

# Legislative Council

Wednesday, 12 September 1990

**THE DEPUTY PRESIDENT** (Hon J.M. Brown) took the Chair at 2.30 pm, and read prayers.

## PETITION - PATIENTS' ASSISTED TRAVEL SCHEME

### *Roebourne Shire Discrimination*

The following petition bearing the signatures of 1 824 persons was presented by Hon N.F. Moore -

To the Honourable the President and Members of the Legislative Council in Parliament assembled:

The petition of the undersigned respectfully sheweth:

1. That the PAT Scheme is not properly meeting the needs of residents living in the Roebourne Shire.
2. That PATS assistance is being denied on technical and bureaucratic grounds to residents living in the Roebourne Shire who believe they are entitled to it.
3. That a 44 hour return bus journey to Perth is not a suitable means of transport for those seeking specialist/medical treatment in the city.
4. That specialist visits to the area are not frequent enough to meet the needs of the population.
5. That the above discriminates against the people living in the Roebourne Shire compared to their city counterparts' medical facilities.

Your Petitioners most humbly pray that the Legislative Council, in Parliament assembled, should legislate to ensure that access to specialist medical care is readily available or accessible to the residents of the Roebourne Shire and other country areas.

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

Hon N.F. Moore presented similar petitions on behalf of the residents of the Ashburton Shire (383 persons) and the town of Port Hedland (218 persons).

[See papers Nos 533 to 535.]

## WESTERN AUSTRALIAN (SHARK BAY) HERITAGE PROTECTION AUTHORITY BILL

### *Introduction and First Reading*

Bill introduced, on motion by Hon George Cash (Leader of the Opposition) for Hon P.G. Pandal, and read a first time.

## MOTION - TIMBER AND FOREST INDUSTRIES, SOUTH WEST

### *Sustainment Support*

**HON W.N. STRETCH** (South West) [2.37 pm]: I move -

That this House -

- (a) expresses its support for the timber industry and timber workers of the south west of Western Australia in their efforts to maintain employment opportunities in the region and beyond;
- (b) supports the concept of sustainable forest management and multiple use management of forested lands;
- (c) urges the Government to ensure that the Department of Conservation and Land Management consider as its priority at all times the long term

sustainability of the timber and forest industries of the south west and the benefit of all Western Australian communities.

I am pleased to be able to raise this issue at this stage because there has never previously been a time when the timber and forest industries in Australia, as well as in Western Australia, have been under such extreme pressure. I do not think there are any members in this House who could not in their heart of hearts support this motion.

Since 1982 we have been bombarded with a virtual avalanche of emotive claptrap and political hypocrisy which has all but overwhelmed this important industry in Western Australia. Members will recall that in 1982 the extreme conservationists took control of the Labor movement at its State conference, and began the slow, systematic strangulation of the productive forest industries in the south west. Members will also recall the very emotive argument over their rallying point, which of course was the Shannon River area. Members will remember the great cries of "Save the Shannon" at that time; and what a noble ring it had. It had a good sound, a little dash of old Irish - it had everything in it. It was a stirring trumpet call. Everybody rallied around it and finally victory was achieved - the Shannon River area was declared a national park. But to what effect and to what purpose, and what have been the side effects of that declaration?

I raise this now because some very strong, loud and strident voices were raised at the time which really spelt out to this Parliament and to the State the ramifications of that decision. That was particularly true for the towns of Manjimup, Pemberton and Northcliffe, and all of the south west region, which depends so heavily on the timber industry. Those who made the call were not all of one political party. In fact, Hon Dave Evans threatened to resign from the Labor Party over the declaration of the Shannon River National Park. Hon Dave Evans, who started his career in the timber industry in Pemberton, knew the effects of ad hoc declarations of such large areas of resource without adequate scientific analysis and systematic management. The leader of the Labor Party at that time, Hon Brian Burke, persuaded Hon Dave Evans to change his mind, and that is fair enough. However, it was many years before that park eventually was declared and in the meantime the damage had been done.

The one promise Mr Burke and the conservation movement made was that there would be no rundown in supplies of timber to the industry. That was an interesting promise, because those of us who knew the timber industry were aware of what those resources were in the area, and were aware that an enormous resource base like the Shannon cannot be closed without causing some reaction in other areas of the timber industry.

The Shannon contained some excellent stands of karri, and some stands of marketable karri. It also contained a large stream reserve running through the forest itself. Road reserves surrounded it and some regenerated coupes, many of which had already been regenerated or were in the process of being regenerated. That all had to come to a stop. Everything stopped. Where it was really rather pointless was that, as members who know the Shannon well will realise, that reserve - or park, as it is now - contained a lot of degraded and fire damaged areas. Those who know and love the forest are well aware that good management is good forestry, and good forestry is good management. The two go together. If we look around the south west now, we find that the majority of the best parks are actually areas which have been managed by the Forests Department for many years. They have usually been managed for multiple purposes and, where necessary, they have been logged, clear felled and regenerated. Some of the most admired forests in the south west are regenerated forests. I cite as examples the Hundred Year Forest and Big Brook, and there are several others. They are without doubt some of the most admired of the stands of karri in the south west.

Much argument is also brought out about there not being old, dead, staggy trees for birds to nest in and so on. That is true - in clear felled forests they are taken out for the benefit of the young karri coming through. One thing karri requires for regeneration is a good, open canopy and a clear stand where the trees can grow out without interference from other species. That gives rise to the claim that the only thing which grows in a regenerated karri forest is karri. That is not true. Anyone who has tried to walk through such a forest after five years of regeneration knows that one almost has to fight one's way through the undergrowth with a machete. The marri, better known as the red gum, suckers at an

enormous rate, and while it cannot catch up with the karri in its early stages, it makes a contribution to the understorey of the karri forest. So a great deal of half truth and misinformation is still perpetrated by those who cast aspersions on and, indeed, are most abusive to our forest managers.

To sum up this part of the argument, I point out to the House the danger of pursuing political goals in forest management, when it really results only in putting extreme economic pressure on the forest industries.

It must be stated somewhere along the line by all people in the community exactly where they stand in the environmental spectrum - and I do not mean whether they want to preserve this or that part of the environment. I am talking about the global situation of where we, or I as an individual, stand in the environment: Where is man's place in the world, and where do we make our stand and say that we, too, are an endangered species and a creature under environmental pressure, just as is any other species? I believe there is no problem if we address this matter in our own hearts. We as individuals, insulated from all of the external pressures, know exactly where we stand; but the difficulty comes when we hear the avalanche of emotive half truths and the rhetorical arguments about our interrelationship with other species and subspecies. Again, we tend to be cowed by so many reminders of our obligations to past species which have long become extinct.

I attended a very interesting seminar at which a speaker stood up and said, "Ladies and gentlemen, I wish to address the gathering on the topic of: Should I mourn the dodo?" The point of his argument was that evolution goes on whether we like it or not, and whether or not we take on board a burden of guilt for past civilisations, arisen and destroyed; whether we mourn the passing of the dodo and take the mantle of guilt upon our shoulders. This is a matter for the individual. I declare here and now where I stand: I am a competitive human creature. I live in a competitive environment, in a competitive world in a competitive universe. If we all look at each other and ourselves we would agree with that sentiment. As a human being I fight for and care for my wife and family and my country, and I do my best to preserve my immediate environment. I think all of us do that.

Why do we accept this burden of guilt people lay at our feet when we are only reacting to environmental and evolutionary pressures? We must accept that civilisations come and go; our time will come and our time will go and the civilisation in which we live may well disappear. Any of us who has studied history knows that life cannot continue forever and the end will come for all of us. *Homo sapiens* must adapt to his environment and utilise the resources provided by nature, otherwise he too will wither and die. I repeat: Let us not be hamstrung and guilt-bound by these obsessions.

Mr Deputy President, you are probably wondering when I will discuss the motion. When swinging to either extreme of the pendulum many of the important parts of a complicated economy which are part of that pendulum may be endangered; that is what I call the area of balance in any productive society. That is why I have given this lengthy explanation; the timber and forestry industries are at the centre of the pendulum's arc and are in danger of being bombarded to death from the extremes. The forestry industry has now decided enough is enough and it is fighting back. I regret that it has become a fight because I am confident in my heart of hearts that most people are conservationists and believe in the preservation of the environment and want to attain a better world for their children and grandchildren. However, where do we draw the line; what is the balance? It is important that the House debate this motion.

The forestry industry does not include only those people who run around with chain saws and fell trees. In all rural areas there is a strongly interrelated and interconnected economy with people involved in many aspects of the industry. When I started farming 30 years ago in Western Australia I did not anticipate such industries as tourism, wildflowers and apiculture would become an important part of farming. Apiculture, tourism and wildflower gathering all come under the broad umbrella of the forestry industry. The forestry industry does not include only the tasks of felling timber and milling; it has an interrelated economy and it is important that the limitations on our environment are recognised.

Throughout the ages the timber industry has played an important part in all civilisations. One need only take the New Forest in the United Kingdom, which is about 900 years old, as an example. There has been good forest management throughout the world and proper

tending and harvesting of timber species is now a way of life. It is a highly skilled and scientifically based profession nowadays. The timber industry is only one facet of forest management. In 1983 the first stirrings were initiated to change the structure of the management of the forestry industry. It began with the establishment of the Department of Conservation and Land Management, which incorporated the former Forests Department. We could argue from now until the middle of next week whether that was a good thing. There have been and there are still problems in achieving the right balance in proper forest management. Arguments have arisen as to who should look after which particular part of the forest. I do not believe that is a necessary part of this debate, although other members may wish to take it up.

I have updated figures on the employees involved in the industry up to 1990. The number of employees directly involved in milling, processing, distribution and wood product manufacturing is 9 000-plus. Added to that are direct and indirect spin-off effects to employment which amount to an additional 20 000-plus employees. The value of wages paid in the milling, processing and distribution of forestry products alone exceeds \$100 million. So, I am not referring to a small, unimportant industry; I am referring to an industry which contributes a massive pay packet to the population of the south west. The industry's sales turnover has been quoted at \$646 million. The industry is also a significant contributor to the gross domestic product of Western Australia. I am not a great fan of gross domestic product figures; however, one can still use that figure as a benchmark in gauging the importance of this industry and its influence on the State's economy. The value of exports from the forestry industry amounts to \$60 million. That is by no means an insignificant contribution, particularly when our economy is facing problems. The catchcry of late has been "value adding". The timber industry has contributed significantly to this over the past three years with an investment in excess of \$50 million. That is a major investment in the south west and to the industry. The proportion of jarrah processed downstream has further increased from 45 per cent in 1987 to about 55 per cent today.

I will not enter the debate concerning the importance of forestry to the population. Western Australians are great users of timber. Timber is used extensively in the building industry. Our production of plywood has increased enormously in the last 10 to 15 years. The wood component in the furniture industry is also important. The timber industry also provides raw pulp to paper manufacturers, although at this stage they are also using large quantities of recycled paper, particularly for packaging and cardboard products.

I am not talking about an industry which we can shut down overnight or even over five or 10 years and say that we need not worry about it and that everything will be all right. One cannot assume that tourism will fill the gap. The tourism industry is a great drawcard; however, it can never completely replace the timber industry in the south west. The timber industry and associated industries are important to the south west. Those who are keen to better utilise timber should visit modern plants and observe how the use of timber has increased over recent years and how the shorter pieces and off-cuts that were once thrown away are now used.

The industry has come a long way in improving its utilisation. Many say that it still has a long way to go, but that is arguable. I would not argue with the sentiment that nothing is so perfect that it cannot be improved. However, it is not unusual to go to a mill and see utilisation in the green of 90 to 98 per cent of all wood products brought into the mill. Much of that lost percentage has also to be regarded as shrinkage because we know that timber in its first few days has a large shrinkage factor. It is often overlooked that timber can lose up to five per cent in weight or volume in the drying process.

The break-up of employment in the forests based industries is interesting. In the forestry management area, the State employs about 400 people and the private sector about 100. Logging, including the transportation which is a very large part of the industry, employs around 750 people. Sawmills employ around 1 800 and wood and wood products manufacture, other than sawmilling, employ a further 5 000 people. Marketing and distribution employ approximately 800 people and the paper and paper products division employs an extra 150 people. Not only is the industry a major employer, but also it is a diversified employer. It is of major importance in the smaller towns in the south west because many have been built around timber. If we take out the timber industries, the economy and the demography of the whole area will change.

It is terribly important at this stage of the debate to recognise the employment opportunities in the region that are sustained by the forest industries. The workers who marched in Manjimup, Canberra, Bega and in south eastern New South Wales and north eastern Victoria are deserving of support because they are major contributors to the welfare of the whole of Australia, not only in exports, but also in import replacement. Despite the activity of our industry and our forests, we are still a net importer of timber. We are not self-sufficient in that resource. Despite the intensive increase in plantings in the last few years, we are still not matching our usage.

The second part of the motion refers to the support needed for the concept of sustainable forest management and multiple use management of forested lands. Again I use the Shannon as an example because everyone is aware of it. It made an impact on all members of this House - and also on many citizens of Western Australia - who were here at the time decisions were made as to its future. When it was closed, the effects of the Government's promise to replace that resource base were little short of disastrous. The shortfall was made up by narrowing the fire buffer zones, the stream reserves and the road reserves. They are the very things that I, as a lover and preserver of forests, saw as the main safeguards in the management for eternity of that forest resource. The people who laid down the fire buffer zones did so in their wisdom years ago as a way of stopping and controlling major wildfire in an area that had been systematically burnt over the years. The fire buffer zones protected younger species and species that could not survive wildfire. They were a major part of the fire management strategy of the whole of the south west forest region. They were like a firebreak. Unless someone has fought a fire he cannot come to grips with the ability of a fire to jump such huge distances. I know that you, Mr Deputy President (Hon J.M. Brown), are only too well aware that nothing but the sea will stop a bad fire in extreme temperatures and high winds.

The effect of the Labor Government's decisions on the forest from 1983 onwards was to take away part of that major safeguard. We have been lucky since then that we have not had as many of those very serious fire danger days that we had in earlier times. I am also a great believer in the fact that we can make a lot of our own luck and in that regard I pay deep tribute to the forest managers of the old Forests Department and the forest managers now in the Department of Conservation and Land Management. They do a superb job, often under difficult circumstances and with an ever dwindling supply of capital to replace their equipment. They do not have all they need to manage the forests adequately but are doing their best with whatever they have. If we keep putting men into battle with outdated equipment, we will one day have a tragedy like the very serious forest fires in the east. I am confident that that will not happen because I believe that the forest managers are well represented and that their case will be brought before the Government and listened to, because the Government is now coming to grips with the importance of the industry and with its responsibility to protect these people who are protecting our forests. They must have the equipment to do the job.

As I said, road reserves were also narrowed. It was argued that, if people could not see through the road reserves, they need not be so wide. Therefore, rather than being a quarter of a mile wide in places, they were cut back to 100 yards wide. That is all very credible. However, the reason the road reserves, stream reserves and fire buffers were left so wide was not only for the obvious purpose of off the road tourism or the protection of the stream beds and fire zones, but also for the very important purpose of the preservation of the fauna species that need to move from zone to zone or from coupe to coupe, as the forests were managed on a multiple use basis. It was very easy for any Government to make a wild promise to save the Shannon. What it did not say at the time, and about which I accused it of hypocrisy, was, "We will save the Shannon, but on the side we will narrow the road reserves, the stream reserves and the fire buffer zones." That was a totally irresponsible management decision.

Hon Mark Nevill: How can you narrow a fire buffer zone?

Hon W.N. STRETCH: With your permission, Mr Deputy President, I will go into some detail to explain. A newly regenerated karri coupe cannot sustain a heavy fire for the next 15 or 20 years approximately. Heavy fire would probably wipe out that entire regeneration. Around that area we should have a buffer zone of either aged timber or old natural growth timber which can be burnt every four or five years depending on the fire manager's

assessment of the fuel. That provides a burnt zone which will usually protect the new seedlings from fire damage. When that is narrowed down and part is taken out and used for another purpose, the whole balance of the zone is changed. It is not a totally satisfactory explanation, but it is hard to detail it without walking through and seeing the difference. The fire buffer zones are in place to protect the strategically important areas. They may not be used only for seedlings, they could be a wildlife habitat for the tamar, for example, which must have a low and bushy area which is not burnt too often. Such an environment would preserve the habitat for that species. Fire buffer zones have a range of uses. They give a chance to keep the area burnt and, if fire gets into the area, to keep it at a reasonably low heat level.

Hon Murray Montgomery: How far would fires jump? Obviously, if you narrow down a fire buffer you will allow the fires to jump over them.

Hon W.N. STRETCH: I have seen fires jump a distance of two miles in jarrah forest country. I believe in the south west on bad days fires have jumped considerably further than that. On a bad day one can see a fire going over the top of the forest and lighting the next ridge; it is a horrifying spectacle. There could be days when no fire buffer zone would be wide enough to stop a major outbreak. If the width of any firebreak is reduced there is a proportional increase in the risk of wildfire staying out of control. It also must be remembered that lightning is the old natural igniter of the forest. Even if man is kept out of the forest, lightning will play its part and manage to burn the forest anyway. It has always been thus and that is the original process by which forests were kept clean and regenerated. As a result, in the past there was a great mix in overall forest areas. Although that is admirable in areas for general recreation and for conservation and habitat management, it is not the sort of resource base capable of sustaining a modern timber industry.

Mankind must make a decision: Does it want to build in timber or in steel and synthetics? Generally people love timber and they want to retain the availability of that resource. It is generally felt that by using experienced forest managers - people who have been trained in forestry schools - multiple use management of forests is more satisfactory in the long run. Like people, forests age; they start young, become middle aged, and over a few hundred years become staggy and old and die out, and finally need replanting. With regard to forest management, if timber is removed at its optimum cutting stage and milled, that is the best use of the forest at that time. Also, it is the most attractive stage of that growth. The other argument put, and I fully support the argument, is that without a proportion of old, staggy forest, which is overgrown and has hollow logs, broken off branches and so on, no habitat would be available for nesting parrots and other such creatures. That is the importance of the buffer zones which are often left in their natural state, particularly in streams and road reserves. They provide the required habitat and are an important part of forest management. If the whole forest were like that, however, it would get rid of a viable timber industry.

On the question of multiple use management, I referred earlier to the Big Brook Forest around the new Pemberton Dam and the Hundred Year Forest at Eastbrook. Those areas are all clear felled and regrown forest. That type of healthy, clean growing, straight forest is suitable for the karri species.

The situation changes with the management of jarrah forest. The spectre of dieback disease is of great concern to us all and it is not too much to say that it is the biggest problem facing forest management at present. Western Australian foresters have led the world in dieback research and have made significant inroads into the control of the disease. In the control of dieback we are fighting the disease and outbreaks to the limit of our modern available knowledge. We know it is not enough, and the research people are working flat out. We can now identify the areas where problems may arise and where we need to prohibit vehicles and logging operations. If it is not possible to do this completely, at least we can minimise the risk of spreading the disease further. It is a worldwide problem, but it is of particular significance to the south west because of the value of the jarrah species. It is arguably the most beautiful timber in the world and those who have seen the fine woodcraft industries in the south west working on jarrah will understand what I am saying. The industry has found new ways of using and treating jarrah. Computer models show the drying out process and they indicate that the timber must be wrapped the moment it comes off the saws in order to reduce shrinking and cracking. By tackling those problems in jarrah, the industry is making enormous strides in the full utilisation of this resource. Jarrah is becoming very scarce. It is

a wonderful timber and we must devote even more resources to research into dieback and disease management generally. Problems also arise from various insects which attack the timber and research is being carried out in this area. However, they are a side issue to the motion.

The third paragraph of the motion urges the Government to ensure that the Department of Conservation and Land Management consider as its priority at all times the long term sustainability of the timber and forest industries of the south west for the benefit of all Western Australian communities. I indicated earlier that there is a place for big players in virtually all industries and in all facets of life. It is very easy to attack the biggest target. For example, it is easier to shoot an elephant than a rabbit.

**Hon Barry House:** *It is harder to bring them down!*

**Hon W.N. STRETCH:** That is a good point by Hon Barry House. The major timber companies in the south west - there have been 20 or 30 major players in the past 150 years - have made varying contributions to the industry. People are well aware that Bunnings Ltd is probably one of the largest and it is certainly the biggest of the surviving companies. In some ways it is a conglomerate; it has absorbed other companies and various combinations have been made throughout the years. Certainly the break-up of some companies has led to some disappearing and others reforming under different banners. However, irrespective of who they may be, we find that in every industry there is a core player which sets in place the infrastructure for the survival of the other players. I do not hold a brief for Bunnings, nor do I hold one for any of the smaller companies, and I am not saying that this applies only to the timber industry. We find in the farming industry that during a bad year, when we are looking for a siding to maintain its tonnage of grain, we look to the top 20 farmers, who supply the bulk of the contributions to that bin, and if we were to take out any of the major players we would affect the viability of the entire industry. Another example is the attempted restructuring of the cattle industry in the Kimberley, where one or two of the major players came out, and all of sudden the viability of the meatworks was called into question. If we look at the potato industry in the south west at Manjimup we find that a cannery of the size of the Edgell Birdseye operation relies on huge numbers of small growers, but that backing up the tonnages are six to 20 growers of significant tonnages, and if two or three of those growers were to have a bad season the viability of the entire operation would be called into question.

So those people who are attacking a company which is the backbone of the timber industry in the south west must be careful to look further down the track. As Hon Graham MacKinnon used to say, we should look for the person who can answer the seventh question. It is not enough to answer just the first three questions but we should look a bit further down the line to see what will be the consequences of the action that is being taken. It is a bit like asking questions in this House or setting up a Royal Commission: One stone may be turned up but we do not know what sort of crabs we will find under it. I urge the critics to be extremely wary of attacking the big guy just because he happens to be the largest. When we look at BHP, for example, we should look at what is its investment and return on capital, at what we are actually getting out of it, and at what the district or region is getting out of it.

If we were to take out one of the major players in the south west we would see a totally different demographic spread. I could be wrong, and tourism may take up the slack, but it is my fervent belief that it never will. The timber industries have a superb future in the south west. They are a great employer in numerical terms. We are learning to better utilise the resource, to better tend the species, and to add further value to the product. The timber industry is making an increasing contribution to the economy of Western Australia, and it is one we must cherish. I have the utmost confidence in our forest managers, who are second to none in the world. We can send our people to any conference anywhere and be certain that they will make a contribution and that the rest of the world will learn from them. Our fire management and our timber tree culture is regarded as the best in the world.

I urge members on all sides of the House to support this motion because we are all the beneficiaries of the timber industry in the south west. The people who have been attacking the timber industry, particularly in the last few months, have put the people working in the industry under intense psychological pressure. People who have never thought about their jobs are now wondering where they will go and for how long their jobs will survive. It is an

awful spectre to be working under, and it behoves the Government to ensure that the Department of Conservation and Land Management considers as its priority the long term continuation of that industry and its attendant sub-industries, and the community that relies on it in the south west.

**HON MURRAY MONTGOMERY (South West) [3.25 pm]:** In seconding this motion I wish to make it plain that the motion speaks particularly about our supporting the timber industry and the timber workers of the south west. The south west timber industry extends from the white gum areas east of Perth through to the jarrah and marri forest areas and into the karri areas in the south, and sprinkled amongst that are other timbers that have obvious commercial uses. It also includes commercial timber plantings on private property, but I will leave them aside for the moment. We need to look at the jobs that are generated by the timber industry, but at the same time there needs to be a balance. The balance that the timber industry, and particularly the forest managers, have to come to grips with is to ensure that we preserve both forest areas and reserves and national parks. Those decisions are made by both the forest managers and the Parliament, and in whatever decisions are made we have to look at the generation of wealth by an industry which this State can ill afford to lose, particularly in the current economic climate. The Government needs the royalties paid by the timber companies because it has run out of money. The employment of mill workers sustains the towns they live in. We need to look at those areas and ensure that we preserve people's livelihoods. It is very easy to say that if we shut up shop in any industry something else will come in and take its place. Quite often it does not come in and take its place and a community with knowledge is lost. Once it goes, unfortunately it does not seem to come back. Therefore we must plan in a way which allows conservation and the timber industry to work side by side.

[Resolved, that motions be continued.]

**Hon MURRAY MONTGOMERY:** That means that if there is a difference of opinion - and one side always seems to be saying that the other side has gone too far - we have an umpire in the middle, which happens to be the Government, through what was once the Forests Department and is now the Department of Conservation and Land Management. People in that organisation make the decisions and if a wrong decision is made the Government must wear it. People in the Department of Conservation and Land Management have indicated that the pressures being placed on the forest areas are such that these areas are not sustainable, but the jarrah and karri areas of the forest need long term sustainability - we need a sustainable industry.

One area we must examine is timber recovery rates as the timber comes out of the various mills. This matter has received some attention recently. I will not enter into a debate about who is right and who is wrong, but if we lift the recovery rates from mills in order to gain the best sawn product available from each cubic metre of timber a greater value will be put on that timber resource. I agree with Hon Bill Stretch that some of the most beautiful timbers come out of the jarrah forest, and one has only to look around this Chamber to see the amount of timber used here. The value adding of timber is an area into which the industry should be directed so that we can continue to add extra value to timber products.

Hon Bill Stretch spoke about the cruelty of nature, and he was right. If nature decides it will have its way, fires are able to destroy huge tracts of land in forest areas, as has happened in the past. The forest managers have tried to minimise the occurrence of fires, but they do occur from time to time. Heaven forbid that we will see in the future fires of the magnitude of those which have occurred in the past, because our forest areas can ill afford to have those quirks of nature running through them. As Hon Bill Stretch said, fires can jump miles and once a fire gets up into the crowns of the trees an inferno results. Fire is a good servant but a bad master, as I am sure members know.

We must support the timber industry, and we must support the Government in ensuring that the Department of Conservation and Land Management's first priority is to make the timber industry sustainable in the long term.

**HON MURIEL PATTERSON (South West) [3.35 pm]:** I support the timber industry and the timber workers in the South West Region.

Recently I had a very interesting talk to a gentleman from Denmark, a Mr Norman Freemantle, who in 1981 received a certificate from the timber industry in recognition of his



50 years' service to the industry. He commenced work in Pemberton in the south west at the age of 14 years in 1930 and received 36 shillings for a 44 hour week. Shortly afterwards, the Depression hit the country and his pay was reduced to five shillings tuppence halfpenny for a 48 hour week, packing boards for the fruit industry. At 17 years, as a well developed young man, he received the basic wage, which normally was not given until the age of 21, and he worked as a benchman. When he was 21 years old he was permitted to go to the bush and fell trees by axe and crosscut saw. In those days one had to wait until the age of 21 before being allowed to take on the responsibility of this work. It was hard work and often dangerous, and one has only to see the battle scars that he and some of the other timber workers bear today to know that that is true. Norman and his wife Hilda reared and educated their five children in Pemberton and Denmark, as did many other families during those times. When one hears some of the history of the south west region it is amazing how so much was achieved with such physical work. Today we think in terms of bulldozers and chainsaws.

Other countries recognise the achievements of these men and appreciate an opportunity to witness their skills. When dignitaries visited the State it was common for them to be taken on a tour of the south west for a demonstration of the felling of timber. Norman Freemantle was chosen to demonstrate his ability when the Duke of Gloucester visited Pemberton in 1946. Again, in 1956, during the visit by Queen Elizabeth II to Western Australia, the Queen was given a demonstration which later became part of an Australian documentary. Also, around 1958, during Sir William Slim's visit, there was another demonstration. Norman told me that Sir William's visit was the most popular, as he sent a dozen bottles of beer. In those days that was a real luxury.

Another very well known identity in the south west is Tom Britton. When living in Nannup - now he has retired in Busselton - he felled a huge karri tree which is in a place of honour in Kings Park. This was done by courtesy of Bunning Bros. This man tells amazing stories of life as a timber worker.

The southern area of our State has a history of hardworking men and women who have made and are making a valuable contribution to the State's economic development. The timber industry would be one of Western Australia's earliest commercial export industries off the land. When the new settlers saw the jarrah trees in 1829 they realised the timber was valuable and they called it mahogany, because at the time the name jarrah was unknown to them. Sandalwood seems to have been first exported from Australia's mainland in 1846 when four tons were sent from Western Australia. Swan River and northern sandalwood yielded the most revenue in Australia. Between 1908 and 1930 the average annual amount exported was about 8 000 tons and the largest annual amount of 15 136 tons was exported in 1919-1920. While the pastoral industry was developing - by 1884, 1.5 million sheep were in the colony and wool was the principal export earner in the 1880s - in the 1870s timber from the south became a significant export earner. To this day the timber is still a significant export earner.

So often the public do not hear the facts: For instance, we hear at times that companies use good logs for woodchips. What company could remain viable if it used its good timber for woodchips, which earn only around \$45 per tonne while sawn timber sells for \$1 800 per tonne?

Some conservationists say that they do not want to see the south west timber mills closed because of the area's dependability on the industry, yet in the same breath they are calling for the Government to list land heritage within national estates where logging is permitted. In the Denmark area alone the farming community contributes \$12.1 million while the timber industry contributes \$6.2 million and provides the highest source of employment in the town - about 56 employees - and supports the peripheral associated industries relying on milling. The Whittakers' mill produces 13 000 cubic metres of sawn merchant timber which is used for housing and is sold in various lengths and sizes. I wonder if members have ever considered the wise management required to cushion the company, protect its employees from economic market forces and to safeguard against building slumps. As we all know, in an economic downturn the building industry is often one of the first hit and is one of the hardest hit. Carting timber 130 kilometres to the mill and a further 400 kilometres to the major markets in Perth, at a cost of \$560 to \$600 per 22 cubic metres of sawn timber - \$300 000 per annum - is an indication of the value of the business to local transport owners plus those relying on the servicing involved in the industry.

The employees have deep concerns for their future. For the sake of family security they need to know whether their jobs will last 12 months, 18 months or a couple of years. This uncertainty affects decisions about whether they can afford to buy new fridges or new stoves and where their children will be educated. These men are not your modern yuppies; they are not part of the "anti" society; they are grass roots people and Australia would be a better country if it had more of these productive people. We are proud of these people of the past, of the present and of the future.

During Easter this year, my husband and friends travelled by launch up the Canning River and saw the remains of an old jetty which was used to float the timber so many years ago. The first buildings in the State used timber 160 years ago. I venture to say that even today a home would not be without this product either in the building, the furnishing or by some other process. It is imperative to Western Australia that this industry survive.

*Sitting suspended from 3.45 to 4.00 pm*

Hon MURIEL PATTERSON: Not for one moment would I suggest that mistakes have not been made. One mistake was the group settlement scheme where inexperienced men were allocated lots in virgin karri country. The job was too big; the trees dauntingly huge. In desperation trees were unsatisfactorily burnt and the project broke many a man's heart. This has not ruined the industry. To the contrary, it has been beneficial because we have learnt from it. Measures are in place to maintain the long term sustainability of timber and forest industries. If civilisation is to progress production from the land will be tied to that progress. Products in many forms, including timber, will be part of the progress provided our forests are kept open. With good management our forests are a renewable resource and it is not a case of, "The kids are thriving, but cut out the food supply." This House must acknowledge with gratitude the timber industry and the timber workers' efforts and contributions to our economy. I support the motion.

HON MARK NEVILL (Mining and Pastoral) [4.03 pm]: It gives me great pleasure to support the motion moved by Hon Bill Stretch. I support parts (a) and (b) and in relation to (c) I believe that the Government and the Department of Conservation and Land Management do a very good job in looking after the long term sustainability of the timber industry in Western Australia. The Department of Conservation and Land Management has a very good reputation both in Australia and overseas. It is recognised by many people as being the leading State department in terms of timber management and land management. We are continually visited by people from other States of Australia to see how and why it is that CALM's progress has been so successful.

A recent "Four Corners" program on ABC Television made a scurrilous attack on CALM in particular and the Western Australian timber industry in general. That program made every attempt to discredit CALM and the people in the timber industries. Viewers of the program saw some beautiful stands of karri forest which were put forward as pristine stands of natural karri forest. In fact a lot of those shots were taken in the Hundred Year Forest at Pemberton. A little over 100 years ago that land was cleared for wheat farming, which was unsuccessful, and the stands of karri in that forest today were regenerated then. The program did not acknowledge that and gave the lie to the whole thrust of the program. The Hundred Year Forest proves that the forest does regrow and that the industry is sustainable through regrowth of cleared forest.

By the year 2040 Western Australia will have five times the karri timber resources that are available now because of CALM's management programs. CALM is finding new uses for the red gum or *Eucalyptus calophylla* through development work. Originally marri was left as a waste timber. However, in recent years it has been used as a source for woodchips. The work done by CALM showed that marri is a good structural timber which does not check and warp during the drying process and it is very suitable for furniture. CALM has found new uses for some timbers that were not previously useful. CALM has also carried out work on blue gum or *Eucalyptus globulus*. This is used in the Eastern States for woodchips and paper pulp, but it has been shown to be a good structural timber and is excellent for cabinet making. We import a lot of blue gum into Western Australia under the name of Tasmanian oak and Chilean oak. The blue gum is particularly important for the future sustainability of our forests because of its very fast growth rate. It will prove to be an enormous resource for this State's timber industry.

In conjunction with the timber industry, CALM has developed the Valwood process which uses thinnings from the karri forest and glues it together. It is a process with tremendous potential because the less desirable wood can be put into the centre of the Valwood. It is a very strong timber which can be used for structural purposes, and it is a very attractive furniture wood.

Forest industry production in Australia is valued at \$10 billion per annum, but each year we import about \$2 billion worth of timber products. Australia is quite capable of producing the timber products which it imports and it would have the capacity to produce enough for export. We should allow our timber industry to develop and not be hamstrung by some of the more outrageous claims made against it by some very unreasonable people who do not want to see any development in Australia at all.

The Department of Conservation and Land Management has undertaken a great deal of work in identifying and controlling the *Phytophthora* fungus which has attacked a large part of our jarrah forests. I take this opportunity to compliment Alcoa of Australia Ltd and CALM on the work they have done to develop *Phytophthora* resistant species of jarrah. The work they have carried out is highly commendable. In the areas in which dieback has wiped out large areas of forests it is preferable to clear the forest and plant Australian mahogany which is another eucalypt from northern New South Wales and Queensland and will sustain the timber industry in the south west.

Karri was originally used in Western Australia as a structural timber but through the work undertaken by CALM and other timber groups it can now be used in other areas. Karri is in great demand as a furniture timber in the United States of America.

From the comments I am making one can appreciate that the timber industry, in cooperation with CALM, has developed ways of adding value to our timber products to increase their contribution to the economy. CALM has three classifications for logs - first grade, second grade and third grade. It has a high royalty on its first grade logs and a low royalty on its third grade logs and has increased the number of uses for third grade logs and off-cuts that in previous years would have been wasted.

I refer now to Mr Tony Drake who was featured in a "Four Corners" program. He is a sawmiller in the south west who made claims that he received better returns for his logs than did Bunnings. I investigated his claims and found that most of the sawn timber that Mr Drake produces is unseasoned green scantling for the building industry. It attracts the lowest price of any of the value added timbers produced in this country. He also sells his short lengths and increases the value he receives for his logs. It should be pointed out that if Bunnings or any of the larger timber producers decided to put all their short lengths on the market Mr Drake would not have a market to service. When he is in the position of not being able to sell the short lengths he sells them to Bunnings for woodchips.

For years conservationists have been putting forward their arguments about land management and to some degree they have been harassing the timber industry. The Government has tried to strike a balance between timber production and the conservationists and it is very difficult to achieve that balance. I believe CALM has made a contribution towards achieving that balance and towards ensuring that the timber industry is viable. The conservationists have put forward the argument that the timber industry, because of new technology, is phasing out jobs but it is one industry in which new technology has shown a capacity to provide job opportunities for timber workers and their families.

There is an irony in this debate because the timber industry is experiencing a downturn which flows from the downturn in the economy, particularly in the building industry, and which has been caused by the Federal Government's policy to depress demand - an attempt on its part to depress imports. Some of those imports include the \$2 billion worth of timber products which could be produced in Australia. If we were able to increase productivity in the timber industry we would go some way towards helping balance the current account deficit and the Federal Government's policies to depress demand and imports would not have to be put in place. I am confident that our timber industry can replace the \$2 billion worth of timber products which are imported each year.

I said earlier that the Western Australia timber industry is well managed and we will not be using less timber in the future. It is quite hypocritical of the conservation movement to try to

restrict our timber industry while at the same time it is restricting the importation of timber from the rainforests in third world countries. Those third world countries have far less capacity to manage their forests and over recent years their efforts have contributed very little to the situation. If the environmental lobby were really serious it would be attacking the Japanese who import one third to one half of the rainforest timber in the world. The Japanese have imposed high tariffs on logs and a low tariff on sawn timber. Therefore, Japan imports mainly logs and very little sawn or finished timber products. If it were to import finished timber products it would create more jobs in third world countries which, in turn, would obtain a better return for their timber and perhaps would have the capacity to manage their forests in a better way. If the conservation movement wants to do something useful in this area it should try to reverse that system of Japanese tariffs so that more incentive exists for third world countries which have rainforest timber to process and value add that timber in their own countries. Australia produces its own timber, so that reduces demand on third world forests.

I have a copy of the 1988-89 Department of Conservation and Land Management annual report on which I will comment in relation to the timber strategy. This information is about 14 months old as the 1990 annual report is due out soon. The report says that in the 1988-89 financial year the Government signed major pine milling contracts which will yield \$100 million in royalties to the community over the next 10 years. Three new sawmills worth about \$40 million will be constructed over the next five years and when operating at full capacity those mills and associated logging will create more than 500 new jobs.

The Government made amendments to the craftwood licensing scheme with lower royalties for third grade quality logs, which I mentioned earlier. This was done to encourage greater use of marginal resources. Members can see the excellent work being done by craftsmen at the Manjimup finewoods craft centre. In that same financial year the Western Australian forest industry legislation passed through this House; that was probably less than two years ago. A medium density fibreboard plant has been set up at Kewdale which now uses 90 000 square metres of *Pinus pinaster* from the thinnings from the Gngangara pine plantation to produce hardboard.

The timber supply section of that report to June 1988 contains some interesting information. It states that over 50 timber supply contracts and 10 logging contracts have been signed since the timber production strategy was put in place and 275 000 cubic metres of logs previously directed to chip mills to be made into woodchips because they were uneconomic for use in other ways are now being directed through sawmills because of research and development done and value adding.

Over the past seven years, since the Department of Conservation and Land Management has been in place, it has tackled many difficult problems. It has done that with great skill in an area of competing interests. The forestry officers of CALM have, in my view, done an excellent job. I feel that with CALM's skills and the goodwill of the timber industry and its workers the Western Australian timber industry will go from strength to strength. I do not believe that the conservation groups that attack them have much of a case.

We saw great play in the Press recently about some minor breaches of regulations which, in relation to the total log cut, were insignificant, in my view. There will always be those sorts of breaches, I suppose, if one nit-picks about any industry. I believe the industry is in good hands and will grow if given a chance and if these people remove the pressure they are applying and try to work with the timber industry, the Government, the unions and CALM. We can then have a sustainable industry which can be expanded way beyond its present capacity.

**HON BARRY HOUSE** (South West) [4.26 pm]: I support the motion. I support the timber industry and its workers. I have an interesting observation to make on the politics of the Labor Party relating to this industry. On Saturday, 1 September, a timber workers' rally was held in Manjimup which attracted, I believe, 2 000 people. Unfortunately, I had to be in Exmouth that day in my capacity as shadow Minister for Lands attending a pastoral conference and could not attend the rally. It was interesting that the timber rally in Manjimup was attended by people such as Graeme Campbell, Peter Walsh and Julian Grill who were all in the south west playing politics with the timber industry.

Hon Mark Nevill: Rubbish. They were supporting the timber industry.

Hon BARRY HOUSE: They were supporting the Labor Party first and the timber industry second. Graeme Campbell is the Federal member for Kalgoorlie.

Hon Kay Hallahan: I was talking to timber workers yesterday who said they were pleased with the support they had received from Graeme Campbell and Peter Walsh, as I understand it.

Hon BARRY HOUSE: I am trying to make the point that their first interest was the politics of the situation.

Hon Kay Hallahan: What does Hon Barry House think this motion from Hon Bill Stretch is about? He is not a timber man.

Hon W.N. Stretch: I beg your pardon!

Hon BARRY HOUSE: Graeme Campbell is the Federal member for Kalgoorlie, which covers vast pastoral interests. Peter Walsh is a Federal Senator for the whole of Western Australia. Julian Grill is the member for Eyre and his electorate contains many pastoral interests.

Hon Mark Nevill: And a former member for the south west, too.

Hon BARRY HOUSE: I would have thought they would have been vitally interested in attending the pastoral meeting in Exmouth.

Hon Mark Nevill: Hon Barry House is just embarrassed because he was not there.

Hon BARRY HOUSE: I rang the people concerned and explained my position. They knew where I was and why I was not in Manjimup.

Hon Mark Nevill: Graeme Campbell has spoken supporting the timber industry in both Victoria and New South Wales.

Hon BARRY HOUSE: I commend his support for the timber industry, but make the point that his first concern was the politics of the situation.

Several members interjected.

Hon Reg Davies: Was he the fellow who went there and said -

The DEPUTY PRESIDENT (Hon J.M. Brown): Order!

Hon Reg Davies: - to the timber people -

The DEPUTY PRESIDENT: Order! The debate was proceeding quite well until a number of members tried to speak at once. I ask members to carry on in the way they have been carrying on to date in relation to this important subject. I would like members to direct their remarks to the Chair where they will find no quarrel or response and there will then be order in the House.

Hon BARRY HOUSE: There seems to be a doubt held by members opposite that the prime consideration for the attendance for people like Graeme Campbell and Peter Walsh at the timber workers rally was a political one. The *Warren-Blackwood Times* of Wednesday, 5 September, carried a headline "Timber workers urged to take control of ALP". The opening quote is -

Timber workers have been urged to take over Australian Labor Party branches in the South-West by prominent Federal Labor politicians Senator Peter Walsh and Kalgoorlie MHR Graeme Campbell.

A little further down the article continues -

Particular attention was paid by Senator Walsh and Mr Campbell to the Manjimup branch where the branch membership, under the control of "extreme conservationists", had dropped from 100 members to a dozen over the past few years.

A similar picture has caused them concern in Northcliffe, Denmark and Walpole.

Hon Mark Nevill: That is not incompatible with supporting the timber industry.

Several members interjected.

The DEPUTY PRESIDENT: Order! I shall name the next person who interjects.

Hon BARRY HOUSE: I am merely pointing out that the first priority of the Federal Labor Party members was the politics of the situation. It is important to have these things on the record. The article continues -

Senator Walsh said Labor Party branches in the South-West were controlled by "Greenies". . . .

He said the true voice of Labor was not the transients, interlopers drop-outs and well-healed "yuppies" whose main objective was to destroy the timber industry.

"In the South-West there are a number of Labor Party branches which have not been representative of the true community feelings," Senator Walsh said.

"Motions have been coming from these branches to the State Labor executive calling for the closing down of the timber industry.

"Timber workers generally are not aware of the threat to their jobs from the Greenies."

I agree with that statement. The article continues -

"The full impact from Greenies has yet to be felt in the South-West," Mr Campbell said.

"What is needed is a united front from the real voices in the South-West.

"We need to have proper representation in the branches from people who make their homes in the district and not from those who come to the South-West, and particularly the Warren area, for the lifestyle.

"In the current make-up of the Northcliffe Labor branch you would be battling to find a worker."

That is considerable gratitude from Federal members for a large section of the community who returned them to power a few short months ago! It is important to have those statements on the record, because the point I am making is that these members could have been at a pastoral conference elsewhere where they should have been concerned with vital issues such as the current economic plight of the pastoral industry in view of the wool crisis, drought, bush fires in the Kimberley and so on. The Liberal Party has now set the agenda on security of tenure. Other problems include the conservation of range lands and the threat posed to the pastoral industry by world heritage listing and the State Government's confusion over that issue. Certainly these Federal people are realists and they understand the importance of the timber industry. I support their statements on the timber industry, but they are interested first and foremost in political gain.

It is interesting that they felt they could not trust their local representative to carry their message to the timber workers. I understand that Hon Bob Thomas was in attendance that day. He seems to have a huge capacity for putting his foot in his mouth every time he opens it. The irony is that in the last election his place of third on the South West Region ticket relied very heavily on preferences which came to the Labor Party from the greenies. In any future election I am sure the situation will be no different; he will rely for his position on preferences coming from another area.

Hon T.G. Butler: That is incorrect.

Hon BARRY HOUSE: My support from this motion is the result of a genuine concern for the timber industry and its workers. And not only the timber workers, but a whole host of their dependants, and as a result of the multiplier effect, the people of Western Australia.

I will now focus on two key phrases in the motion. We are talking about an industry; it is not a hobby, or a sleazy backyard operation. We are talking about an industry worth millions of dollars to the people of Western Australia. We are talking about the livelihoods of thousands of Western Australians. The industry employs hundreds directly and thousands indirectly, and it is the lifeblood of many rural communities and country towns. None of us here needs to be reminded of the vital part the timber industry, along with the dairy industry and a couple of other industries, has played in opening up the south west. Traditionally and historically the timber industry has played a very important role and it will continue to do so. Its products are used by every Western Australian. As has been mentioned in the debate already, just about all our homes feature wood products in some form or other.

Hon Doug Wenn: Every one of them.

Hon BARRY HOUSE: I do not know one that does not.

Hon Doug Wenn: That is probably true. You are only a school teacher.

Hon BARRY HOUSE: The development of the timber industry is illustrated very clearly in its diversity and the exciting potential it offers to this State. We do not need to be reminded of the huge return to the State of Western Australia which results from timber royalties. That return boosts the coffers of the State Government; and those coffers need boosting at the moment.

Forest management is really the key to the whole thing. Timber is a renewable resource; it is not an exhaustible resource like oil or gas which require millions of years to regenerate. We are talking about a resource which will regenerate in a reasonable period of time: Softwoods within as short a period as 10 to 15 years; hardwoods a little longer. This resource is not finite; it is renewable. No member of this Parliament would advocate the mass exploitation of this resource. We all realise there is a limit to how much timber can be cut from the forest at any time. The key to the future is the proper management of that resource.

At times the Department of Conservation and Land Management attracts criticism from various groups in the community, and even from within this Parliament. I have been critical of the tendering process associated with a couple of timber houses around Nannup. It is only right for the industry to be kept under scrutiny by us as parliamentarians, by members of conservation groups, and by other members of the community. It is important that a strategy to manage the resource be developed and followed. The Department of Conservation and Land Management's responsibility is to develop that strategy, and on the whole, as has already been said, it does a very good job.

We accept that our forests have values other than for their timber content alone. They have values in terms of conservation, the protection of original habitats, and so on. It is very difficult to measure those values to the community in dollar terms. That is one of the difficulties in this debate. We recognise that there is a place for those values, and that is the important thing. As a community we have given adequate recognition to that fact by the creation of national parks, and every now and then we see revocations of timber reserves in this Parliament. I am generally confident that we have a system which seeks to manage our forests and their developing uses.

The advocates of total preservation would have us accept a couple of very unpalatable alternatives which would involve the removal of the management of forest resources. That would lead to the loss of thousands of jobs around the State and a further decline in the rural community. We have all witnessed that occurring at a rapid rate in many rural communities in Western Australia - not all, by any stretch of the imagination, because in the south west the coastal communities are growing rather than declining, but the inland areas face a problem with declining populations. If the total preservationists had their way we would see a waste of a very valuable natural resource which could be used to assist with Australia's diabolical balance of payments. Hon Mark Nevill spoke about this a few moments ago. He is right. But one thing he did not say was that every month we are forced to swallow the figures put forward by the Federal Treasurer who offers us another beautiful set of numbers, and the negatives represent millions of dollars.

It has been mentioned that if these resources are not managed properly, the community would be presented with enormous problems such as bushfires, the spread of weeds and vermin in uncontrolled areas. I repeat that some places of biological and historical importance should be preserved but the remaining areas need to be seen as a God-given resource. Therefore, it needs to be managed correctly, sensibly and economically for the good of all people associated not only directly but also indirectly with the industry, and that includes all residents of Western Australia.

HON DOUG WENN (South West) [4.42 pm]: I thank members for allowing me the opportunity to speak. Like Hon Mark Nevill, I support the motion. It was a surprise to see Hon W.N. Stretch move the motion as I did not think he was capable of doing that. I congratulate him for his efforts. However, my surprise was taken away when I found that the matter would be presented in another place by another member.

Most members today have spoken in a bipartisan way but I am disappointed that the last speaker carried on in such a way. Perhaps Hon Barry House has forgotten that the members

he picked on also have an avenue for reply on a larger scale. I look forward to reading in Federal *Hansard* the comments of Peter Walsh and Graeme Campbell. I suggest to Hon Barry House that he go home and get into his cricket gear, especially that vital protector used when batting, because a few boots will be flying towards him in Federal Parliament.

Hon George Cash: I doubt that. I think Federal Parliament will probably accept what he said as being fact.

Hon DOUG WENN: Most of what Hon George Cash puts forward is not factual so I take that comment in the same vein.

Most honourable members took the opportunity - and most of them are pastoralists - to attend the meeting of forestry officials because they were concerned about the way those people act in Western Australia. It is interesting to note that the shadow Minister for Lands went the opposite way; he travelled thousands of miles when he needed to travel only 100 miles. Perhaps that is a way to look at his political scene; it is better to go up north and say nothing rather than to criticise those members who attended the meeting in support of the forests industry. The three members involved should be congratulated for taking that stance.

Hon George Cash: Are you opposing the motion?

Hon DOUG WENN: I support the motion. However, I oppose the comments made by Hon Barry House because they were unnecessary. The comments were stupidly put; it was not like him because he is usually very sensible.

Hon Barry House: I supported the motion for genuine reasons.

Hon DOUG WENN: A number of points made today have been extremely good. I support the motion strongly because of a number of avenues which I will relate. In relation to conservationists the point was made by Hon W.N. Stretch that conservationists took control of the Labor Party in 1982. I was a conservationist at that time and I still am in many ways, but I am not sure at what level Hon W.N. Stretch was talking.

Hon W.N. Stretch: I referred to extremes.

Hon DOUG WENN: I would have thought that over the past 18 months extremists have joined the Liberal Party as well because that party needs the support of the green movement as much as any other party. However, I agree with Hon W.N. Stretch that extremists are at work within the movement. These are people who wear blinkers and cannot understand anything except, "Stop logging; stop woodchipping; stop everything." If one looks around one can see those sorts of people in other areas of life; those who say that to eat potatoes is no good; and others who say that to eat potatoes is the only way to go. One wonders what line to take.

David Evans is one of the greatest people I have ever met. He is very honest and always speaks his mind - as he did over the Shannon River National Park. He is also a person who has acted sensibly to the degree where he was able to work and ensure the matter was controlled, although other members may not think so. David Evans is a great person who is able to react in that way; he should be commended for the way he worked in the interests of national parks overall and particularly in the interests of agriculture.

Hon Sam Piantadosi: Hear, hear!

Hon DOUG WENN: Hon Bill Stretch made the statement that good forestry is good management and that good management is good forestry. He is absolutely correct. In the past we have witnessed the actions of mining companies. In my maiden speech in 1986 I remarked that the mining companies had much to answer for in relation to the way they degrade the environment, the way they dig up the landscape and then move on. Today, mining companies have an entirely different attitude because they ensure that the environment is returned to its natural state. The forestry industry is taking the same action. In the past that industry got away with certain actions because Governments allowed it to do so; the industry would chop down trees and not worry about what was left behind. Currently one of the best conservationists and environmentalists is the forestry industry itself, and its efforts can be witnessed in many areas particularly throughout the south west.

Twelve months ago I was invited with a number of other members of Parliament to undertake a tour of the Bunnings woodchip factory at Manjimup. Prior to that we were taken



to the forest where Bunnings cuts trees. We were shown the areas just felled, the areas felled 18 months previously and the areas where no felling had taken place at all. We were amazed at how quickly an area can grow back and how those areas make the natural areas appear as though they should be logged. My eyes were opened to the fact that the industry is reproducing timber on that land. Were that not done a situation would be created where people would be out of work. The nurseries in the area were tremendous. I have never seen such nurseries as the Bunnings nurseries at Manjimup. It was a real eye opener. People work extremely hard in those nurseries; they give away many trees but they also have a market which has become intensive throughout Western Australia.

Hon Mark Nevill: CALM has produced 13 million trees.

Hon DOUG WENN: Indeed. One of the problems is that in the past we have seen extensive logging in farming areas and we are now paying for this with the problems created; I refer to salinity. Again, this is a problem which has come back to the farmer and he must become a conservationist in trying to revive his land, and through doing so he will give the forest industry an opportunity to earn a few extra dollars from the regrowth at a time when everybody needs all the help they can get. Hon Bill Stretch mentioned that tourism could not be counted upon.

Hon W.N. Stretch: To replace the income lost.

Hon DOUG WENN: These industries go hand in hand. Tourism and forestry work well together and if they are properly controlled they will continue to do so. Hon Barry House and I have been lucky enough to represent the best part of Western Australia in the Augusta, Margaret River and Busselton areas. If one drives down Caves Road along the scenic drive one finds the forest is magnificent and this is an example of tourism and forestry working together. Certainly, that is an area in which I would oppose logging and thankfully it has been turned into a national park and logging will not be permitted; that will certainly be the case as long as I am in Parliament, although if members opposite get into Government anything could happen.

Hon T.G. Butler: Not very much happened last time they were in; why should anything happen next time?

Hon DOUG WENN: A lot happened which we are trying to rectify.

Hon T.G. Butler: Nothing constructive.

Hon DOUG WENN: Another aspect is that of downstream industries. Hon Bill Stretch mentioned this; it is difficult being the fifth speaker on this issue as many things have been canvassed before.

Hon Garry Kelly: You are not being tedious.

Hon DOUG WENN: I have read Standing Order No 73 and I understand how it should operate.

Downstream industries are very important and these are particularly strong in the south west and are extending around Western Australia. We are seeing the production of some magnificent furniture and woodwork in the cottage industries, and these operations have been established by individuals and not by major companies. This is creating employment in the area and is beneficial to tourism. I have noticed recently that many fellows who have recently retired are acquiring wood turning machinery which is producing goods ranging from large vases to tiny balls on display at the shire shows. The ingenuity of these people is remarkable and it is becoming an industry in itself. These people work from off-cuts so they are not looking at felling huge trees to build houses. Hon Barry House seemed to think that most houses in Western Australia have no timber in them, but I would have thought that every house in Australia would have some timber in it. Obviously the member does not know a great deal about building.

Hon Barry House: I agreed with you when you mentioned that.

Hon DOUG WENN: The member must have mumbled in his moustache as I did not hear him.

With this motion Hon Bill Stretch has put forward the beliefs of most people, if not all, in this Chamber. We support the industry and I am pleased that the industry is starting to speak

out for itself. For many years I was involved with the mining industry and I know questions were asked about whether mining should occur in the south west. In the past the timber industry was quiet as the conservationists were carrying the issue and were the only ones to be heard. It is not the hierarchy of the industry but the workers who have formed themselves into a body and are now coming out and speaking for the industry overall; they are speaking for their livelihood and they are starting to succeed. I have been able to convince many people in the south west that the timber industry does not involve evil people as they are creating an industry and livelihood with many flow-on effects. In the timber industry over the last two or three months we are seeing the workers, the truck drivers, those who fell the timber and those who do the clearing start to stand up and be counted. They are speaking against the blinkered environmentalists; not all environmentalists are bad as if we did not have some keeping us on the straight and narrow, we would not have any forests at all. If that was the case, as with the farming industry, we would now have a huge salinity problem. Paragraph (b) of the motion supports the concept of sustainable forest, and Hon Bill Stretch said that good management leads to good forests. That is happening, as CALM is doing an extremely good job. It has taken a long time to see the results of its efforts, but the controls it has imposed are coming to par and CALM is being recognised for the work done.

Paragraph (c) is obvious; it urges the Government to ensure that the department of Conservation of Land Management considers as its priority at all times the long term sustainability of the timber and forest industries. CALM is doing this. The industry will have a long future, but, as with the mining industry, it needs certain controls. These are in place and will continue to be imposed. I believe very much in this motion and I congratulate Hon Bill Stretch for bringing it forward; I also thank all members who have supported it.

**HON BOB THOMAS** (South West) [4.57 pm]: I commend Hon Bill Stretch for moving this motion because it gives me an opportunity to offer support to an industry which is vital to a lot of my constituents. I support the motion for a number of reasons which I shall outline.

Various Timber Workers Unions have had a long and proud tradition with the Australia Labor Party. That tradition has carried on to date through the South West Timber Workers Union's affiliation with the ALP and through its Secretary Mark Loader being a delegate the State Executive of the ALP. My support for the motion also stems from having worked in the CES in Manjimup for four years. During that time I helped many hundreds of people find jobs in the timber industry, and in the timber mills in particular as dochemen, benchmen, marker outers, labourers and other such jobs. I left Manjimup and now live in Albany but I have kept in close contact with many of the people for whom I found employment and I still consider a great many of them as close friends. So, I would be blind if I were not aware of the fact that many of the people in the industry feel that the long term security of the industry is under threat. The "Four Corners" program broadcast on the ABC on Monday, 18 June contained many unsubstantiated allegations about mismanagement of the timber industry by CALM.

**Hon P.H. Lockyer:** Did you like the mild way in which Syd Shea reacted?

**Hon Garry Kelly:** It was uncharacteristic.

**Hon BOB THOMAS:** I have done a great deal of reading on this.

**Hon P.H. Lockyer:** The papers would be about one foot thick.

**Hon Garry Kelly:** On paper grown in the south west.

**Hon BOB THOMAS:** Nevertheless, as a result of that program I have become aware of an increasing feeling of threat among members of the industry. I know that some of the accusations that were made on that program were untrue, having lived in that area and being familiar with the forests.

**Hon Barry House:** You became really concerned.

**Hon BOB THOMAS:** That is right.

[Questions without notice taken.]

**Hon BOB THOMAS:** I for one was unable to understand the reasoning behind some of the arguments in that program. I lived in the Manjimup region for four years and I had a fair bit

to do with the forests and the people in CALM involved in the industry. I knew some of the accusations in that program to be untrue.

I was present in Albany when a journalist from *The Albany Advertiser* interviewed Peter Cook in February of this year. Peter Cook informed the journalist that the timber industry in Western Australia is the best managed in Australia. For these reasons, I knew that some of the things purported to be correct in the "Four Corners" program were not correct. I was particularly pleased to see Bob Pearce, Minister for the Environment, respond immediately to that program. On 19 June he released a Press statement in which he said that there was no case for reorganising the Department of Conservation and Land Management and that the State Government had complete confidence in CALM. He said that CALM's record in forest management was widely acknowledged locally and in other States to be first class. He said that the "Four Corners" program had presented no evidence to dent this record. He was disappointed that the makers of the program made no effort to deal with Western Australia's significant achievements in forest management. He went on to explain how the area of national parks in the southern forests of Western Australia had increased by 500 per cent over the past five years.

He followed up with another Press release on 19 July on the ABC's response to Syd Shea's claims about the program. Bob Pearce said that the ABC's management had demeaned itself with its evasive response to complaints about the "Four Corners" program of 18 June. He said the program had brought into question the standard of current affairs journalism at the ABC. There was at least one instance of a blatant untruth. The journalistic principle of confidentiality was used as a facile expedient to be held up in some cases but not in others. Bob Pearce went on to talk about the need to get a balance of views when reporting these issues in the media.

I am also pleased to be able to support this motion because it has given me the opportunity to inform the House of the many successes of the State Government's timber management strategy, which was introduced in 1987. It allows the Government to balance the competing demands on our forest products, those being timber production, conservation, water catchment and recreation. The timber management strategy breaks the forests up into two types: Conservation and multipurpose. Conservation forests which have some significant conservation value are put into national parks and reservations so that we can preserve the environmental amenity we think is important in those areas.

I am pleased to inform the House that through this strategy the State Government has increased the area of forests in national parks in the south west of Western Australia by 340 per cent since the management strategy was implemented. It has been able to increase the areas of forests and national parks by creating multipurpose forests. These forests are managed for timber production as well as conservation, recreation and water catchment. The Government has been able to increase the number of national parks, and to put these other native forests into multiple purpose forests, and still maintain the viability of the timber industry. It did this by breaking that catch 22 situation whereby the timber industry had very short, one year licences. The industry was not prepared to invest in improved technology and better recovery methods and therefore improve the productivity of the forests. The Government has now given the timber industry security of tenure over those resources by granting 15 year licences. That has given the industry the incentive to invest in improved technology which will allow the industry to improve its recovery rates and extract more timber from fewer multipurpose forests.

Those forests are managed on a sustainable yield basis and are logged in a 120 year cycle. When a timber company cuts down a tree in a particular area it contributes towards the cost of regenerating that area, so in 120 years' time when the company comes back to that spot there will be a tree to be cut down. The result is a strategy that is working. At the moment \$200 million is being invested in the timber industry. This level of development is not occurring anywhere else in Australia. In fact, I do not know of any other timber industry which is investing in that type of improved technology; they are simply investing in maintenance.

One need only travel to Pemberton to see the new mill which has been constructed beside Bunnings' karri mill and observe the technology which has been implemented. Bunnings has invested millions of dollars in new technology which is able to recover sawn timber from a

product that was previously chipped, burnt or left to rot on the forest floor. It takes karri thinnings from areas of forest which have previously been cut and in which regeneration is taking place to allow the new trees to grow to maturity. These thinnings, which are very long and thin, cannot be put through a conventional saw because they buckle and no timber can be recovered from them. The new technology in the mill uses a twin saw and laser technology which allows the mill to recover significant timber from this resource which was previously used for very low value products or just left to burn or rot.

The production centre at Manjimup has made significant investments in kiln drying and a Glad Wrap-type process which reduces the time taken to dry timber. This involves several millions of dollars worth of equipment.

Members may have noticed an article in "The State of the West" section of *The West Australian* a couple of weeks ago which mentioned that \$400 000 has been spent by the Manjimup production centre on a new dust extraction system which sucks up sawdust and filings created by machines in that plant. Bunnings would not have invested that amount if it had not felt secure in its tenure over the resources in the area and the long term security of the industry. This type of investment has not been confined to Bunnings. Whittakers has also invested millions of dollars in its Greenbushes plant to improve the efficiency of recovery in milling operations as well as investing large sums of money on kiln drying and seasoning of timber so it can compete in the furniture market.

That type of investment is important to the industry because it has increased employment by 24 per cent in the value added areas over the past two years. Private investment in the industry has been underpinned by timber management strategies and it augurs well for the long term security of the people employed in the industry. However, not only private investment is taking place in the industry but also substantial public investment. The work occurring at the wood utilisation research centre at Harvey is an example of this.

The Valwood process is only one aspect of research taking place in that area. Hon Mark Nevill referred to this research. A low quality log which is not normally utilised in the timber industry is cut into very thin strips of about half an inch wide. These strips are then laminated together into sheets and the sheets are glued together to form a thick product. The beauty of this process is that laminated sheets are made out of very low quality timber which normally has very little or no value. It usually consists of the heart or core which is brittle and knotty. Sheets are then made out of this product which are glued into the middle of the Valwood product and results in a high quality value added product. An illustration of this is on the wall outside the Cabinet dining room. It is a carving of a numbat made out of pieces of Valwood from the Harvey research centre. This product has enormous potential in the furniture and craftwood industries.

Another area of research taking place at Harvey involves attempts to reduce the amount of time it takes to dry and season timber. This process is a lengthy one. Very large stacks of stripped timber can be seen at timber mills. These strips are stacked in a configuration which allows the air to circulate through them to allow the timber to dry straight. A piece of timber which is about four inches by four inches will take at least two years to dry. This is particularly unproductive to the timber industry because often the mills have millions of dollars tied up in a product that cannot be used for two years. Therefore, they are losing interest on the money that they have invested and they are not able to readily respond to industry demands if an upsurge in the building industry occurs. It is important for the industry that research be undertaken to try to reduce the amount of time taken to dry timber. However, it is also important that this process not compromise the quality of the timber because if it dries too quickly it splits and bends in the process. The research taking place at Harvey involves a big greenhouse which utilises solar energy.

Hon P.G. Pendal: Do all your colleagues feel as strongly on this as you do, because there are about 10 more of them who should come and listen to your speech? It is a good speech and one would think that they would be listening to it.

Hon BOB THOMAS: I am not about to respond to that interjection because I do not think it adds anything to the debate. The process which has been designed at Harvey uses fan-forced moist air to circulate through the strips of timber. This process has reduced the amount of time it takes for a 4 x 4 piece of timber to dry from two years to about two weeks. This is a particularly significant advance for the timber industry.

*Sitting suspended from 6.00 to 7.30 pm*

Hon BOB THOMAS: I have mentioned the considerable levels of private and public research and investment taking place in the timber industry. I suggest that that investment is underpinning the long term security of the industry and therefore the jobs of the people involved in that industry. That investment can also be seen as having a beneficial effect on timber utilisation in our forests. Figures I have from the latest year book show that between 1987-88 and 1988-89 the amount of woodchip logs produced in this State fell by 13 per cent. At the same time there was an increase of 0.4 of one per cent in the amount of hardwood sawlogs produced which resulted in a five per cent increase in the amount of sawn timber produced in Western Australia.

Members can see that investment is having a beneficial effect on the industry and will result in the long run in less of our native forests being utilised for timber production and allow us to leave more of those resources for future generations to make decisions about how they will use those resources. I commend Hon Bill Stretch for introducing this motion. This issue is important to a large number of my constituents and I am happy to support it for the reasons I have outlined. It essentially provides me with an opportunity to explain to the House how the Labor Government is, on the one hand, through its timber management strategy, locking native forests up into national parks for conservation purposes so that we are preserving the environmental amenity of those forests while, on the other hand, encouraging considerable investment in the timber industry. This is underpinning the security of jobs in that industry.

I turn now to comments made by Hon Barry House. I preface my comments by saying that until Hon Barry House made his speech the debate had been conducted in a spirit of bipartisanship, which was good because this is an important issue which should not be turned into a political football.

Hon Barry House: Is the member saying politics have nothing to do with it?

Hon BOB THOMAS: Hon Barry House is wrong in both fact and logic when he says that I went to that rally for political motives.

Hon Barry House: It was not the member; he had his heavies from the east protecting his skin.

Hon BOB THOMAS: I went to the rally.

Hon George Cash: Julian Grill told the member to sit down - he was embarrassing.

Hon Graham Edwards: The member is trying to deter Hon Bob Thomas from the good point he is making.

The DEPUTY PRESIDENT (Hon J.M. Brown): Order! The honourable member will address his remarks to the Chair.

Hon BOB THOMAS: Hon Barry House suggested that it was probably not good politics for me to address that meeting.

Hon Barry House: No, I did not.

Hon BOB THOMAS: He said it would put me offside with the environmental and green vote.

Hon Barry House: I suggested that politics had everything to do with it.

Hon BOB THOMAS: I point out that I was elected sixth out of the seven members here and the green candidate was still in the running for the seventh position. It was that green candidate, Mrs Duxbury, who was still in the running and competing for that seventh position with Hon Murray Montgomery. It was Mr Fawcett's preferences from the Liberal Party which enabled Mr Montgomery to get a full quota.

Hon Barry House: The member did not score a full quora, did he?

Hon BOB THOMAS: I did not rely on the preferences from the green candidate. Irrespective of that, I still would have attended the meeting and spoken because I believed the industry and the people employed in it needed a signal from the Government that their industry was a valuable one which had Government support. I was prepared to attend on that basis. I am not trying to be petty, but my other point is that Senator Walsh did not attend that rally and a statement was read out on his behalf by Hon Julian Grill.

Once again, I commend Hon Bill Stretch for introducing this motion, which I support and which I hope other members of the House will support as well.

**HON W.N. STRETCH** (South West) [7.36 pm]: I thank all members who have indicated their support for this motion. I am absolutely delighted that support has come from all parties. It is extremely important to timber workers to know that they have unilateral and total bipartisan support for their stand in relation to their jobs and the future of the south west forest industry. That is why I moved this motion today.

As I said earlier during the debate, those workers have been feeling very much put upon. They feel that they are the meat in the sandwich between the Government and the environmental movement. They do not know from which direction they can expect the support they fervently feel they deserve. I believe the people involved in the forest industry at all levels will welcome greatly the decision to pass this motion tonight. It is important that the speeches have indicated clearly that all those who have spoken - and I believe most of their colleagues who have listened - have gained a greater knowledge of the timber industry and its importance to the economy of this State.

I know many members have toured the south west timber industry to see at first hand the work going on down there and the massive development that is proceeding. I thank my colleagues on this side of the House, Hon Murray Montgomery, Hon Muriel Patterson and Hon Barry House for their comments. Members did become involved in a little bit of rival politicking, but that is the name of the game and we all had a bit of a chuckle about it at the time, and I do not think it hurts to have a chuckle about such things. This has been an important day. It was an important day in Manjimup when the workers stood up for their rights, said, "Enough is enough," and called on the Government to indicate its support for the industry, which it did. They have asked the Opposition to continue its support, and it has. From now on, they can go forward with confidence that they have the backing of all levels of Parliament.

I thank Hon Mark Nevill for his usual thoughtful contribution. It is interesting that he attacked - very fairly - the "Four Corners" program, which has caused a great deal of distress to the timber and forest industries, and to the forest managers. They were hurt and stung and were really perplexed at some of the reactions. To the Minister's credit, he came right in with all guns firing to support his executive director and, as the Opposition did also, added his support for the people who are working to maintain the proper management of our forests. Hon Mark Nevill made some interesting points about the uses of other timbers - the globulus plantations and the marri sawlog. When the member questioned the fire buffer zones, I explained the situation of karri, and I would like to point out that the situation with marri is very similar because if marri is to be taken through to sawlog status it must also be protected carefully from heavy fire. If heavy fire gets into a marri tree, nine times out of ten it will cause very heavy development of gum vein in the log, which will make it unsuitable for sawlog and it will, therefore, go into the chipper.

The Valwood laminates mentioned by Hon Mark Nevill and also by Hon Bob Thomas are an interesting development in the timber industry. I first saw this some years ago when I went on an agroforestry study tour to New Zealand. Members may be interested to know that in New Zealand I saw bridge timbers spanning over 100 feet, made out of 4x2 timber which had been laminated and glued together. Those planks were carrying loads of up to 30 tonnes over that span, and there was about a 60 to 80 foot drop to the river bed, so it demonstrated a confidence by the industry in the strength of those laminated timbers.

Hon Doug Wenn drew some interesting parallels with the mining industry. He said they had a lot to apologise for in their early days. I would prefer to say that they, like many other people, had a lot to learn. He pointed out that the sand mining reclamation work now taking place in the south west is of world standard, and I do not think we will ever see a repeat of the mistakes that were made, albeit in good faith, and maybe in carelessness, in the early days of mining. Hon Doug Wenn also raised the question of forest waste, and he indicated how the utilisation of forest product has improved during the past 10 or 15 years. A very important factor in that better utilisation is the advent of woodchipping because now that the woodchip operation is organised and operating the forest waste can be utilised to a far greater degree. So rather than the waste being stacked by bulldozers and burnt in the forest so that regeneration can take place, it now goes to the paper wood industry, is chipped, and becomes

a revenue earner and has allowed money to be generated for regeneration and forest management.

So in effect the so-called ogre of woodchipping is of enormous benefit, in a perverse sort of way, to timber regeneration and forest management in the south west. For many years the chipper has been unable to take enough timber waste and residue to maintain the Department of Conservation and Land Management's desire to clear fell and regenerate more country. So the lack of chipping capacity for the paper wood industry is in some ways holding back the better management of the forests. I am not advocating another chipper yet because I know that chipping is a very emotive subject, and members who have stood there and seen logs slipping through the chipper have said, "There but for the grace of God go I, feet first." However, it is an important factor in forest product utilisation and we should try to get away from the emotive story that has been spread around that it is a dreadful thing and it takes hundreds of good sawlogs.

Hon Barry House: Is it not a fact that in Victoria a lot of timber is wasted because of that emotive argument?

Hon W.N. STRETCH: That is correct. If we get too carried away with the emotive side of chipping we will be denying a dollar resource to the forest management industry. We should always bear that in mind. I hope to see the day when we will have our own downstream pulp mill working somewhere in Western Australia so that we can have a downstream value added industry operating in association with our paper wood chipper. It is important that we get away from the terms chipper and chip log and talk about paper wood and paper log, because it is positive and while names do not change the game they do change the perception of it. When the community understands that we are a very heavy importer of paper it helps it to understand the utilisation through the chipping process and paper pulp mill that we are trying to achieve in this State. The sooner we can achieve our own process right through, with proper safeguards, the better off we will be. I cannot stress too much the importance of what the waste wood utilisation plant does for forest management.

Hon Bob Thomas made a very useful and well researched contribution to the debate on the improved timber utilisation that is coming into the forest industries. There have been massive improvements. He referred to the thinnings mill at Pemberton, which is a very high tech combination of electronic computer controlled milling, plus the photographing of logs so that as each log comes on to the landing it is photographed and goes through the saws, under computer control. Any rabid feminists around the place will be delighted to know that one of the top operators of that very sophisticated twin saw is a woman, and she is doing a superb job in that mill.

One point I would stress to Hon Bob Thomas - and I may not have to because he knows about it, but I want to emphasise it here - is that he said we leave timber in national parks for future generations. So far so good, but I urge the Government to look very carefully at the long term aspects - getting back to the seventh question that I referred to earlier. If we are to leave the timber untouched in a national park as a resource, for how long should we leave it there? Do we look further down the track, when we can make a studied and rational decision to take out some of those trees as they are approaching maturity, turn them into a valuable resource, and use them at that stage, and then do we move on and declare another part of the forest estate our national park? That is really what multiple use management is all about. In other words, we grow our forests on, say, a 300 year time scale. Do we say that for its first 25 years it will be a regeneration crop; in 50 to 70 years it will be superb viewing, a tourist asset that anyone would be proud to see; in 100 to 150 years it will be coming into its optimum economic harvesting stage; but some trees should remain, probably for another 150 or maybe 250 years, which will be the sort of timber that will be supplying specific needs?

An example of one specific need is the use of wooden mine guides for the American mining industry, where because of mine gas they cannot use steel runners in the mines. They have to use wooden runners to avoid sparking, otherwise they will have the massive mine explosions that we read about when they have steel on steel. The best timber they can get in the world is Western Australian karri runners of up to 50 or 60 feet in length. That requires a fairly mature timber.

So we should not necessarily say that is national park forever and that is God's gift forever. We must look at a multiple use and decide in the future whether we will move from plot to plot around the State and provide better management.

Hon Garry Kelly: If you stop talking I guarantee the motion will get through.

Hon W.N. STRETCH: Yes, I know that, but a couple of important points must be made. We are talking about the threats to the timber industry and the pressure to close it down. Sadly, just as Western Australia is getting its act together and the union movement, the timber industry, the Opposition and the National Party have begun to get their act together in Western Australia, the Heritage Council now threatens to close down another 30 per cent to 40 per cent of the resources.

The Resources Assessment Commission which was set up in Canberra is here now looking at what resources it should be shutting down. In other words, Canberra is now imposing control on this industry of ours which we have just got into proper order. I urge the Government to look very closely at that, and that is why I directed a question to the Minister for Resources last week. Members should look very closely at the Canberra commissions and see what they is doing to the use of our resources in Western Australia. Our management is tops, we have a balanced approach now, and I do not believe we need the intervention of the Hawke-Kelly axis from Canberra telling us how to manage our forests, our mines or anything else.

Hon Garry Kelly: You are not taking my name in vain, are you?

Hon W.N. STRETCH: I am not. I do not know whether the honourable member is related to Hon Ros Kelly; he certainly has a different figure, but we will leave it at that.

Hon Doug Wenn mentioned import values; I think he mentioned \$2.5 million. The net import of timber to Western Australia is rapidly increasing; it is now up to 100 000 tonnes a year. Last year those imports cost us \$15 million. On the Australian scene the figure is \$2.1 billion: \$800 million in timber imports and \$1.3 billion in paper imports. That is why I look forward to the establishment of a pulp mill with the proper environmental safeguards in Western Australia so that we get better utilisation and provide an import replacement.

Today the log trucks at Parliament House in Canberra have blockaded that place completely. They have even stopped deliveries of food to Parliament House dining room in Canberra. That should take the message to our colleagues at a very low level.

Hon Barry House: That is serious!

Hon W.N. STRETCH: It is getting really serious. It underlines the importance of this industry. I welcome support from all parts of the House and I urge the Government to be very wary of this new wave of enthusiasm for managing Western Australia's resources from Canberra. I hope this commission goes home as quickly as possible. I thank members for their contributions on a bipartisan basis and for the good spirit in which they have offered their comments. I am sure their remarks will be welcomed by those in the forest industries in the south west. I ask all members to support this motion.

Question put and passed.

### ROAD TRAFFIC AMENDMENT BILL (No 3)

#### *Introduction and First Reading*

Bill introduced, on motion by Hon Graham Edwards (Minister for Police), and read a first time.

### ROAD TRAFFIC AMENDMENT BILL (No 2)

#### *Second Reading*

Debate resumed from 11 September.

HON REG DAVIES (North Metropolitan) [7.55 pm]: The perplexing question which faces a number of us from time to time in our social life is, how do we measure our blood alcohol level? How can we tell whether it has reached 0.05 or 0.08, or even 0.18? We know that a variety of factors influence the level of alcohol in the body; for example, the amount of alcohol consumed in relation to our weight, age, height, physical wellbeing, amount of food consumed and so on. Hon Peter Foss last night outlined the anomalies associated with headache tablets and alcohol.

Members may recall that I spoke about a young man who came into my office around about



this time last year. He had been the victim of an horrific road accident as a pillion passenger on a motorcycle, and he had suffered severe facial disfigurement. The owner of the motorcycle, who was obviously unaware of his high blood alcohol level, died as a result of the accident. As a result of discussions with this young man, this major concern was emphasised; that is, the inability of people to be able to judge their own blood alcohol level.

Individuals may if they wish invest several hundred dollars in a personal breathalyser. However, the likelihood of the majority of people availing themselves of this facility is somewhat remote. I want to promote the need for liquor outlets to take the initiative and install a meter which will give patrons an indication whether they are safe to drive or not safe to drive after drinking, and this should be provided free of charge to patrons. If liquor outlets fail to take this initiative, I would like to see incorporated in this legislation a clause which would require liquor outlets to install this apparatus as a matter of course and as a community service. It would allow responsible citizens the opportunity to make a decision about alternative arrangements if they are above the legal driving limit.

I spoke on this topic before when another traffic Bill was before us. I am sure that the introduction of this new Bill is altruistically motivated and that these good intentions are promoted by a strong desire to see a reduction in the number of drunk driving casualties on the road. At the same time I am certain that the Opposition's amendments will address the major problem. They will be effective in attacking the real problem; that is, concentrating on the youthful offenders by gradually increasing the permitted level of alcohol with maturity. This will serve to encourage sensible drinking and driving habits.

If some thought is given to allowing people to measure their blood alcohol level prior to driving, this will greatly assist in lowering the carnage on our roads, especially among our youth, who represent the future of our nation. Education is a positive factor in lowering the road toll, and this can be achieved by promoting responsible habits from the start of a person's driving life by having available at no cost a self-testing blood alcohol content meter at the point of sale of liquor.

I have asked the Minister for Police in previous speeches to consider the installation of a breathalyser meter in liquor outlets as a prerequisite to selling liquor. I ask again that he consider the idea and at least this time comment on it during the debate on this Bill. I am serious about this. I am sure it is a very small price to pay if we are to save lives of our youth on the road. I believe the proprietors of liquor outlets should be required to put these machines in their establishments as a community service, at their own cost. It may be an extra overhead - it may cost an extra cent for a middy of beer - but if proprietors are not willing to participate in this community service this Bill should contain a clause which makes them do so as a prerequisite to being granted a liquor licence.

Hon Sam Piantadosi: If a machine is put into a liquor outlet, will the responsibility for taking a reading rest with the proprietor? If a person's reading is over, say, 0.05 per cent, would the proprietor be expected not to serve any more liquor to that person?

Hon REG DAVIES: No, I am saying it is a community service to give drivers an indication of what their blood alcohol content level is, because otherwise they do not know. As I said before, a variety of things will change the level of alcohol in one's blood - age, for instance. My proposal would promote responsible habits. If a person tests himself before getting into his car and his level is 0.09 per cent, he might say, "I will stay here, have a couple more beers and make alternative travel arrangements. I will leave my vehicle here, get a cab home and pick the vehicle up tomorrow." On the other hand, if his reading is 0.04 per cent he might say, "I know 0.05 is the limit at my age so I can have another beer or go home now." It will simply give drivers an indication of their blood alcohol content level.

I will be supporting this Bill when the Opposition's amendments are incorporated in it.

HON CHERYL DAVENPORT (South Metropolitan) [8.02 pm]: During last night's debate a number of comments were made about women drivers, barmaids' aprons and, in particular, Hon Phil Lockyer's comment accusing the petticoat brigade of railroading through the Government proposal to reduce the blood alcohol concentration level to 0.05 per cent here in Western Australia. I would like to set the record straight for Hon Phil Lockyer, and I am sorry he is not here. Even though all the women Labor members agreed with this reduction, so did their male colleagues, and I think that was ably demonstrated last evening

by Hon Tom Helm and Hon Fred McKenzie. Therefore I say at the outset that I do not believe this legislation has anything to do with one's gender but is quite clearly and sensibly aimed at reducing the number of Western Australians killed or seriously injured on our roads.

Before I leave the gender issue, as my colleagues on the Legislation Committee will know, it is my wont to pick them up when language in the committee's reports is not gender neutral. I want to take this opportunity to draw to the Minister's attention that on pages 5 and 6 of the Bill, where it refers to sections 63, 64 and 64AA, it seems that only men are to be charged with drink driving offences under those sections. I am sure that it would be a rare occasion that saw a woman charged under these sections of the Act, but I would not like to see the Minister accused of being sexist by not adhering to equal opportunity principles. Perhaps a gentle reminder to those people in parliamentary drafting that gender neutral language is the order of the day would not go amiss.

Having disposed of those two matters, I move now to why I personally believe it is necessary to reduce the allowable blood alcohol concentration level to 0.05 per cent. Firstly, I believe that it will lead to fewer road fatalities. Since both New South Wales and Queensland made the move to 0.05, they have produced compelling evidence of a decline in accidents and fatalities. In June 1990 research conducted by Dr Peter Cairney of the Australian Road Research Board indicated, and I quote -

The risk of crashing at the .05% BAC level is double that of zero blood alcohol level, and that the risk doubles again at .08% BAC.

As a result of that research one must draw the conclusion that lives will be saved by the reduction to 0.05.

I also refer to a paper by Dr Ross Homel, a professor at Macquarie University, whom Hon Peter Foss quoted last night in his speech. I think it is worth quoting from that research even though Hon Peter Foss disagrees with the statistical analyses applied in that case. Road safety in New South Wales has been analysed by Dr Homel, who says -

I have analysed the number of fatal accidents occurring on a *daily* basis in New South Wales from July 1, 1975 to December 31, 1986. Although analyses are usually based on monthly figures, daily data have the advantage that effects of law can be detected immediately and sophisticated and powerful statistical modelling procedures can be employed.

The legal blood alcohol limit was reduced from .08 to .05 in NSW on December 15, 1980, two years before random breath testing was introduced on December 17, 1982. There were 12 other major legislative initiatives in the period July 1, 1975 to December 31, 1986, but these mostly had slight effects or no effects at all. The most significant laws were RBT and the .05 law, with the latter being confined in its effects to Saturdays (when alcohol-related accidents are at a peak).

... The main results of the analyses may be summarised in the following terms:

- \* Controlling for the effects of RBT and for seasonal effects, the introduction of the .05 law corresponded to a decline of about 12.9% in fatal accidents occurring on Saturdays. There was a decline of 5.9% on Fridays, but this was not statistically significant. Other days of the week showed no significant changes.
- \* The actual number of fatal crashes apparently prevented by the NSW .05 law was about 27 per year - equivalent to the prevention of one major bus crash each year.
- \* RBT in NSW corresponded to a decline of 19.6% in the number of fatal crashes overall, but the decline during holidays and weekends when drink-driving is at a peak was about 30%. This figure of 30% is consistent with previous analyses of NSW data which have shown that the reduction in alcohol-related fatal and serious injury crashes was 36%.
- \* The effects of the .05 law and of RBT appear to have been permanent.

Dr Homel draws the following conclusions -

that if the legal blood alcohol limit were reduced from .08 to .05 in WA, there would probably be a measurable impact at times when drink-driving is at a peak (weekends, nighttime), although the size of the effect would depend on the amount of publicity given to the new law. In the absence of special enforcement or publicity, a reduction in fatal crashes at peak drinking and driving times of about 13% could be expected, but in combination with RBT and with media publicity there are good grounds for expecting a bigger impact.

The second reason for reducing the allowable blood alcohol level is to bring about a reduction in injury hospitalisation and property damage. I will quote briefly from an overview of the report on a blood alcohol level of 0.05 by the Federal Office of Road Safety which was released in March 1990. The report states that drink driving is the most significant contributing factor in fatal road crashes in Australia and that the cost to the community in both human and economic terms is staggering. It further states that in 1987, 38 per cent of drivers and motor cyclists killed in road crashes had a blood alcohol concentration of 0.05 and over, and that this represents the loss of more than 500 lives. It states that alcohol related road crashes cost about \$1.2 billion per year. These are conservative estimates because alcohol affected drivers may cause crashes but not be killed themselves. Various studies conducted in New South Wales, Queensland, and California, as well as a combined Scottish/Finnish study, confirm that drivers with a blood alcohol level between 0.05 and 0.08 are at much greater risk of being in a motor vehicle accident and sustaining far more serious injuries than drivers with a blood alcohol level of less than 0.05.

The lowering of the blood alcohol level may also play a part in reducing the seriousness of the injury. I wonder how many members have visited ward 11 at Royal Perth (Rehabilitation) Hospital where quadriplegic and paraplegic patients are rehabilitated after very bad accidents. I hope no members have had reason to visit that hospital. Most patients are in that ward as a result of road accidents or diving accidents. The majority of the people are quite young and in the prime of their lives. In fact, that ward is a place sometimes forgotten by most people. Members may not be aware that the average rehabilitation time for patients is six months. Many people stay there for up to 12 months or more and when something goes wrong with the health of those people in the future, they return to ward 11. It must be remembered that many people are in that ward as a result of drink related driving accidents. Trauma is associated not only with people being there, but also with the sudden changes in their lives. They plan to attend work one day and the next day they find themselves in ward 11. Their quality of life is destroyed. We should think not only of the victims in those cases, but also of their families because such events are very traumatic for their parents or spouses. The difficulty facing parents is coping with young people who are perhaps at the beginning of their careers, and who in effect, lose the opportunity to continue in those careers.

Ward 11 is basically home away from home to its occupants. I regard the move to lower the permissible blood alcohol level to 0.05 as a very positive move which will reduce the number of victims and their families affected by road trauma. Having witnessed the results of alcohol induced road trauma, I take this opportunity to congratulate Dr Richard Vaughan and his staff on ward 11 at Royal Perth (Rehabilitation) Hospital for their magnificent efforts in caring for the patients. As I said before, the majority of patients are in their early 20s - in the prime of their lives. A reduction in patients at that centre would decrease the burden on the State's medical costs.

Hon Max Evans: Most of them aren't in there because of drinking.

Hon CHERYL DAVENPORT: Many of them are there because of drinking.

Hon Max Evans: Very few of them. A lot of them die in accidents.

Hon CHERYL DAVENPORT: I have already acknowledged that, but many of the people would not be there if they had not been in an accident. Perhaps they were not under the influence of alcohol at the time, but the driver of the other vehicle was.

Hon Max Evans: They are not caused by car accidents.

Hon CHERYL DAVENPORT: As legislators we have a responsibility to reduce that risk wherever possible and with whatever measures are available. Not only will the incidence of accidents eventually be reduced, but also the economic effects will prove beneficial. In both

New South Wales and Queensland, the move to reduce the blood alcohol level to 0.05 produced corresponding reductions in the cost of accidents. In New South Wales the reduction was \$76 million and in Queensland it was \$32 million, according to the Federal Office of Road Safety. In an analysis conducted in Western Australia, based on the Queensland model, the national foundation has estimated that this State could expect savings in the vicinity of \$13.2 million per annum. The reduction in costs would relate not only to medical and health facilities necessary to care for people who have been injured, but also to savings on property, vehicles and the like which are damaged as a result of these accidents.

Thirdly, I want to talk about protection for younger, less experienced drivers. Members may not be aware that in October 1989 students from the Newton Moore Senior High School in Bunbury were so concerned about the high road traffic accident death rate of youth in the 17 to 24 year age group that they mounted a campaign throughout the State. Petitions were sent to many other senior high schools in the State and these petitions, containing the signatures of hundreds of young people, were then presented to the other place. They asked that section 64(1) of the Road Traffic Act 1974 be amended to lower the allowed percentage of blood alcohol content from 0.08 to 0.05. That issue was raised in the country, taken up by young people in the city, and it demonstrates their concern about the number of drink related accidents and their wish to see the blood alcohol level lowered.

I will also quote briefly from the statistics produced by the Police Department in September this year which provides details of drivers killed between 1984 and 1989. In the 17 to 20 years age group, 67 of 146 drivers were killed as a result of drink related accidents - 21.2 per cent; in the 21 to 24 years age group, 76 of 136 drivers were killed - 24 per cent; in the 25 to 29 years group, 66 drivers of 97 were killed - 20.8 per cent; and, in the 30 to 39 years group, 55 of 97 drivers were killed - 17.4 per cent.

Hon Tom Helm: Do those statistics relate only to Western Australia?

Hon CHERYL DAVENPORT: Yes, in Western Australia alone. Drink drivers during that period accounted for 47 per cent of the total road fatalities; the group more than 20 years of age accounted for 246 deaths, which is 77 per cent; and the majority of drink drivers were in the age range 17 to 49 years.

Despite the loud protests of what appears to be an extremely vocal minority, strong public support has been indicated for the reduction and is demonstrated by the following survey figures -

Westpoll, December 1989	60%
AGB: McNair, February 1990	60%
Channel 10 Poll, February 1990	60%
Reark Research, March 1990	65%
Health Dept Survey, June 1990	66%

Not only do those opinion polls relate those facts, but also the following Western Australian organisations support the Government's opinion in relation to the reduction in the BAC to 0.05 -

- Royal Automobile Club
- Public Health Association
- Alcohol and Drug Authority
- Health Department of WA
- Australian Medical Association
- WA Police Department
- WA Traffic Board
- People Against Drink Driving
- Australian Association of Health Promotion Professionals
- National Centre for Research into the Prevention of Drug Abuse
- Alcohol Advisory Council
- Royal Australian College of Surgeons - Road Trauma Committee
- Curtin University - Health Promotion, Addiction Studies
- Australian Council for Health, Physical, Education and Research
- WA Professional Health Educators Association
- WA Network of Alcohol and Drug Agency

In conclusion, a move to 0.05 is one of a combination of measures necessary to combat the incidence of road trauma in Western Australia. With strong education campaigns such as Drinksafe and a continued and strengthened commitment to random breath testing, I am confident the statistics will drop significantly.

I remind members that the only acceptable level for airline pilots when flying is zero BAC and that many studies have recommended a zero BAC level for learner and first year drivers. As legislators we must continually seek a compromise position, and moving from 0.08 to 0.05 is a compromise which will save lives. I support the Bill.

**HON GARRY KELLY** (South Metropolitan) [8.22 pm]: I support the Bill. However, I will take a slightly different tack from concentration on the 0.05 blood alcohol level. I want to focus on the situation of probationary drivers and the importance of putting some distance between learning to drive and learning to cope with alcohol.

I heard an interesting talk on the wireless - as they called it in the old days - by Professor David Hawks who used to head the Alcohol and Drug Authority. He was talking about the American experience. During the 1980s the Reagan administration required State Governments to agree, among other things, to legislate to raise the minimum legal drinking age from 18 to 21 in order for those States to receive Federal funding for roads and national highways. Something like 23 American States have passed such legislation to raise the drinking age to 21.

**Hon Graham Edwards:** I understood that many American States have now done that.

**Hon GARRY KELLY:** I am commenting on the statement made by Professor Hawks. The number may be higher now, but I think the figure is around 23 or 24. Many of those States passed that legislation because they wanted to receive road funding from the Federal authority. Professor Hawks stated that the process of lifting the drinking age had a beneficial effect, not only on road fatalities but also on the amount of crime committed by juveniles in the 17 to 21 age group. However, he did not advocate that we should set about raising the minimum legal drinking age to 21, and I agree with him.

The United States is a funny place; it has a history of - dare I say it - wowserism; it probably would not be called that in America; it has a strong temperance movement. Between 1919 and 1933 prohibition laws were in force and the sale of alcoholic beverages was banned altogether. That experiment was not a success in any shape or form and many problems in American society today have flowed from that decision. Nevertheless, the States of America which have legislated to raise the minimum legal drinking age have noticed benefits relating to a reduction in road trauma and in crime associated with drinking among that young age group.

Professor Hawks stated that a good compromise would be to extend the probationary period for the length of time spent on probation to that proposed under the Bill. The Bill proposes to increase the probationary period from one to three years which effectively means a driver does not have to have a zero blood alcohol content but a content of 0.02, which is close to zero. In other words, any young driver would be restricted to 0.02 BAC for the first three years of his driving life. Most people involved are young people but not all beginner drivers are in the 17 to 21 age group so that provision does not stop them drinking; it stops them drinking and driving. That is a very important point because beginner drivers are not experienced at handling a vehicle and coping with traffic conditions so it is better they learn to cope with mastering a motor vehicle without at the same time coping with the use of alcohol. I submit to the Opposition that the provision in the Bill which seeks to extend the probationary period by two years is a very good one because it will lengthen the period between getting a licence and the right to drink significant amounts of alcohol and still drive. For that reason alone the extended probationary period should remain.

**Hon George Cash** raised the problem of the speed limit; that probationary drivers are permitted to drive up to a maximum speed of 80 kilometres per hour during the probationary period. He stated that it is an imposition on beginner drivers in country destinations because it would take forever travelling at that speed to reach country areas. By way of interjection the Minister flagged that he would be prepared to consider a review of that limit after the first year of probation, so for two years of the extended probationary period the beginner driver would be able to drive at the maximum speed limit on the open road; that is, at 110 kilometres per hour.

The Opposition should take on board that undertaking because it is very important to separate learning to drive from learning to drink. That is what the extended probationary period does without facing the impossibility that the American experience would impose on the Australian situation of legislating to raise the drinking age to 21. It would be quite incongruous for people to vote, to join the armed forces, to enter contracts, or to buy and sell houses at age 18 and not be able to drink until age 21. Only in the United States would that sort of law change be contemplated without the political backlash we would receive from young people in this country in the same situation.

I ask the Opposition to seriously consider maintaining the probationary period of three years as provided for in the Bill, and to remember that the Bill contains incentives that after two years of good driving the probationary period is reduced to a maximum of two years. The Bill contains an incentive to encourage drivers to perform and to be rewarded for safe driving.

I realise that the amendments to be moved by the Leader of the Opposition are not before us, but as well as reducing the probationary period back to two years the Leader of the Opposition is contemplating that after the first year of probationary driving the legal blood alcohol level should be raised to 0.05; that is, between the years of 18 and 20 the blood alcohol level should be 0.05. The most effective way of enforcing drink driving levels would be to have one level; that is, 0.05 for all drivers except probationary drivers. If we are to have a tiered system, it must bear some relationship to the statistics. I seek leave of the House to have incorporated in *Hansard* the statistics cited by Hon Cheryl Davenport regarding the numbers of drivers killed between 1984 and 1989 and showing a breakdown of the number of fatalities in the various age groups.

[The material in appendix A was incorporated by leave of the House.]

[See page No 4908.]

Hon GARRY KELLY: The statistics first referred to by Hon Fred McKenzie show that in the 17 to 20 year age group, 146 people were killed on the roads, of which 67 were drink drivers; this represents 21.2 per cent of the total. In the 21 to 24 age group 136 people were killed, of which 76 were drink drivers; this represents 24 per cent of drivers killed. Therefore, the highest incidence of fatalities as a result of drink driving was found in the 21 to 24 age group. If one is to have a tiered blood alcohol content regime, the 0.05 level should be maintained in the 21 to 24 years age group, although the easiest way to enforce the drink driving rules is to have one level for all drivers except for probationary drivers. The police say that a tiered blood alcohol content system would be difficult to enforce.

Hon Graham Edwards: They say that it would be difficult to enforce, but I am sure that the difficulty could be overcome if it is the will of the Parliament.

Hon GARRY KELLY: I have no doubt that having one age group with a maximum blood alcohol level of 0.05 and another age group with a level of 0.08 would create difficulties for the police. I do not say that these difficulties would be insurmountable as in time and with experience the police could cope with them. If the Opposition insists on its tiered regime, it should target its blood alcohol levels more effectively than is provided for in the amendments which have been circulated. The age group which is suffering the highest incidence of drink driving fatalities should have the lowest legal blood alcohol level. It is unfortunate that under the circulated amendment the police would not be able to enforce the 0.05 limit by summons; the procedure insisted upon by the Opposition would be cumbersome to administer.

Hon Peter Foss: Should it be the public or the police who are most inconvenienced?

Hon Graham Edwards: The police should be allowed to do the best possible job with the least possible inconvenience.

Hon GARRY KELLY: The summons procedure for 0.05 offences would inconvenience the public much less than being taken into custody!

In conclusion, it is important that learning to drive and learning to drink sensibly should be done by extending the probationary period. If the Opposition persists in having a different age groups with different permitted blood alcohol levels - which would create some difficulties in enforcement - those levels should be targeted at the groups in which the

damage is done. As the table which has been incorporated in *Hansard* shows, the greatest incidence of drink driving related fatalities occurs in the 21 to 24 year age group. If the Leader of the Opposition insists on a tiered system, the 0.05 blood alcohol level should be extended until at least 24 years of age. I support the Bill.

**HON GRAHAM EDWARDS** (North Metropolitan - Minister for Police) [8.36 pm]: I thank members who have spoken in this debate for their very constructive and, in the main, very positive comments. This has been one of the best, if not the best, debates in which I have been involved in this House in my relatively short period as a member of this place for seven years. This is a reflection of the seriousness which we all attach to road trauma. I congratulate and thank members for the manner in which they have contributed - it has been most encouraging.

I will attempt to stay away from the heavy morass of statistics which have abounded and which were mainly in favour of the move to a 0.05 blood alcohol level. However, I recognise that many good arguments exist which support the retention of the 0.08 legal blood alcohol level. While statistics are very important, and while the evidence which has been presented is extremely important - the fact is that the data supports the intentions of this Bill - in looking to the future it is important to realise that between now and the turn of the century, some 10 years away, it is estimated on the current trends that 2 500 people will lose their lives in this State as a result of traffic accidents.

That figure is quite horrific to comprehend. In my view we are in a position to impact significantly on that figure and to reduce it significantly dependent on the steps we are prepared to take as the legislators of this State. As such we should be prepared to set a lead in these matters. In view of the estimated fatalities of 2 500 I disagree with the Leader of the Opposition's suggestion that we are taking a sledgehammer to crack a nut. He suggested we were going overboard. The degree of restrictions that the Opposition is looking to impose by way of amendment to this legislation makes our task one of trying to fight with wet powder, faulty shot and a bent barrel. I recognise that 0.05 is a factor, but the restrictions the Opposition seeks to impose are far too serious to contemplate. I say that in the hope that through discussion the Opposition will reconsider its position.

The Government's position is that 0.05 should be adopted as recommended by the Traffic Board. The board's recommendations appear in the Bill. It is my strong view that we should have a three year probationary period for new drivers and that the penalty should be imposed by way of infringement.

I will backtrack to get this debate into the right context so that members will clearly understand my position. I reject the suggestion that I have done an about face on 0.05. I refer members to a question without notice asked by Hon Eric Charlton on Thursday, 3 May -

In view of the recent public comment and media attention to the suggested reduction in the alcohol limit for driving, would the Minister inform the House of the Government's position and whether it has any intention of amending the current legislation?

I replied -

I cannot inform the member what the Government's position is because the matter has been put to me only since I have accepted responsibility for the Police portfolio. I have indicated my support for random breath testing at 0.08. I would want to be convinced that there is a significant benefit to be gained by moving from 0.08 to 0.05. I say this because we have very strong support in the Western Australian community for random breath testing, but that support is based on the figure of 0.08. I do not know if we would continue to have that strong support if we moved to 0.05. This is a question which must be considered responsibly, consequently I have referred the matter to the Road Traffic Board and asked that board to consider the matter and put some recommendations to me at a suitable time.

Hon Eric Charlton asked a supplementary question -

In view of the last part of the Minister's answer, to his knowledge are statistics available, or will they be, to support any move which would require the Government to seek to amend the legislation?

I replied -

My view is that the first and foremost advice I should take on this matter is from the commissioner. The commissioner is the person in charge of the Road Traffic Board. I have seen many statistics and arguments put forward in support of 0.05, and I feel that these should be taken into account and considered by the Road Traffic Board before it makes recommendations to me. That process is being implemented at the moment.

That process was entered into and the results of that are reflected in the Bill. For the information of the House I will read the recommendations of the Traffic Board following its deliberations -

1. That the current drink driving laws be retained, and an additional offence of driving with a BAC of 0.05% or more be introduced as an infringement offence, with a monetary penalty of \$200 and a loss of six demerit points.
2. That the probationary period for a driver's licence be extended from one to two years, at the conclusion of which the holder of the licence would be assessed and in the absence of any serious traffic offences being committed, an unrestricted licence would be issued. Where serious offences have been committed, the probationary period would be extended for a further 12 months with the option for the Board to require that person to attend lectures or any education program specified by the Board. All probationary drivers to be subject to the existing 0.02% BAC limit.
3. That a properly funded and well designed and targeted public education program on road safety be implemented.
4. That a well funded and highly visible program of random breath testing be implemented.

Two of those matters are dealt with in this Bill, and in my second reading of another piece of legislation tomorrow I will deal with those very important last two recommendations. It is important to recognise that 0.05 is just one component of a road safety campaign. Other necessary components include effective random breath testing, supportive education and media strategies, and extended high profile educational programs that are aimed at reducing road trauma.

The conclusions that the Traffic Board drew after its considerations and after consultations with various interested bodies in the community were -

Research suggests that the risk of road crash involvement rises after a driver's BAC reaches a particular point, and that crash risk increases at a faster rate for higher BAC levels. There is some dispute as to at which BAC level crash risk is "significantly" higher than at zero BAC. There is strong evidence that this risk is higher at 0.05%. On the balance of research reviewed, it is considered, in general, that:

crash risk is higher for drivers with a BAC of 0.05% or more;

crash risk is very much higher for young and novice drivers;

a lowering of the BAC limit to 0.05% would be accompanied by savings in injury and property damage crashes, and fatalities in the longer term;

any change in drink driving laws should be accompanied by road safety education programs;

Police enforcement of drink driving should be based on high visibility deterrence programs, supported with well designed and funded publicly.

We will be dealing with the last of those matters in the very near future.

The debate has been a very good one and most of the arguments have been well canvassed. In summary, the Government brought this Bill before the House because it believes that a move to 0.05 BAC will result in a reduction in road fatalities, a reduction in injury requiring hospitalisation and property damage, a reduction in alcohol impaired driving skills, and a reduction in the risk of accidents, and it will provide protection for younger, less experienced drivers.



A number of members have referred to statistics which I said I wanted to try to stay away from but which I must necessarily touch on because I need to refer directly to the proposal put by the Opposition. I recognise that the amendments it has proposed relate to one of the most highly exposed age groups on the roads. However, they do not embrace the total age group that is most at risk. That age group includes people between the ages of 17 and 24 years.

Hon Garry Kelly referred briefly to that group as did other members, but the statistics he referred to indicate that the group aged between 17 and 20 years has a very high representation in road deaths figures with the number killed in that group totalling 146. I remind the House that the period to which I am referring is from 1984 to 1989, and the data is supplied by the Police Department and is accurate as at 4 September. I congratulate the Opposition on seeking to target that group but, at a later stage I will be asking it to give consideration to another age group which is at similar or even higher risk - the group aged 21 to 24 years. During that period the total number killed on the roads was 136 of whom 76, or 24 per cent, were drink drivers.

I reiterate to the Leader of the Opposition that the Government believes that it should impose a 0.05 BAC level across the board. However, if the Opposition insists on its amendments, I ask it to give serious consideration to entering into discussions which might mean an extension of that age group beyond 20 years to take in the group up to 24 years of age which, as I have indicated, is the group most exposed to drink driving danger on our roads. I will be seeking to have this legislation referred to the Legislation Committee. I am hoping it will give serious consideration to the matters which I am now putting to the House.

The other statistics to which I wish to refer briefly relate to the period from 1986 to 1989. The figures have been broken down to regions represented in this Chamber. For example, between 1986 and 1989 in the Mining and Pastoral Region, 99 drivers were killed of whom 62, or 48.4 per cent, were drink drivers. In the Agricultural Region, 85 people were killed, of whom 36 were drink drivers or 28.1 per cent. In the South West Region, 80 people were killed, of whom 30 were drink drivers or 23.4 per cent. In that period in the North Metropolitan Region, 62 drivers were killed, 28 of whom were drink drivers or 36.4 per cent. In the South Metropolitan Region, 50 people were killed of whom 13 or 16.9 per cent were drink drivers. In the East Metropolitan Region, 78 people were killed, of whom 38 were drink drivers or 46.7 per cent.

Other key points that came out of those statistics indicate that, during that period, the total number of drivers killed in Western Australia was 454 of whom 205, or 45.1 per cent, were drink drivers. The percentage of drink drivers killed in country areas totalled 48.4 per cent and in the metropolitan area 40.5 per cent.

Country members referred in the debate last night to the attention given by the police to random breath testing in their regions. These figures reflect the high percentage of country drivers who are killed while drink driving. That is why there is so much activity by the police in those areas. Country lives are as important to the police and to the community as city lives and I make no apologies for the activities of the police in their attempts to turn those figures around.

It is important to try to break up those figures in the way that I have because they give members an indication of how many people are being killed in their electorates as a result of drink driving. If those figures, coupled with the horrific predictions which indicate that 2 500 Western Australians will lose their lives over the next 10 years are not enough to want to make us take some action, I do not know what the heck is.

Recently I had the opportunity to visit Victoria and to investigate the work the Victorian Government is doing on road safety. It has taken the bit between its teeth and taken some very strong action aimed at reducing road deaths and road trauma in that State. Its action has been very successful because it has an 0.05 blood alcohol content limit, speed cameras, a high profile advertising campaign and an efficient and effective method of law enforcement. As a result of the combination of these factors the Victorian Government was able to achieve in the first three months of 1990 a 33 per cent drop in road deaths, a 27 per cent drop in major injuries caused by motor vehicle accidents and a 13.2 per cent drop in the collision rate of vehicles.

I have a table I would like to incorporate in *Hansard* which shows the decrease in the number of road fatalities in Victoria for a 12 month period. It is an interesting graph because the end result of the combination of the speed cameras, the high profile advertisements which have been running on television and the 0.05 alcohol blood content limit was a decline in road deaths. The graph shows almost a sheer drop. Members in this House should take some notice of what Victoria has been able to achieve. I seek leave of the House to incorporate this table in *Hansard*.

[The material in appendix B was incorporated by leave of the House.]

[See page No 4909.]

Hon GRAHAM EDWARDS: Hon George Cash raised his concern that this legislation may force a probationary driver to be limited to the 80 kilometre speed limit, particularly in country areas, and he saw that as detracting from the thrust of the Bill. I assure him and other members of the House that that is not the intention of the Bill and nor would it be the effect of the Bill. Two regulations cover this matter: First is regulation 13(1) of the Road Traffic (Drivers' Licences) Regulation 1975 which provides that a person who has held a driver's licence under the Act for a period of less than one year shall not drive a motor vehicle unless a plate bearing the letter P is displayed.

Second, regulation 100(7) of the Road Traffic Code 1975 provides that a person being obliged by regulations to display plates bearing the letter P shall not drive any motor vehicle at a speed exceeding 80 kilometres per hour.

It follows that by leaving each of these regulations unamended the effect will be that second and third year probationers will not be subject to the 80 kilometre ceiling. I accept that if that had been the case it would have disadvantaged young people in country areas, especially shearers or rouseabouts who are required to travel around the country and to drive long distances. That certainly is not the intent or the effect of this Bill. I ask Opposition members to bear that in mind when they are considering the proposal to retain the probationary period.

Hon Peter Foss indicated that while he did not drink and drive he was not convinced that we should take steps which penalised the majority of the community because of the actions of a few, although he recognised that alcohol and driving were the cause of serious accidents. He said it would be necessary for me to substantiate or justify the claims that have been made by scientists or medicos in the community before he would be prepared to accept the 0.05 BAC limit. I do not know whether I can satisfy Hon Peter Foss and it seems to me that his request is unreasonable. Why should we try to put the onus on people who are trying to reduce the road trauma and road deaths? People like Associate Professor Ross Homel or surgeons in our hospitals should not have to give proof sufficient to satisfy Hon Peter Foss. Why should the onus be put on researchers and people whose job it is to patch up road accident victims to provide proof to the degree Hon Peter Foss would want? In my view we should reverse his argument and put the onus on those people who want to drink and drive to prove they are capable of drinking and driving with a 0.05 and 0.08 BAC limit.

Hon Peter Foss: You want to reverse the onus of proof on practically everything.

Hon GRAHAM EDWARDS: That is not the case and I have never brought anything to this House, nor am I likely to, that would seek to reverse the onus of proof. It is totally unfair to ask these people to provide additional scientific evidence or data. If we want any more evidence we should put the onus on those people who argue that they should be able to drink and drive.

I think we should put the onus on them to show that they can drink and drive with some safety. It follows that in trying to create a safe environment on our roads we should not penalise the community. Indeed, we are creating something of benefit to it. I do not put these arguments in a facetious way or in a way that seeks to detract.

Hon Peter Foss: What about codeine?

Hon GRAHAM EDWARDS: What about a whole lot of things?

Hon Peter Foss: Exactly.

Hon GRAHAM EDWARDS: We are dealing with alcohol and if Hon Peter Foss can present an argument which shows the same sorts of statistics as those I have quoted in relation to drink driving deaths for another product, I will look at them.

Hon Peter Foss: Can the Minister show me where it says that 0.05 has any effect?

Hon GRAHAM EDWARDS: Hon Peter Foss was at the seminar where those arguments were presented and he rejected them. I accept his challenge and will contact Dr Cairney from New South Wales and Associate Professor Ross Homel and ask him for the most up to date evidence and data available. I will then make that information available to the House. Hon Peter Foss has already seen the evidence I have seen.

Hon Peter Foss: It is quite clear that he works with figures and comes up with the answers he likes.

Hon GRAHAM EDWARDS: Has Hon Peter Foss seen Dr Cairney's work?

Hon Peter Foss: No. I do not know of Dr Cairney.

Hon GRAHAM EDWARDS: He did the work that showed that the risk of accidents at an 0.05 level is double the risk at zero blood alcohol level and that at an 0.08 level there is four times the risk of an accident.

Hon Peter Foss: I am not saying that it cannot be proved. I went along to that seminar believing that a blood alcohol level of 0.05 was correct. I came away thinking that it was a load of rubbish.

Hon GRAHAM EDWARDS: I saw a list of people who were at the seminar who were known to support or oppose the move from 0.08 to 0.05. Interestingly enough, Hon Peter Foss' comments must have been interpreted in a way that had him categorised as being opposed to the 0.05 level.

Hon Peter Foss: When was this?

Hon GRAHAM EDWARDS: This was at the seminar Hon Peter Foss attended.

Hon Peter Foss: I was invited as a person in favour. However, having heard what was presented I indicated that the effect of the seminar was to show me that the evidence put forward was not in support of the change.

Hon GRAHAM EDWARDS: Obviously Hon Peter Foss is considered to be an eminent person who is opposed to the 0.05 level, along with Dr. Turnbull I think.

Hon Peter Foss: I went along in support and came away thoroughly disgusted at the way in which the seminar was run and of the opinion that the evidence had presented a contrary view.

Hon GRAHAM EDWARDS: That is not a view shared by a number of eminent bodies in the community, such as: The Royal Automobile Club of WA (Inc); Public Health Association; Alcohol and Drug Authority; Health Department of Western Australia; Australian Medical Association; Western Australian Police Department; Western Australian Traffic Board; People Against Drinking Driving; Australian Association of Health Promotion Professionals; National Centre for Research into the Prevention of Drug Abuse; Alcohol Advisory Council Of WA; Royal Australian College of Surgeons - Road Trauma Committee; Curtin Committee - health promotion, and addiction studies; Australian Council for Health, Physical Education and Recreation; Western Australia Professional Health Educators Association; and the Western Australian Network Of Alcohol and Other Drug Agencies.

Interestingly enough the Leader of the Opposition in the other place, Barry MacKinnon, supported it. It is interesting how attitudes change over a time.

Hon P.G. Pental: Like yours did over the \$12 million.

Hon Peter Foss: I have said in this House that 0.05 was correct.

Hon GRAHAM EDWARDS: Hon Phillip Pental only got half his interjection out, but I can tell him it was an important consideration in our decision to move to 0.05. In my view it would have been quite irresponsible to reject that out of hand simply because of the fear that someone might accuse us of being blackmailed. I do not mind copping that sort of accusation, but at the end of the day the reason we moved from 0.08 to 0.05 was simply that we believed -

Hon P.G. Pental: The State was broke and needed the \$12 million.

Hon GRAHAM EDWARDS: I am sorry Hon Phillip Pental is attempting to trivialise the debate.

Hon P.G. Pental: It is the truth.

Hon GRAHAM EDWARDS: I can tell Hon Phillip Pental that all the people who have spoken in this debate - and he has not spoken except by way of interjection - have addressed this matter in a serious way.

Hon P.G. Pental: I am dead serious when I say you changed your mind because of the \$12 million. So did Mr Taylor and Mr Pearce.

Hon GRAHAM EDWARDS: Hon Phillip Pental is wrong. I have no difficulty saying that. I have changed from a sceptic about 0.05 to being a warm and then a strong supporter of it. It is inevitable that Western Australia will adopt the 0.05 blood alcohol level; it is simply a matter of when and how many lives will be lost between now and whenever that happens.

An article appeared in the *Daily News* of 2 September 1988 in which Barry MacKinnon was reported as saying he favoured a switch to 0.05 although the Liberal Party had not yet formulated a policy on the issue. He said it was something they should consider seriously and that he hoped the party would come out in favour of it. He said that a 0.05 limit would be a more responsible move than random breath testing. Mr Taylor, who rejected the move from 0.08 to 0.05, was reported as saying that 0.08 was a reasonable limit that worked satisfactorily and it would not be his intention to change it. He said that there was only a minor difference between 0.08 and 0.05. That was two years ago. Of course, we now have much stronger and more evidence supporting the change to 0.05. I said earlier that the Government's position was one of supporting strongly the 0.05 limit being introduced in relation to penalties as recommended by the Traffic Board. We support strongly its adoption across the board. We also support strongly graduated probationary licences and, of course, the other technical matter which is contained in the Bill and which clears up an anomaly; it is something I am sure will gain the support of all members of the House.

As I said earlier, I am encouraged by the fact that the Opposition has recognised that the 0.05 level is an important issue. I am concerned that it seeks to restrict that level to one age group, which is indicated in an amendment the Opposition will move.

I suggest to the House that when this Bill has been read a second time the most appropriate way for the matter to be further discussed in order to sort out areas where we have a difference of opinion is for it to be referred to the Standing Committee on Legislation. Were the House to agree to that course of action I can assure members that I would give the committee every support to enable it to fully consider the matters at hand, and I would do everything I could to ensure that the people from whom the committee may want to take evidence were available.

I remind the House that between now and the turn of the century - less than 10 years away - it is anticipated that 2 500 Western Australians will lose their lives on Western Australian roads. The proposed 0.05 legal blood alcohol level is not to apply in isolation. It must be coupled with a strong program of random breath testing, with public programs which will assist the community to become more aware of the dangers of drinking and driving, and with strong educational programs which will encourage people to adopt safer driving habits. The 0.05 legal blood alcohol level is an important part of that overall package, and I urge members to continue to address this matter in the non-political and bipartisan manner in which they have addressed it to date. That is the least that this community should expect of us, and, indeed, is something that this community should demand of us. I assure members opposite that I will do everything I can to accommodate their concerns. I commend the Bill to the House and I forecast that I will support the move to have it referred to that committee.

Question put and passed.

Bill read a second time.

*Referral to Standing Committee on Legislation*

HON GARRY KELLY (South Metropolitan) [9.24 pm]: I move -

That the Bill be referred to the Standing Committee on Legislation for its consideration and report.

In view of the undertakings given by the Minister and the amount of support in principle that the Bill has received so far in this House, the few differences which have emerged can be more satisfactorily considered in the Standing Committee, and I commend the motion to the House.

Question put and passed.

## HERITAGE OF WESTERN AUSTRALIA BILL

### *Second Reading*

Debate resumed from 11 September.

**HON P.G. PENDAL** (South Metropolitan) [9.25 pm]: The Opposition welcomes the arrival of this Bill into the upper House of the Parliament. We have waited for almost three years now for the opportunity to debate a Government Bill on this matter. The history of legislation to protect the built heritage has by anyone's yardstick been a long and tortuous one. The first undertakings to legislate in this field were given prior to the 1974 State election by the then Leader of the Opposition, Sir Charles Court. Subsequently, the Burke Government introduced a Bill into the Legislative Assembly in 1987, but for reasons best known to it that Bill was not proceeded with. Indeed, at no time was the Opposition given the opportunity in the lower House of debating that 1987 Bill.

History now records that the Labor Government was returned at the 1989 State election, and the Liberal Party believed that the time had come to set the agenda in this field. As a result, late in 1989 the Liberal Party introduced into this House the Heritage Enhancement and Preservation Bill. The principal task of that legislation was to place a protective order around all Government-owned heritage property in Western Australia. It was of considerable pleasure to me that that Bill was passed in this House with the support of the National Party; and, I might say, in the face of much hostility from the Labor Government.

Some weeks later the Government introduced a heritage Bill into the Legislative Assembly. Unfortunately, that Bill languished there until August 1990 when the Opposition was allowed, for the first time in just under three years, to debate a Government heritage measure. It is a tragedy that the Government's 1987 and 1989 Bills were not debated earlier than the last month. Equally, it is a tragedy that the Opposition's Bill of 1989 was not picked up by the Government. The reason for my making that statement is that we believe that had adequate legislation been in place by now a number of Government-owned buildings - for example, the old stables in Mounts Bay Road, the crematorium chapel, and perhaps the most important of all, that priceless early colonial building constructed as St George's Hall, near Bar Chambers in Hay Street - would never have disappeared.

That is all in the past, and from this point on the Opposition will support with enthusiasm the need for heritage legislation and will support this Bill, with some amendments. The question that is asked by many people who attempt to address this matter is, what is of heritage value? Is everything worth saving just because it is old, and even if everything that is old is worth saving is it possible to achieve that end anyway?

One of the people whose opinion is sought by a wide range of community leaders is Dr Averil O'Brien who has advised Governments of both political persuasions. In recent years she published a small booklet called *My Ideal Legislation*, subtitled "Addressing the Past and the Future". In that booklet Dr O'Brien, among other things, said -

We have to retain selectively and wisely. . . . We cannot just become bower birds with what is old simply because it is old. In every arena we are faced with the dichotomy between what is possible and what we would like to be possible.

While many other worthy observations and conclusions are made by Dr O'Brien, that quotation, to me at least, is the most significant of all. Apart from anything else, it lies at the heart of my attitude which I have made clear in the past few years. I suspect that a number of people in our community would be disappointed by this Government's legislation even were it to be passed unamended, because some people erroneously believed that once a Bill became law, every single house, factory, shop or warehouse would be saved. That, of course, would not occur.

Underlying the Liberal proactive campaigns in this field in the past couple of years have

been two pivotal issues. The first is that Federal, State and local Governments are substantial owners of heritage properties. They have a duty to take the lead and set an example in this matter. Demolition of buildings like St George's Hall or the old stables do nothing to engender public confidence.

Hon Tom Stephens: When was St George's Hall demolished?

Hon P.G. PENDAL: I would say it was substantially demolished about four years ago. The facade was left in place and we are, therefore, confronted with that insult to heritage known as facadism.

Hon Tom Stephens: Is that facade on the carpark?

Hon P.G. PENDAL: Yes. While I am on the topic, if I had my way, I would persuade a Government of Liberal colour or perhaps of the same colour as Hon Tom Stephens' Government, to build the State's next drama theatre on that site, incorporating the St George's Hall facade, because I believe it was the first original theatre in colonial Perth. That would amount to a "double whammy" in protecting what is left of the facade and combining that with a replacement theatre for the Playhouse which is well overdue.

The second of the pivotal issues that has been advocated by the Opposition in the last couple of years concerns the very important question of private property rights. As it has said elsewhere, the Opposition regards those rights as paramount. If society were to make demands on the owner of a heritage property by requesting him to make certain changes to it, to preserve it and in effect to lose certain rights over his property, society in turn must be prepared to compensate that owner. Some will take the view - a view I do not share - that society must never take a man's property. However, laws are already in place which allow society to take a person's estate or limit his use of the property in order to build a freeway, for example. I have already spoken of the Government's need to be a leader in the field of heritage protection where it is the owner of those buildings.

In the case of private property, the Opposition's view is that the principle of injurious affection must be applied to heritage properties. I will deal with that later in more detail, but for the time being the Opposition insists that, should society require a private property to remain intact, thus reducing the value of that property, society must be willing to pay compensation. Herein lies the gulf between the Liberal Opposition - a view I suspect shared by the National Party based on comments made last year - and the Labor Government. In a recent media statement, the Minister responsible for heritage listings accused the Opposition of wanting "privileged treatment for the private owners of heritage buildings". The Opposition pleads guilty to that charge. It is correct that it believes that private owners ought to be compensated for injurious affection, as I have already outlined. Clearly, the Government does not believe that. The Minister also said - and the Government plays with the truth in a most dangerous way -

WA would have had heritage laws years ago if the Opposition had not been solely concerned with the sectional interests of private developers.

I could spend half an hour talking about which political side has been giving unfair advantages and favoured treatment to local developers.

Hon J.N. Caldwell: The trouble is they never developed much, did they?

Hon P.G. PENDAL: Indeed they did not develop much other than a mounting debt to the State. That point aside, the Minister's remarks are nonsense and can be demonstrated to be nonsense and even an untruth because of the failure to have adequate -

Hon Graham Edwards: That is a bit unfair.

Hon P.G. PENDAL: I reject that as palpable nonsense, since the failure to have adequate heritage laws has been a result of the refusal of the Government to bring the matter forward for debate since October 1987 when the first of its Bills was introduced. The Minister makes clear what that gulf is to which I referred. Simply stated it is this: Ownership is not a central issue. I have to say that ownership is the central issue. Before proceeding to the general nature of our amendments I emphasise that, if the Government desires it, we can have a heritage Act in operation in this State within six weeks. We have already announced our intention to refer the Bill and our proposed amendments to the Legislation Committee. I sincerely hope that the Minister does not take the same view on this Bill as she has taken on the Tobacco Bill.

The Opposition has taken steps to request - and that is all it can do - the Liberal members of the Legislation Committee to expedite the process of this Bill through that committee and to ensure its return to this House in a 28 day period. We have before stated our commitment to return this Bill to this House within 28 days in order to demonstrate that we want to see it become law at the earliest possible moment. We have announced that course of action in order to overcome a series of untruths which have been peddled by the Government in the last couple of weeks. Numerous journalists were being falsely told by ministerial Press secretaries that the Bill was being held up in the Legislative Council. In most cases I was able to track down those falsehoods and put them to rest with the news that the Bill had never before been in the upper House, so how the upper House might have been obstructing its passage in those circumstances is beyond anyone's comprehension.

Hon Tom Stephens: Maybe she just suspected you would be up to your old tricks.

Hon P.G. PENDAL: I think we have demonstrated during question time this evening who is up to old tricks. On Tuesday this week this Bill had not even left the lower House. Why this has been the case with the Government in charge of the Notice Paper I do not know. I am also distressed that a clean print of the Bill as amended in the Legislative Assembly was still not available to the Opposition yesterday, yet the claim persisted that it was the Opposition which was obstructing the passage of the Bill through the Parliament. The failure to have that clean print available has impeded not only the Opposition's but also the community's effort to know what is in the Bill and what is not.

A number of amendments to accommodate the mining industry will be sought, if those amendments have not been put in place as a result of amendments proposed in the lower House. I suspect that the most important of those have now been accepted by the Government in another place. We also intend to amend clause 19 so that the membership of the Heritage Council is expanded. I notice in the clean print of the Bill that some amendments go part of the way towards accommodating our original claim that the National Trust had to have a place on that council as of right; that property owners must also have a place in the Council as of right; and one claim which is desirable but which has not yet been accommodated is that the Royal Australian Institute of Architects should be on the council as of right.

Provision was made in the unamended Bill prior to its debate in another place for four more council members. We have made provision for four more council members to be drawn from people with appropriate qualifications and expertise. We have also advocated, but I think unsuccessfully - I have only had the last hour or so to glance through the new Bill - that there should be provision for a local authority in whose area a heritage property stands to provide a member to the council for the duration of the decision affecting that property. This provision is borrowed from the Swan River Trust Act, and it works well in that circumstance. That is further evidence that we want to see the role of local government enhanced and not diminished.

I come now to the most important and pivotal area of the whole Bill. For some months we have sought to rewrite clauses 69 and 71 of the old Bill, and I think the numbers remain the same in the new Bill. Without some serious form of compensation for injurious affection we cannot support the Bill. Since the Opposition's amendment was announced in another place, the Government has made it clear that it does not want that amended clause included. I do not think the Government has gone as far as to say that it will reject the Bill if the clause in that form is included. However, there is some light at the end of the tunnel because in the last few days the Building Owners and Managers Association, representing five of the major private property groups, has been in touch with me to signal that the Government has been in touch with BOMA. I understand that we may now have achieved a breakthrough in the impasse over that controversial part of the legislation. I hope that is the case, because I ask members to recall that we are dealing with an impasse which has been in place for something like 16 years. We have put forward a clause in a form which requires compensation for injurious affection. I have already said that the Government has shown some considerable opposition to the form of that amendment. BOMA has now indicated to the Government that that controversial clause could be rewritten in such a way as to satisfy our desires; in such a way that it satisfies BOMA's aims; and in such a way as to take the pressure off the Government and ultimately off the Treasury.

On the face of it, I believe that the Building Owners and Managers Association's alternative, which I will read into the record, does give us the way out; that is, to pass the Bill and to protect the property rights of ordinary Western Australians. I have to say that I have not had the chance to study BOMA's suggestion in full, and that is why I say that "on the face of it" it appears that it is something which all parties could learn to live with. I will quickly read the BOMA proposal in full. This is the message conveyed, I understand, as late as Friday to the Government, and then to me on either Monday or Tuesday of this week. The meeting referred to in the first paragraph was a meeting between BOMA and the Government. The message reads as follows -

Further to our meeting at which alternative compensation mechanisms were proposed we suggest that the following procedure could be implemented.

1. Compensation as a matter of principle is to be a right. Compensation in the first instance to be arrived at by negotiation.
2. In the event that a negotiated settlement cannot be reached the matter is to be referred to a tribunal or Court of Appeal. There should be no right of appeal to the Minister.
3. The Tribunal is to decide if the basis of compensation offered is adequate.
4. If not adequate the Tribunal is to have the power to determine the level and method of compensation.
5. The Tribunal in assessing such compensation shall determine the extent and method of compensation using the mechanisms available under the act including the use of transferable development rights. Only after it has been demonstrated that such mechanisms do not adequately compensate the owner of the heritage property may the Court/Tribunal assess portion of the compensation in cash.

It finishes with one brief paragraph as a summary, which says this -

The above proposal has been made on the basis that cash payments are minimised but that if no other alternative is practical then cash compensation is available.

I must say that that certainly represents a breath of fresh air in the whole field. I repeat that I am not in a position to commit the Opposition to it, but certainly on the face of it it appears to be a way to break that impasse. I might add that, as my colleague Hon Peter Foss has reminded me, it is not unlike the provisions that exist in town planning law and town planning schemes, where the principle of compensation by cash as the bottom line is enshrined but where one does not arrive at that position until one has exhausted all other opportunities. Of course, it is the case that in many instances a property owner, under our existing town planning laws, can be persuaded or induced into accepting other forms of compensation by society without having to resort to compensation by cash, but under those schemes and laws of town planning the bottom line still is that cash is available. However, as BOMA has correctly pointed out, "The above proposal has been made on the basis that cash payments are minimised but that if no other alternative is practical then cash compensation is available."

I will finish on this note: I appeal to the Minister and to the Government to look favourably on that major suggestion. In the meantime I, for one, will be urging my colleagues to look at it sympathetically knowing, as we do now, that private property owners as represented by those five peak bodies are prepared to live with that.

Another amendment which I suspect will find its way onto the Notice Paper will be that touching on historic precincts. While that, to this point, is not an official part of the Opposition's stated amendments, it is certainly one which, as an individual, I intend to support.

A number of industry groups have a number of other concerns which I share, and which I believe will be the subject of appearances before the Legislation Committee when we reach that point. In particular, I believe the Association of Mining and Exploration Companies and BOMA have in many respects been treated in a cavalier fashion by a succession of Ministers. It is significant that both of those private sector bodies have come out strongly in favour of heritage laws. On the other side of the equation, I have also had a lot of contact with groups



like the National Trust, and in particular Dr Feilman, and local heritage groups such as the Fremantle Society, the Guildford Society, the Mt Lawley Society, and the Heritage Protection Association, to name but a few. As members would expect, each of these has had input to what has ultimately become the Opposition's attitude.

Heritage legislation is now within reach in Western Australia. It has its best prospects for 16 years and the impasse about which I have spoken can be broken if flexibility is shown now by the Government, which I understand is examining the proposal I have outlined. I, for one, and many members in the Opposition parties, sincerely hope that the Bill will become the law with the amendments that we propose. It is a piece of legislation which is long overdue and I hope that within a very short time we can all make it the law of Western Australia. On that basis I support the Bill.

Debate adjourned, on motion by Hon J.N. Caldwell.

### SUPREME COURT AMENDMENT BILL

*Returned*

Bill returned from the Assembly without amendment.

### ACTS AMENDMENT (STUDENT GUILDS AND ASSOCIATIONS) BILL

*Committee*

The Deputy Chairman of Committees (Hon Doug Wenn) in the Chair; Hon N.F. Moore in charge of the Bill.

Clause 1: Short title -

Hon TOM HELM: Legislation to amend the principal Acts first came before Parliament in 1983 to make it compulsory for students to become part of guilds or associations at their places of learning, and those amendments were passed. This legislation will give students the freedom to choose whether to become members of guilds or associations.

Since 1983 I have not heard of any member in this place or in the other place having received any representation from students that they desire to be exempt from such membership. We have been told the legislation represents a philosophical stance; people should not be forced to join guilds or associations against their will as that is against everything we stand for. We have heard examples of the situation in Eastern Europe and Qantas, and various other smokescreens.

Members should question whether this is a matter on which we should spend time when the proposal has been considered previously. In the past we have accepted that guilds are a useful and integral part of places of learning, that they can be represented on the senate's of universities, and that without active guilds, a result of a lack of guild membership, the ability to service students in a responsible way is diminished.

No alternatives to guild membership have been offered, and the present situation does not cause a problem. If the Bill is passed we will be faced with no alternative to guild membership. We considered that point on a number of occasions during the second reading debate. Opposition members referred to compulsory membership of unions and the results of that. They referred to the "no ticket, no start" situations; but those remarks proved to be a smokescreen because the points raised did not fall into line. The unions referred to also represent non-members of unions. By the same token the unions or bodies they represent are not necessarily an integral part of the overall group which reacts in the same way as a guild in a place of learning.

While considering the short title we should also consider the need for this place to be involved in debate on this issue again, as if that is all we have to do. It has been suggested by Hon Norman Moore that some sort of blackmail is attached to the requirement that students must be members of guilds; that the Federal Minister for Education has threatened to withdraw funds if the principal Acts do not provide for compulsory membership of guilds or associations. However, that has proved to be untrue because the Higher Education Funding Amendment Bill (No 3) 1989 was proposed to respect the rights and responsibilities of higher education institutions to make their own decisions; that is, the decisions of people to be or not to be members of guilds.

While we are talking about the need for the Bill to be scrutinised in the Committee of the Whole, I ask members to recognise that we have undertaken this debate previously. On previous occasions Government amendments have been brought to this place to provide for compulsory membership of guilds, with certain exceptions. The present situation is not causing any great alarm or discomfort on campus. We should not react to the scaremongering by certain student bodies; we should take cognisance of the fact that the present system is working successfully.

I ask Hon Norman Moore to explain in detail where the push for this legislation comes from. Who is he representing and how many people does he represent? Why was the legislation amended in the past to provide for the present situation? Why should the matter be debated again and again? Why have members not been inundated with telephone calls or other communications asking them to attend to the situation now?

Hon N.F. MOORE: What an extraordinary speech. I cannot believe the member uttered those words. We do not introduce legislation only because a group of people asks us to do so; we can introduce legislation because we think something is wrong with an existing law, based upon a principle which a person happens to hold. In this case, however, a considerable number of people - not only at the universities but also within the whole community - are offended by the lack of principle attached to the present law. Hundreds, if not thousands, of university students object strongly to paying compulsory student guild fees. The fact that those hundreds of students have not approached Hon Tom Helm is because that would be a waste of time; he would give them the same short shrift he has given the Bill tonight.

Hon Tom Helm: To which universities is the member referring?

Hon N.F. MOORE: Right across Australia. I stated in response to the second reading debate that when an opting-out clause was introduced in 1983 which allowed people to put the equivalent amount of the guild fee into a charity instead of paying that fee, the guild at Curtin University was in dire financial straits because people opted out. When the guild looked at its budget and worked out how much money it was receiving, it started to send letters - threatening ones I might add - to tell people to put their money into the guild because it could not handle the financial difficulties the opting out caused. That indicated that many people were prepared to pay the money to a charity rather than to the guild - they wanted to opt out. Members opposite choose to ignore that this Bill has no intention of abolishing guilds or student associations.

Hon T.G. Butler: Your Bill is introduced with a view to weaken the guilds.

Hon N.F. MOORE: I believe that the guilds will be stronger as they will have to respond to the membership.

Hon T.G. Butler: You do not believe that at all; your old ideological hang up will not allow that.

Hon N.F. MOORE: Hon Tom Butler for too long has been a part of a union movement which relies on compulsion to force people to go along with the stupidity of the leadership! That is why unions are out of date and old fashioned these days.

Hon T.G. Butler: That is a matter of opinion.

Hon N.F. MOORE: That is why people like the member, who have not had to perform to get money out of members, expect legislation to make membership of a union compulsory and then take the money and run without responding to the demands and wishes of members.

The DEPUTY CHAIRMAN: Order!

Hon N.F. MOORE: Anyway, I am not talking about compulsory membership of a union, I am talking about the compulsory membership of a guild of students. If those organisations respond to the needs and requirements of their membership, they will be stronger organisations which are doing what the membership wants. Over the years we have had the situation in our universities in which the student guilds have collected money from students on a compulsory basis, and the guild has spent the money on anything it likes: We have had the International Year of the Lesbian in 1981, the appointment of a homosexual adviser in 1982, and the membership of the Australian Union of Students; that was one of the most radical organisation in student politics, yet money was poured into that organisation.

Hon Tom Helm: Are you sure it was 1981 and 1982?

Hon Barry House: You were not in Australia then.

Hon Tom Helm: You have picked the figures out of the air, and if you had said before 1985 you might not have been embarrassed.

Hon N.F. MOORE: I withdraw the dates; I mentioned them in a metaphorical sense. However, the money expended on these different left wing organisations has been provided by compulsory membership fees. If Hon Tom Helm wants to argue in detail about this matter, I am happy to do that any time. However, I am not entitled to go through the second reading debate while discussing this clause at the Committee stage. If the member is interested, he should refer to the speech I made in 1983 which involved an hour and a half of Hansard's time when I went through all the issues chapter and verse. However, I am not entitled to talk about them tonight.

By having access to compulsory fees student guilds and the Australian Union of Students, which was an umbrella organisation for different universities, spent money on a vast number of projects which many students would have rejected. However, because the money poured in, it was spent at will. This Bill says to the guilds and associations that they must perform, and if they perform and provide the services the students want, the students will join. Therefore, the guild will be more responsive to the demands of the students and represent them better. If they do not respond to these demands, they will not receive the fees as the students will not join. The simple analogy I used during the second reading debate was that if I wanted to play golf I would become a member of a golf club. However, I cannot play golf on that course if I am not a member.

Hon T.G. Butler: That is right. You are saying that the student guilds will provide services for their members and for nonmembers.

Hon N.F. MOORE: Let me finish! Does the member want to make my speech?

The DEPUTY CHAIRMAN (Hon Doug Wenn): Order, Hon Tom Butler can make his own speech.

Hon N.F. MOORE: I often wonder whether he can.

If students do not join a guild, they are not entitled to the benefits of the guild.

Hon Tom Helm: Have you read your Bill?

Hon N.F. MOORE: My Bill takes away the need for compulsory membership of the guild.

Hon Tom Helm: But the student can still use the facilities.

Hon N.F. MOORE: That is not my view. If one does not join an organisation, one is not entitled to the benefits of that organisation.

Hon Bob Thomas: What about at Curtin University which has a subsidised pharmacy?

Hon N.F. MOORE: It is obvious to anybody with half a brain that if one does not join a guild, one is not entitled to the benefits it offers. If a subsidised pharmacy is what a student desires, he will join the guild - if it is not, he will not.

Earlier Hon Tom Helm made some play of the fact that we have debated this issue again and again and that no demonstrated need for it has arisen. Well, we debated this matter in 1983 and that was the last time any debate occurred. In 1987 or 1988, I introduced a Bill but it was not debated because the Government refused to do so. I appreciate the opportunity given by the Leader of the House to debate this matter this time, even though it has sat on the Notice Paper since May this year. The Government has introduced legislation year after year which this Chamber has rejected regularly, such as the tobacco legislation or the electoral legislation; this was done in the hope that maybe one day this place would change its mind and that is what I am doing here.

Maybe the time has come when the principle of this matter starts to filter through to people on the other side of the Chamber. The reason that I raised the privatisation issue was to suggest that a certain megatrend was occurring which was leading to more freedom for the individual; people are taking the rights of the individual more seriously. Privatisation is but one example of that trend. I mentioned Eastern Europe because this change is occurring in that region, and although this matter is small bickies in comparison, the principle is the same.

This involves the question of whether it should be compulsory for someone to join a guild. If a student wants to go to a university, should they be required to join a guild when the guild does not provide anything for them? The guild provides virtually nothing for many students who must cough up \$100 - or whatever the figure is - to become a member of the guild because the Parliament decided that that should be the case in 1983. So, compelling reasons exist for this Bill to be passed. If Hon Tom Helm wants to argue about what is in the Bill, I will be happy to do so as we go through it clause by clause.

Hon TOM HELM: I do not know whether I have half a brain -

Hon N.F. Moore: You have been wearing it for a long time, so you should know.

Hon TOM HELM: I will check *Hansard* tomorrow, but I believe that I asked why this legislation had been brought to the attention of the Chamber and why it was important that membership of the guild should not be compulsory. Hon Norman Moore tells us that it is important because people are compelled to join the guild and that is an infringement of civil liberties and rights.

Hon N.F. Moore: You have it right.

Hon TOM HELM: I also have this right. Correct me if I am wrong, but Hon Norman Moore also said that the Curtin University guild was in dire straits because so many students did a runner.

Hon N.F. Moore: They opted out.

Hon TOM HELM: As a result the guild was in dire straits. Hon Norman Moore suggested that as a result of threatening letters the students were so frightened they paid their fees. Is that what the member is trying to tell us? Hon Norman Moore said that Curtin University guild nearly collapsed because under the Act, which the member wants to change, so many students opted out.

Hon N.F. Moore: Because the guild budgeted for a normal income based on compulsory membership.

Hon TOM HELM: Why must we continue this debate when Hon Norman Moore has demonstrated that the Curtin University guild nearly collapsed because under the present Act the students opted to pay their fees into a charity? Hon Norman Moore says he does not want to get rid of the guild. If he wants to strengthen it he should be looking at excluding conscientious objectors. Hon Norman Moore and Hon Derrick Tomlinson made great play of the fact that they do not want to see the guilds destroyed, but under this Act one guild was almost destroyed.

Hon N.F. MOORE: In 1983 the Western Australian Institute of Technology guild formulated a budget based on the compulsory membership of every student in that institution. It worked out that it could spend X hundreds of thousands of dollars to pay salaries to the various officers who provide assistance to students. This House passed legislation enabling students to opt out by paying their fees to a charity instead of the guild. Many people opted out and the guild's expected income did not eventuate. The guild was unable to operate because it did not have the income it had anticipated. The guild must cut back on its services. It has to cut the coat according to the cloth. It has to organise its finances to satisfy its capacity to pay. The guild must work out a budget based on the number of students it thinks it can attract and it should operate accordingly. The guild was in serious financial trouble initially but that will not stop it from functioning in the future. I understand that the number of people who opted out has levelled out and the guild can budget on an expected income. That will happen under my proposal. The guild will be able to attract members if it is any good; if it is not it will not attract them.

Clause put and passed.

Clause 2 put and passed.

Clause 3: Section 28 amended -

Hon TOM HELM: In my view one of the major rights one can expect is a right to vote in elections. Is Hon Norman Moore proposing that the right to vote will be given to someone who has chosen to opt out of the guild? He used the analogy that if he wanted to be a member of a golf club he would join, and if he did not join he would not play golf. It seems

to me that there is a contradiction because here he is saying it will not be compulsory, but nonetheless the benefits, rights and privileges of membership of a guild will be available to all students. In his second reading speech Hon Norman Moore said that guilds would operate on the user pays principle. He has not explained whether the fee will be set by the college, the Government or the guild. I am concerned about that. It seems to me to contradict the system that we work under that if someone wants a right to something, it is a privilege and is therefore a cost to us all. This clause suggests that there is a right without any acceptance of the responsibility for that right. I oppose the user pays principle which is probably out of line with Labor Party policy.

Hon N.F. Moore: You are misinterpreting the clause.

Hon TOM HELM: I think that is the important thing. I hope the mover of the Bill will explain in a bit more detail what is meant by benefits, rights or privileges.

Hon N.F. MOORE: Clause 3 repeals subsection (2) of section 28. The clause means that "no benefit, right or privilege shall be denied to or withheld from any student by the University", not by the guild. In the past, if a student has not been a member of the guild, the university has said that that student will not be able to sit for examinations or a student's marks will not be made available to him or her. Quite onerous penalties have applied to students who have refused to pay their fees. Under this clause, the university will not be allowed to take away any of the benefits, rights or privileges of membership of the university because a student is not a member of the guild. The guild will make its own rules about its own membership. The clause also takes away the requirement for the university to be involved in making the rules for the guild. Universities can, by their own Statutes, make rules for the guild. I am proposing that that proposition be removed and that the guild be made totally responsible for its activities.

Clause put and passed.

Clauses 4 to 13 put and passed.

Title put and passed.

### *Report*

Bill reported, without amendment, and the report adopted.

## ADJOURNMENT OF THE HOUSE - ORDINARY

HON J.M. BERINSON (North Metropolitan - Leader of the House) [10.34 pm]: I move -  
That the House do now adjourn.

### *Adjournment Debate - Live Sheep Trade Losses - World Oil Prices*

HON E.J. CHARLTON (Agricultural) [10.35 pm]: I draw the attention of the House to a discussion I had today with the President of the Livestock Transporters Association. Everyone has obviously heard about the critical situation facing rural industries and especially the segment involved in sheep. This is the time of the year when most shearing takes place and excess numbers of sheep are sold either in the trade market around the State or to abattoirs. Everyone knows that the prices are so low that they do not earn enough in many cases to pay the transport costs.

The president of the Livestock Transporters Association brought to my attention the fact that, since 1 April 1990, fuel prices have increased by 32 per cent. When that is related to the downturn in the rural industry, the results are horrific. We all must accept fluctuations in world market prices; we cannot do anything about them. However, a most unacceptable aspect of the current situation is that the live sheep industry is almost non-existent as a consequence of disastrous mismanagement by the Australian Meat and Livestock Corporation which has played around with the export licensing procedures.

While Australia has suffered multimillion dollar losses in the live sheep industry, which losses have been reflected in the value of all sheep in the nation, New Zealand has had a bonanza. Therefore, Australia's current disastrous position does not result from fluctuations in world market prices. New Zealand has emptied out almost all of its available live sheep to the Middle East. On top of everything else that has happened in this country, we all know

what is happening in the Middle East. That has put the icing on the cake as far as the future of the industry is concerned.

I hope that members will put their heads together to see whether they can come up with a positive solution to this problem. Costs to the industry responsible for transporting these sheep, whether to a hole in the ground or to the marketplace, have increased by 32 per cent since April as a result of world fuel price increases. That is difficult for the industry to accept. The contractor has to try to recoup the increase of 32 per cent from the owner of livestock which is almost valueless.

As a consequence of this problem, I asked the Leader of the House yesterday how the world price of oil reflected on the local prices.

Question put and passed.

*House adjourned at 10.40 pm*

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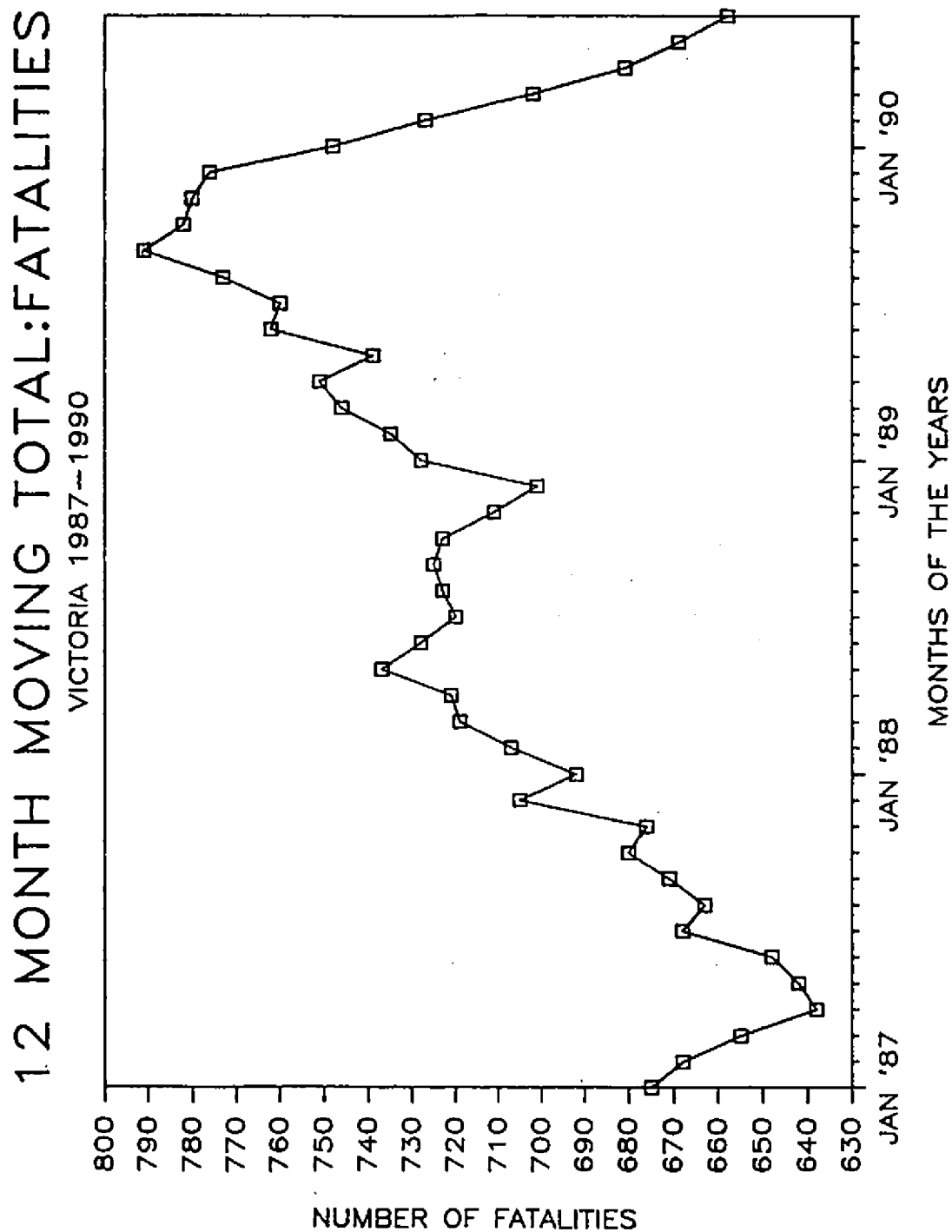
Drivers Killed 1984 - 1989 \*

Ages	Total Killed	Drink Drivers Killed	% of Drink Drivers Killed
17 years	10	3	0.9%
17-20 years	146	67	21.2%
21-24 years	136	76	24%
25-29 years	97	66	20.8%
30-39 years	97	55	17.4%
40-49 years	79	32	10.1%
50-59 years	35	9	2.8%
above 60 years	77	8	2.5%
<b>TOTAL</b>	<b>677</b>	<b>316</b>	<b>99.7%</b>

## Other facts:

- \* Drink drivers accounted for 47% of the total fatalities.
- \* The over 20 years group account for 246 deaths (77%).
- \* The majority of drink drivers killed were in the 17 - 49 age range.

\* Data supplied by Police Department 4 September 1990.





## QUESTIONS ON NOTICE

## MARINE ECOLOGY - NUTRIENT LOADING STUDIES

478. Hon GEORGE CASH to the Minister for Planning representing the Minister for the Environment:

Will the Minister provide details of any studies done in this State since January 1990 into the effects of increased nutrient loadings on marine ecology and indicate the areas and periods during which such studies were carried out?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

No studies of the effects of increased nutrient loadings on marine ecology have been done since January 1990. However, the Environmental Protection Authority is currently assessing effects of nutrient loads on Cockburn Sound. This work is scheduled to run from December 1989 to March 1991. The Environmental Protection Authority has also completed an assessment of the effects of nutrients on Albany's harbours. Their reports (EPA Bulletins 412 and 426) were completed in March 1990.

Work on the environmental effects of increasing the discharge from the Beenypup sewerage outfall into the Marmion Marine Park is currently in its planning stage and will be done by the Water Authority of Western Australia and its contractors towards the end of the year.

## HAMELIN POOL - MARINE NATURE RESERVE GAZETAL

586. Hon BARRY HOUSE to the Minister for Planning representing the Minister for the Environment:

Has Hamelin Pool been gazetted yet as a marine nature reserve?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

Yes, on 25 May 1990.

## ENVIRONMENTAL PROTECTION AUTHORITY - PROJECT ASSESSMENTS

*Works Approvals Issued - Work Crisis*

624. Hon GEORGE CASH to the Minister for Planning representing the Minister for the Environment:

- (1) How many projects were formally assessed and how many works approvals were issued by the Environmental Protection Authority in the following years -
  - (a) 1983-1984;
  - (b) 1984-1985;
  - (c) 1985-1986;
  - (d) 1986-1987;
  - (e) 1987-1988;
  - (f) 1988-1989; and
  - (g) 1989-1990?
- (2) Is it correct as reported in the *Sunday Times*, page 14, 22 July 1990, that the Environmental Protection Authority is facing a crisis and is being overrun with work and the Minister is concerned at the number of applications before the Authority?
- (3) If so, what action is proposed to be taken to alleviate this situation?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

(1)	Year	Formal Assessments Completed	Works Approvals Issued
	1987-88	42	126
	1988-89	43	185
	1989-90	36	154

The Environmental Protection Act 1986 was proclaimed on 20 February 1987. Comparative data are only available from that date. With some difficulty the information prior to that time can be derived at the member's request.

- (2) I am concerned at the number of outstanding applications before the authority.
- (3) I have discussed the matter with the chairman of the authority, and am advised that the authority is putting in place a number of steps to reduce the backlog of proposals, the number of proposals formally assessed, and the time taken for each formal assessment.

#### ENVIRONMENTAL PROTECTION AUTHORITY - PROJECT ASSESSMENT STATISTICS

625. Hon GEORGE CASH to the Minister for Planning representing the Minister for the Environment:

- (1) How many applications are currently before the authority?
- (2) Is it correct that some of the projects currently before the authority may take up to two years to assess?
- (3) If the answer is no, how long will it take to formally assess all these projects?
- (4) If the answer to (2) is yes, what action does the Minister plan to implement to increase the rate of assessing these projects?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1) Approximate numbers of assessments currently before the Environmental Protection Authority are -

Formal assessments	216
Informal assessments	100

- (2)-(3)

Some proposals assessed at the highest level, environmental review and management program, can take up to two years to go through the whole environmental impact assessment process. This time includes time taken by the proponent as well as time taken by the Environmental Protection Authority, and the formal condition setting phase. For example, the average times taken during 1989-90 for the 36 formal assessments completed were -

Level of assessment by:	Number	EPA	Proponent	Total
Consultative environmental review	25	15 wks	11 wks	28 wks
Public environmental review	9	32 wks	23 wks	55 wks
Environmental review and management program	2	32 wks	68 wks	100 wks

- (4) The responsibility for determining the form, content, timing and procedure of environmental assessments rests with the Environmental Protection Authority. I am advised that the authority has reviewed its procedures and implemented changes to enable better and quicker assessments. The authority has also just completed a review of all

proposals presently before the authority for formal assessment, to put in place mechanisms for expediting assessments within available resources.

#### ROTTNEST ISLAND - EFFLUENT STUDIES

640. Hon P.G. PENDAL to the Minister for Planning representing the Minister for the Environment:

- (1) Are effluent studies carried out in relation to Rottnest Island?
- (2) If so, what is the nature of these studies?
- (3) Are the results available?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

(1)-(3)

Yes. An integrated fresh water supply and waste water disposal scheme is being designed. A public environment report is being prepared by the Department of Conservation and Land Management, the Water Authority, Geological Survey of Western Australia and consultants for the Rottnest Island Authority. The report will be submitted to the Environmental Protection Authority within a month or so. As per normal practice the Environmental Protection Authority will seek public comment upon the report before making recommendations to Government.

#### MURRAY RIVER - POLLUTION COMPLAINT

658. Hon P.G. PENDAL to the Minister for Planning representing the Minister for the Environment:

- (1) Has the Minister received a letter dated 2 August 1990 from a resident at Canterbury Terrace, East Victoria Park, outlining the pollution of the Murray River that she observed during a recent rafting trip which began at the Sir Baden Powell Falls?
- (2) If the answer is yes, what action does the Minister intend taking concerning this pollution complaint?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

(1)-(2)

Yes. I have already written to the correspondent advising that the Environmental Protection Authority and the Waterways Commission have no evidence of pollution at Sir Baden Powell Falls on the Murray River. The froth that commonly occurs in winter in rapidly running south west streams particularly in the vicinity of water cascades is due to trace amounts of natural protein being churned into a froth.

#### POULTRY - DUNNING, MR LEN

##### *Deaths Report - Environmental Protection Authority Inquiry*

659. Hon P.G. PENDAL to the Minister for Planning representing the Minister for the Environment:

- (1) Is the Minister aware large numbers of free-ranging poultry, belonging to Mr Len Dunning of Wattleup, have died, on several separate occasions, since January 1989?
- (2) Is it correct that Mr Dunning reported these deaths to the Environmental Protection Authority?
- (3) If so, what investigations did the EPA carry out?
- (4) What were the results of the EPA's investigations?
- (5) Were reasons for the deaths established or suspected?

- (6) If no satisfactory answer has been found for the deaths of Mr Dunning's birds, are investigations by either the EPA or any other authority or agency continuing?
- (7) If not, will the Minister undertake to have the situation monitored until a cause for these deaths is established?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

(1)-(7)

Mr Dunning has reported deaths in his poultry from time to time. Investigations by the Environmental Protection Authority and Department of Agriculture have indicated that the symptoms observed are not indicative of any source of pollution and that the most likely cause of the deaths is poor husbandry. No further investigations are proposed.

#### LAND - DONKEY ORCHIDS, CANNING VALE

##### *Conservation and Land Management Department - Relocation Agreement*

677. Hon GEORGE CASH to the Minister for Planning representing the Minister for the Environment:

- (1) Has the Department of Conservation and Land Management entered into any contract or agreement for land developers to relocate the donkey orchids currently located in the vicinity of Ranford Road and Nicholson Road, Canning Vale?
- (2) If so, what are the conditions attaching to the contract or agreement?
- (3) Under which section of which Act was the contract or agreement entered into?
- (4) Has the Department of Conservation and Land Management received any funds from any developer in respect of advice or work completed or work yet to be completed in respect of the relocations of the donkey orchids at Canning Vale?
- (5) If so, will the Minister provide details?
- (6) If not, why not?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1) No; however, the Department of Conservation and Land Management has entered into an agreement with the developers to carry out a research program into the ecology, reproductive biology, population biology and propagation of Purdey's donkey orchid. One aim, which is dependent upon the findings of the research program, is translocation. Other aims are to develop a wildlife management program to ensure the species' long term survival and to propagate the species at Kings Park and Botanic Gardens, with a view to learning techniques for re-establishing the species from seed if necessary.
- (2) A copy of the agreement will be provided to the honourable member.
- (3) In accordance with the powers of the executive director pursuant to section 34 and the functions of the Department of Conservation and Land Management pursuant to section 33 of the CALM Act.
- (4)-(5) The Department of Conservation and Land Management has received \$29 000 to date for the research program.
- (6) Not applicable.

## SALT FARMING - ONSLOW AREA

689. Hon P.H. LOCKYER to the Minister for Planning representing the Minister for the Environment:

- (1) Has a proposal to develop a salt operation close to Onslow been examined by the EPA?
- (2) If the answer is yes, when will a decision be taken?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1) The Environmental Protection Authority is assessing the Onslow salt project having called for the preparation of an environmental review and management program and having sought public comments on it.
- (2) I understand that the Environmental Protection Authority will be reporting to the Minister for the Environment after the company has responded to issues raised in public and Government agency submissions. The company's response is expected shortly.

## LAND - EXMOUTH

*Horse Blocks - Relocation*

696. Hon P.H. LOCKYER to the Minister for Police representing the Minister for Transport:

- (1) What steps are being taken to relocate horse blocks in Exmouth?
- (2) On what terms are present lessees being offered relocation?
- (3) Where will the blocks be located?
- (4) What will be the cost to the present lessees?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) A special rural subdivision has been created to relocate those horse block lessees who currently occupy land required for the marina development at Exmouth. Construction is nearing completion and these lots will soon be available on a freehold tenure.
- (2) Existing lessees will be given first option to purchase these lots. The remaining lots will be disposed of, possibly by auction at a later date.
- (3) The special rural subdivision is immediately south of the existing leases approximately three kilometres south of Exmouth on the western side of Murat Road.
- (4) Prices for the lots cannot be finalised until servicing is complete and a valuation is obtained from the Valuer General for the vacant Crown land.

## PORTS AND HARBOURS - PORT OF FREMANTLE

*Second Terminal Development*

699. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Is the Minister aware that the Fremantle Port Authority in its recent publication "Port of Fremantle" that the FPA plans the introduction of a second terminal operator which will dedicate to containers more than twice the berth length than was identified as the optimum length by professional consultants?
- (2) Is the Minister aware that should a second terminal be developed at the Port of Fremantle, it will require the expenditure of an estimated \$10 million and that such development will virtually eliminate the opportunity for the early redevelopment of Victoria Quay?

- (3) Is the Minister aware that more than \$10 million of Government funding is being sought by the Fremantle Port Authority for infrastructure changes including No 3 berth reconstruction and the upgrading of No 1 portainer crane without which the proposed new terminal will not be possible?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) I am aware that Fremantle Terminals Ltd recently commissioned a study by professional consultants related to shipping and cargo handling at Fremantle. I understand that Fremantle Terminals, without consultation with the Government or the Fremantle Port Authority, set the brief and the terms of reference for the study and exclusively directed the consultant's conduct of the study. Given the current advantageous position Fremantle Terminals Ltd holds in Fremantle, it is therefore not surprising that the study recommendations may not support the introduction of a second competitive terminal operation into the port.
- (2) These matters have been addressed in the answer to parliamentary question 714.
- (3) The introduction of a second competitive container terminal operator is one part of an overall strategy to ensure that the Port of Fremantle has up to date, modern and suitable facilities and services which will serve to attract shipping and trade through the port, not only now but well into the future. The recent inner harbour deepening project has provided an increased depth of water to cater for larger vessels adjacent to the modern container handling berths from berth 4 to berth 9, but the present locations of the three available container cranes is such that only one is positioned at the berths with the deeper water, whereas two are committed to the less suitable berths 11 and 12 which have a lesser depth of water available. As early as 1985, the Fremantle Port Authority planned and made provisions for the relocation of No 1 portainer crane to service berths 4 to 9 and the Fremantle Port Authority is committed to ensuring that adequate suitable cranes are available on these berths. No 1 portainer crane is an older crane which was commissioned in 1968. Funds have been allocated for a much needed upgrade in its capacity and performance, which will be undertaken in conjunction with its relocation.

The need to provide increased craneage at the deeper draft berths has been recognised by both the Fremantle Port Authority and the major shipping lines calling at Fremantle. It is an issue which is independent of the introduction of a second competitive terminal operator. Likewise, the Fremantle Port Authority's plans to reconstruct No 3 berth is part of the overall strategy to provide modern and suitable berth facilities and to consolidate and upgrade container handling facilities in the most appropriate area available at North Quay. The second competitive container terminal operator can and will be accommodated at berths 7 to 9, at which time No 3 berth reconstruction will not have commenced; however, the reconstruction of No 3 berth will permit the next stage in the overall strategy to consolidate and upgrade facilities to be undertaken.

#### NATIONAL TERMINALS (AUSTRALIA) LTD - GOVERNMENT EXPENDITURE COMMITMENT

##### *Second Terminal Development*

700. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

Further to the Minister's answer to question 393 of 19 June 1990 which sought advice on -

- (a) any direct financial commitment to National Terminals (Australia) Limited; and
- (b) Government expenditure for facilities to allow a second terminal to be established

why did the Minister imply that there was no commitment to the expenditure of Government funds on this project when the facts do not support the Minister's earlier answer?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

There is no direct financial commitment to National Terminals (Australia) Limited. National Terminals (Australia) Limited will be given a commercial lease on a suitable area by the Fremantle Port Authority and that company will fund directly the development works required to establish a competitive container terminal. National Terminals (Australia) Limited will be provided with licensed access to and use of suitable berth length, and will bring to Fremantle a container crane, owned and operated by them, at their expense. Neither the State Government nor the Fremantle Port Authority has made any direct financial commitment to National Terminals (Australia) Limited.

#### PORTS AND HARBOURS - VICTORIA QUAY

##### *Fremantle Port Authority Operations - Conclusion*

701. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

Will the Minister advise -

- (1) How the Fremantle Port Authority has reached its published conclusion that Victoria Quay is vital to the operation of the inner harbour for the next 20 years?
- (2) The criteria on which this judgement is made?
- (3) Why the Fremantle Port Authority continues to resist the views of the Fremantle Ratepayers' Association and the City of Fremantle who have expressed a positive view to redevelop Victoria Quay and thus enhance the residential and commercial amenity of the Fremantle area?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

The matters raised in this question have been addressed in the answer to question 714.

#### PORTS AND HARBOURS - VICTORIA QUAY

##### *Redevelopment Task Force*

702. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Did the Cabinet in 1989 establish a task force to consider the potential of the redevelopment of Victoria Quay?
- (2) Was the former member for Fremantle a member or associated with the task force?
- (3) Who are the members of the task force and how often does it meet?
- (4) What is the purpose of the task force and what has it achieved to date?
- (5) Is the current member for Fremantle a member of the task force?
- (6) If not, why not?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Cabinet established a ministerial task force to investigate options for the redevelopment of Victoria Quay and to recommend to Cabinet future action in areas of planning, including an overall management structure for redevelopment.
- (2) In his capacity as Treasurer, the former member for Fremantle was entitled to representation on the task force.
- (3) Members of the task force represent the Treasurer, Minister for Tourism, Minister for Transport, Minister for Planning, Office of the Cabinet and Fremantle City Council. The task force meets as necessary to prepare recommendations for Cabinet.
- (4) See (1) above. The task force has been engaged in development of recommendations to Cabinet.
- (5) No.
- (6) The member for Fremantle is not entitled to representation on the task force.

#### PORTS AND HARBOURS - FREMANTLE PORT AUTHORITY

##### *Container Transport Cost - Landbridging*

704. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Is the Minister aware that the cost of shipping containers that originate either in Singapore or ports in Europe between Fremantle and Melbourne/Sydney is more than four times greater by rail than it is by sea?
- (2) Is the Minister aware that the landbridging concept which envisages Fremantle as the gateway to Australia using the standard gauge rail link, is being claimed by the Fremantle Port Authority as likely to increase Fremantle's container throughput by over 50 per cent?
- (3) Is the Minister aware that Westrail does not currently possess the necessary rolling stock to transport the required 1 500 containers each week to achieve the volumes being claimed by the Fremantle Port Authority and that the cost of providing the necessary rolling stock would exceed \$100 million?
- (4) Is the Minister aware of the concern of some members of the transport industry that the port authority's claim that intermodalism/landbridging will work despite the damning relative cost structure evidence to the contrary; further, that the port authority has not provided cost evidence in support of its claims in respect of landbridging?
- (5) Will the Minister provide detailed cost estimates which supports the port authority's optimism in landbridging?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) The total transportation cost of moving a container from Singapore to a destination in eastern Australia will depend on a range of factors. These factors include the type of service being provided by the respective shipping line, the number of vessels required to perform the service and their cost of operation, the commercially negotiated stevedoring and rail rates, and the volume of containers being handled by the service.
- (2) I am advised that the Fremantle Port Authority has not made such a claim.
- (3) Not applicable.
- (4) The Fremantle Port Authority derives its total revenue from its commercial operations. Like all commercial organisations, the Port Authority needs to identify commercial opportunities, which have the



potential to profit its own business and facilitate trade through the port. Intermodalism has been identified as one such opportunity. As stated in (1) above, the final economics of intermodalism through Fremantle will depend on a range of factors. Internal feasibility studies undertaken by the Port Authority, do not, however, show the damning relative cost structure referred to in this question.

- (5) As many of the commercial variables of intermodalism through Fremantle belong in the commercial domain of other parties, it is not the policy of the Port Authority to release cost data relative to this matter.

#### PORTS AND HARBOURS - FREMANTLE PORT AUTHORITY

##### *Landbridging - Second Terminal Independent Assessment*

706. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) In view of the fact that the Fremantle Port Authority has not provided detailed cost estimates or empirical evidence to justify its claims in respect of landbridging, is this unresearched optimism a device to justify Government expenditure in support of a second terminal?
- (2) Will the Minister, as a matter of urgency, before financial commitments are made to facilitate a second terminal, undertake an independent assessment of landbridging economics to ensure that the claims being made by the Fremantle Port Authority are based on properly researched empirical evidence and are subject to proper statistical analysis to ensure that funds are not committed to a project which may not be economically viable?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) No.
- (2) Neither Government nor the Fremantle Port Authority has any financial commitments in relation to any new container terminal. It is unnecessary, therefore, for Government to undertake such an assessment.

#### PORTS AND HARBOURS - FREMANTLE PORT AUTHORITY

##### *Stevedoring Withdrawal*

707. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Has the Fremantle Port Authority recognised it is making a significant loss by participating in stevedoring and is it seeking to withdraw from stevedoring?
- (2) Is it seeking to withdraw from stevedoring, and if so, will this directly or indirectly affect over 200 jobs?
- (3) Has each Fremantle Port Authority employee received a letter from the authority claiming Fremantle Port Authority jobs are not in jeopardy?
- (4) How can the Fremantle Port Authority give assurances to its employees in respect of the 200 jobs that are likely to be affected if it discontinues its involvement in stevedoring?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Yes.
- (2) The Fremantle Port Authority is seeking to withdraw from stevedoring, with approximately 140 jobs including 100 stevedoring employees to be reallocated to alternate waterfront employers, directly or indirectly affected as a result of this action.

- (3) The Fremantle Port Authority has sent a letter to each employee advising that there will be no compulsory redundancies within the Fremantle Port Authority as a result of any stevedoring decision or as a result of union/management agreed restructuring initiatives.
- (4) In the event of the Fremantle Port Authority exiting from stevedoring, Fremantle Port Authority labour directly involved in stevedoring will be redistributed between the general stevedores in the port under industry arrangements. Approximately 100 personnel will be involved in this redistribution. Operations retained by the authority will require the continued employment of some 30 personnel while the remaining staff will be redeployed into existing positions within the Port Authority.

#### PORTS AND HARBOURS - FREMANTLE HARBOUR

##### *Dredging - Ship Statistics*

708. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) How many ships have entered Fremantle Inner Harbour in draught exceeding that which would have precluded their entry prior to the harbour being deepened?
- (2) What was the additional revenue, if any, that the port authority has collected from these vessels?
- (3) What is the final cost of the dredging project of the inner harbour including the development of the Rous Harbour and Rous Head industrial area?
- (4) What is the level of debt incurred by the port authority directly attributed to the dredging project and the annual cost?
- (5) What is the annual cost of servicing this debt?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) 1989-90 - 23  
1990-91 - 10 (2 months).
- (2) 1989-90 - \$252 957  
1990-91 - \$283 734 (2 months).
- (3) Total project cost of \$35.9 million includes capitalised interest of \$1.513 million in compliance with accounting standards.
- (4) Borrowings for the dredging project amounted to \$12.450 million. Borrowings are repaid by annual contributions of three per cent of the outstanding balance.
- (5)

1988-89	\$311 000
1989-90	\$1 724 670
Estimate 1990-91	\$1 735 305

#### PORTS AND HARBOURS - ROUS HEAD BOAT HARBOUR

##### *Development - Outstanding Payments*

709. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

What amounts, if any, are outstanding from other Government departments or agencies in respect of commitments made for the development of the Rous Harbour?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

There is presently \$8.061 million due to the Fremantle Port Authority in respect of the inner harbour dredging and Rous Head industrial park project.

## PORTS AND HARBOURS - VICTORIA QUAY

*West End Slipway - Commercial Arrangements*

711. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Will the Minister advise the nature of commercial arrangements under which the slipways at the west end of Victoria Quay are operated?
- (2) Which, if any, of these functions could be transferred to existing commercial business operators that utilise the shiplifting facility in Cockburn Sound?
- (3) In the absence of any defence contracts for submarine construction and refit being awarded to companies based around the shiplifting facilities in Cockburn Sound, will the Minister consider closing the Fremantle slipways and transferring the work to the Cockburn area as a measure of economic efficiency?
- (4) If not, why not?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Swandock Pty Ltd was granted a five year lease with a five year option to renew on 1 November 1988. The company operates the facility as a commercial enterprise.
- (2) Facilities in Cockburn Sound have the capacity to undertake the type of work engaged in at the Fremantle slipways.
- (3) There is no proposal to cancel the existing lease.
- (4) The lease is a contractual agreement between the Minister and Swandock Pty Ltd.

## PORTS AND HARBOURS - VICTORIA QUAY

*Curtin University Alternative Land Use Study - Land Value Cost Benefit Study*

714. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Is the Minister aware of the recent project conducted by Curtin University in which various student groups constructed models on alternative land use for Victoria Quay and that the initiatives of the students was commended by officers from the City of Fremantle and the Fremantle ratepayers' organisations?
- (2) Has a cost benefit study been conducted on the value of the land comprising Victoria Quay and its current use as a fragmented cargo despatch area?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Yes.
- (2) It would be unrealistic to relinquish Victoria Quay for non-port related purposes at this time. The many ships currently accommodated on Victoria Quay would have to be transferred to North Quay. The consequence would be an increase in ship waiting time for berths. As shipping and trade volumes continue to grow in the future, the congestion on North Quay would become more acute. Ultimately, additional facilities to North Quay would be required at very significant cost, and such significant cost would need to be incurred very much earlier than would otherwise have been necessary if Victoria Quay facilities had remained available to relieve the congestion from North Quay. Such an accelerated early requirement for additional port facilities at considerable cost would in all probability negate the benefit achieved from a relinquishment of Victoria Quay for port related purposes.

A comprehensive study is currently being undertaken to ensure that options are evaluated and provision is made for port site needs for the future. When the results of the study and its recommendations are available in 1991, it will be possible to undertake an informed review of the future role of Victoria Quay with respect to port requirements.

### FORESTS - SOUTH WEST LAND DIVISION

#### *Land Area Original Estimates - Karri, Jarrah, Wandoo or Other*

726. Hon P.G. PENDAL to the Minister for Planning representing the Minister for the Environment:

- (1) What is the original estimate in the South West land division of the area of land covered by -
  - (a) karri;
  - (b) jarrah;
  - (c) wandoo; or
  - (d) other?
- (2) Of these estimates, how much of these forests were eventually alienated as -
  - (a) private land; or
  - (b) State forests?
- (3) Of these estimates, how much of the land referred to in question one still remain in a virgin state?
- (4) Of the estimates referred to in question two, how much remains in a virgin state?
- (5) Of the State forests in the South West land division, how much is felled each year in each timber species and what is the time span for replacement trees to reach maturation?
- (6) Since the decisions of the 1970s to begin redressing the rate of the cut, what are the -
  - (a) figures for forest areas at that time; and
  - (b) figures at present?
- (7) At the present rate of felling in State forests is the area under native species expanding or contracting?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1) No accurate figures are available, but the following estimate is taken from the map of the south west of Western Australia in the 1901 annual report of the Woods and Forests Department -
 

(a)	Karri	570 000 ha	(this figure believed to be overestimated)
(b)	Jarrah	3 200 000 ha	
(c)	Wandoo	2 700 000 ha	
(d)	Not applicable.		
- (2)
 

(a)	(i)	Karri	397 000 ha
	(ii)	Jarrah	1 625 000 ha
	(iii)	Wandoo	2 593 000 ha
(b)	(i)	Karri	121 000 ha
	(ii)	Jarrah	1 266 000 ha
	(iii)	Wandoo	59 000 ha

- (3) (a) Karri 87 000 ha  
 (b) Jarrah 322 000 ha, but believed to be an overestimate as records are incomplete.  
 (c) Wandoo 3 000 ha.
- (4) (a) On private land, none so far as is known.  
 (b) On State forest
- |        |  |
|--------|--|
| Karri  | 47 000 ha                                      |
| Jarrah | 224 000 ha, with same qualification as in 3(b) |
| Wandoo | 1 000 ha.                                      |
- (5) The area varies greatly from year to year. Details are given in departmental annual reports. The age of maturation depends on the management objectives. The nominal rotation lengths are, for karri 100 years, jarrah 200 years and for wandoo 100 years, but would be longer in each case under some circumstances.
- (6) The forest area is essentially the same, some State forest being transferred to national park. There have been minor reductions at the direction of Government for the Harris River Dam, Muja coal stockpile and Worsley alumina refinery, road deviation etc. However, these have been compensated for by additions of some vacant Crown land to State forest.
- (7) There is no change in the area under native species due to felling. All areas where timber harvesting takes place are promptly regenerated to the same species mixture as before.

## RECYCLING - TELEPHONE DIRECTORIES AND YELLOW PAGES

### *Government Departments and Agencies*

727. Hon P.G. PENDAL to the Minister for Planning representing the Minister for the Environment:

- (1) What steps, if any, are taken by the State Government to collect and recycle the thousands of copies of old telephone directories and yellow pages used by Government departments and agencies?
- (2) If no steps are taken, will the Minister arrange for some appropriate action to be taken in order to maximise the reuse of this resource?

Hon KAY HALLAHAN replied:

(1)-(2)

Currently some old telephone directories are sent to "Cool or Cosy" in Willetton for recycling into home insulation material. The demand is not great and the current publishing materials preclude the books from many other uses. However, the proposed waste paper recycling (de-inking) plant could take all the old telephone directories in Western Australia. Telecom recently launched a world first environmental management plan for old telephone directories. Its plan requires that only inks, glues and covers are used that are suitable for recycling.

The collection of old books will begin in Melbourne this year and extend to other capital cities in 1991. Telecom predicts that within seven years 80 per cent of old directories will be recycled, mainly into building insulation. Research into additional uses of old directories is being undertaken by Australian universities and the CSIRO.

**RECYCLING - TIMBER OFF-CUTS**  
*Building Site Bins - Metropolitan Area*

728. Hon P.G. PENDAL to the Minister for Planning representing the Minister for the Environment:

Given the thousands of tonnes of timber off-cuts that are discarded into bins at building sites across the metropolitan area, what steps are taken to ensure such off-cuts are recycled?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

It appears that a small quantity of timber off-cuts are recovered from building site waste bins but a large amount is hopelessly intermixed with other building wastes and rubble, and cannot be easily recovered. I am sure that if the building industry were made aware of the recycling value of the wood, efforts could be made on-site to segregate the timber off-cuts from other waste. I will ask the recycling unit of the Environmental Protection Authority to investigate what can be done to improve awareness of the value of this resource.

**KINGS PARK - "WASTE" TIMBER DISPOSAL**

729. Hon P.G. PENDAL to the Minister for Planning representing the Minister for the Environment:

- (1) Is it correct that "waste" timber cleared periodically from Kings Park is discarded, without effort being made to find a suitable use for it?
- (2) If so, will the Minister arrange for inquiries to be made on ways for this resource to be more wisely used or reused?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

(1)-(2)

It is not correct that "waste" timber cleared periodically from Kings Park is discarded without effort being made to find a suitable use for it. The material is very heterogeneous, much of it crooked dead branches pruned away for safety, available at irregular intervals, in variable quantities, of little commercial value and therefore unmarketable. Moreover, mills and processing plant are distant from Perth and it is uneconomic to transport it there for use.

The following uses have been found for such materials within Kings Park, chipping/shredding to make mulch/compost, cut for barbecue firewood and a few large logs used as natural barriers. Surplus has been disposed of outside Kings Park on occasions to charitable organisations as firewood and a few small logs to community groups and other amateur woodturners. These latter beneficiaries have provided their own loading labour and cartage; that is, by service clubs, which is otherwise a prohibitive cost in handling and disposing of such low grade material.

**KANGAROOS - TAG FEE INCREASE**

730. Hon P.H. LOCKYER to the Minister for Planning representing the Minister for the Environment:

- (1) Is it the intention of Government to raise the cost of kangaroo tags to shooters?
- (2) If so, what is the proposed scale of increased fees?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1) Royalty fees for kangaroo tags have remained unchanged since 1976. Consideration may be given to an increase bringing the royalties to a level more in keeping with the cost of production and administration.
- (2) Not relevant.

**KINGS PARK RESTAURANT - REDEVELOPMENT**  
*One-off Lottery Funding*

741. Hon P.G. PENDAL to the Minister for Police representing the Minister for Racing and Gaming:

I refer to the proposed new Kings Park restaurant development and expressed concern by members of the public that overseas financial interests may become involved and ask will the Minister consider a one-off lottery to raise the funds needed for the new restaurant development, rather than have the complex financed by private or Government funding?

Hon GRAHAM EDWARDS replied:

The Minister for Racing and Gaming has provided the following response -

The Lotteries (Control) Act and the Lotteries Commission Act 1990 do not provide authority to conduct a one-off lottery for this purpose.

**RECYCLING - PLASTIC MILK BOTTLES**

743. Hon P.G. PENDAL to the Minister for Planning representing the Minister for the Environment:

- (1) Is the recycling of plastic milk bottles being carried out in WA?
- (2) If so, what products are being made from the recycled plastic?
- (3) Where can a member of the public take discarded plastic milk bottles to be recycled?
- (4) For convenience to the public, and to encourage recycling, is it possible for the Minister to undertake moves to encourage recycling firms to collect plastic containers from small shops and other outlets, where the containers were purchased originally?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1) No. Plastic milk bottles are being collected, baled and freighted to the Eastern States for recycling at a new plant to be commissioned in October 1990.
- (2) The recycling plant in the Eastern States anticipates a variety of plastic products, crates, containers, etc.
- (3) A pilot scheme initiated by the major milk suppliers provides for 13 collection points in the metropolitan area. The public reaction appears very favourable justifying the companies' action.
- (4) The milk suppliers intend to upgrade the scheme to include more localised collection points later this year.

**FIREWOOD - BUSH AREAS**  
*Public Gathering - Stoppage*

759. Hon BARRY HOUSE to the Minister for Planning representing the Minister for the Environment:

Is it the intention of CALM to stop the public gathering firewood from bush areas of Western Australia and force them to obtain all firewood from licensed timber merchants?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

No.

**WESTRAIL - SOUTH WEST**

*Extra Train Controller Temporary Employment - Chicken Creek Coal Mine*

760. Hon BARRY HOUSE to the Minister for Police representing the Minister for Transport:

- (1) Why was an extra train controller employed on a temporary basis by Westrail in the south west in mid-March?
- (2) Why was this temporary position discontinued recently?
- (3) When does the "Chicken Creek" coal mine near Collie come into production?
- (4) How many trains per day are expected from this new mine?
- (5) Is it intended to employ an extra train controller to assist with the extra work load resulting from the opening of the "Chicken Creek" mine?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) To provide assistance while resleepering/resurfacing work occurs on the Picton Junction-Pemberton section of railway.
- (2) The position has not been withdrawn.
- (3) The Chicken Creek coal mine came into production at the beginning of August 1990.
- (4) The current three trains each fortnight are expected to increase to a once daily service (five days a week) from the middle of October.
- (5) No. However, the position will be closely monitored and if the workload so indicates assistance will be considered.

**PORT KENNEDY PROJECT - FLEURIS PTY LTD**

*Agreements*

766. Hon GEORGE CASH to the Minister for Lands representing the Minister for the Environment:

- (1) Has the Minister signed an agreement between Fleuris Pty Ltd and the Government in which Fleuris agrees to meet the environmental conditions recently imposed on the Port Kennedy development?
- (2) If so, when was this signed, and will the Minister table details of this agreement?
- (3) If not, why not?
- (4) Does the Minister intend to sign any further agreements with Fleuris over the next four weeks relating to the Port Kennedy development?
- (5) If so, will the Minister provide details of any agreements between the State and the developers?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

(1)-(3)

On 16 August 1990 I issued a statement under section 45(7) of the Environmental Protection Act 1986 that the Port Kennedy development could proceed subject to 21 environmental conditions. That statement is a public document.

(4)-(5)

No.



WESTERN AUSTRALIAN MARINE ACT 1982 - OFFENCE COMPLAINT  
*Time Limitation*

768. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) What is the current limitation of time for the commencing of taking legal action for an offence under the Western Australian Marine Act 1982 after the complaint has arisen?
- (2) Why does the Government propose that a limitation of three years be introduced to restrict the time for commencing an action after the matter a subject of complaint has arisen?
- (3) What is the current time limit on the commencement of an action for a complaint under the Western Australian Marine Act 1982?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Six months from the date of offence pursuant to section 51 of the Justices Act.
- (2) Inquiries relating to alleged offences involving overseas vessels are often delayed until the vessel returns to this jurisdiction. Further information relating to such offences as failing to transfer boat registration, does not usually come to light until well after the six months has expired.
- (3) See (1).

STATESHIPS - BENEFITS STUDY

*University of Wollongong (NSW) Centre of Transport - Transport Department  
 Expenditure*

769. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) How much is the Department of Transport spending on a study to be undertaken by the University of Wollongong (NSW) Centre of Transport to determine the benefits of the State Shipping Service?
- (2) What are the terms of reference for the study?
- (3) Will the Minister ensure that the report is made public when it is completed?
- (4) If not, why not?
- (5) Did the Department of Transport consider commissioning a Western Australian group to conduct this study?
- (6) If not, why not?
- (7) Does the need for a report to determine the kind of benefits the State Shipping Service is providing indicate a gross lack of management skills in the State Shipping Service being aware of its own operations and the benefits it claims it provides as published in its annual reports?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) \$43 700.
- (2) To identify and quantify the economic and social benefits accruing to the State from Stateships' regular services. To identify possible strategies to maximise these benefits.
- (3)-(4)

The report is not yet complete. However, I would envisage that the main body of the report would contain a significant amount of commercially confidential information not only of Stateships'

operations but also on the commercial activities of many of its clients. If that is the case, I may not be in a position to release the main body of the report. At this stage it is envisaged that a summary of the report's findings will be made available after Government has considered the report.

(5)-(6)

Yes. Three consultants submitted proposals to undertake the study. Two of these were from Western Australia. The Centre for Transport Policy Analysis at the University of Wollongong submitted a most professional proposal which the Department of Transport regarded as providing the best value for money.

(7) The undertaking of this study reflects in no way on the management skills of Stateships. The study is directed toward the quantification of those benefits external to those already in Stateships' accounts as reported in its annual reports.

#### PORTS AND HARBOURS - FREMANTLE INNER HARBOUR

##### *Exports to Imports Proportion*

770. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Will the Minister advise the proportion of exports to imports which moved through the inner harbour at Fremantle in the last fiscal year?
- (2) Will the Minister provide a breakdown to the components of the total trade in terms of the numbers of containers and tonnes of other cargo which moved through inner harbour?
- (3) What proportion of the total container trade was accounted for by -
  - (a) exports originating in Western Australia;
  - (b) exports originating outside Western Australia;
  - (c) exports of empty containers;
  - (d) imports for destination inside Western Australia;
  - (e) imports for destination to states outside Western Australia; and
  - (f) imports of empty containers?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Exports inner harbour - 63.3 per cent of trade.  
Imports inner harbour - 36.7 per cent of trade.
- (2) Number of containers - 131 777 TEUs.  
Other cargoes - 1 091 000 tonnes.
- (3)
  - (a) Data not summarised.
  - (b) Data not summarised.
  - (c) 13 848 TEUs.
  - (d) Data not summarised.
  - (e) Data not summarised.
  - (f) 12 640 TEUs.

#### BURSWOOD BRIDGE - NEW STUDY AND LOCATION

##### *Information Release*

775. Hon P.G. PENDAL to the Minister for Police representing the Minister for Transport:

I refer to the planned Burwood Bridge and ask -

- (1) Is it correct that a new study related to the bridge and its exact location has been completed recently?

- (2) If so, when will information on any new proposals regarding the bridge's location be available to the public?
- (3) Given that people whose properties are under threat of resumption due to the bridge's construction are very anxious to know their position, will the Minister undertake to expedite the release of this information?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) No.
- (2) The information will be available when the study is completed and the matter is considered by Government.
- (3) The predicament of people affected by the proposals is appreciated and every effort is being made to complete the study as soon as possible. In the meantime there are provisions to deal with property owners who are experiencing genuine hardship.

#### NATIONAL RAIL FREIGHT CORPORATION - FUTURE

780. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) What is the current policy of the Government in respect of the objective of the National Rail Freight Corporation?
- (2) Will the Minister or departmental representatives be attending a meeting in Hobart next month to discuss the future direction of the National Rail Freight Corporation?
- (3) If so, when is this meeting to be held?
- (4) What are the ramifications for Westrail employees given the Government policy in respect of pursuing the objectives of the National Rail Freight Corporation?
- (5) Will the Minister table the documentation that sets out the National Rail Freight Corporation initiatives?
- (6) If not, why not?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) The Government supports the principles of a national freight initiative but not the establishment of a national rail freight corporation at this stage.
- (2) Yes.
- (3) 7 September 1990.
- (4) The proposal for a national rail freight corporation is still very much at the conceptual stage and the potential financial and other impacts, including those on Westrail staff, will not be known with certainty until further work is carried out. I would emphasise that the Government has only given support to the principle of a national freight initiative and not the establishment of a national freight corporation.
- (5) A report prepared by a committee convened to examine the feasibility of the national rail freight corporation has recently been released. This report provides a broad outline of the proposed national rail freight corporation.
- (6) Not applicable.

**PORTS AND HARBOURS - PORT OF FREMANTLE**  
*Container Transport, Imports and Exports*

781. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Of the container cargo which was exported through Fremantle and originated from States outside Western Australia -
  - (a) what proportion was moved by rail;
  - (b) what proportion was moved by road; and
  - (c) what proportion was moved by sea?
- (2) Of the container cargo which was imported through Fremantle for destination to States outside Western Australia -
  - (a) what proportion was moved by rail;
  - (b) what proportion was moved by road; and
  - (c) what proportion was moved by sea?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) The Fremantle Port Authority does not receive documentation which enables it to extract the requested data.
- (2) As above.

**PORTS AND HARBOURS - PORT OF FREMANTLE**  
*Container Rail Traffic Increase*

782. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

Would the Minister advise -

- (a) on what date Westrail was advised of Fremantle Port Authority's projected increase of container traffic on rail;
- (b) what action Westrail has undertaken in readiness for the expected increase in the need for its service;
- (c) the projected number of trains between July 1991 and July 1992 required to service the traffic;
- (d) the nominal length of each train both in wagons and in metres;
- (e) the maximum height of a loaded wagon;
- (f) the maximum safe speed which a train would travel in passing through the City of Fremantle;
- (g) how long it would take a loaded train of maximum safe length to pass the pedestrian crossing to the Roundhouse at Fremantle;
- (h) what damage which may occur to existing buildings as a result of increased traffic of loaded trains; and
- (i) to what rate of container movement it is practicable to accommodate increased rail traffic at North Quay before upgrading works is required?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (a) There have been ongoing discussions between the Fremantle Port Authority and Westrail for several years regarding potential increases in container traffic through the port of Fremantle and destined for Eastern States capitals by rail.

- (b) In conjunction with the other participating railway systems Westrail has established the train operations required to handle the differing task options.
- (c) Up to three additional trains weekly.
- (d) Up to 1 600 metres and 80 wagons in length.
- (e) 4.2672 metres above wagon deck.
- (f) 40 kilometres per hour.
- (g) Three minutes.
- (h) No damage is anticipated.
- (i) The Fremantle Port Authority, Department of Transport and Westrail are currently examining the capacity limits at North Quay.

**PORTS AND HARBOURS - PORT OF FREMANTLE**

*Landbridge Operation - Double Stack Wagons*

783. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

In an article published in the *Daily News* on 20 August 1990 entitled "New well wagons aim to increase AN's productivity", it was stated that -

Australian National has previously stated that any landbridge operation of shipping containers from Fremantle to Adelaide and the eastern states would be dependent on the introduction of more productive wagons such as these double stackers.

Can the Minister advise -

- (1) The number of double stack wagons available to Westrail at present and as anticipated at July 1991?
- (2) Whether Westrail has initiated plans to acquire additional double stack wagons to service FPA's landbridge concept?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) The current fleet of 3 509 conventional flat top wagons are capable of double stacking to a maximum height of 4.2672 metres.
- (2) Discussions are taking place between the participating railway systems in Australia to determine whether additional rollingstock is required to meet the possible task options.

**PORTS AND HARBOURS - PORT OF FREMANTLE**

*Container Trade 200 000 TEUs Estimate - Imports and Exports*

784. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

In the July 1990 edition of the *Port of Fremantle* magazine, published by the Fremantle Port Authority, it was stated that the expected container trade at July 1991 would be 200 000 TEUs. Would the Minister advise -

- (1) What proportion of that number of TEUs would be imports and what proportion would be exports?
- (2) Of the cargo in containers expected to be imported through Fremantle by July 1991 for destination in another State, how many TEUs are expected to be moved by -
  - (a) rail;
  - (b) sea; and
  - (c) road?

- (3) Of the cargo in containers expected to be exported through Fremantle in July 1991, which would originate outside Western Australia, how many TEUs are expected to arrive at Fremantle by -
  - (a) rail;
  - (b) sea; and
  - (c) road?
- (4) For the expected 200 000 TEUs by July 1991, would the revenue of the FPA increase or decrease and by how much?
- (5) What revenue estimates has the FPA provided to the Government for the purpose of framing the 1990-91 Budget?
- (6) What revenue estimates were provided to the Government for the purposes of framing the 1989-90 Budget?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) It should be clarified that the July 1990 edition of the Port of Fremantle magazine published by the Fremantle Port Authority did not state that the expected container trade at July 1991 would be 200 000 TEUs. It stated that if the Port Authority was successful in achieving its marketing objective of an additional four to five per cent of the Australian container market, through intermodal cargo to and from the Eastern States, this would translate to an annual throughput of about 200 000 TEUs. No timing was placed in the article on the achievement of this marketing objective. The four to five per cent target was based on the authority's assessment of a realistic objective given the following factors -

the capacity of the port;  
the capacity of the rail; and  
the volumes required to make a major intermodal service viable.

This key marketing objective was based on the assumption that imports and exports would need to be in near balance.

- (2)-(3) This information is not available to the Fremantle Port Authority.
- (4) Not applicable.
- (5) \$56.53 million.
- (6) \$45.77 million.

**BURSWOOD CASINO - COOPER, MR JAMES**  
*Casino Board Inquiry*

808. Hon GEORGE CASH to the Minister for Police representing the Minister for Racing and Gaming:

- (1) Did the casino board carry out any investigations into an incident at the casino on Friday 11 May 1990 concerning a Mr James Cooper of Ferndale?
- (2) What were the findings of the board?
- (3) Was there any finding which indicated that Mr Cooper had been unfairly or improperly dealt with?
- (4) Was Mr Cooper subsequently charged by police for any alleged offence in the casino?
- (5) What was the outcome of the charge or charges?
- (6) Has the casino tendered to Mr Cooper any apology for the manner in which he was dealt with?

- (7) Has the board recommended any changes in procedure to be followed by the casino operators as a result of this matter?
- (8) If so, what were those recommendations?

Hon GRAHAM EDWARDS replied:

The Minister for Racing and Gaming has provided the following response -

- (1) Yes, by the Casino Control Division of the Office of Racing and Gaming.
- (2) That the approved rules for the game of two-up (coins) were not complied with by the casino.
- (3) No.
- (4) Yes.
- (5) The charge was dismissed and Mr Cooper was awarded costs.
- (6) This is a matter between the casino operator and Mr Cooper.
- (7) No.
- (8) Not applicable.

#### TRANSPERTH - BUS ROUTE NO 28, EAST PERTH AREA

##### *Changes*

809. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Has there been any alterations to the Transperth bus route No 82 through the East Perth area?
- (2) If the Minister aware of the concerns of the residents of the area due to the change of the No 82 bus route?
- (3) In view of the Government's stated planning policy to encourage a return to inner city living, will the Minister instruct Transperth to reintroduce the No 82 bus route?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Yes. The service was withdrawn from Wittenoom Street due to low passenger boardings and the existence of a dangerous situation brought about by buses having to make a right turn onto Plain Street without the aid of traffic signals. The service now operates from Perth, in part, via Wellington Street and left into Plain Street. Whereas before the change, it operated via Wellington Street, Waterloo Crescent, left Wittenoom Street and right Plain Street. There is no change in the "to Perth" direction.
- (2) Yes. Dr Ian Alexander MLA, member for Perth, brought the matter to the Minister for Transport's attention.
- (3) Prior to the route change, Transperth conducted a passenger census over a two day period. During this census, only one passenger boarded and one alighted in the affected area. Reinstatement of the bus service could only be achieved by following an increase in passenger boarding and the installation of traffic lights at the Plain/Wittenoom Street intersection. Regretfully, it is very difficult to justify such a cost when it is known that passenger boardings in the area are so low.

#### ELECTIONS - POLICE OFFICERS

##### *Unsuccessful Candidates - Reinstatement*

810. Hon PETER FOSS to the Minister for Police:

I refer to Legislative Assembly question No 2394 of 1987 and ask -

- (1) Who were the officers who were reinstated after being unsuccessful at elections?
- (2) What party did each represent at the election?
- (3) Has any former officer who was unsuccessful at an election been refused reinstatement?
- (4) Who were those officers and what party did each represent?

Hon GRAHAM EDWARDS replied:

My office has no record of Legislative Assembly question 2394 of 1987 and I suggest the member provide a copy.

## QUESTIONS WITHOUT NOTICE

### BELL GROUP SHARES - VALUATION

#### *Attorney General's Inquiries*

570. Hon GEORGE CASH to the Attorney General:

I refer to the answer to question 274 of 20 June 1990 in which the Attorney General said in part that at the Premier's request he made some inquiries about how the valuation of the Bell Group Ltd shares might be arrived at. Will the Attorney outline what inquiries he carried out which indicated a different basis or methodology in the valuation of the shares between Bond Corporation Holdings Limited and the State Government Insurance Commission?

Hon J.M. BERINSON replied:

Inquiries, plural, should probably have been inquiry in the singular. At the discussion with the then Premier, he indicated that a valuation of the shares was available to the SGIC and supported the proposition in which it was interested. At least one valuation was available; there may have been a second, but I cannot recall that in detail. The Premier also pointed out to me that the view that a valuation of \$2.50 would be justified was supported by the fact that it was also known at that stage that Bond Corporation had indicated an interest in a purchase of Bell Group shares at \$2.70 and that Bond Corporation had indicated that it was prepared to make available the basis of its calculations.

Given some discussion in the other House today, it is in order for me to indicate that I have previously addressed the question of that meeting on 25 April at least three times and, having reviewed both the questions and the answers, I am absolutely satisfied that my description to the House of the limited nature of the discussion was accurate on each occasion. Indeed it became more accurate, the more I specified how limited it was.

I was taken to task last week for providing excessively long answers to questions. However, Mr President, you will appreciate that this question is of sufficient importance and has been given sufficient prominence to justify my answering it comprehensively. Therefore, I intend to refer to the three questions on this precise matter. The first is question 257 of 19 June when Hon Peter Foss asked the Attorney General the following -

Without referring to the particulars of the transaction, or transgressing any sub judice rule, would the Attorney General describe what his role was in the Bell/SGIC transaction?

I replied as follows -

I had very little to do with that transaction other than what was part of the general Cabinet role involved. I was informed a couple of days before the presentation to Cabinet of the proposal that the SGIC was interested in that transaction. I was given an indication of the price of



the shares in question. When I queried that, I was asked by the Premier to make some inquiries between then and the time of the Cabinet meeting. As it happened, those inquiries were of no assistance to me at all -

I interpolate, to say that I again used the word "inquiries" because this relates to inquiries of Mr Mitchell on the following day and that could be understood as a single inquiry. The answer continues -

- no doubt due to my own lack of knowledge of the particular area and an inability by me to make any independent judgment about the value of assets held by Bell Group on which an assessment of the price was based. For the rest, I was one of the members of the Cabinet present at the meeting when the issue was discussed with SGIC representatives.

The next question on the same matter is indeed question 274 asked by Hon Peter Foss on 20 June and reads as follows -

I refer the Leader to the transactions mentioned yesterday in relation to the SGIC's purchase of a number of properties. Did the Attorney in the course of the discussions leading up to the completion of the transaction meet any representatives or persons acting on behalf of, or have any discussions with, such persons acting on behalf of Bond Corporation?

My reply was as follows -

Could the member clarify the question. Yesterday, two sets of properties were referred to. One was purchased by the SGIC from Holmes a Court, and others; all were in the central business district. Could the honourable member clarify that he is referring to the Bond properties only?

Hon Peter Foss replied -

The transactions to which I referred are the purchase of the Bell shares by SGIC, the purchase of the Bell convertible notes, the BHP shares, and the City Terrace properties. The city properties were purchased from Holmes a Court with interests associated with him. The Leader of the House indicated yesterday that he was involved in discussions relating to those transactions prior to the agreements being concluded.

Here is the central point again -

Did the Leader of the House, in the course of those transactions, meet or have discussions with any person representing or acting on behalf of Bond Corporation?

My reply was as follows -

There was only one such occasion. Members might recall that yesterday I indicated that prior to the question of the Bell shares purchase coming to Cabinet I had, at the Premier's request, made some inquiries as to how a valuation of those shares might be arrived at. I also indicated yesterday - and it has been done many times before - that the interest of Bond Corporation in purchasing some of those shares itself was well known. In the course of those inquiries, I was informed that Bond Corporation - which had indicated a different idea of the valuation of the shares from that of the SGIC - had indicated it would be prepared to make available the basis of its valuation. For that purpose, on the day before the Cabinet meeting, I briefly met with a Mr Mitchell of Bond Corporation. That was the occasion that I referred to in my report yesterday when I indicated that I found the meeting of no useful purpose - no doubt due to my own lack of knowledge in the area.

To anticipate any further line of questioning on the same point -

I pause at this point to emphasise the following -

- the question of valuation was the one and only matter related to the Bell Group shares that was discussed. No other matter was discussed by me. I had no discussion with any such person as far as I can recall relating to the notes. I am as good as certain that the discussion was on the share valuations alone. I had no discussions with any such person in relation to the BHP shares purchase or in relation to the purchase of CBD properties.

Finally - here I am indebted to Mr Foss for pushing me to further detail.

Hon Peter Foss: It is a pleasure.

Hon J.M. BERINSON: It is very kind of Mr Foss to say that it is a pleasure. I am especially indebted to him because of some comments which came over the loudspeaker from the Legislative Assembly in which at least one member of the Opposition alleged that I was in collusion with a member or members of Bond Corporation in relation to the general deal.

Hon George Cash: Did only one member complain?

Hon J.M. BERINSON: I only heard one. I was not sufficiently interested in what they were saying to be glued to the loudspeaker, but I did hear that.

Hon R.G. Pike: Then you have a remarkable recall of detail.

Hon P.G. Pendal: The four stenographers were, though.

Hon J.M. BERINSON: I did hear that comment, which I resented very much, especially as the record is very clear on that point and there is no conceivable possibility of any evidence to the contrary.

The third question from Mr Foss was one of a number and followed the two to which I referred previously. This was question No 397 of 5 July 1990 by Hon Peter Foss to the Leader of the House as follows -

- (1) What was the date, time and place of the meeting which the Leader of the House says he had with Mr Mitchell with regard to the purchase of Bell shares?
- (2) On what date did he first learn of the SGIC's plan to purchase Bell Group shares?
- (3) On what date did he first learn of Bond's plan to purchase Bell Group shares?

I replied as follows -

I thank the member for some notice of this question. I shall not be conversational.

My offer not to be conversational referred to an earlier question which has not attracted my interest for today's purposes. The answer continued -

Several members interjected.

Then, later, the answer continued as follows -

Hon J.M. BERINSON: As I shall indicate in a moment, this is a question where some notice was particularly appropriate.

Again, I interpolate to make the point that the two questions I referred to earlier were without notice entirely. I called on memory of events that were by then over two years past. Nonetheless, there was advance notice in writing on this occasion. I acknowledged that and indicated that some notice was particularly appropriate. I then continued as follows -

The answer to the three questions is as follows -

- (1) The meeting was in my office, and because I recall it as being Anzac day I can place it on 25 April 1988. I cannot be held to

the time of day, but I believe it was probably late morning. As I indicated in my reply to an earlier question, my discussion with Mr Mitchell was restricted solely to the question of the estimated value of the shares and was not "with regard to the purchase of the Bell shares", if Mr Foss' question in those terms is intended to convey anything beyond that.

(2)-(3)

Both on the previous day. In both cases I indicate that the phrase "plan to purchase" does not represent the position accurately, and that something like "interest in the possibility of purchasing" would be closer.

I trust it will not be thought that I am being pedantic with the terminology of Mr Foss' question. The fact is that there are major civil actions involving the State or its authorities and the Bond Corporation and the position in respect of the Bell Group shares. On the face of it I would not expect the matters raised in this question to be relevant, and I have responded on that basis. However, given the significance of the other issues to which I have referred, there is a need for both caution and accuracy in public comment.

I stand on the record of my answers, both given to questions without notice completely and those given with some prior notice. I say without hesitation or equivocation in any way that they entirely and accurately represent the events of that meeting of 25 April, and any suggestion by any member of the Legislative Assembly to the contrary is entirely without foundation.

#### BELL GROUP SHARES - VALUATION

*First Valuator - Second Valuation*

571. Hon GEORGE CASH to the Attorney General:

Before asking my second question, in view of the fact that the first question and answer took 15 minutes, I trust the Leader of the House will extend the time for questions without notice.

The DEPUTY PRESIDENT (Hon J.M. Brown): Order! I am aware of the time taken on the first question and it was my intention to ascertain how proceedings took place and then to ask for an allowance from the Leader of the House, recognising what had happened.

Hon GEORGE CASH: I appreciate that. Therefore, following the answers just given by the Leader of the House -

- (1) Who conducted the first valuation to which the Attorney General has just referred?
- (2) He said that there may have been a second valuation but added, "I cannot recall in detail." Was there a second valuation?
- (3) Why does he believe that a second valuation exists?
- (4) Will he table that valuation?

Hon J.M. BERINSON replied:

(1)-(4)

I think I am right in saying that the first valuation was by Salomon Brothers, but that is subject to correction. It is on the record in innumerable places, and I think that is who it was. I was trying to indicate before that my memory of the discussion with the Premier is that I carried away an impression that there either was a second valuation or a second valuation was to be sought. In the event, that does not appear to be the case.

Hon George Cash: Are you aware that Salomon Brothers' valuation is dated 28 April?

Hon J.M. BERINSON: No. I am sure that reference was made to a valuation at the

meeting of the 24th. I have said I believe it was Salomon Brothers, but at this late stage I cannot say whether Salomon Brothers was mentioned at that time. I think I answered the second question when I indicated that whatever my earlier impression was, there did not appear to be a second valuation, so the second question relating to a valuation would not arise.

**BELL GROUP SHARES - EDWARDS, MR KEVIN**  
*Holmes a Court, Mr Robert - SGIC Purchase Offer Letter*

572. Hon GEORGE CASH to the Leader of the House:

In view of the answers given to date by the Leader of the House -

- (1) Was he aware of the letter sent by Mr Kevin Edwards to the late Mr Holmes a Court on 24 April 1988 wherein the SGIC offered to purchase Bell Group shares?
- (2) If yes, who informed him of the letter?
- (3) If no, when did he first become aware of the offer made to Mr Holmes a Court?

Hon J.M. BERINSON replied:

(1)-(3)

I believe that the only discussions in which I was involved on 24 April were in terms of the SGIC having developed a proposal, not in terms of any offer being made. Question (2) is therefore not applicable. The answer to question (3) must be that I now do not know. There have been many references since April 1988 and I really have no way of now separating in my mind a particular time at which I became aware of it.

**HERITAGE OF WESTERN AUSTRALIA BILL - NATIONAL TRUST**  
**MEMBERSHIP LIST**

573. Hon GARRY KELLY to the Minister for Heritage:

Was the Minister given a confidential list of National Trust members in order to send out information on the Heritage of Western Australia Bill.

Hon KAY HALLAHAN replied:

I thank the honourable member for giving some notice of his question. I understand there is some conjecture about this matter. I was not given a membership list by the National Trust and, as I indicated to the House yesterday -

Hon P.G. Pental: This is giving a denial before we have made an accusation.

Hon KAY HALLAHAN: Some members have been making accusations and upsetting some people in the community. I will name them and we will not then play a guessing game.

Hon J.M. Berinson: It is not someone going overseas shortly, is it?

Hon KAY HALLAHAN: I wonder whether it could be. I therefore thought, in the interests of the people caught up in the questioning of the member, it would be good to have it on the record, not because of embarrassment to me, but because I think it has caused some pressure to other people, which is very unfortunate. As I indicated yesterday, I circulated an outline of the Heritage of Western Australia Bill to individual groups known to have an interest in heritage matters.

Hon P.G. Pental: Why send one to me?

Hon KAY HALLAHAN: I sent one to Hon Max Evans.

Hon P.G. Pental: Who gave you the names and addresses?

Hon KAY HALLAHAN: I am about to advise the House. Mr Pental raises the question -

Hon P.G. Pental: Fiddling the system.

Hon KAY HALLAHAN: Mr Pental is a very nasty person.

Several members interjected.

Hon P.G. Pental: I am a very nice person.

The DEPUTY PRESIDENT (Hon J.M. Brown): Order!

Hon KAY HALLAHAN: I advised the National Trust that I would like to send the information to trust members. One would presume that members of the National Trust would be critically interested in the Bill. The trust provided the labels for the mail out done by the Department of Planning and Urban Development. I want to make it clear that no copy was kept by the Department of Planning and Urban Development, nor indeed by my office. That was the understanding entered into by the officers concerned. In addition the material sent out was cleared by the new Executive Director of the National Trust.

Hon P.G. Pental: A very nice man too.

Hon KAY HALLAHAN: He does seem to be impressive.

Hon P.G. Pental: He is; he is a fine man.

Hon KAY HALLAHAN: He ought not to be harassed by members of Parliament unnecessarily.

Hon P.G. Pental: Does he say he was harassed? That is nonsense. I shall send him a transcript and ask him if he was harassed. You can then withdraw.

Hon KAY HALLAHAN: I am not alleging he was harassed; I am saying he should not be harassed. I did not say he was harassed.

Several members interjected.

The DEPUTY PRESIDENT: Order! Hon Garry Kelly has asked a question. For the sake of allowing members to hear the answer I have allowed further questions to be asked across the Chamber in the hope that members will respect each other and we can hear the answer. I ask members please to recognise that this has been a difficult question time. There has been an application for an extension of time. I would like to get on with question time so that all members can participate.

Hon KAY HALLAHAN: I want to place on record the gratitude of the Government for the cooperative efforts of the National Trust and commend the new executive officer on the very sensible arrangement he entered into.

Hon P.G. Pental: I do not think he should do it again.

Hon KAY HALLAHAN: I commend the counsellors of the National Trust on their selection of such a very suitable person for the job, and hope that they are comfortable with the arrangements which the executive officer entered into.

Hon P.G. Pental: They should not give out membership lists.

Several members interjected.

Hon KAY HALLAHAN: I think I have said what needed to be said. Perhaps it is in the interests of Hon Phillip Pental not to have the community informed; not to have members of the National Trust informed.

Several members interjected.

Hon KAY HALLAHAN: One can only conjecture, but when officers of good faith and integrity enter into arrangements, those arrangements should be respected and we should accept them as they are presented.

*Point of Order*

Hon R.G. PIKE: The Minister, in her reply, used the words "may be," and went on to say it was conjecture. Inasmuch as a question cannot ask for an opinion, it is not the function of a Minister to use the subjunctive case in replying.

Several members interjected.

Hon R.G. PIKE: The hip-hip-hoorays on the backbench can make their own noise. The fact is that it is quite specific -

Several members interjected.

The DEPUTY PRESIDENT: Order! I want to make it quite clear that there is no point of order. The Minister is entitled to answer the question in the way she feels right in the context of the way in which the question has been asked. I interrupted the Minister during her reply, and I said there were questions coming from all over the Chamber. I ask members to cooperate so that we can have this reply on a very important matter. I allowed members to continue so that every member has an opportunity to ask their question.

*Questions without Notice Resumed*

**TOBACCO BILL - WESTERN AUSTRALIAN HEALTH PROMOTION  
FOUNDATION**

*\$5 million Subsidy, Inaccurate Information - Community Group Letters*

574. Hon E.J. CHARLTON to the Minister for Planning:

- (1) As a consequence of the misinformation and inaccurate information put out by the Government regarding the \$5 million subsidy taken away from the sporting federation as a result of Opposition proceedings, is the Minister also responsible for the fact that today I as a member have received a letter from the Cancer Foundation dated 10 September; the Royal Australian College of Surgeons dated 10 September; the Public Health Association dated 10 September; the Australian Council of Smoking and Health dated 10 September -

Hon J.M. Berinson: What was that date?

Hon E.J. CHARLTON: I shall start again because the Attorney General has not picked up the coincidence in the dates.

The DEPUTY PRESIDENT: We have a Standing Order which makes that unnecessary.

Hon E.J. CHARLTON: The date is 10 September. I hope the Attorney General did not miss the coincidence. The last letter is from the Royal Australian College of Physicians.

- (2) Has the Minister directed, requested or made some approach to those organisations to respond in letter form to me as a member of Parliament - and I guess other members of Parliament have received these letters too?

Hon KAY HALLAHAN replied:

(1)-(2)

I state quite categorically that no misinformation has been put out by the Government or by any of our members.

Several members interjected.

Hon KAY HALLAHAN: Mr Foss can make all the interjections and noises he likes. If he speaks the truth he might go a long way.

Several members interjected.

Hon KAY HALLAHAN: The fact of the matter is that the foundation was to be established in order that groups could find a replacement for cigarette advertising promotion. Could members opposite tell me why community groups should come along to the Government and ask for money for advertising when they have not lost any? There was no loss of cigarette advertising.

Hon P.G. Penda: Answer the question; you are avoiding the issue.

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon KAY HALLAHAN: I can answer Hon Eric Charlton from my own point of view. If he wants an answer from the Minister for Health he will have to put the question on notice. I have not contacted any group to write letters to members opposite. The groups which will read *Hansard* - and interestingly enough they do read *Hansard* - will be very interested to know that the member thinks they are so disinterested that they would need to be directed to write to members to galvanise them into action. Some of those groups are very interested in the health of Western Australians.

Hon E.J. Charlton: I did not say they were disinterested.

Hon KAY HALLAHAN: Why does the member think that someone has to tell them to send letters?

Hon Peter Foss: What will happen to the hospital now that you have lost all their money?

Hon KAY HALLAHAN: I make the point for Hon E.J. Charlton that I am not aware of the order of coincidence -

The DEPUTY PRESIDENT (Hon J.M. Brown): Order! The Minister is responding to a question from Hon Eric Charlton. We will have one question at a time. I do not want any interference from any other member, otherwise members may be overlooked for the call. The Minister will respond to the question asked by Hon Eric Charlton.

Hon KAY HALLAHAN: I can only assume that the groups who have written to the member in that context support the Tobacco Bill as it stands.

Hon E.J. Charlton interjected.

Hon KAY HALLAHAN: I am relieved to hear that. As all those people wrote and dated their letters 10 September one can only think they needed time to read *Hansard*, decide on a position, and send the letters. I do not know why that is considered funny.

Hon George Cash: As a former policewoman, the Minister would surely not accept that!

Hon KAY HALLAHAN: I would. In addition to being a former policewoman I am also a former community worker and I know how groups interested in the wellbeing of society work; they do not work on instructions from parliamentarians. Groups that underlie Hon George Cash's public facade might have to be directed by members opposite; I do not doubt that. Many other people come from a very informed position and it is to the member's peril that he ignores the case they make.

#### BELL GROUP SHARES - COURT, MR RICHARD

*Bond Corporation Fine Waiver Letter - National Companies and Securities Commission Report*

575. Hon PETER FOSS to the Leader of the House:

- (1) When did the Government first become aware that Mr Richard Court was seeking from the National Companies and Securities Commission a copy of the NCSC report relating to the acquisition of Bell shares and the letter from the Government requesting the waiver of the \$1 million fine on Bond?
- (2) How did the Government first become aware that Mr Richard Court was requesting those documents?

Hon J.M. BERINSON replied:

(1)-(2)

I became aware of that yesterday as the result of advice from the NCSC. That was an entirely proper and appropriate procedure for the NCSC to follow. All members opposite will be aware that they are not in a position to approach any department, for example, for private information without that matter

being brought to the attention of the Minister. That is not, I might add, a procedure implemented by the present Government but one which it inherited. It is a proper procedure and the NCSC was acting in conformity with it.

#### HERITAGE - BRISTLE KILNS

576. Hon FRED McKENZIE to the Minister for Heritage:

In my opinion the lime kilns opposite the Ascot Racecourse at Belmont have heritage value. Could the Minister advise what action is proposed on those kilns?

Hon KAY HALLAHAN replied:

I thank the member for his question. Members will understand that the kilns are situated in the heartland of Hon Fred McKenzie's constituency.

My information is that the kilns are known as the old Bristle kilns. The Department of Planning and Urban Development has commissioned a study of the heritage value of the kilns as part of the considerations for the area known as Improvement Plan 20. Dr Lewis, an eminent architectural historian, has been commissioned to undertake the study. The beehive kilns are most impressive and I am sure will provide a number of options for future use which will be determined by the DPUD and the City of Belmont as part of their considerations for IP20. Members will know that in some other States some creative things have been done around old brick kilns. It is important, however, that their heritage value is established before we move to canvass possible options.

#### BELL GROUP SHARES - COURT, MR RICHARD

*Bond Corporation Fine Waiver Letter - National Companies and Securities Commission Report*

577. Hon PETER FOSS to the Leader of the House:

My supplementary question relates to my previous question.

- (1) Did he communicate his information to any other person?
- (2) Was his communication of that information the reason for the asking in another place of a question relating to the waiver of the \$1 million fine?

Hon J.M. BERINSON replied:

(1)-(2)

On matters of this kind, information to a Minister is information to the Government. In accordance with that I conveyed the advice which I had received to the Acting Premier.

Hon Peter Foss: The Leader of the House has not answered the second part of my question.

Hon J.M. BERINSON: The reason I did not answer is that it is not a real question. It does not go to my responsibilities. The fact is that to whatever extent a Minister wishes to respond to a question here or in another House he has the discretion to do so.

#### BELL GROUP SHARES - NATIONAL COMPANIES AND SECURITIES COMMISSION

*Bond Corporation Fine Waiver Letter Tabling*

578. Hon GEORGE CASH to the Attorney General:

Will the Attorney General table the letter sent to the NCSC at the time a commercial settlement was being reached in 1988 in relation to the Bell share transaction when the Government approved the waiving of a \$1 million fine recommended by the NCSC to be levied against Bond Corporation?



Hon J.M. BERINSON replied:

That is not a letter within my portfolio control. I will consult the irresponsible Minister!

#### SWAN BREWERY SITE - NATIONAL ESTATE NOMINATION

579. Hon P.G. PENDAL to the Minister for Heritage:

- (1) Did the State Government play any part in having Federal authorities list the Swan Brewery site under the provisions of the national estate?
- (2) If so, what was the nature of its involvement?

Hon KAY HALLAHAN replied:

(1)-(2)

The State Government had no part in the nomination. I understand that the Brewery Preservation Society may have been the nominating body, although I am not sure. I am not aware of any State Government department involvement in the assessment by the National Heritage Council.

Hon P.G. Pendal: You did not nominate it?

Hon KAY HALLAHAN: No, that was outside the involvement of the State Government. I am not saying that the Australian Heritage Council may not have consulted State Government departments; I would be surprised if that did not happen. I am not aware of the internal processes of the commission.

#### LAND ADMINISTRATION DEPARTMENT - HANDICAPPED TEMPORARY EMPLOYEES

580. Hon CHERYL DAVENPORT to the Minister for Lands:

Can the Minister advise the current status of the two disabled people who were engaged as temporary employees of the Department of Land Administration?

Hon KAY HALLAHAN replied:

I thank the member for her question because I am very pleased to report that the Department of Land Administration is setting a fine example in its efforts to provide training opportunities and employment for people with disabilities.

In November 1989 the department contacted P.E. Personnel, an employment agency which aims to find opportunities in the work force for people with disabilities. As a result of that contact two people were engaged by the Land Titles division. The two people have adjusted well to their work requirements. I am told they demonstrate a very enthusiastic approach to their work and are enjoying the work environment. That increases their self-esteem and quality of life. The arrangement has been a great success for everyone concerned and the department has now recommended to the Public Service Commission that the officers be appointed as permanent public servants.

#### BELL GROUP SHARES - NATIONAL COMPANIES AND SECURITIES COMMISSION

##### *Bond Corporation Fine Waiver Letter*

581. Hon PETER FOSS to the Leader of the House:

Am I to understand from the answer given by the Leader of the House to the Leader of the Opposition that he is saying the letter was written by the Deputy Premier in his portfolio responsibility for the SGIO rather than being written by somebody on behalf of the prosecuting authorities?

Hon J.M. Berinson: Could I have that question again?

Hon PETER FOSS: The letter I understood the Leader of the Opposition to be referring to was the letter to the NCSC asking about the \$1 million fine. I understand that the letter was signed by the Deputy Premier. Was the letter

required to be from the Government of Western Australia? Is the Leader of the House professing that it is not within his portfolio of Attorney General because it relates to a prosecution? Why is the Leader of the House saying the letter is not within his portfolio? The Deputy Premier seems to be saying it is within the Leader of the House's portfolio because it relates to a prosecution.

Hon J.M. BERINSON replied:

It was not related to a prosecution; that is an entirely incorrect way of putting it. As I indicated earlier, the letter is not in my possession but in that of another Minister. I have undertaken to consult that Minister on his views as to the tabling of the material. I think that is a full and comprehensive reply. I do not see that there is any useful -

Hon George Cash: Under what authority is the Minister -

The DEPUTY PRESIDENT: Order! The Leader of the House is on his feet and when he sits down other members may be given consideration if there is an opportunity for future questions.

Hon J.M. BERINSON: As I was saying, I think my earlier reply was to the point and complete. It would now be appropriate for the consideration to which I have referred to be given. Let me say that there is no tradition in this Parliament - again I rely on experience of previous Governments - of responding to gratuitous requests by the Opposition to departments or authorities for material as was apparently done in this case. I would have thought, on the contrary, if the Opposition wished to pursue the question of a Minister making material available the appropriate course of inquiry would be to go to the Minister and not to the National Companies and Securities Commission. That is quite inappropriate and I believe that the NCSC has pointed that out.

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