

---

# PARLIAMENTARY DEBATES

## (HANSARD)

---

### First Session of the Thirtieth Parliament

---

*The Legislative Council was prorogued as from the 9th January, 1980.*

*The Legislative Assembly was prorogued and dissolved as from the 9th January, 1980.*

*The Thirtieth Parliament was convened for the despatch of business on the 25th June, 1980, and the first session was opened by His Excellency the Lieutenant-Governor and Administrator (The Honourable Sir Francis Burt, K.C.M.G.) on the 31st July, 1980.*

---

---

#### OPENING OF PARLIAMENT

### Legislative Council

Thursday, the 31st July, 1980

#### MEETING OF THE COUNCIL

The Legislative Council met at noon.

The PRESIDENT (the Hon. Clive Griffiths) took the Chair.

#### PROCLAMATION

The Clerk of the Parliaments (Mr J. G. C. Ashley), read the Proclamation of His Excellency the Lieutenant-Governor and Administrator (the Honourable Sir Francis Theodore Page Burt, K.C.M.G.) summoning the first session of the Thirtieth Parliament.

#### LIEUTENANT-GOVERNOR AND ADMINISTRATOR'S COMMISSION

His Excellency's Commissioner (His Honour Mr Justice Lavan, Senior Puisne Judge of the Supreme Court of Western Australia) having entered the Chamber at 12.05 p.m., a message was sent to the Legislative Assembly requesting the presence of members in the Council Chamber.

Members of the Legislative Assembly having arrived accordingly, the Commissioner requested the Clerk to read His Excellency the Lieutenant-

Governor and Administrator's Commission to do all things necessary to be done in the name and on the part of Her Majesty the Queen, or in the name and on the part of His Excellency the Lieutenant-Governor and Administrator, in order to the opening and holding of the First Session of the Thirtieth Parliament of Western Australia.

The Commission was read.

#### COMMISSIONER'S STATEMENT

The Commissioner (His Honour Mr Justice Lavan) read the following statement—

*Mr President, Honourable members of the Legislative Council and Members of the Legislative Assembly—*

I have it in command from His Excellency the Lieutenant-Governor and Administrator to inform you that, at three o'clock this afternoon, His Excellency will declare to you the causes of the calling together of this Session of Parliament; and it being necessary that a Speaker of the Legislative Assembly should first be chosen, it is His Excellency's pleasure that you, Members of the Legislative Assembly, repair to the place where you are to sit, and having been duly sworn by me in accordance with the terms of the Commission granted to me by His Excellency, you do elect your Speaker, and notify the same to His Excellency.

The Commissioner (His Honour Mr Justice Lavan) and Members of the Legislative Assembly retired from the Chamber.

### SWEARING-IN OF MEMBERS

The Clerk announced the return of writs for the election of members at the general election held on the 23rd February, 1980, showing that the following had been duly elected—

- East Metropolitan Province—  
Robert Hetherington.
- Metropolitan Province—  
Ian George Medcalf.
- North Metropolitan Province—  
Peter Henry Wells.
- North-East Metropolitan Province—  
Joseph Max Berinson.
- South Metropolitan Province—  
Howard William Olney.
- South-East Metropolitan Province—  
Phillip George Pental.
- Central Province—  
Harry Walter Gayfer.
- Lower Central Province—  
Alexander Ashley Lewis.
- Lower West Province—  
Ian George Pratt.
- South Province—  
Thomas Knight.
- South-East Province—  
James McMillan Brown.
- South-West Province—  
Graham Charles MacKinnon.
- Upper West Province—  
Margaret McAleer.
- West Province—  
Gordon Edgar Masters.
- Lower North Province—  
Philip Harry Lockyer.
- North Province—  
Peter M'Callum Dowding.

These members took and subscribed the Oath of Allegiance, or made and subscribed the affirmation required by law, and signed the Roll.

**THE PRESIDENT** (the Hon. Clive Griffiths): Honourable members, I extend my congratulations to all those members who have just been sworn in. I now suspend this sitting until the ringing of the bells.

*Sitting suspended from 12.31 p.m. to 3.00 p.m.*

### LIEUTENANT-GOVERNOR AND ADMINISTRATOR'S SPEECH

#### *Delivery*

His Excellency the Lieutenant-Governor and Administrator (the Honourable Sir Francis Theodore Page Burt, K.C.M.G.) entered the Council Chamber at 3.05 p.m.; and, the members of the Legislative Assembly having also attended in the Chamber obediently to summons, His Excellency was pleased to deliver the following speech—

*Mr President and Honourable Members of the Legislative Council:*

*Mr Speaker and Members of the Legislative Assembly:*

I am honoured to be presiding at the opening of this the First Session of the 30th Parliament.

Since Parliament last met, the State has farewelled His Excellency, Air Chief Marshal Sir Wallace Kyle, who will complete a term of nearly five years as Governor on September 30.

Sir Wallace represented Her Majesty The Queen and served Western Australia with great distinction. The goodwill and affection of the people of this State will follow him and Lady Kyle in all of their future undertakings.

As Western Australians, we can look back with pride on 1979, a memorable year in which we celebrated our State's 150th anniversary.

The anniversary gave us an opportunity to reflect on a century and a half of achievement. At the same time, it gave us sound cause to look forward to the future with confidence.

Highlights of a year of celebrations included visits by His Royal Highness The Prince of Wales, His Royal Highness The Duke of Edinburgh and Her Royal Highness The Princess Anne.

Official involvement of the Prime Minister and Commonwealth Government, as well as that of some State Premiers, was greatly appreciated.

In particular, we were indebted to the Prime Minister for his personal interest and for his Government's assistance in two major events—the *Parmelia Yacht Race* and *Military Tattoo*—and in the establishment of an international hockey stadium at Bentley.

Joint Legislative Council and Legislative Assembly elections conducted on February 23 this year resulted in the re-election of the Liberal-National Country Party Government.

Since the end of the 29th Parliament there have been a number of retirements from active political life.

Members who retired included the then Deputy Premier, the Honourable Sir Desmond O'Neil; a former Attorney-General, the Honourable T. D. Evans; a former Minister for Local Government, the Honourable R. H. C. Stubbs, and a former Minister for Police, the Honourable R. Thompson.

We pay tribute to these and to other former Honourable Members who served Parliament and the people of Western Australia.

At the same time, we welcome the Legislative Council's seven new Members and the Legislative Assembly's four new Members.

With profound regret I refer to the deaths of four former Parliamentarians. They were a former Premier, the Honourable Sir David Brand; a former Minister, the Honourable E. K. Hoar; a former Speaker, the Honourable C. F. J. North, and a former Member of the Legislative Council, the Honourable G. Bennetts.

The late Sir David Brand retired from the Parliament in 1975. He was Member for Greenough for 30 years and, during that time, served a record term as Premier of this State from 1959 to 1971. This Parliament has been enriched by the natural wisdom, integrity and leadership which he displayed during a memorable term of membership.

#### *The Economy*

Despite a recent lift in the rate of inflation and mounting wage pressures, the competitive position of the Australian economy has been improving.

Inflation is now below the average for industrialised member nations of the Organisation for Economic Co-operation and Development.

This is encouraging in view of the importance of Western Australia's overseas sales and its need to generate further export-oriented economic growth to reduce the presently unacceptable level of unemployment.

Further economic improvement in 1980/81 will depend on the success which is achieved in maintaining a tight rein on currently emerging wage-cost pressures.

The Government is particularly concerned about disruptive economic and social effects which could flow from irresponsible demands for increased wages, salaries and conditions.

Any significant additions to labour costs, which are not matched by increased productivity, can

only add to the difficulty of creating employment opportunities for those currently out of work.

Western Australia is reasonably well-placed to adjust to economic dislocation caused by escalating fuel oil prices. It is encouraging that the Loan Council recently approved a special addition to infrastructure borrowing to permit a start on construction of a further 400 megawatts of coal-fired generating capacity at Muja power station.

#### *State Finances*

The target of a balanced Consolidated Revenue Fund Budget in 1979/80 was achieved notwithstanding significant salary and wage award increases.

Both actual revenue and expenditure exceeded the Budget estimate of \$1 618.7 million by \$22.2 million.

Excess expenditure was attributable mainly to salary and wage award increases, sharp increases in petroleum product prices and Government assistance to victims of natural disasters such as drought and cyclones.

Land Tax, Stamp Duty, Payroll Tax and Probate Duty were the principal sources of additional revenue although the amount received from Probate Duty was less than for the previous year as a result of the Government's policy to abolish Probate Duty on the estates of persons dying on or after January 1 this year.

The 1979/80 General Loan Fund Budget was framed against the background of a particularly tight financial situation for capital funds to the extent that it was necessary to utilise \$25.5 million that would normally be part of the Consolidated Revenue Budget.

Despite the shortage of funds for capital works, the Budget provided for a reasonable growth rate. Expenditure from the General Loan Fund amounted to \$152.4 million in 1979/80.

#### *State Taxation*

The Government has appointed a committee to investigate anomalies in taxes, charges and rates related to land values caused by inflation and steep rises in values.

#### *Resources Development and Energy*

With capital outlay on industrial and resource development projects expected to exceed \$12 000 million in the 1980's, Western Australia's position as one of the world's most attractive centres for investment and employment is assured—if we can overcome the growing tide of overseas criticism of our industrial unrest.

The value of mineral, oil and gas production in 1979 rose to \$2 135 million.

With ocean freight costs rising sharply, our State stands to benefit from its relatively close proximity to Japan and other South East Asian markets. Accordingly, the Government is advocating a stronger reliance by these markets on our mineral exports. Discussions are taking place on the opening up of new iron ore sources in the Pilbara with a decision expected this financial year.

Investment of more than \$2 000 million in Western Australia's bauxite/alumina industry has been approved, setting the stage for the State to become the world's foremost producer of alumina. Studies and discussions are also well advanced for an aluminium smelter in the South West by the mid-1980's.

Important decisions have cleared the way for the \$5 000 million North West Shelf Gas Project. These measures included Commonwealth granting of export permits for liquefied natural gas and the execution of a formal agreement between project consortium members and the State Government.

The consortium's managing company, Woodside Petroleum Limited, has reached agreement in principle with seven international banks for a loan of \$1 150 million for the first significant Australian component of the project—the largest single fund-raising ever achieved by an Australian company.

Meanwhile, an intensive oil and gas exploration programme is proceeding both on-shore and off-shore.

Significant growth in coal production will occur through the decade as the State Energy Commission converts oil-fired generating capacity and builds new capacity based on coal.

Work is well advanced on construction of a Kalgoorlie pilot plant for the State's first uranium project at Yeelirrie.

Having spent \$21 million on exploration and development, the Ashton Joint Venture appears set to establish a commercial diamond mine based on its Argyle project in Kimberley—with work proceeding in other parts of this region.

The Commonwealth Parliament has approved Bills which give effect to the off-shore control settlement reached at the Premiers' Conference last year. Most important aspects for Western Australia are the extension of State powers in the territorial sea and the vesting of title to the seabed in the State.

Return of the territorial sea to the State and sharing with the Commonwealth of responsibilities beyond territorial waters can only enhance resource development projects such as those going forward on the North West Shelf.

To ensure development of natural resources to the maximum benefit of all Western Australians, while stepping up its programme to diversify secondary industry and assist small business, the Government has divided the Department of Industrial Development into two portfolios.

These are Resources Development (co-ordinating resource developments, mining, and fuel and energy) and Industrial Development and Commerce (serving manufacturing, service industries, general trade and smaller businesses).

#### *Industrial Development, Commerce*

The Government has announced further incentives to assist existing industries, encourage new industrial enterprise and help create more employment opportunities.

Major innovations include capital grants for approved new industries, a residual indemnity scheme to assist borrowing by approved small businesses and provision of factory buildings for lease to small industries with growth prospects.

The Government also is establishing a private company, Western Australian Small Business Services Pty Limited, to advise and promote small businesses.

#### *Agriculture*

The gross value of agricultural production in 1979/80 rose by five per cent to a record \$1 524 million. In real terms, this was 11 per cent more than the average of the 1970's.

The 1979/80 wheat crop totalled 3.74 million tonnes, worth \$500 million, from 4.124 million hectares sown. Wool receipts amounted to \$344 million for a total clip of 158 million kilograms—three per cent more than in the previous year.

The demand for sheep meat remains firm, with price gains forecast for the rest of the year, while the outlook for pig meat producers is also encouraging.

Apple production reached 2.7 million bushels during 1979/80 and the local industry is making strong efforts to expand its exports to new Asian markets. The opening of an apple-juicing plant at Capel this year was welcomed by the industry.

Seasonal conditions, however, have been reflected in mixed fortunes. By April this year, State and Commonwealth drought relief aid to

Western Australian farmers since 1976 had totalled more than \$43 million.

Our sympathy goes out to those who have suffered loss from drought, cyclones and floods. We admire their resilience, hard work and faith which has done much to minimise such severe setbacks.

### *Transport*

Despite a lack of adequate Commonwealth road funds, the Government continues actively to develop the State's road system.

The national highway between Port Hedland and Broome is being sealed. It is planned to complete this massive task this year, thus providing a sealed road between Kimberley and the remainder of the State.

Construction of a \$35 million extension of the Kwinana Freeway from Canning Highway to Bull Creek will be completed early in 1982. A key element, the Mt Henry Bridge, will be the longest road bridge in the State.

Rail haulage of freight, particularly minerals and other bulk commodities, is expected to increase significantly over the next five years and special-purpose wagons for bulk freight are being built.

The first stage of the Government's new Land Freight Transport Policy was implemented earlier this year and a greater user choice between road and rail transport will be available.

Promotion of public passenger transport through improved services, comfortable vehicles and public transit lanes, will continue.

Following the introduction of the motor vessel "Kimberley" into service in 1979, the Government has approved the acquisition of two further Multiflex vessels in a fleet replacement programme for the Western Australian Coastal Shipping Commission.

The Government will continue to press the Commonwealth for important early modification of the domestic two-airline system and for a more equitable fare structure.

### *Health Services*

Expenditure on Western Australian public hospitals, nursing homes and health services in 1979/80 totalled \$433.7 million including \$50.1 million on capital works.

Work proceeded on major complexes at Fremantle and The Queen Elizabeth II Medical Centre at Nedlands, and new hospitals were completed at Wanneroo and Leonora. Multi-stage redevelopments were started at Broome and

Kalgoorlie hospitals and a replacement hospital is being built at Donnybrook.

Planning is now under way for extensions, improvements and new facilities at other centres. These include the new Nickol Bay hospital and extensions at Bentley, Osborne Park, Pinjarra and Port Hedland hospitals.

The Mental Health Services' new Bennett Brook complex, designed to provide accommodation for intellectually handicapped people, will be commissioned in March and planning of the replacement Swanbourne Hospital is proceeding.

### *Education*

Education will be advanced on the premise that its prime purpose is to prepare young people for life and work and enable school-leavers and adults to extend their studies or re-train as desired.

Expenditure of \$371 million on education in 1979/80 represented 23 per cent of total Consolidated Revenue Fund expenditure. Additional capital funds of \$40 million were allocated for the period.

Average pupil-teacher ratios for both primary and secondary classes fell. One high school and 12 primary schools were opened during the period.

Technical education facilities are being expanded to meet the needs of 140 000 people enrolling annually for technical courses.

The new Western Australian Art Gallery was opened in October, work on a new State Library building began in November and the restored His Majesty's Theatre was re-opened in May.

### *Housing*

The State Housing Commission in 1979/80 built more than 800 accommodation units for low and moderate income earners and continued its programme of upgrading and renovating older housing units.

The Commission's programme for 1980/81 will continue on a scale to enable it to hold waiting lists at the present satisfactory level.

### *Water Resources*

The water requirements of domestic and industrial users and water charges are being kept under review. An up-to-date inventory of resources is being matched against estimated demands projected well into the next century. Studies to research domestic water use and the recharging of aquifers are being undertaken.

The Perth water supply has been augmented with completion of the Wungong Dam and commissioning of the first stage of the Jandakot

Groundwater Scheme. The first stage of the De Grey River water supply scheme in the Pilbara has been commissioned also.

A long-term reforestation programme is being carried out on the Wellington Dam catchment area to counter inflow salinity, and research into water salinity is being expedited.

#### *Local Government*

Recognising the vital role of Local Government in State development, the Government will legislate where necessary to ensure that local authorities function effectively in changing times. In assisting Local Government to meet its full commitments, the State Government will ensure there is no reduction of local responsibility.

#### *Lands*

The use of land as a resource is being reviewed.

A report on the pastoral industry has identified areas where steps can be taken to overcome some difficulties caused by drought and unfavourable economic conditions.

Research is being carried out on the impact of various land uses on soil salinity, including innovative measures such as agro-forestry to overcome any adverse effects of clearing for farms in certain cases.

An improved economic outlook for rural producers has prompted the Government to re-examine vacant Crown land with a view to enabling those with farming experience, but insufficient capital to buy established farms, to develop farms of their own.

#### *Community Welfare*

In the field of community welfare, the Government will place greater emphasis on efforts to maintain, encourage and strengthen the family as the primary unit in our society.

To this end, a State Advisory Committee will be established to advise the Government on the development of a Family Policy.

#### *Aboriginal Affairs*

The Government is committed to assist Aborigines to become self-supporting within their chosen lifestyles, whether these be tribal, rural or urban.

It will continue to pursue a policy of protection for genuine, identified Aboriginal sacred sites while ensuring that the needs of the wider community are not ignored and that development of the State's natural resources is not unreasonably impeded.

#### *Defence*

The Government welcomes the Commonwealth's proposed expansion of defence facilities in Western Australia and will collaborate in these developments, especially where access to additional land areas is involved.

#### *Labour and Industry*

The Prime Minister and State Premiers have initiated as a top priority the first major review by a working party of the industrial relations system as a whole with a view to achieving greater uniformity of legislation and closer co-ordination.

The Government remains concerned about the incidence of industrial disputes which are costly to employees, their families and employers. These disputes are seriously endangering the nation's future by causing adverse reaction in countries which are important as markets and as sources of capital.

#### *Department of Corrections*

Security is the prime objective of a building programme to improve the Western Australian prisons system which has been approved for completion by 1984.

The \$4.6 million C. W. Campbell Remand Centre at Canning Vale has been opened to accommodate persons remanded in custody pending hearing of their cases.

Work has commenced on the \$11 million medium-security prison at Canning Vale for 248 inmates. Future prisons will be built to house no more than 250 prisoners and no fewer than 100.

#### *Fisheries, Conservation and the Environment*

The Government will continue to maintain high standards of environmental concern in industrial development.

A major study on South West conservation—the System Six Report—will be made available for public comment in September. The formation of a Marine Studies Group will strengthen the Government's role in the important field of marine pollution.

The declaration of the 200-nautical mile exclusive fishing zone has increased the State's responsibility to monitor and manage all activities which affect fishery resources within the zone. Participation in a joint Commonwealth-State evaluation of offshore fishery resources represents a major commitment.

#### *Tourism*

The Government will continue to press the Commonwealth to upgrade Perth Airport

facilities to enable Western Australia to win an ever-increasing share of international and interstate tourist and travel business.

A number of new initiatives are proposed by the Government to step up all branches of the tourist business with a realistic approach to the impact of the current energy situation.

#### *Proposed Legislation*

I now refer broadly to Bills which will be placed before Parliament during the Session.

These include Bills to provide for:

The introduction of a redrafted and updated Prisons Act.

Western Australia's first Act of Parliament dealing comprehensively with all aspects of bail.

This State's participation in the National Companies and Securities Commission which is designed to operate in all States and mainland Territories.

Establishment of the Western Australian Mining and Petroleum Research Institute, and establishment of a Dampier Port Authority.

It is also proposed to amend the following Acts: Industrial Training Act, Workers' Compensation Act, Hire Purchase Act, Consumer Affairs Act, the Bread Act, Aboriginal Heritage Act, Rural Youth Movement Act, Education Act and Perth Theatre Trust Act.

Other legislation will include Bills to:

Bring the Fisheries Act into line with the Commonwealth Fisheries Act to enable arrangements to be established for offshore fisheries.

Amend the Land Act, particularly that part relating to pastoral leases.

Amend the Western Australian Marine Act and the Marine Navigation Aids Act.

Update both the Town Planning and Development Act and the Metropolitan Region Town Planning Act.

Regulate and control the work of settlement agents.

Remove Part Six A of the Police Act and incorporate it and other relevant legislation into a separate Act dealing with the misuse of drugs.

Prohibit any action which might render people incapable of voting.

Implement a new and improved Superannuation Scheme for all Local Government employees.

---

Mr President and Honourable Members of the Legislative Council; Mr Speaker and Members of the Legislative Assembly; I now declare this Session of Parliament open and trust that Providence will bless your labours.

His Excellency and the members of the Legislative Assembly then withdrew from the Chamber, and the President resumed the Chair.

---

## INVENTIONS

### *Assessment and Protection: Petition*

**THE HON. F. E. MCKENZIE** (East Metropolitan) [3.49 p.m.]: I wish to present a petition from residents of Western Australia praying that Her Majesty's Government and members of all Parliaments will initiate and support amendments to the relevant legislation, including the Inventions Act, 1975, and the Solar Energy Research Act, 1977, to provide for certain things. The petition contains 15 signatures, and bears the certificate of the Clerk that it is in conformity with the Standing Orders. The petition reads as follows—

To the Honourable President and members of the Legislative Council of the Parliament of Western Australia in Parliament assembled.

We the undersigned residents in the State of Western Australia pray that Her Majesty's Government and members of Parliament will initiate and support amendments to relevant legislation including the Inventions Act 1975 and the Solar Energy Research Act 1977 to provide for:—

1. Fair hearing of inventors by assessing bodies including full disclosure by such bodies to inventors of all criticisms of their inventions so that the bodies can consider inventors responses before making their recommendations.

2. Inventor's prior agreement to any member of any assessing body or any other person being given details of their inventions to reduce the risk of assessment by opponents and so that inventors can be aware of the extent of circulation of information concerning their inventions which they may need to keep secret to safeguard ongoing patenting procedures.
3. Supply by assessing bodies to inventors of complete copies of assessments made of their inventions and reasons for assessing body decisions.
4. Independent appeal avenues so that inventors can appeal against any criticisms, assessments or reasons that are demonstrably invalid.

Your petitioners therefore humbly pray that your honourable House will give this matter earnest consideration and your petitioners as in duty bound will ever pray.

I move—

That the petition be received, read, and ordered to lie upon the Table of the House.

Question put and passed.

*The petition was tabled (see paper No. 2).*

### QUESTION

Question without notice was taken at this stage.

### ADMINISTRATION AMENDMENT BILL

*Leave to Introduce*

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [4.00 p.m.]: In order to assert and maintain the undoubted rights and privileges of this House to initiate legislation, I move, without notice—

For leave to introduce a Bill for "An Act to amend the Administration Act, 1903-1979".

Question put and passed; leave granted.

*Introduction and First Reading*

Bill introduced, on motion by the Hon. I. G. Medcalf (Leader of the House), and read a first time.

### LIEUTENANT-GOVERNOR AND ADMINISTRATOR'S SPEECH

*Distribution of Copies*

**THE PRESIDENT** (the Hon. Clive Griffiths): I have to announce that for the sake of accuracy I have obtained copies of His Excellency's Speech which will now be distributed to members.

### ADDRESS-IN-REPLY: FIRST DAY

*Motion*

**THE HON. R. J. L. WILLIAMS** (Metropolitan) [4.03 p.m.]: I move—

That the following Address be presented to His Excellency—

May it please Your Excellency: We, the Members of the Legislative Council of the Parliament of Western Australia, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the Speech you have been pleased to deliver to Parliament.

Mr President, it is indeed an honour and a privilege to move this motion in this the first session of the Thirtieth Parliament.

May I first of all take the opportunity of congratulating all those who have been either re-elected or elected for the first time and wish them well in their chosen career. As a chastening thought, I may add there are now only six members sitting in this Chamber who were here prior to the election of 1971 which saw the arrival of six new members, of whom I happen to be one. There have therefore been 26 new members in this House in nine years and that, by any standard, is quite a turnover. In the past in this place we have been accused of being the "old men's home". Today the average age of this House is 49 years and the other place boasts an average age of 47½ years. Since 1971, following the election held in that year, 28 members have retired, 12 have been defeated, and 12 deceased, making a total of 52 who are no longer on the parliamentary scene.

May I take this opportunity, Mr President, of congratulating the Hon. Ian Medcalf on his election as Leader of the House, the Hon. Gordon Masters on his elevation to the ministry, and the Hon. Norman Moore on his being selected to become the Secretary of the Cabinet. They can rest assured that their colleagues will support them in their duties in the years to come.

Mr President, it was pleasing to me personally—and I am sure the House would wish to be associated with me in this regard—to congratulate the Hon. Graham MacKinnon on his recent award of the C.M.G. Nothing more I could say would enhance this award; his record of service to his country and to his State speaks for itself and it needs no oratorical embroidery.

Previous speakers in the Address-in-Reply have brought to the attention of this House many interesting topics and have very nearly always



associated them with the workings and meanings of their electorate to them; and if anyone took the trouble to read their speeches diligently, he certainly would become better informed about this vast State of ours.

I can see no reason for that format to be altered, and as I am speaking from the heart of my electorate this afternoon, I would only wish to remind myself and my colleagues and indeed the captive audience that I have this afternoon—I am not sure who is the captive audience—of the proper role of Parliament, as I see it, in our present-day society.

When I first came here, Mr President, a rather cynical member told me two things about speeches. The first was that they should be compared with a lady's dress—long enough to cover the subject, but short enough to be interesting. Secondly, if we, as members, wished to measure the success of our speeches, it could be done in the following manner: Look in *The West Australian* the following morning and if one rated only a sentence or two or if one were completely ignored, then one knew the speech was good and intelligent. If one were reported at length, one would be suspected of having bribed a journalist, or the editor was particularly short of news on that day.

Seriously, Mr President, it is time the public at large were reminded that despite some deficiencies which are inevitable—as perfection has never yet been achieved in any man-made system—Parliament still stands as the supreme court of this land.

We should remind ourselves that the business of the Parliament is to benefit by legislative measures and inquiry the majority of the people of this State, whilst making absolutely sure that minorities are not forgotten.

Whilst the role of Parliament has never changed since its inception, attitudes towards it have done so, sometimes justly and for the benefit of the populace at large, but sometimes unjustly by a vociferous minority who act with complete disregard for anything but their own selfish gains and pursuits. They establish what are popularly called "pressure groups" and proceed to threaten the very institution and its membership, which we have sworn to uphold.

By the behaviour of some members of Parliament, the institution can be brought into contempt unless there is machinery for the members' behaviour to be regulated.

The Standing Orders of this place and, indeed, of the other place, have of Parliament, the

genuine member in his attempt to represent fairly the electorate for which he is the elected incumbent.

I have never had any misconceptions about my role in this place—it is simply as an elected servant of the public. If I carry out this role to my electors' satisfaction, then they will let me continue; if not, then they have the right and the ability to dismiss me.

Pressure groups, lobbyists, and other organisations have a point of view which they like to develop. Some do it in a sensible and effective way, others do it in a way which causes people to not even consider the subject because of their unruly and sometimes most reprehensible behaviour. No Parliament worth its salt is ever going to be swayed by any of the latter groups.

Wiser men than we sought and initiated the separation of the functions of the Legislature and the judiciary. The skeletons of law which we manufacture by various Acts of Parliament, have the flesh and clothing put on them from the mouths of the judges. In only a minority of cases does this create a nasty little monster and this creation can be altered quickly by common sense to the satisfaction of all parties. Sometimes Parliament has to do its work again. In spite of what anyone may say, Parliament represents the people. It is still supreme and may it ever remain so.

Today, however, there is an ever-increasing trend to usurp the role of Parliament and to appoint experts in its place. Unfortunately, this involves the judiciary. A panacea for anything which goes wrong in the community seems to be a Royal Commission with a judge at its head. Never has there been such a stupid waste of a man's talent. Judges, after long and arduous training, are there to adjudicate on points of law in relation to facts. These facts are uncovered by investigation. It is wrong to expect the judge in his role as interpreter of the law, to be the investigator as well. The judge should not be deflected from his judicial role and turned into an administrative tribunal servicing one of the departments of government.

As far back as 1924, the Chief Justice of Victoria refused to allow any of his judges to sit on any court or commission of inquiry and his successors have continued this commendable practice. Certainly, the Chief Justices of this State always have been reluctant to allow their colleagues or themselves to be implicated in inquiries and commissions, and I hope they will continue to do so.

When there is confusion in the community over most issues, it is the responsibility of the Government of the day to clear it up as quickly as possible and the method of clearing it up should be to employ the members and officers of Parliament to do it. That is their role; this is what they were elected for. Perhaps we in Parliament sometimes forget that this is a part of the job.

In recent times party politics have become polarised, political in-fighting has become based on character assassination rather than on well-held, sound, political principles. We, of the Liberal Party, do not have all the answers. We are not always right, but neither is any other party. Because we are all human beings, we all make mistakes. Being in Opposition does not imply complete negation of every Government act. Being in Opposition means being the watchdog to ensure that no Government runs to any absurd excesses in its function—and it is a very important role. There is no credibility to any inquiry where party politics interfere, particularly when it is not a party political matter.

There are those who would make every issue a party political matter. I grow more amazed each day, Mr President, listening to the help which people seek from commentators in the media. They are given solutions to their vexed problems and the politician is then berated and castigated by the same commentators for their inaction or lack of common sense; it is not unknown for clergymen of every denomination, past and present, to have their "shot" when they feel like it. How easily are these solutions given when no responsibility is attached to them. The clergy, because of their cloth, do not possess any God-given wisdom on secular matters. Some of them find this out when they have secular decisions to make which the great unwashed public will not accept.

Every person in the community has the right to criticise the performance of any Government or its members, but lately, all around the world, we have seen well-orchestrated attacks on the Establishment. There has always been this move afoot to level the world down, but when one sheels home the responsibility, then the critics fly for cover.

In 1980 in this State, we stand on the threshold of an expansion which is awe-inspiring—an expansion which is going to call for every person and organisation to gear up and to be ready to grasp the opportunities that are going to be created. I do not speak just of industrial

opportunities for they are bound to become legion. There are other areas where Government has to become involved, where the church has to become involved, where the judiciary has to become involved, and the involvement in every field is not with anything other than the people and Governments and politicians and judiciary and judges and churches and clergy sometimes lose sight of the fact that the essential ethos of their being is people.

When times and circumstances change with rapidity that is breathtaking, then those organisations which are not prepared are left wallowing and floundering. And if one cares to open a window onto the world and look backwards, one finds that both church and State have been caught napping in their time. It has then required superhuman efforts on behalf of both church and State to put things right and, usually, at a terrible expense to the people, and I do not mean just a monetary expense.

In the 1980's we will have to reaffirm and strongly reinforce the institution of Parliament. We will have to show the people that this is, and always will be, the highest court in the land—untainted, incorruptible, and active in the affairs of State for which purpose it has been created by its electors.

Mr President, it needs each and every member to rededicate himself to this purpose and when asked in which profession he serves, to say proudly, "I am a servant of the people—I am a member of Parliament"; and by the very attitude of members of Parliament, people will grow to hold them in greater respect than they do today.

Mr President, I thank you, the House, and its invited guests for the courtesy they have extended to me this afternoon, and perhaps I should finish on the catchery used by a popular radio personality cleric of today and I quote, "I am John Williams and that's my view."

**THE HON. P. G. PENDAL** (South-East Metropolitan) [4.19 p.m.]: I formally second the motion.

Debate adjourned, on motion by the Hon. D. K. Dans (Leader of the Opposition).

#### ADJOURNMENT OF THE HOUSE

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [4.20 p.m.]: I move—

That the House do now adjourn.

*Electoral: Weighted Voting System*

**THE HON. D. K. DANS** (South Metropolitan—Leader of the Opposition) [4.21 p.m.]: I rise deliberately to break tradition at this opening of the Thirtieth Parliament in order to draw attention to the fact that although Western Australia may have a representative system of government based on the British system of the nineteenth century, it has never had a democratic Parliament.

All Western Australia has had are the signs and symbols of a democratic State. We have never had the substance of democracy.

In this twentieth century Parliament of Western Australia we still hold to some of the traditions and paraphernalia which are powerful reminders of the struggle over the centuries to create a representative and democratic Parliament in England.

The Usher of the Black Rod, the Sergeant at Arms, the Mace, and, in the Legislative Assembly, the very office of Speaker, and the fact that the Monarch's representative may attend only in this House of the Parliament remain as tangible reminders of the long, drawn-out struggle for the attainment of parliamentary democracy in the United Kingdom.

In Western Australia in this Parliament, we have but the reminders of the struggle for parliamentary democracy in England; however, we lack the substance. The battle for parliamentary democracy has yet to be won in Western Australia.

It is a fundamental principle of democracy that every citizen, that every elector, must have an equal voice in choosing the Government that is to run the community's affairs. But in Western Australia, the electoral system is such that some citizens speak with a much louder voice than others. If the will of the people prevails after an election in Western Australia it is luck, not because the system is fair or honest or equitable.

This is because in Western Australia the law sets arbitrary boundaries dividing the State into three voting zones. The result is that, in fact, every two electors who live in the metropolitan area are regarded as equivalent to one elector in the so-called mining, agricultural and pastoral zone. In other words, every country elector is regarded as being worth two city electors, or, conversely, a metropolitan elector's vote is worth only half that of a country elector's vote.

The Hon. W. R. Withers: And the last literature you invited this House to read was printed in Moscow.

The Hon. D. K. DANS: I do not wish to keep the House for longer than is necessary; however, if Mr Withers wants to interject, I am quite prepared to answer him.

The Hon. W. R. Withers: It was printed in Moscow!

The PRESIDENT: Order!

*Point of Order*

The Hon. N. E. BAXTER: Mr President, I draw your attention to Standing Order 73 which states—

Except when introducing a Bill or by leave of the President, no Member shall read his speech.

The PRESIDENT: Order! I draw the attention of the Leader of the Opposition to that Standing Order and ask him whether he is reading his speech or referring to notes.

The Hon. D. K. DANS: Mr President, I am referring to notes. Might I add that I paid Mr Williams the courtesy of not objecting when he read from prepared notes in moving the Address-in-Reply. You know very well, Mr President, that I rarely use notes in this House. If you wish me to put my notes away, I will be very happy to do so; however, it will take me much longer to finish my speech.

The PRESIDENT: Members are aware of the rules of this House. I have asked the Leader of the Opposition whether he was reading his speech and he has indicated he has been referring to notes. The Chair accepts the assurance of the Leader of the Opposition, and I therefore ask members to refrain from interjecting.

*Debate Resumed*

The Hon. D. K. DANS: Thank you, Mr President; I will continue to refer to my notes.

This is a negation of democracy.

At the recent election for the Legislative Assembly, 715 222 electors were enrolled for the 55 seats—an average of 13 004 for each seat. But in the metropolitan seats the average enrolment was 17 407 and in the so-called non-metropolitan seats it was a mere 8 757.

The seat with the biggest enrolment—Whitford—contained 27 944 electors, but the smallest seat—Murchison-Eyre—contained only 2 013. There were 13.8 times as many people in Whitford as in Murchison-Eyre, but the two electorates have equal voting power in this Parliament.

The metropolitan zone contains 65.7 per cent of all electors, but has only .49 per cent of the

Assembly seats, whereas so-called non-metropolitan electors comprise only 34.3 per cent of all electors, but have 51 per cent of seats.

This means that a party can win a majority of the Assembly seats and, therefore, form Western Australia's Government, even though it is supported by only one-third of electors.

In the Assembly the 245 216 so-called non-metropolitan electors have 28 votes on any issue, but the 470 006 metropolitan electors get only 27 votes.

Where is the fairness, the justice, or the democracy in that?

The perversions are even more gross in the Legislative Council, where 65.7 per cent of electors elect only 37.5 per cent of members.

The biggest province—North Metropolitan—contains 96 791 electors and the smallest—Lower North—only 6 020 electors. Even though North Metropolitan Province contains 16 times as many people as Lower North Province, it sends only the same number of members to the Legislative Council.

Since every member of Parliament, no matter how many people he or she represents, has the same voting power in Parliament, the electors of Lower North Province have 16 times as much voice in determining the Government and the State's laws as the people of North Metropolitan Province.

On matters coming before the Council, the 245 216 so-called non-metropolitan electors are represented by 20 members, but the 470 006 metropolitan electors are represented by only 12 members.

Where is the fairness, the justice, or the democracy in that?

Western Australia will be able to claim that it is a democracy only when every elector has a vote of the same value as every other elector.

This is not the view only of the Australian Labor Party. The United Nations' Declaration on Human Rights, to which Australia is a signatory, says that, "the will of the people . . . shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage . . ." As I have shown, suffrage is far from equal in Western Australia.

The United States Supreme Court ruled many years ago that voting systems which did not give equal weight to every vote were undemocratic and, in the USA, illegal.

Even a former president of the Liberal Party's South Australian branch has said that, "the essential feature of any fair electoral system must

be that any party or coalition which obtains 50 per cent plus one of the two-party preferred vote should be able to form a Government".

Yet in Western Australia weighted voting ensures that a Government can be elected with substantially less than half the vote.

The arguments most often advanced to justify Western Australia's undemocratic system of weighted votes are that country people need extra representation because of their distance from the capital city and that without it, country electorates would be unreasonably large.

The Hon. W. R. Withers: Do you advocate the Russian system?

The Hon. D. K. DANS: I will deal with Mr Withers later.

These justifications ignore the crucial consideration: Members of Parliament are elected to determine who shall form the Government. That is what elections are about and what electors are deciding when they choose members of Parliament.

The role members play as unqualified social workers and useful community figures, helping their constituents with problems and opening fetes, is important, but it is not the principal reason for their election.

Every citizen is regarded as equal before the law; therefore, fairness demands that every person should be equally represented in deciding what the law should be and which Government is to administer it. This does not happen in Western Australia.

Members of Parliament should represent electors—not sheep, not acres, not kilometres from the capital.

But even if there were democratic validity in arguments based on distance, the Western Australian system makes a farce of them. At the last election, the Assembly electorate of Pilbara, many hundreds of kilometres from Parliament House, contained more electors than 13 electorates within 20 kilometres of Parliament House.

The boundary between so-called metropolitan electorates and so-called country electorates runs down the middle of a main street in Armadale. People on one side of this suburban street have many times the voting power of people on the other side.

The Hon. I. G. Pratt: Did you see how many people came to protest from the area you are talking about?

The Hon. D. K. DANS: Yet our electoral system provides also that Esperance people get no

more voting power than those living on the "country" side of Armadale, even though they are hundreds of kilometres further from Perth.

The Hon. W. R. Withers: Tell us about your admiration for the USSR.

The Hon. D. K. DANS: I will ignore that interjection. Perhaps one of these days I will answer the member when he makes a sensible interjection.

The Hon. W. R. Withers: You made the recommendation.

The Hon. D. K. DANS: Our unfair electoral system does not even do the job its apologists claim it does.

If a citizen or groups of citizens suffer a disability, whether it is geographic, social, medical, or whatever else, they are entitled to expect assistance from the community in overcoming it. But no disability is overcome by giving those who suffer it disproportionate power in running the affairs of the whole community.

There is no doubt that people living in remote areas suffer disabilities in communicating with their members of Parliament, which disabilities are not suffered by city people, but the remedy does not lie in watering down the democratic rights of city people.

The disabilities of remoteness and difficult communications are not reduced an iota by having disproportionate power in shaping the State's laws and policies or in choosing the Government.

The only real remedy lies in giving members of Parliament and their electors greater access to the modern means of communication which will put them in touch with one another.

We in the opposition call for an end to the malapportionment of the seats in this Parliament.

We call for an inquiry by the Chief Justice of the State into the provisions of the Electoral Districts Act and for a report from him on how they might be amended to measure up to the principles of fairness and democracy.

Until every elector has a vote equal in value to that of every other elector, Western Australians will not have an equal say in choosing the Government, deciding Government policies, or making the laws.

Until every elector has an equal say, this Parliament will be a meaningless sham and Western Australia will not be a democracy.

Mr President, I realise I have broken tradition and as Leader of the Australian Labor Party in this House I have not done so lightly. I have done so because I believe that it is essential that the people of Western Australia become aware of the need to take the steps necessary for this State to enter the twenty-first century as a real democracy.

I hope the Government may heed our words.

The Hon. A. A. Lewis: I ask that the Leader of the Opposition's copious notes be tabled.

The PRESIDENT: The notes will be tabled.

*The notes were tabled (see paper No. 135).*

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [4.33 p.m.]: It is most regrettable that the Leader of the Opposition has broken with tradition and introduced what can only be described as blatantly political matter on a public and ceremonial occasion. This is a cause for regret. I do not propose to emulate the Leader of the Opposition by doing the same thing. I can say only that an adequate reply will be given on a more appropriate occasion.

Question put and passed.

*House adjourned at 4.34 p.m.*

## QUESTION WITHOUT NOTICE

## EXPLOSIVES

*Warnbro Area*

1. The Hon. NEIL McNEILL, to the Leader of the House:

- (1) Will he make a brief statement to the House on the progress of the artillery shells and explosives disposal project at Warnbro?
- (2) Has consideration been given to extending the search area to include other land, including residential land in the vicinity?
- (3) Will he arrange an opportunity for an on-site collective briefing on facilities and techniques for all local, Federal and State parliamentary members representing the area?

The Hon. I. G. MEDCALF replied:

- (1) Following confirmation of Commonwealth agreement to meet the cost of clearance operations, the Government appointed a co-ordinator to supervise the removal of unexploded ordnance in the designated "primary impact area" at Warnbro. Under the direction of the co-ordinator and his operations officer, the Warnbro clearance project has progressed in a satisfactory manner. Staff vacancies were advertised early in June and resulted in some 450 applications being received. A total of 65 persons were recruited—three supervisors, two drivers, and 60 searchers. Training for the project commenced on the 23rd June, 1980 and was completed on the 27th June, 1980. Clearance operations commenced on Monday the 30th June, 1980, but it should be noted that one 25 lb. smoke shell (safe) and one 25 lb. HE shell (live) were found during the training period. The live shell was detonated by the Army on the 27th June, 1980.

Details of live projectiles found to the 30th July, 1980 are as follows—

Date	Type
27.6.80	25 pdr HE
27.6.80	Live fuse 119
30.6.80	18 pdr HE
30.6.80	3-inch mortar
2.7.80	20 mm HE
3.7.80	20 mm HE
3.7.80	2 x 20 mm HE
4.7.80	20 mm HE
5.7.80	20 mm HE
8.7.80	20 mm HE
9.7.80	17 pdr HE
10.7.80	Live fuse 117
15.7.80	Live fuse 115E
16.7.80	3-inch mortar
17.7.80	17 pdr HE
	c/w fuse
17.7.80	20 mm HE
17.7.80	20 mm HE
17.7.80	20 mm HE
18.7.80	25 pdr HE
	c/w fuse
19.7.80	25 pdr HE
	c/w fuse
22.7.80	25 pdr HE
	c/w fuse
23.7.80	3 x 20 mm HE
24.7.80	3-inch mortar HE
	c/w fuse
28.7.80	25 pdr HE
28.7.80	20 mm HE
30.7.80	25 pdr HE
	c/w fuse

- (2) The Commonwealth agreement is limited to clearance of the designated "primary impact area." However, the joint Commonwealth-State committee is giving consideration to a further submission regarding other areas for consideration by both Governments in due course.
- (3) Yes, at the convenience of the members concerned.