito problems. We live river side of South Yunderup, and have been there for four years.

I cannot go outside at any time without insect repellent on. Even when I go outside for just a minute, I would be bitten while leaving and returning. The large mozzies have temporarily given way to a smaller version. And they're so quiet you're bitten without even knowing it.

The letter went on to make reference to how devastating the situation is. A few weeks ago I received a deputation from people who live in the development of Tuart Grove in the Lake Clifford area. They are under siege by the mosquitoes and they are unable to go out of their homes during the day and at night. Not only are they worried about being bitten by the mosquitoes, but also they are worried about contracting the Ross River virus. The effect of the virus differs from person to person. Some people suffer mild symptoms and others have more serious symptoms including arthritic complaints. Some people have found it impossible to undertake physical work while suffering from the virus.

On making inquiries about what the Government had done about the problem I found that the Department of Health had hired a helicopter for a day to undertake spraying in the Mandurah-Murray area and the Bunbury region. Unfortunately, time did not allow the completion of the Mandurah-Murray area, particularly the Harvey area. It has been a haphazard attempt on the part of the Government to control this problem. The Government should look to providing people with a reasonable quality of life rather than they being held hostage in their own homes because of the mosquito problem.

In September 1986 a report, commissioned by the Department of Health, was published on the mosquito eradication campaign - "Survey of Mosquitoes in the Bunbury Region, W.A." by A.E. Wright, Medical Entomologist. A survey was taken of the Bunbury region and recommendations were made in the report for the filling and draining of certain areas to control the mosquitoes. It is interesting that to date not one recommendation has been carried out even though the study cost \$160 000. It is absolutely disgraceful that a report, costing a huge amount of money, to ascertain how to control the mosquito problem was undertaken and that nothing has been done to implement the recommendations included in the report. If an election had not been held in February this year the Government would not have made any promises to control the mosquito problem. On 12 January 1989 the Premier announced special funding of \$500 000 over two years for short and long term control measures, research and education to counter mosquito problems in the south west.

Of course, that was after the Liberal Party had made a promise about the eradication of mosquitoes. Details were subsequently given for a strategy to control mosquitoes in the Peel Inlet-Leschenault Estuary region which was distributed to all local authorities.

The Government has outlined what it will do over the next two years. Between 1 December last year and 28 February this year - nearly three months - 346 cases of Ross River virus were notified to the Department of Health. There were cases of the virus before December 1988 and there have been many cases since 28 February this year. The number of people affected by the virus is incredible. Many cases of the virus have not been reported to the Department of Health. Some doctors recognise the symptoms of the virus and do not request that their patients undertake blood tests. They know what is wrong with their patients and they know that there is little anyone can do but to treat the symptoms. People have contracted the Ross River virus because of the ineptitude and lack of consideration shown by this Government to the south west.

Mr D.L. Smith: I share your concerns about the virus, but I am not clear about whether you believe the Government should be spending money.

Mr BRADSHAW: It is going to.

Mr D.L. Smith: It is not going to; it has sprayed the area and it has bought a fogger.

Mr BRADSHAW: A fogger was used in the area after the publicity in the media. It was only then that the Government showed any care towards or consideration for the people regarding this problem.

Mr Pearce: The whole of the south west is covered by mosquitoes.

Mr Clarko: Was it just before the election?

Mr BRADSHAW: It was just before the election that the fogger was used.

Mr D.L. Smith: You were not aware that a study had been done into the problem.

Mr BRADSHAW: If the Minister cares to read *Hansard* he will see that I asked questions about that.

Several members interjected.

Mrs Beggs: The people were happy with the local member's attitude to the whole problem. I doorknocked in the area and I met plenty of people who had the Ross River virus but they did not blame anyone.

Mr BRADSHAW: They should have been blaming the Government because the report was compiled in December 1986 and nothing was done until the media reports in December 1988. At that time a fogger was put in place and the problem was alleviated for a short period. However, we had heavy rains in January and the problem returned. This problem should have been corrected two years ago.

Another issue I wish to raise relates to the testing of prisoners for AIDS. A couple of years ago I recommended that prisoners be tested for AIDS and the then Minister for Health made an inane comment that the next thing I would want was their foreheads tattooed with a number. I feel that AIDS carriers should be identified in some way, although of course I would not go that far. The year after I made that comment the Minister for Corrective Services decided that prisoners in our prison system would be tested for AIDS. I asked a question on notice on 4 April about how many prisoners in Western Australian prisons had been tested for AIDS and whether it was compulsory. I was surprised to learn that prisoners have been tested for AIDS but that it is not a compulsory test. I find that quite amazing. The Government's attitude is that the tests should be voluntary. However, to date no prisoner has refused to be tested. Apparently the system adopted is that prisoners who reveal a history of high risk behaviour during a medical assessment carried out on reception are tested. However, I believe all prisoners should be tested because not everybody will necessarily reveal a history of high risk behaviour during the medical assessment.

[The member's time expired.]

Debate adjourned, on motion by Mr Minson.

*House adjourned at 9.33 pm*

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QUESTIONS ON NOTICE

**CROWN LAW DEPARTMENT - INFRINGEMENT NOTICES**  
*Government Departments and Agencies - Prosecution Guidelines*

1. Mr HASSELL to the Minister representing the Attorney General:

- (1) Has the Crown Law Department issued any guidelines for departments and authorities empowered by Statute to use an infringement notice system for prosecutions?
- (2) Has the Crown Law Department provided any specific or generalised advice to such departments and authorities in relation to the use of the infringement notice prosecution system?
- (3) Is the Attorney General aware that the Keep Australia Beautiful Council issues litter infringement notices to alleged offenders without first making any approach to those offenders as a basis for assessing whether the available evidence justifies the issue of an infringement notice?

Mr D.L. SMITH replied:

- (1)-(2) No guidelines have been issued but the department has been called upon to advise Government departments and statutory authorities about the issue of infringement notices.
- (3) No, but under the Litter Act an authorised officer may serve an infringement notice on a person where he has reason to believe that the person has committed an offence. There is no requirement either in law or as a matter of principle that the alleged offender be approached prior to the issue of a notice for the purpose of assessing whether the evidence justifies the issue of the notice.

**WA DEVELOPMENT CORPORATION - TENDERS**  
*Construction Contracts - Awarding Practice*

14. Mr HASSELL to the Premier:

- (1) Is the Premier aware that in relation to a number of major projects undertaken by it, the Western Australian Development Corporation has not called tenders for major construction work?
- (2) Were tenders called by the WADC for the work on the Swan Brewery?
- (3) Are the practices of the WADC in relation to the awarding of construction contracts consistent with the Premier's commitment to proper accountability in Government?
- (4) What action does the Premier propose to take in relation to this matter?

Mr PETER DOWDING replied:

- (1)-(4) The only major construction work being undertaken by the Western Australian Development Corporation is the old Swan Brewery. On that project 12 separate contracts have been let by tender. The only contracts not let by tender are those carried out by the service authorities - the Main Roads Department, Western Australian Water Authority, State Energy Commission and Telecom - and the specialist tunnel construction contract where one contractor had the specialist materials required available for re-use from another similar job. The decisions to let the above contracts have all followed the recommendation of the project manager. All accounts are audited by the Auditor General and no further action is proposed.

**AUDIT - AUDITOR GENERAL'S FIRST REPORT**  
*Financial Administration and Audit Act - Requirement Departures*

24. Mr MacKINNON to the Treasurer:

With reference to page 15 of the Auditor General's First Report dated 18 January 1989, as it is stated that departures from the requirement as outlined in section 38 of the Financial Administration and Audit Act had been found by the Auditor General, would the Premier detail where these departures were found and what action has been taken as a consequence of the Auditor General's reporting on those discrepancies?

Mr PARKER replied:

The departures referred to on page 15 of the Auditor General's First Report relate to the requirements of section 40 of the Financial Administration and Audit Act and the instances found are included in the list of qualified opinions at pages 39 and 42 of that report and marked "#". Of the 10 cases cited by the Auditor General, eight have, subsequent to 30 June 1988, received the Treasurer's authorisation in respect of investments and the remaining two will be authorised shortly.

**STATE GOVERNMENT INSURANCE COMMISSION - GOVERNMENT  
 EMPLOYEES SUPERANNUATION BOARD**  
*Westralia Square Development - Interest Purchase*

48. Mr COURT to the Treasurer:

- (1) Will the SGIC and the Government Employees Superannuation Board be purchasing a 24 per cent interest in the Perth central business district Westralia Square development?
- (2) If yes to (1) -
  - (a) what price will they pay for the 18 storey office block mentioned in *The West Australian* of Wednesday, 29 January 1989; and
  - (b) does this price include any offsets for \$50.6 million Tipperary has frozen in Rothwells?

Mr PARKER replied:

- (1) The State Government Insurance Commission announced that it and the Government Employees Superannuation Board has purchased 25 per cent of the land in the Westralia Square development and has now signed a development agreement to build an 18 storey office block on the land.
- (2) (a) The total price to be paid for the development office block is \$184 million over two years; and
  - (b) no.

**INDUSTRIAL DEVELOPMENT - PETROCHEMICAL PROJECT**  
*Pilbara - Infrastructure, Extra Costs*

66. Mr COURT to the Minister for Resources Development:

As the Minister said in January that it would cost an additional \$400 million in infrastructure costs to build the petrochemical project in the Pilbara, would the Minister outline how this figure has been arrived at?

Mr PARKER replied:

We are advised by the management of Petrochemical Industries Co Ltd that without a full technical, engineering or economic study the extra costs associated with a plant in the Pilbara as compared with Kwinana are a minimum of -

Infrastructure	\$180 million
Wharf	\$ 30 million
Housing	\$ 40-60 million
Power generation	\$120 million.

In addition, a significant increase in operating costs of the order of \$30 million per annum and a delay in its opening by two years would result from the plant moving to the Pilbara. The natural synergies available to a petrochemical plant located at Kwinana with other industries in the area would also be lost if the plant was to be relocated to the Pilbara.

**CHESTER, MR JOHN - SENTENCE**  
*High Court and Supreme Court Decisions - Report*

86. Mr HASSELL to the Minister representing the Attorney General:

- (1) Has the Attorney General received a report on the decisions of the High Court of Australia and Supreme Court of Western Australia concerning Mr John Chester?
- (2) Having regard to the criminal record of John Chester is the Attorney General satisfied that no appeal should be taken from his current sentence which will make him eligible for release about mid December this year?

Mr D.L. SMITH replied:

(1)-(2)

Yes. Mr Chester was sentenced to six months' imprisonment for the unlawful use of a motor vehicle and four years' imprisonment for armed bank robbery, cumulative. An order was also made that he serve an indeterminate sentence. The High Court held that the order for the indeterminate sentence be quashed and the matter was remitted to the Court of Criminal Appeal for review of sentence. The sentence was increased to a total of seven years with parole eligibility. He will therefore become eligible for release on parole on 10 December 1989 after serving two years and eight months in prison. The advice of Crown law is that the sentence is not realistically appealable.

**ENVIRONMENTAL PROTECTION AUTHORITY - PRINCESS ROYAL AND OYSTER HARBOURS**

*Coastal Superphosphate - Substitute Development, Involvement*

87. Mr HOUSE to the Minister for Environment:

- (1) What is the involvement of the Environmental Protection Authority in the development of a suitable alternative for coastal superphosphate for use in the catchment areas of Princess Royal and Oyster Harbours?
- (2) What is the cost to the taxpayer and to CSBP & Farmers Ltd of that involvement?

Mr PEARCE replied:

(1)-(2)

The Environmental Protection Authority has no direct involvement with the development and marketing of a slow release fertiliser, such as "coastal superphosphate". The authority, however, is working closely with the Western Australian Department of Agriculture, which is developing a fertiliser management plan for the Albany catchments. The authority encourages consideration of initiatives likely to reduce the nutrient enrichment problems of Princess Royal and Oyster Harbours.

**ENVIRONMENTAL PROTECTION AUTHORITY - PRINCESS ROYAL AND OYSTER HARBOURS**

*Environmental Evaluation - Involvement*

88. Mr HOUSE to the Minister for Environment:

- (1) Will the Environmental Protection Authority continue to be involved in the environmental evaluation of Princess Royal and Oyster Harbours?
- (2) If yes to (1), will the Government, where necessary, provide and/or encourage the provision of funds to harvest micro algae in Princess Royal and Oyster Harbours?

Mr PEARCE replied:

- (1) The Environmental Protection Authority will finalise its current investigations at Albany by July, and will subsequently prepare a detailed report including management options.
- (2) One option already under early consideration, and discussed with the Waterways Commission, is for a new type of macro-algae harvester to be trialled at Albany.

**AGRICULTURE, DEPARTMENT OF - COASTAL SUPERPHOSPHATE**  
*Substitute Development - Resources*

89. Mr HOUSE to the Minister for Agriculture:

- (1) What resources are being provided by the Department of Agriculture to assist in the development of a suitable substitute for coastal superphosphate?
- (2) What is the cost of those resources to the taxpayer and to CSBP?
- (3) (a) Is there a natural source of "reactive" rock phosphate in Australia; and  
(b) if yes, where and approximately what quantities are available?

Mr BRIDGE replied:

- (1)-(2) The department provides full cooperation in the testing of fertilisers developed by CSBP. The cost to CSBP is not known. The cost to the department in evaluating these fertilisers for coastal soils varies but approximates \$120 000 per year.
- (3) (a) Not as far as the Department of Agriculture is aware; and  
(b) not applicable.

**AGRICULTURE, DEPARTMENT OF - PRINCESS ROYAL AND OYSTER HARBOURS**

*Field Studies - Fertilisers and Soil Types*

90. Mr HOUSE to the Minister for Agriculture:

- (1) What field studies are currently being undertaken to determine fertiliser use and soil types in the catchment areas of Princess Royal and Oyster Harbours?
- (2) What resources are being provided for these field studies by the Department of Agriculture?

Mr BRIDGE replied:

- (1) In 1988 a broadscale soil phosphorus (P) status survey was conducted in the harbour catchments. The P status of 2 675 soil samples was determined with 50 per cent to 60 per cent of soils being assessed as having excessive levels. The 1989 program entails more detailed soil mapping and assessment of soil P status in catchments identified in the 1988 program as having high soil P levels. Broadscale mapping, which combines general soil types and their topographic position into landform units, is being done in the rest of the catchments. A number of streams in the catchment areas are being gauged for P levels as part of a comprehensive monitoring program with the EPA and the WA Water Authority.
- (2) The Department of Agriculture is providing a research officer, technical officer, an adviser and \$126 800 support funds exclusively to the south coast estuaries program.

92. The question was ruled out of order.



STATE GOVERNMENT INSURANCE COMMISSION - MEDICAL  
PRACTITIONERS

*Accident Treatment - Outstanding Payments, Aggregate Amount*

93. Mr MENSAROS to the Treasurer:

What is the aggregate outstanding amount payable to medical and paramedical practitioners treating patients involved in accidents where the State Government Insurance Office/State Government Insurance Commission is the insurer -

- (a) due for one month;
- (b) due for two months;
- (c) due for three months; and
- (d) due for over three months?

Mr PARKER replied:

The total liability outstanding for all claims costs on personal injury claims reported and incurred against the SGIC and SGIO is actuarially calculated each year by an independent private actuary and reported in the annual accounts of both organisations. Actual medical and associated costs are not calculated as amounts vary from claim to claim with the nature of claimants' injuries and claims frequencies. As an indication, the SGIC and SGIO paid \$26.5 million in medical and associated expenses of treatment for the 12 months ended 30 June 1988, up to 8.8 per cent on the preceding year.

STATE GOVERNMENT INSURANCE COMMISSION - MEDICAL  
PRACTITIONERS

*Accident Treatment - Outstanding Payments, Policy*

94. Mr MENSAROS to the Treasurer:

- (1) How long will the State Government Insurance Commission and the State Government Insurance Office keep up their present policy to withhold payment for several months - after six to nine months - to medical practitioners for treating patients involved in accidents where liability has already been accepted by the insurer?
- (2) What is the reason for having adopted such policy/practice in contrast to the late Motor Vehicle Insurance Trust's policy of comparatively prompt payment?
- (3) Is one of the reasons for this policy of retarded payments the unprecedented involvement and commitment of the SGIC into speculative commercial activities under the auspices of WA Inc?

Mr PARKER replied:

- (1) The SGIC and the SGIO have no such policy.
- (2) There has been no change of policy.
- (3) Not applicable.

PUBLIC SERVANTS - ACTING APPOINTMENTS  
*Higher Remuneration - Public Service Act, Section 30A*

95. Mr MENSAROS to the Minister for Public Sector Management:

Is it still the practice in the Public Service to apply section 30A of the Public Service Act in cases where the public servant has acted for several months in a higher than his/her normal position and received higher remuneration, to maintain for him/her this higher remuneration after he/she ceased to be acting in whatever position he/she is placed?

Mr PETER DOWDING replied:

It is not the practice to maintain higher levels of remuneration for officers acting in higher offices once the acting assignment has ceased.

# AGRICULTURAL AND HORTICULTURAL ADVISORY SERVICE - CLOSURE

## *Restoration Request*

96. Mr MENSAROS to the Minister for Agriculture:

- (1) Is he aware that a very large number of people have been deprived by the Government's decision some years ago to close the Department of Agriculture's agricultural and horticultural advisory service?
- (2) Will he endeavour to restore this service, particularly the horticultural part, where people who seek the service are not in contact in any other way with his department?

Mr BRIDGE replied:

(1)-(2)

It is assumed that the member is referring to the department's former House Garden Inquiry Service. The decision to close this service allowed resources to be reallocated to strengthen the advisory service to commercial horticulturalists. Advice to house gardeners is now provided through the nursery industry.

# WATER RESOURCES - JANDAKOT WATER PROTECTION AREA

## *Model*

97. Mr MacKINNON to the Minister for Water Resources:

- (1) Where can the model of the Jandakot water protection area be viewed?
- (2) If such a physical model exists, does it include the effects on adjoining areas?

Mr BRIDGE replied:

- (1) The Jandakot ground water model is a mathematical computer based model - for representation - of the Jandakot ground water mound which simulates the response of the ground water table to influences such as pumping, rainfall and various land uses. The computer output can be viewed at the Water Authority. The model is not a physical model.
- (2) The model simulates the response of ground water and wetland water levels in areas adjacent to the Jandakot ground water management and protection area.

# TRANSPORT - SOUTH WEST METROPOLITAN REGION

## *Needs Study - Steering Committee, Establishment*

98. Mr MacKINNON to the Minister for Transport:

- (1) When did the Government establish a steering committee to examine transport needs in the south west metropolitan region?
- (2) Who are the members of that steering committee?
- (3) What are the terms of reference for the committee?
- (4) When is it expected the committee will complete its report?
- (5) Will the report be made public?
- (6) If not, why not?

Mr PEARCE replied:

- (1) 25 January 1989.
- (2) Director General of Transport (Chairman);  
Chairman, Transperth;  
Commissioner of Railways;  
Commissioner of Main Roads; and  
Chairman, State Planning Commission.
- (3) (a) To examine the relationship of the south west corridor to the metropolitan region in terms of travel needs and availability; and  
(b) in particular, to assess and evaluate -

the feasibility of an extension of the Perth suburban rail system in the south west corridor;

the methods by which such a rail extension could be integrated with other modes and the road system to effectively serve its catchment area;

the likely travel generation which would result;

the probable effects of such a facility on the use of available transport modes, including the likely use of the rail mode; and

the broad benefits and costs to the community which could be expected.

(4) Towards the end of 1989.

(5) Yes.

(6) Not applicable.

#### TRANSPORT - BUS SHELTER SUBSIDY

##### *Reinstatement - Consideration*

102. Mr MacKINNON to the Minister for Transport:

(1) Referring to question 1354 of 1988, has further consideration been given to reinstating the bus shelter subsidy?

(2) If so, what decision has been made?

Mr PEARCE replied:

(1) Yes.

(2) The bus shelter subsidy will be reinstated from the 1989-90 financial year. The amount of the subsidy will be determined in the Budget context.

#### EDUCATION - PRIMARY SCHOOLS

##### *West Leeming - Building, Completion Date*

104. Mr MacKINNON to the Minister for Education:

When is it anticipated that the current building program at the West Leeming Primary School will be completed?

Dr LAWRENCE replied:

Early in July this year.

#### EDUCATION - TEACHERS

##### *Non Teaching Duties - Time Allocation*

105. Mr MacKINNON to the Minister for Education:

(1) How much time are secondary school teachers allocated for duties other than teaching on a weekly basis?

(2) How much time are primary school teachers allocated for duties other than teaching on a weekly basis?

Dr LAWRENCE replied:

(1) Secondary school teachers are allocated 320 minutes per week for duties other than teaching.

(2) Primary school teachers are allocated 160 minutes per week for duties other than teaching.

#### WESTERN AUSTRALIAN MEAT MARKETING CORPORATION - ANNUAL REPORT

##### *Tabling*

106. Mr MacKINNON to the Minister for Agriculture:

(1) When does the Minister expect that the accounts for the Western Australian Meat Marketing Corporation for the year ended 30 June 1988 will be completed?

- (2) When does the Minister expect that these accounts will be tabled in the Parliament?

Mr BRIDGE replied:

- (1) I am advised that the Western Australian Meat Marketing Corporation's 1987-88 annual report was tabled in the Parliament on 15 December 1988 - tabled paper No 681.
- (2) Answered by (1).

#### POTATO MARKETING BOARD - ESTABLISHMENT

107. Mr MacKINNON to the Minister for Agriculture:

- (1) When was the Potato Marketing Board established?
- (2) For what purpose was the board established?
- (3) Have the operations of the board ever been reviewed?
- (4) If so, when and by whom?
- (5) What other States of Australia have a Potato Marketing Board?

Mr BRIDGE replied:

- (1) 1948.
- (2) To ensure a regular supply of Western Australian grown potatoes at a stable price to WA consumers and to provide a reasonable return to growers.
- (3) Yes.
- (4) (a) Parliamentary Select Committee - 1949;  
(b) Royal Commission - 1955;  
(c) inquiry into the Potato Board - K.H. Lissiman - 1973; and  
(d) committee of inquiry into the WA Potato Industry - 1984.
- (5) None.

#### GOVERNMENT PUBLICATIONS - THE FINE PRINT *Copies*

108. Mr MacKINNON to the Minister for Consumer Affairs:

- (1) How many copies of the publication "The Fine Print" have been published?
- (2) To whom has the publication been distributed?
- (3) What was the cost of the initial publication and distribution?

Mrs HENDERSON replied:

- (1) Five thousand.
- (2) Commerce and industry, schools, libraries, community groups, Government agencies, parliamentarians, financial institutions, voluntary consumer organisations and interested individual members of the public.
- (3) \$5 388.

#### DAWESVILLE CUT - DEVELOPMENT *Work Proceedings*

117. Mr MacKINNON to the Minister for Transport:

- (1) When will work on the Dawesville Cut proceed?
- (2) Are plans publicly available to inspect what is proposed for this development?
- (3) If not, when will those plans be available?

Mr PEARCE replied:

- (1) Detailed planning for the Dawesville Channel is proceeding. It is expected that construction work will commence towards the end of 1989 subject to the availability of funds from the 1989-90 State Budget.

- (2) Concept development plans for the Dawesville Channel were included in the documents comprising the Peel Inlet and Harvey Estuary management strategy stage 2 ERMP which was issued by the Environmental Protection Authority in May-June 1988.
- (3) Not applicable.

**JUSTICES OF THE PEACE - 70 YEARS OF AGE**

*Bench Duties - Restrictions*

127. Mr BRADSHAW to the Minister representing the Attorney General:

Are justices of the peace able to sit on the Bench in court after turning 70 years of age?

Mr D.L. SMITH replied:

There is no legislative restriction. However, an administrative direction has been issued that justices of the peace are not to be called to preside in courts after attaining the age of 70 years. This is consistent with the position which applies to other judicial officers.

**PRISONERS - AIDS TESTS**

*Western Australia*

128. Mr BRADSHAW to the Minister representing the Minister for Corrective Services:

- (1) Have prisoners in Western Australian prisons been tested for AIDS?
- (2) Is it compulsory to test for AIDS in prisons?
- (3) How many prisoners have shown HIV antibody positive?
- (4) Is it a voluntary test; and if prisoners refuse to be tested, are they segregated in any way from the prisoners who are tested?
- (5) If it is not compulsory to be tested for AIDS in prison, does he intend introducing legislation to make it compulsory?

Mr D.L. SMITH replied:

- (1) Prisoners who give a history of high risk behaviour during an assessment carried out by medical staff on receipt are tested.
- (2) No.
- (3) Three.
- (4) The test is voluntary, but to date no prisoner has refused.
- (5) No.

**EDUCATION - HIGH SCHOOLS**

*Harvey High School Agriculture Wing - Female Accommodation*

129. Mr BRADSHAW to the Minister for Education:

- (1) What plans are in place to provide female accommodation at the Harvey High School agricultural wing?
- (2) What plans are in place to provide female toilets at the agricultural wing farm?

Dr LAWRENCE replied:

(1)-(2)

The provision of residential accommodation and toilets for female students has been listed for consideration in the proposed 1989-90 school building program, subject to the availability of funds.

**EDUCATION - "EVENING STAR"**

*Training Vessel - Students, Commencement*

133. Mr COURT to the Minister for Education:

- (1) When did the training vessel *Evening Star* commence taking students?

- (2) To the end of 1988, how many students have been carried?
- (3) From the beginning of operations to the end of 1988, how many days have been lost due to repairs and overhauls?
- (4) Since the end of the initial refit to February 1989, what is the total cost of repairs and overhauls?

Dr LAWRENCE replied:

- (1) 7 April 1987.
- (2) 1 152.
- (3) 1987 - 15 days; and 1988 - 2 days. Total, 17 days.
- (4) \$195 341.56.

**EDUCATION - "EVENING STAR"**  
*Training Vessel - Responsibility*

134. Mr COURT to the Minister for Education:

- (1) Who was responsible for choosing the vessel *Evening Star* for use by the Education Department?
- (2) Was a marine surveyor engaged to advise on the condition and suitability of this vessel?
- (3) What was the date of the purchase?
- (4) What was the purchase price?
- (5) What was the total cost of bringing the vessel to Fremantle, excluding crew wages?
- (6) What was the cost of the initial refit in Fremantle and how long did it take?

Dr LAWRENCE replied:

- (1) Youth Sailing Foundation.
- (2) Yes.
- (3) 21 September 1985.
- (4) Purchased by Youth Sailing Foundation - not Ministry for Education.
- (5) Paid for by the Youth Sailing Foundation - not Ministry.
- (6) Paid for by Youth Sailing Foundation.

**WA EXIM CORPORATION - FINANCIAL ADMINISTRATION AND AUDIT ACT**  
*Contravention - Auditor General's Report*

138. Mr MacKINNON to the Premier:

- (1) Is the Premier aware that in the First Report of the Auditor General, dated 18 January 1989, in relation to Exim Corporation the Auditor General stated that Exim had not complied with section 42 of the Financial Administration and Audit Act by failing to submit estimates of financial operations?
- (2) Would the Premier explain why the corporation was allowed to contravene the requirements of the Financial Administration and Audit Act as referred to by the Auditor General?
- (3) Will the Premier now ensure that the Western Australian Exim Corporation does meet with the requirements of the Financial Administration and Audit Act as it is supposed to do and publish the full details excluded by the Western Australian Exim Corporation by its non compliance with the Act as so stated?

Mr PETER DOWDING replied:

- (1) Yes.
- (2) WA Exim Corporation was established on 6 February 1987. Management had

not been required previously to submit estimates under the pre-existing legislation and the oversight occurred in the very first few months following the proclamation of the new Act governing Exim.

- (3) WA Exim Corporation now complies fully with Financial Administration and Audit Act requirements. The estimates are submitted to the Minister for approval and not for publication.

#### ABORIGINAL AFFAIRS - ABORIGINAL ADVISORY COUNCIL

##### *Members - Terms of Appointment*

139. Mr MacKINNON to the Minister for Aboriginal Affairs:

- (1) Who are the current members of the Aboriginal Advisory Council?  
 (2) What are their respective terms of appointment?

Dr LAWRENCE replied:

(1)-(2)

MEMBER	REGION	APPOINTED
Ms Janet Hayden (Chairperson)	Southern	21/9/88 to 21/9/90
Mr Jimmy Lewis	East Kimberley	30/8/88 to 30/8/90
Mr Ivan McPhee	Fitzroy Valley	22/8/88 to 22/8/90
Ms Glenys Sibosado	West Kimberley	25/8/88 to 25/8/90
Mr Slim Parker	Pilbara	6/10/88 to 6/10/90
Mr Ian Piendu	Western Desert	7/11/88 to 7/11/90
Mr Arthur Davies	West Gascoyne	10/10/88 to 10/10/90
	Murchison	
Mr Des Thompson	East Gascoyne	13/10/88 to 13/10/90
	Murchison	
Ms Veronica Williams	Eastern Goldfields	28/9/88 to 28/9/90
Ms Leah Bell	Wheatbelt	15/9/88 to 15/9/90
Mr Spencer Riley	Central Metropolitan	12/9/88 to 12/9/90
Mr Ken Colbung	Central Metropolitan	12/9/88 to 12/9/90

#### ABORIGINAL AFFAIRS - ABORIGINAL COMMUNITIES

##### *Kimberley - Water Authority, Major Works*

140. Mr MacKINNON to the Minister for Aboriginal Affairs:

- (1) During the current financial year, what major works, such as the provision of water bores, have been carried out or are planned to be carried out at Aboriginal communities in the Kimberley by the Water Authority of Western Australia?  
 (2) Which communities are involved in this work?  
 (3) What is the estimated cost of the work in each case?  
 (4) What is the source of the funding for these works?

Dr LAWRENCE replied:

This question has been wrongly addressed to the Minister for Aboriginal Affairs. It has been referred to the Minister for Water Resources, and he will reply in writing.

#### ABORIGINAL AFFAIRS - ABORIGINAL COMMUNITIES DEVELOPMENT PROGRAM

##### *Expenditure*

141. Mr MacKINNON to the Minister for Aboriginal Affairs:

- (1) What funds have been expended in the financial year to date from the Aboriginal communities development program?  
 (2) Will the Minister list the details of that expenditure?  
 (3) Who determined these expenditure programs?

(4) Who then audits or checks their effectiveness?

The answer was tabled.

[See paper No 174.]

**ABORIGINAL AFFAIRS - ABORIGINAL COMMUNITIES**  
*Leases Granted*

142. Mr MacKINNON to the Minister for Aboriginal Affairs:

- (1) How many leases have been granted to Aboriginal communities since 1 January 1988?
- (2) How many leases in total have now been granted to Aboriginal communities?
- (3) How many requests for leases are pending?

Dr LAWRENCE replied:

- (1) Forty one.
- (2) Since the inception of the Aboriginal Lands Trust in 1973, 84 leases have been granted.
- (3) Thirty.

**ABORIGINAL AFFAIRS - TREATY**  
*Federal Proposal - Support*

143. Mr MacKINNON to the Minister for Aboriginal Affairs:

Does the Minister support the proposed Federal compact of understanding or treaty with Aboriginal Australians?

Dr LAWRENCE replied:

I support in principle the proposed Federal compact of understanding or treaty with Aboriginal Australians, based on the belief that, if handled sensitively, it has the potential to promote national unity through formal recognition of injustices suffered by Aboriginal people.

**R & I BANK - GOVERNMENT PAYMENT**  
*Minister for Budget Management - Legislative Council Statement*

144. Mr MacKINNON to the Premier:

- (1) Has the Government paid to the Rural and Industries Bank the \$107.6 million referred to by the Minister for Budget Management in his statement to the Legislative Council of 16 November 1988?
- (2) If so, when was the payment made?

Mr PETER DOWDING replied:

- (1) The amount of \$107.6 million referred to was due to be paid by - and not to - the Rural and Industries Bank of WA for the transfer of total engagements from the WA Teachers Financial Society Limited, and this payment was made by the bank on 7 December 1988.
- (2) Not applicable.

**MINISTERS OF THE CROWN - PREMIER**  
*Rothwells Ltd - Liquidity Problems, Assistance Approach*

145. Mr MacKINNON to the Premier:

- (1) Does the Premier recall in his statement to Parliament on Rothwells Ltd on 8 November 1988 saying that, "In the meantime the Government, having committed itself to a two year obligation to Rothwells, was again asked to assist when Rothwells faced liquidity problems"?
- (2) Who approached the Government for this support?
- (3) When was the approach made?
- (4) To whom in Government was the approach made?



(5) Who in Government made an assessment of the so called "liquidity problems" of Rothwells at this time?

(6) What was the result of that assessment?

Mr PETER DOWDING replied:

(1) Yes.

(2)-(4)

The approach was made by officers of Rothwells in the early part of 1988 to Government officers.

(5) Government officers.

(6) On the information available to the Government at the time, the Government accepted that Rothwells had a liquidity problem.

**CONNELL, MR LAURIE - ROTHWELLS LTD**

*Rescue - Backing, Written Guarantee*

146. Mr MacKINNON to the Treasurer:

(1) What written guarantee did the Government receive from Mr Laurie Connell prior to the Government's support of Rothwells Ltd that he "had backed the rescue with all his personal wealth"?

(2) Did that guarantee, if given, include Mr Connell's assets owned overseas?

Mr PARKER replied:

(1)-(2)

I am not aware of any written agreement given to the Government. However, a very clear public commitment was sought, and given. The Government expects that commitment to be honoured.

**STATE GOVERNMENT INSURANCE COMMISSION - BELL GROUP SHARES**

*Bond Indemnity Extension - Payment*

147. Mr MacKINNON to the Treasurer:

With reference to the recently announced extension of the Bond indemnity to the State Government Insurance Commission for its holdings of Bell Group shares and convertible bonds -

(a) has the reported \$3 million been paid to the SGIC as yet and, if not, when will it be paid;

(b) has any payment been made towards the holding costs of the Bell shares and, if so, how much and when and, if not, when does the SGIC expect to receive a payment; and

(c) has any interest been received on the convertible bonds and, if so, how much and when and, if not, when does the SGIC expect to receive payment?

Mr PARKER replied:

(a) The \$3 million fee applicable to the deed of variation has been paid upon execution of the agreement on 9 March 1989.

(b) No payment has yet been made on holding costs. The agreement is that any shortfall of price at \$2.70 per share, and interest, will be paid upon demand and following a sale on and after 1 October 1989, and on or prior to 1 May 1990 either in whole or part of such shareholding sold during the indemnity period.

(c) The terms of the trust deed on the issue of the unlisted convertible subordinated bonds by Bell Group Ltd and Bell Group Finance Pty Ltd was for interest being payable annually. Interest received to date by the Insurance Commission is as follows -

Eleven per cent guaranteed convertible subordinated bonds (maturity

1995): On 9 December 1988 \$8.250 million, which included accrued interest at purchase date of 28 July 1988 of \$5.221 million.

Ten per cent guaranteed convertible subordinated bonds (maturity 1997): An interest payment scheduled on 7 May 1989 for \$7.5 million. This will include accrued interest at purchase date of 28 July 1988 of \$1.685 million.

#### MARMION MARINE PARK - SEWAGE DISPOSAL

148. Mr CLARKO to the Minister for Water Resources:

- (1) What sewage is currently discharged into the Marmion Marine Park?
- (2) How has it been treated?
- (3) What are the real or potential harmful effects to -
  - (a) humans; and
  - (b) marine life?
- (4) Are there any plans to increase the sewage discharge into this marine area and, if so, what are the details?
- (5) What alternatives are there to the disposal of such effluent into the sea?

Mr BRIDGE replied:

- (1) Approximately 55 ML/day of treated waste water effluent is discharged through the Beenyp ocean outlet pipe, which is now within the boundaries of the Marmion Marine Park.
- (2) The waste water receives preliminary treatment - screening and sand removal - primary treatment - sedimentation with separate solids treatment - and full biological secondary treatment. Sludge solids removed from the flow are incinerated. No solids are returned to the treated effluent.
- (3) The outlets are designed to meet the water quality criteria defined by the EPA for the protection of the ocean environment with regard to marine life and to the human activities of recreational use and harvesting for food. This has been assessed for the ultimate conditions when the design flow for the ultimate 700 000 persons has been reached, early next century.
- (4) Yes. The treatment plant at Beenyp, all connecting sewers and the effluent tunnel to the coast were all designed for approximately 700 000 persons in the early 1970s. However, the ocean outlet pipe itself was designed as a two stage system - each for 350 000 persons - for both technical reasons and economy. The second stage will be required by 1991 and will increase ocean disposal capacity from 350 000 to 700 000 persons.
- (5) In this case, no viable alternative to ocean disposal exists. Both the need to protect valuable ground water and the enormous costs involved make land disposal impractical. In any case, any future land disposal or re-use projects would require ocean disposal as a backup.

#### SEWAGE - UNTREATED

##### *Metropolitan Coastline-Rottnest - Observations*

149. Mr CLARKO to the Minister for Transport:

- (1) Is the Minister aware of recent reports that untreated sewage has been observed floating on the waters between the metropolitan coastline and Rottnest?
- (2) As it has been alleged that this offensive matter has been discharged by local ferries, will the Minister conduct an inquiry into this issue to determine the extent of this problem and take the necessary action to eliminate the pollution of our local marine areas?

Mr PEARCE replied:

- (1) I am aware of the alleged incident reported in *The West Australian* of 31 March 1989.

- (2) I have requested the Department of Marine and Harbours in conjunction with other relevant authorities to -
- (i) Carry out an assessment to quantify the local sewage disposal problem on the waters surrounding the metropolitan area;
  - (ii) review existing legislation and regulations; also, where necessary, introduce amendments; and
  - (iii) develop a strategy in consultation with other departments.

Notwithstanding the above initiatives, present legislation provides that where deliberate disposal of waste occurs from a vessel within the State's navigable waters the offender may be prosecuted under the navigable water regulations.

#### STATE ENERGY COMMISSION - PEAK LOAD *Difficulties*

159. Mr COURT to the Minister for Fuel and Energy:

- (1) What difficulties have been experienced by the State Energy Commission of Western Australia in meeting its peak load demands during the recent summer months?
- (2) What steps are being taken to ensure that these difficulties do not recur?

Mr CARR replied:

- (1) During the summer SECWA's peak demand increased 14 per cent on the previous summer's peak. This was an abnormal increase and took the available generating plant to the limit of effective capacity. Appropriate arrangements were made with some of SECWA's commercial clients with their own generating capacity to minimise their call on SECWA's interconnected grid.
- (2) SECWA has embarked on an extensive program of installing gas turbine generating units, the first three of which are planned to be commissioned ahead of next summer's peak load.

#### PETROLEUM - NORTH WEST SHELF PROJECT *Gas Failure - Government Contingency Plans*

160. Mr COURT to the Minister for Fuel and Energy:

What contingency plans does the Government have if the North West Shelf project cannot deliver gas to the south for different reasons?

Mr CARR replied:

The State Energy Commission of Western Australia has developed contingency plans for all eventualities. In the case of an outage by the North West Shelf gas platform, SECWA would continue to deliver to the extent that gas was available from storage in its own pipeline. Should there be an extensive outage, reserves from the Dongara and Woodada fields would be called on through the provisions of the SECWA Act and supplies would be restricted.

#### PAPER PULP MILL - WESTERN AUSTRALIA *Water Requirements*

164. Mr COURT to the Minister for Water Resources:

What quality and quantity of water would be required if a paper pulp mill were established in Western Australia processing 600 000 tonnes per annum of woodchips?

Mr BRIDGE replied:

Figures supplied by consultants to WA Chip and Pulp Co Pty Ltd -

Quality	Not to exceed
Turbidity as Si O <sub>2</sub>	40 ppm
Colour in platinum units	25 ppm
Total hardness as Ca CO <sub>3</sub>	100 ppm
Alkalinity to methyl orange as Ca CO <sub>3</sub>	75 ppm
Iron as Fe	0.2 ppm
Manganese as Mn	0.1 ppm
Silica (soluble) as Si O <sub>2</sub>	50 ppm
Total dissolved solids	300 ppm
Free carbon dioxide as CO <sub>2</sub>	10 ppm
Chlorides as Cl	200 ppm
Organic matter KMn O <sub>4</sub> consumption	10 mg/L

**Quantity**

9 million cubic metres per year.

**BARRACK SILICON - PROJECT***Construction Delay - Government Compensation*

165. Mr COURT to the Minister for Resources Development:

- (1) Will the Government have to make any compensation to the Barrack Silicon project for delayed construction?
- (2) If yes to (1), what is the extent of that compensation?
- (3) Has the company given the Government any warning that compensation will be required?

Mr PARKER replied:

- (1) Any liability for compensation will only be for delays specific to relocation resulting in commissioning of the furnaces beyond 30 June 1989.
- (2) The extent of compensation cannot be determined until after commissioning.
- (3) The company has advised that commissioning will be after 30 June 1989.

**POWER STATIONS - SITES***Future Developments*

166. Mr COURT to the Minister for Fuel and Energy:

- (1) How many power station sites has the Government put aside for possible future developments?
- (2) Where are these sites located?
- (3) Has the Government sold any sites put aside for power stations during the past six years?
- (4) If yes to (3), where were these sites which have been sold?

Mr CARR replied:

- (1) Three.
- (2) Collie, Ledge Point and Brenton Bay.
- (3) Yes.
- (4) Lake Clifton.

**WESTERN AUSTRALIAN TREASURY CORPORATION - BORROWINGS***Hong Kong*

168. Mr COURT to the Treasurer:

- (1) Why has the Western Australian Treasury Corporation taken steps to borrow money from the Hong Kong market?
- (2) How much money has been borrowed and at what interest rates?
- (3) What steps have been taken to hedge the foreign exchange risk?

Mr PARKER replied:

- (1) The Hong Kong market currently offers a lower cost of short term Australian dollar funds than the domestic market.
- (2) None. The facility will not be finalised until approximately the middle of May 1989.
- (3) The facility to be entered into is in Australian dollars.

**EDUCATION - PRIMARY SCHOOLS**  
*West Busselton - Building Completion Date*

172. Mr BLAIKIE to the Minister for Education:

- (1) Have plans been completed for a building program for extensions to the West Busselton Primary School?
- (2) Have funds been allocated in the State Budget for the project to commence?
- (3) Have tenders been let and what is the expected completion date?
- (4) If no to (3), what is the Government's proposal to overcome overcrowding and an appalling lack of adequate facilities?

Dr LAWRENCE replied:

- (1)-(2) Yes.
- (3)-(4) Tenders are still being assessed. Until such time as a contract is let, it is not possible to provide a completion date.

**MINERAL SANDS - NANNUP REGION**  
*Rail Transport - Government Consideration*

174. Mr BLAIKIE to the Minister for Transport:

- (1) Has the Government given any consideration to the rail transport of mineral sands to be mined in the Nannup region?
- (2) If so, would he provide details?

Mr PEARCE replied:

- (1) Yes.
- (2) Westrail has been negotiating with Cable Sands, a mineral sands leaseholder in the Scott River area. The company has not accepted the proposal but negotiations are ongoing. The transport package given to the company provides for minesite to plant at Bunbury via Jardee siding. Upgrading of CALM/Bunning roads connecting Waistcoat and Pailings Roads is the proposed transport route from minesite to railhead. The route minimises contact with the general travelling public.

**QUESTIONS WITHOUT NOTICE**

**HORGAN, MR JOHN - GOVERNMENT EMPLOYMENT**  
*Premier - Contract Approval*

16. Mr COURT to the Premier:

- (1) Did the Premier formally approve the employment contractual arrangements as renewed last year for Mr John Horgan to head the WADC and Exim?
- (2) If so, when was this contract approved?

Mr PETER DOWDING replied:

- (1)-(2) My recollection is that I approved the appointment which went to Executive Council. As far as I know, the documents I asked my department to look out

this morning were not available by the time I came to the House this evening. My recollection is that I approved the appointment, but the terms of the contract were not the subject of that approval process.

# WOODSIDE PETROLEUM - NORTH WEST SHELF PROJECT

## *Goodwyn Platform - Benefits*

17. Mrs BUCHANAN to the Deputy Premier:

Will the Deputy Premier inform the House of the benefits that may accrue to Western Australia following Woodside Petroleum's announcement today of the development of a major oil and gas facility?

Mr PARKER replied:

Following extensive negotiations between the State Government and Woodside Petroleum and its joint venture partners, I am very pleased that today the joint venture announced that the Goodwyn platform proposal will go ahead immediately rather than be deferred, as had been predicted by many commentators. One prediction was that it could be deferred as far away as 1997. In fact, the Goodwyn platform will now go ahead as the second offshore platform on the North West Shelf project. The immediate impact is that the design and engineering work in relation to this project will be carried out in Western Australia. A major change in the attitude of the joint venture partners towards using Western Australian engineering personnel for this project has taken place in the last two or three years. All the engineering design work for both train three, the go ahead for which was announced a few weeks ago, and the Goodwyn platform will be carried out in Western Australia, contrary to the position with North Rankin, the first and second trains of which were designed and largely engineered overseas. The fact that the Goodwyn platform and train three are going ahead at this time means that another \$2.5 billion worth of investment will take place in this State over the next four or five years. So, quite apart from the obvious impact of that, we will have a continuous level of high investment in this State from this project alone - putting aside all the other investment since 1985 when the LNG project went ahead - until at least 1995. In other words, we will have a decade of unparalleled investment, and the opportunity for the fabrication and manufacturing sector of the Western Australian economy to perform and show what it is capable of doing. Such a decade of unbroken development will lead to growth in employment; the opportunity to produce better capital equipment and to invest in the fabrication and manufacturing sectors; and the opportunity of amortising such investment over a number of projects; and will ensure that those companies are able to stand on their own feet, go out into the international marketplace, and compete with other people in this region in which we live, which is highly gas intensive. So we will have a high level of economic activity taking place.

Mr Thompson: Are you not glad we had the courage to start it!

Mr PARKER: The LNG project, of which this is a part, came about - as anyone who was in this House at the time would know - as a result of the renegotiation of the Liberal Party's arrangements in 1985, and if it had not been for those renegotiations the project could not have gone ahead. Everybody in the area acknowledges that.

Mr Court: What about the gas surplus?

Mr PARKER: The gas surplus has, as a result of the massive economic growth of this State -

Mr Clarko: Through no fault of yours!

Mr PARKER: There has been a 12 per cent growth in the demand for electricity. I would like to know of another period in this State's history, or of another part of the world, where there has been a 12 per cent growth in demand for electricity. The important thing is that the problems of the previous contract

were not necessary because all we were recommending was a staged increase in the amount of gas that was being taken, just as the Japanese have done with the LNG project, where they are taking two million tonnes in the first year and gradually going up over a number of years to six million tonnes. That is all that needed to be done in relation to this project, and we would have had the full volume now when we needed it and would not have had to pay for all that inventory, for which we are still servicing the debt, and which has been there since 1984 when the contract came into operation. The renegotiation of this contract and the various things which we as a Government have done for the LNG project which commenced in 1985, and which will now go through to 1994 or 1995, will ensure that there will be substantial benefits. The immediate impact will be felt in Karratha, Kwinana and, almost certainly, in Geraldton, given that Geraldton was a substantial beneficiary of the construction of the modules for the first platform. This Government will do everything it can, in conjunction with the private sector, to ensure that the employment opportunities provided by this project can be maximised to create the very good record we have on the LNG project, where 74 per cent of the project expenditure has occurred in Australia, and the vast bulk of that in Western Australia.

**HORGAN, MR JOHN - GOVERNMENT EMPLOYMENT**  
*Commitment Fee*

18. Mr COURT to the Premier:

- (1) Is it correct that Mr Horgan received a commitment fee of \$332 000 to sign a five year contract for his services at \$300 000 per annum, to be adjusted annually?
- (2) Did he also receive a commitment fee of \$100 000 to sign a contract with Exim for his services at \$150 000 per annum?
- (3) Will the Premier provide full details to the Parliament of the contractual commitments it has for the employment of senior staff at WADC and Exim, including those of Mr Horgan, and include the Premier's involvement in approving these contracts?

Mr PETER DOWDING replied:

(1)-(3)

I remind the House that when WADC was established, the Opposition used its parliamentary majority in another place to ensure that WADC had autonomy to deal without political direction. Members opposite decided that WADC should operate free from ministerial control and direction. However, members opposite have chosen to suddenly switch their game, and are trying to persuade everybody, now that we have established the principle of accountability, that the present Ministers ought to be doing what the Opposition deprived them of the power of doing when it allowed this legislation to pass in the Parliament. Let us get the parameters right. Members opposite decided that there should not be the power to give political direction, and they must live with that.

In relation to the employment of people by the WADC, the decision was to attract people from the private sector to work for the public sector in a private sector environment. Members opposite should know, because they insisted on it, that the constraints which applied to those people were the constraints which apply generally to people in the private sector under the corporate law of this State, where the company and the board is at liberty to make private contractual arrangements which do not come out in the glare of publicity for the disclosure of details of salary and remuneration. That was the requirement introduced into this legislation by the Opposition. Members opposite insisted that the power of ministerial direction be withdrawn from the Statute. So let us get the ground rules right. In that case people entered into that arrangement and into those contracts in good faith on the basis that the details

would be commercially confidential. It is not my intention, at a time when I have made it clear that the operations of this authority will be wound down, to move away from the position that they entered into these commitments in good faith, which was in fact a creature of the political decision of members opposite. I do not intend to do either of two things: First, I will not break the commercial confidentiality which attaches to those arrangements.

Mr Hassell: What about accountability?

Mr PETER DOWDING: If members opposite had wanted something different, they should not have insisted on -

Mr MacKinnon: Hypocrisy!

Mr PETER DOWDING: Members opposite are either people of no standards or people who are so tricky that they change their standards. They cannot have it both ways.

Mr Court: Did you approve of salaries of \$450 000 a year?

Mr PETER DOWDING: Even the boy wonder cannot contemplate a situation where simply because I have made a political decision on behalf of my Government, we will change the way in which these bodies operate. Even he could not countenance a situation where we went back on understandings that had been clearly made between the board and the parties concerned. I will not break the commercial confidentiality which was the basis upon which the board was able to attract private sector people to work for it under the regime established by members opposite, which was that there was to be no political direction.

Secondly, I will not permit - to the extent that I have any power to permit it - people breaking contracts for political reasons. So in respect of the question of whether there was a contract, what are its terms, and will I insist that it be broken, the answer is that I do not think that because there is a change of political direction there should be a breach of contract.

I recall the Leader of the Opposition during the election campaign, when he was debating his major policy initiative - which was about the only one; I remember the *The Australian Financial Review* suggesting he had four; one of them was the reintroduction of Imperial honours, one was the reinstatement of *God Save The Queen* as the national anthem, and I cannot remember what the other two were, they being so trivial - charged up with the enthusiasm of a certain win for the Liberal Party on 4 February, saying that even he would not be breaking contracts of employment in respect of the employment of Kevin Edwards.

#### HOUSING - MORTGAGES *Repayment Problems - Information*

19. Dr WATSON to the Minister for Housing:

Does the Minister have access to any information showing how many people are having real difficulty meeting their housing loan repayments?

Mrs BEGGS replied:

There is very little direct information available but it appears that most lending institutions at this time are able to accommodate their clients in making it easier for them to make their monthly mortgage repayments. Banks and building societies have indicated to me that they have been able to adjust people's repayments according to their particular circumstances, and if an occasion arises where they cannot make those adjustments then of course they can refer them to the Government's Home Buyers' Guarantee Scheme.

Mr Thompson: That is the banks' position. What about the individuals? Have you asked them how they are managing?

Mrs BEGGS: I do not have any direct information but I understand from the information that has been coming through to me from banks and other lending



institutions that at this stage there is not a great demand from people to freeze their mortgage repayments. Also I think we would get a fairly clear indication from Homeswest if people were really in difficulty, in that there would be a big draw on the mortgage relief scheme. At this stage very few approaches have been made by people wishing to take advantage of that scheme. In answering this question I am not saying that there is not a problem with high interest rates. Everybody realises there is, of course. All I am saying is that at this time it seems that most people are able to manage with the lending institutions being able to put in place temporary arrangements until such time as there is a drop in the interest rate.

#### LAND - "KINGS PARK OF THE NORTH"

##### *Development - Ministerial Responsibility*

20. Mrs EDWARDES to the Premier:

Following announcements prior to the last State election of the development of the "Kings Park of the north", the 1 500 hectare park comprising Lake Goollelal, Beenypup Swamp, Wallubuenup Swamp and Lake Joondalup, would the Premier please advise who has this ministerial responsibility?

Mr PETER DOWDING replied:

The member for Kingsley has taken me a bit by surprise because the question is, who has the ministerial responsibility for what. The responsibility for the land clearly rests in one quarter, while the responsibility for the planning clearly rests in another. If the member is talking about responsibility for the project, I am happy to find out which Minister is currently managing the project and let her know.

#### STATE ELECTIONS - ONE-VOTE-ONE-VALUE

##### *New Legislation*

21. Mr RIPPER to the Minister for Parliamentary and Electoral Reform:

Does the State Government plan to renew its efforts to enact the democratic principle of equal value votes in State elections?

Mr PEARCE replied:

I thank the member for Belmont for that question. I think the member feels compelled to leap up at question time and ask the odd question of his brother-in-law on the basis that lately question time has been so slow and unentertaining. The reason for that simply has been that half of the members of the shadow Cabinet have not yet made their maiden speeches and hence cannot ask their questions - and when they do it seems they ask them about their electorates.

The Government is intending to renew its efforts to have one-vote-one-value legislation enacted in Western Australia. We think this reform is particularly important and I have been heartened by Opposition members in the Liberal Party starting to suggest that maybe they will think about one-vote-one-value legislation as they now, at long last, see a self interest in doing so. I have always argued that we would have electoral reform of this kind in Western Australia only when the self interest of the Liberal Party points in that direction. The member for Darling Range, who is one of the most honest members opposite, has recognised quite clearly the party's self interest.

Several members interjected.

Mr PEARCE: He is one of the most honest members opposite, that is the truth. If anyone is going to pop up and say what the self interest of the other side is, one can always rely on the member for Darling Range to do it. The only drawback I fear in this, with all due respect to the member, is that he has not been the most influential person in getting the Liberal Party to go along with his courses of activity, and I have watched with great alarm events in the Young Liberal movement, which seems to be tending in a different direction.

What is happening with the Young Liberals is quite amazing. I used to be a member of the Young Liberal Party and I have some understanding of that organisation. I might still be a member, I do not know. Things have changed in the Young Liberals. Nowadays they sign one up for membership without even telling one, and then they bum one's car. There are people walking around this city who are members of the Young Liberal Party and do not even know it. It is the ultimate in convenience membership. One does not even have to turn up at the meetings to vote - someone does it for one.

Given the likelihood that we will be appealing to the more senior members of the Liberal Party to move towards something like electoral integrity and principle, in terms of the way in which the State operates, it is very worrying to see how the Young Turks of the Liberal Party are comporting themselves; but it has occurred to me - and I am worried about this - that there may be some Young Liberals who are now advising the Leader of the Opposition, because there is a rumour circulating now in Parliament House - or if it was not before it shortly will be - that in fact the Leader of the Opposition is seeking to put a zonal voting system into the Liberal Party room because he is worried about the support for the Deputy Leader of the Opposition which is building up amongst metropolitan members.

**ENERGY - POWER STATION, COAL FIRED**  
*Collie - Construction Delay*

**22. Dr TURNBULL to the Minister for Fuel and Energy:**

In the State Energy Commission of Western Australia's invitation for expressions of interest for the construction of a coal fired power station at Collie, on page 3 -

- (1) What is the meaning of the delay of the proposed time for the placing of orders to the third quarter of 1990?
- (2) Does this mean that the decision to proceed with the construction of a coal fired power station at Collie in fact will be delayed by 18 months?

**Mr CARR replied:**

**(1)-(2)**

I am not familiar with any delay because the advice I have received from the SEC is that its planning has always been on the basis that the coal fired power station is likely to be required by late 1994, and the SEC has proceeded to plan on the basis that the first unit of the new coal fired power station would come into commission in, I think, October 1994. All of the planning has been on the basis of meeting that expected timetable of need. The expressions of interest that were sought recently, as far as I am aware, are on the basis of meeting that timetable. It is expected that decisions will be made this year with regard to some of the detail in terms of the funding of the proposed power station, and that construction will commence next year. I do not see how that constitutes a delay in any sense.

**Mr Court:** That is quite different from the answer you gave to a question I asked today.

**Mr CARR:** No, it is not.

**Mr Court:** In answer to my question today you said it was not going to be built at Collie.

**Mr CARR:** That is a different question altogether.

**Mr Court:** Oh! A different question!

**Mr CARR:** This question relates to -

**Mr Pearce:** Could the two shadow Cabinets get their heads together?

**Dr Turnbull:** This is in relation to the ordering of the materials for the construction of the power station.

Mr Court interjected.

The SPEAKER: Order! Would the Minister please resume his seat. The member for Nedlands has had a fair go; I have given him a couple of calls. This question is one which has been asked by another member and that member is entitled to the information. If, as a result of the answer, that member has a supplementary question, I am more than happy to give her the call; if indeed she is the first person I see on her feet.

Mr CARR: I will clarify the situation. We are talking about the consideration of the next coal fired power station which will be required to supply energy to the State Energy Commission. It is anticipated that that station will be built in Collie. As indicated in answer to the question of the member for Nedlands, the Government is still considering all options. In answer to the question asked by that member, and which relates to the question asked by the member for Collie, the Government is clearly committed to the principle that the next Government owned power station will be built in Collie. However, we are confronted with the situation where alternatives have been put forward in terms of funding and the possibility of private involvement; we are confronted with a very difficult loan funding situation. The Government therefore is required to consider all possibilities; a number of options are available and are being considered. Decisions on funding matters will be made later this year, as indicated in answer to the question asked today. We will need to commence construction next year in order to meet the timetable indicated earlier of 1994.

#### HOUSING - BUILDING INDUSTRY

##### *Inquiry - Progress*

23. Mr DONOVAN to the Minister for Consumer Affairs:

Will the Minister advise progress on the home building industry inquiry?

Mrs HENDERSON replied:

Members will recollect that in October last year the Government initiated an inquiry into the home building industry. The inquiry was chaired by Associate Professor David Stanton of Curtin University. The inquiry was initiated as a result of concerns expressed by consumers who were constructing homes and finding the path down which they were progressing was not as smooth or problem free as they would wish. Mindful of its responsibilities to consumers and the importance of the building industry to Western Australia as a whole and to the State's economy, the Government initiated an inquiry. I am pleased to be able to report that the inquiry is now complete and the report was released today for a period of six weeks of public submission.

In response to the inquiry, more than 40 submissions were made from all major industry groups, consumer groups and individuals. The committee made a wide ranging number of recommendations which touch on all the issues of concern to Government - housing contracts, price increases, indemnity, a code of practice for building salesmen and building consultants. The recommendations touch on all issues which have become a concern to consumers and the building industry generally in this State.

I recommend that all members look at the report. The Government is looking forward to the responses from industry and the public.

#### DRAINAGE DISTRICTS - RATES

##### *Lee Report - Government Action*

24. Mr BLAIKIE to the Minister for Water Resources:

With the concern over anomalies in country drainage rates as indicated in the Lee report which recommended widespread and significant changes, and following the fact that a significant number of ratepayers have not paid any rates for more than two years, will the Minister visit the areas concerned and publicly for the first time explain the reason for the Government's action?

Mr Taylor interjected.

Mr BLAIKIE: The Minister has never been to the area to explain.

Will the Minister explain publicly for the first time the reason for the Government's action? If not, will the Minister explain why he is not prepared to visit the areas to publicly explain the responsibilities of his portfolio?

Several members interjected.

Mr Peter Dowding: I met with them as well.

The SPEAKER: Order! I suggest again that that question transgresses Standing Orders. My intention is to allow it to proceed; but if members have any doubts about framing questions without notice in particular they should seek the advice of colleagues or alternatively the Clerks who are more than happy to assist.

Mr BRIDGE replied:

On agreeing to setting up the Lee inquiry I became aware that in the case of the member for Vasse one could never expect cooperation and a reasonable degree of honesty in the way in which the public would be informed of the course of action being embarked on by the Government.

Several members interjected.

Mr BRIDGE: I will illustrate why this is not a load of rubbish. Here is a perfect example to vindicate the comments I have made. When Cabinet made its decision in respect of the Lee recommendations, I agreed to travel to Busselton to attend a meeting attended by the member for Vasse, who sat beside me. Yet he has the gall to ask when I am contemplating such a visit. That unfortunately illustrates the degree of dishonesty which has intruded into this debate and which has created a great degree of confusion in the minds of the people in that region. This saddens me.

The Government has carried out a sensible assessment of the Lee report; we said all along that we were not necessarily committed to accepting every feature contained in it. Cabinet considered that some aspects of the Lee report were appropriate and necessary to take some of the anomalies away from the farmers who are victims of unfair ratings. Farmers in the high grounds - if the member understands what the high grounds are - are now relieved of any cost factor.

In summary, the member for Vasse has been unfair in putting that question. That illustrates the unfairness that has surrounded the member's every endeavour to confuse debate in the region on this issue.

#### HERITAGE LEGISLATION - REVIEW *Introduction*

25. Dr ALEXANDER to the Minister for Planning:

In view of the continuing concern about the demolition of various buildings in the city, highlighted by the redevelopment proposal for the Grosvenor Hotel, can the Minister indicate when the revised new heritage legislation will be introduced into Parliament?

Mrs BEGGS replied:

Heritage legislation is now being redrafted; I am hopeful that it will be introduced in the spring session. I have already made a public commitment that I am determined we will have legislation very soon in Western Australia which will give us the power to have sufficient controls over some of our heritage. I am concerned that at the moment it seems that we have absolutely no power over valuable old buildings. The will of the Government is that we will be able to provide incentives to developers to consider the benefits of conservation. The only way we can achieve that is through the legislative process.

Mr Peter Dowding: I inform the House by interjection that the Minister for Planning is the Minister responsible for the initiative referred to by the member for Kingsley.

**AGRICULTURE - KERIN WHEAT MARKETING PLANS**

*Government's Position*

26. Mr HOUSE to the Minister for Agriculture:

What is the Government's position with regard to the Kerin wheat marketing plan?

An Opposition member: Do you have a position?

Mr BRIDGE replied:

The answer is no. I am currently seeking from interested groups -

Several members interjected.

Mr BRIDGE: I think the member for Stirling is treating the question seriously, and so am I. I will not say recklessly that I have established a position when in fact I have not given the industry an opportunity to tell me its position.

Several members interjected.

Mr BRIDGE: I hope that, in the next three or four weeks, I will be in a position to state the Government's position on this matter. I will then convey that position to the Federal Minister in the discussions that I will have with him in two weeks. That time frame, when compared with the time it has taken the Opposition to make a decision on the matter, is extremely short.

I believe the growers of Western Australia are fairly contented with that position. I have already indicated to the Leader of the National Party my willingness to talk to him about this matter and he has had an input. I also indicate to the Liberal Party my willingness to discuss the matter with it. However, on its performance today, I am not sure that it would have anything to offer.

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