

Legislative Assembly

Thursday, 27 September 1984

THE SPEAKER (Mr Harman) took the Chair at 10.45 a.m., and read prayers.

PORNOGRAPHY: VIDEO FILMS

Banning: Petition

MR COYNE (Murchison-Eyre) [10.46 a.m.]: I have a petition which reads as follow—

TO:

The Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled

We, the undersigned plead that because it will cause serious harm to the community the Parliament will not legalise the sale, hire or supply of any video tape, video disc, slide or any other recording from a visual image which can be produced, which portrays scenes of explicit sexual relations showing genitalia detail; acts of violence and sex; sexual perversion such as sodomy; mutilation, child pornography; coprophilia; bestiality or the use and effect of illicit drug taking.

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

This petition bears 89 signatures and I have certified that it conforms to the Standing Orders of the Legislative Assembly.

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

(See petition No. 57.)

CHIEF ELECTORAL OFFICER: ALLEGATIONS

Witness before Assembly: Standing Orders Suspension

MR STEPHENS (Stirling) [10.47 a.m.]: I move, without notice—

That so much of Standing Orders be suspended as would prevent me from moving the following motion forthwith—

That Mr Douglas Coates, former Chief Electoral Officer be summoned to appear before the House to make a statement respecting his recent allegation concerning misconduct by two

members of the State Government and to answer any questions thereon.

Mr Speaker, this is a very urgent and important matter, and I think the position must be clarified before Dr Rumley takes up his appointment. It would be very wrong for Dr Rumley to take up his new position with this cloud which hangs over the Electoral Office following the allegations made by Mr Coates.

Mr Coates has made serious allegations concerning the impropriety of two Government members, one a Minister and one a member of Parliament. He has also indicated that he is prepared to appear before a Select Committee. Such a Select Committee could give him the protection that he wants. But it is equally true that that protection would be afforded to Mr Coates if he appeared before this House. He would then be in a position to make a statement to the House and he would be in a position to answer any questions through you, Sir, that the House may have in connection with that statement. The House would then be in a position to make a judgment as to how the matter should proceed. It would give this Parliament, not just the Government of the day, the opportunity to make a decision.

I could not agree more with the editorial which appeared in today's *The West Australian*.

The **SPEAKER**: I cannot allow the member to go too far into the subject matter of the motion he intends to move.

Mr **STEPHENS**: I am trying to indicate the urgency of it as pointed out by the editorial. After these comments I will resume my seat.

The editorial reads—

If Mr Doug Coates has documents to support his charges of misconduct against a Government Minister and a back-bencher, it should be easy enough to get to the bottom of the affair.

The editorial goes on—

But the charges made by Mr Coates are too serious to be ignored.

However, the State's taxpayers should not be expected to foot the bill for a major inquiry that may end up proving nothing.

That is one of the reasons I believe that this Parliament should call Mr Coates before it so that he has an opportunity to make his statement with the full protection of this House. Mr Coates says he is prepared to give his evidence to a Legislative Council Select Committee. Giving evidence before this House gives him the same protection for which he is asking if he appears before a Select Committee.

Finally, the editorial says this—

One way or another, the issue has to be settled quickly, before it festers and grows into a long-running political sore.

I believe that is an important statement. That is why this matter should be debated now, because today Parliament rises and it will adjourn for over a week. I think the matter should be dealt with now.

The SPEAKER: Before I put the question I wish to advise members that for this motion to be successful it requires an absolute majority of the House. If, when I do put the question, I hear a dissenting voice, I will need to divide the House.

MR TONKIN (Morley-Swan—Leader of the House) [10.51 a.m.]: I rise very reluctantly to suggest to the House that it rejects the motion. The reason I do it reluctantly is because I think it would be quite a good idea to have Mr Coates here and see just how much substance there is in this allegation. I made it clear in my answer yesterday that I as a Minister will not tolerate any of my colleagues doing anything improper in respect of the Electoral Office or any other department under my control. I would leave the Government rather than permit that to happen. I am quite sincere in that.

I am very tempted to say, "Let us get Mr Coates here". In fact we have asked the Leader of the Opposition for the facts. Any member with any fairness, and most of us have a great deal of fairness in us, will know it is very difficult to defend oneself against a charge about which one does not know. If someone just says something vague, how does one defend oneself? If Mr Coates is worried about civil action, which I can understand he would be, through the Legislative Council or the Leader of the Opposition who has taken up this matter, under privilege it could be said, "Look, it was Minister so and so. It was this backbencher or it was this official of the Labor Party". We could then investigate the matter and, if what has been alleged has occurred, we could take action; but how can I say it did not happen if I do not know what members are talking about?

I really want to lay this matter to rest, because I pointed out last night Mr Coates did not come to me, the Premier, or the Chairman of the Public Service Board who is, after all, above politics, and Mr Coates would have felt safe with him. He did not even speak about the matter to his deputy on whom he relied heavily, and apparently he will not tell the Opposition.

If the Opposition had something against one of the Labor Ministers, do members think it would not raise the matter? I would not blame the Oppo-

sition for doing so. If one sits opposite for nine years, one lives in hope that something like this will come along. One says, "Oh, here is something" and one grabs the substance of the matter and uses it. That is what Parliament is for and we have a democracy in order that Ministers can be brought to book if they have done something wrong and it is the Opposition's proper and legitimate role to raise the matter.

However, someone must say, "Such and such did such and such" which can be dealt with under privilege. The reason I suggest the House reject the motion is that the member for Stirling did not consult with us in any way. Members will be aware, especially those who have sat in Governments before, that if a Government just cops any motion that comes up without consultation, the House will be in chaos. We would never get our legislative programme through. This morning I spoke to the member for Stirling in the corridor. I said, "Goodday. How are you?" in my usual friendly way. The member for Stirling could have said then, "Look, we want to suspend Standing Orders".

There is another factor here. Members know me well enough to be aware that I have a mind of my own. Nevertheless, there is a gentleman who is not here at the moment—that is, the Premier of the State—and I cannot even consult with him. Surely members would accept that it is fair and reasonable that I consult with the Premier before dealing with this matter?

Mr Stephens: You could overcome that problem by giving your members a free vote and letting them make their own decisions according to their own consciences.

Mr TONKIN: That still would not assist in respect of consultation with the Premier. He is the head of the Government and it is proper that I should consult with him.

I would be very concerned if anyone in the community thought that we were running away from this issue.

Mr Stephens: It will look that way.

Mr TONKIN: That is what the member is hoping. We have asked Mr McKenna to speak to Mr Coates; we have asked Mr Coates to speak to us; we have asked the Opposition to tell us the position; so we are doing everything we can. However, I do not rule out the possibility of a committee of this House, or the House itself, investigating Mr Coates' allegations, which are very serious and should be laid to rest. However, that should be done in the proper way.

I understand the Opposition intends to move an urgency motion and it has approached the matter

in the right way. It has gone to the Speaker. I understand, Sir, that under Standing Orders you have a right to rule that motion out of order. I am not saying what you should do either way, but I understand it will be allowed. The Opposition has approached that in the proper way by going to the Speaker and giving us a copy of its motion. That is consultation.

The House will work better if we consult with one another, so I suggest that the member for Stirling, myself, and any other member who wishes, should discuss this matter to see how we can best proceed. We have the situation where the Government comes along with a legislative programme and the Opposition says, "We want to disrupt your programme for an hour" and tells us about it and the Speaker has to make a ruling under Standing Orders. However, all those arrangements and the orderly process of the business of this House cannot be disrupted by a member who passes me in the corridor and does not even say, "Look, we want to suspend Standing Orders".

We are not running away from the issue, but the motion should be rejected because of the lack of consultation and the fact that there is an orderly way in which to run the House.

MR MacKINNON (Murdoch—Deputy Leader of the Opposition) [10.57 a.m.]: The Opposition will also oppose the motion. As the Leader of the House has just indicated, the allegations made by Mr Coates are very serious indeed and should be cleared up as soon as possible, but before that happens we need to be sure we are taking the right action.

The member for Stirling came in here this morning proposing this motion to bring Mr Coates before the Bar of the House in a manner which is unprecedented. It has never previously happened in the history of this House. The member for Stirling does that without so much as one word of consultation with either the Leader of the House, the Premier, the Leader of the Opposition, or myself as Leader of the House for the Opposition parties. That is hardly a way for the Parliament to be making a decision about such a serious matter.

We on this side of the House as you, Sir, would be well aware, and as members would be well aware, have a series of questions on the Notice Paper directed to Ministers of the Government in relation to this matter. We want to peruse the answers which are provided to those questions before we determine what action, if any, we will take to further pursue the matter to clear it up once and for all.

It is also passing strange to me that yesterday, as members are well aware, we debated at length a

motion which dealt with the subject and neither the member for Stirling, nor his colleague, the member for Merredin, participated in that debate. I would have thought that, if those members were serious, they would have participated in the debate at that time; they would have made known their views; they would have made this suggestion and we would have been able to consider it.

We in the Opposition parties view the appointment of Dr Rumley with grave concern. We made that quite clear in this Parliament last night. We view with grave concern the allegations made by Mr Coates, but to take such action merely as a political stunt on the part of the member for Stirling will not be accommodated by the Opposition parties.

MR COWAN (Merredin) [11.00 a.m.]: Naturally we of the National Party are very disappointed with the attitude shown by the two major parties.

Mr Tonkin: If you were serious, you would have consulted.

Mr COWAN: I will deal with this matter of consultation. Unless the Government has a particular interest in consulting with us, unless it sees some benefit from consulting with us, it is very rare that it does so. I remember that the Opposition, when in Government had the same attitude, as it does now. Members of the Opposition will recall that there was no consultation with us on the motion it moved yesterday, not that we expected it. And I can recall one occasion when the Opposition was in Government and I did go along to consult with it. I explained what I wanted to do, but found that I was then pre-empted by a member of the Liberal Party who was given an opportunity to act before I was able to. That is the value of consultation in this place.

I am concerned, as you must be, Mr Speaker, about the way this Parliament makes its decisions. Should it make decisions in the corridors of this place or should it make them here?

The Leader of the House said that it was a wonderful motion which should be supported, but that he could not do so because the Government had not been consulted. The Deputy Leader of the Opposition said that the Opposition could not support the motion because his party had not been consulted.

Surely we have the capacity to handle this motion; surely we are not all people with an IQ two points above plant life, making us unable to examine this motion now and make a decision on it now.

Mr MacKinnon: It has never happened before in this House.

Mr COWAN: So what; create the precedent. The Standing Orders allowing this do exist. We can bring a person before the Bar of this House. We are dealing with a very serious allegation, and the Opposition does not have the guts to do this.

Mr MacKinnon: It is a very serious step.

Mr COWAN: Of course it is; but the Opposition does not have the guts to do as we ask and its excuse is that it was not consulted. What are we? Are we decision-makers? Or are we people who have to look for excuses every time something comes up about which we are not too sure?

Mr Tonkin: We make decisions together, so there should be consultation as a consequence.

Mr COWAN: We can make our decision now.

Mr Tonkin: Without consultation.

Mr COWAN: How much consultation does the Government need? We can consider the issue now. The Leader of the House should not get petty when talking about things like consultation. I must confess that I am pleased to be involved in consultations with the Government when those occasions arise, but they arise only with matters that the Government feels are of benefit to it; in those areas where the Government thinks we are of no value, there is no consultation.

Mr Tonkin: That is up to you.

Mr COWAN: It is up to the Leader of the House. Consultation is a two-way process. I ask the Deputy Leader of the Opposition to consider how much consultation there was with the National Party when the Liberal Party proposed its urgency motion. There was none at all.

There is no question that public opinion would be very much in favour of having this matter resolved very quickly. Our Standing Orders allow for a person to be brought to the Bar of the House and for that person to be given the full protection of the House while explaining the allegations he has made. If the Opposition is not aware of that Standing Order, I refer it to Standing Order No. 395. All we have to do is make our decision now and agree to the suspension of so much of our Standing Orders that would prevent our doing what needs to be done. I do not think we can refuse to consider such a decision.

We should not say that the Parliament will not do this on the grounds that, first, the Government and the Opposition have not been consulted, or second, we might be creating a precedent. For heaven's sake, if the Standing Orders provide for this, why must we worry about creating a precedent? Let us use the Standing Orders of this Parliament and let us support the motion. Let us try to find out whether there is any truth in the

serious allegations which have been made. The Leader of the House has said that if there were any truth in the allegations and if he were associated with them in any way, he would be prepared to resign from the Government; yet he still cannot support the motion. I urge members to support it.

Question put and a division taken with the following result—

	Ayes 2	
Mr Stephens	Mr Cowan	(Teller)
	Noes 40	
Mr Barnett	Mr MacKinnon	
Mr Bateman	Mr McNee	
Mrs Beggs	Mr Mensaros	
Mr Blaikie	Mr Old	
Mr Bradshaw	Mr Parker	
Mr Bridge	Mr Pearce	
Mrs Buchanan	Mr Read	
Mr Burkett	Mr Rushton	
Mr Carr	Mr D. L. Smith	
Mr Clarko	Mr P. J. Smith	
Mr Court	Mr Spriggs	
Mr Coyne	Mr J. F. Taylor	
Mr Crane	Mr Tonkin	
Mr Grayden	Mr Trethowan	
Mr Grill	Mr Troy	
Mrs Henderson	Mr Tubby	
Mr Hodge	Mrs Watkins	
Mr Jamieson	Mr Watt	
Mr Peter Jones	Mr Williams	
Mr Laurance	Mr Gordon Hill	(Teller)

Question thus negatived.

HOSPITAL: BENTLEY

Salaried and Sessional Appointments: Urgency Motion

THE SPEAKER (Mr Harman): Honourable members, I have received the following letter from the member for Clontarf—

Dear Mr Speaker,

In accordance with Standing Orders 47 and 48 of the Legislative Assembly, I give notice that at the commencement of the Sitting of the House tomorrow, Thursday, the 27th September, I will move "that the House do now adjourn" for the purpose of debating a matter of urgency, namely—

The Opposition calls on the Government to urgently withdraw from its proposal to introduce salaried sessional appointments at Bentley Hospital before the standard of health care at this Hospital is seriously diminished.

Further, the Opposition calls on the Government to recognise that its blind pursuit of such a policy has already led to a fall in health standards and will only

exacerbate this problem should it be progressively introduced into other Western Australian hospitals.

Mr Speaker, this is a matter of public importance and immediate urgency and in my view is properly brought forward within the Standing Orders.

It is necessary that seven members support this request.

Seven members having risen in their places,

The SPEAKER: I have ruled that this matter is appropriately before the Chair. The arrangements made for the debate are 30 minutes to the Opposition; that is, 30 minutes on my left-hand side and 30 minutes on my right-hand side. I understand some arrangements have been made for three speakers of 10 minutes each on my left and two speakers of 15 minutes each on my right.

MR WILLIAMS (Clontarf) [11.10 a.m.]: I move—

That the House do now adjourn.

The Opposition believes that what the Minister for Health intends doing with the Bentley Hospital and what he has already done with the Osborne Park and the Wanneroo Hospitals is nothing short of socialism and it is absolutely breaking down the medical health standards as we see them in this State. Unless this socialist nonsense is stopped immediately, the medical profession will suffer from a creeping paralysis as one hospital after another is dealt with. After the Government has dealt with the Bentley Hospital, it intends to move into the Kalamunda District Community Hospital and after it has dealt with that hospital in a socialist way, it intends going on to the Armadale-Kelmscott Memorial Hospital and then into the country hospitals. Realising what has happened in the Osborne Park and Wanneroo Hospitals of late—they are a shadow of their former selves—fortunately the doctors at Bentley Hospital have taken a stand.

The *Western Mail* of 15 September carried the following article under the heading—"Doctors defy Hodge plan"

BENTLEY Hospital could be left with empty wards and a skeleton staff of doctors because of a confrontation between Health Minister Barry Hodge and local practitioners.

That is not correct. The article continues—

The local doctors dealt the Minister a heavy blow this week by refusing to take up offers of part or full time appointments in the hospital.

... A spokesman for the Bentley Hospital Clinical Association, Dr Roland Bott, said

unless Mr Hodge found a solution to the dispute patients could be severely inconvenienced.

The Government had insisted that only doctors who agreed to work some hours each week as public hospital staff would be allowed to admit their private patients to the hospital.

That is the beginning of socialism and the beginning of a takeover of doctors, and it signals the end of private enterprise as far as the medical profession is concerned.

Mr Laurance: Grind them down.

Mr MacKinnon: That is the end of a good quality medical service.

Mr WILLIAMS: From 1 October this new plan of our so-called Minister for Health comes into operation. It should be noted here and now that currently at the Bentley Hospital 50 GPs and 50 specialists practise on a full-time basis and 50 specialists practise on a part-time basis.

In answer to a question I asked the Minister in the House last week, about how many members of the medical profession had applied to carry on practice at Bentley Hospital after 1 October, I finally received an answer in writing as follows—

In reply to the questions you raised—as at September 21, the following applications had been received:

General Practitioners: Seven applied—all are users of the hospital.

That is, seven out of 50.

Possibly, the Minister is not aware that one of those general practitioners has since withdrawn his services. The reply continues—

Specialists: Orthopaedics—one applied, is a user of the hospital obstetrics/gynaecology—two applied, one is a user of the hospital.

The other applicant cannot get a job anywhere. To continue—

physicians—three applied, one is a user of the hospital.

Where have the others come from? To continue—

surgeons—three applied, one is a user of the hospital.

What will we get, the second raters? In all, instead of 150 doctors serving the Bentley Hospital as we know it today, after 1 October, 15 medicos will service that hospital and the Minister says everything will be okay. To add to that, of course, these doctors have done an excellent job. Of course many petitions have been received and one such petition was handed to the Minister for the Arts,

the member for Victoria Park, the Hon. Ronald Davies. He was presented with a petition opposing this new system signed by 11 000 residents in that area.

At the outset I point to this article printed in the *Southern Gazette* of 18 September 1984. When I checked with the Clerks of the House this morning, 27 September, I discovered that the Minister has not yet presented that petition to this House.

Mr Laurance: I wonder why?

Mr WILLIAMS: I wonder why. Obviously he realises that it is against his so-called Minister for Health's socialist attitudes and he does not want to upset his Government, so the heck with the people out there who are opposing this measure. They do not count for anything. It is interesting to note the comments of the Minister for Health. He said—

It is a community hospital yet a considerable proportion of its admissions are from outside the Bentley area forcing local people particularly elderly, to be hospitalised elsewhere.

Mr Blaikie: This State Government does not even worry about the elderly.

Mr WILLIAMS: The article continues—

Preference will be given to local general practitioners so that local people can be admitted and treated by their own doctor.

What a load of nonsense. What does he think is happening now? Where did he get these silly ideas from? That is exactly what is happening now and the Government intends to alter that proposition from 1 October. He obviously does not know what he is on about, or has he been hoodwinked by his Minister? The article continues—

Doctors who have appointments to the hospital will be able to admit their private patients and local people will be able to choose to be treated either as public or private patients by the doctor of their choice.

That is happening now. He is saying that the local people do not get a go. The name of the hospital is "Bentley", so the Minister is trying to say that only people from Bentley can use that hospital. That is nonsense, because there is a catchment area which includes 19 postcodes and which extends as far as the member for Gosnells' area, the member for Canning's area, and into the member for East Melville's area. Let me assure the House that from those postcode areas that hospital is utilised and averages 85 per cent occupancy, so the Minister has been ill-informed. He said only 10 per cent of patients are from those areas. In regard to obstetric patients, 95 per cent are from the catchment area. The other 15 per cent overall

includes some country people for whom the hospital caters as their own hospital cannot provide a specialist service such as that of orthopaedics.

I refer to patients who have previously been residents in the Bentley Hospital catchment area who go to their local GPs and ask to be admitted to the Bentley Hospital, and to patients from country areas whose only relatives live in that hospital's catchment area. They make up the other 15 per cent.

Mr Rushton: That is reasonable.

Mr WILLIAMS: That is very reasonable. The Minister is quite out of touch with reality. He is trying to change an already effective and good system. My colleagues will pursue this matter and enlarge on it later. I am simply opening the debate and saying that the member for Gosnells is receiving a lot of flak on this matter, as are the members for Canning and Welshpool. People are opposed to the system the Minister wishes to bring in.

Mrs Henderson: That is not true.

Mr WILLIAMS: Right throughout the area it is true. How would the member know? The member needs to concentrate on the Wanneroo and Osborne Park areas.

Mrs Watkins: The Wanneroo Hospital, for your information is doing extremely well. It has a 50 per cent occupancy.

Mr WILLIAMS: A 50 per cent occupancy! As far as we are concerned we want the hospital in the Bentley area to remain as it is, because the practitioners in the area are providing a good service. We do not want the doctors to lose their identity. We believe the doctors should have the right to serve the patients they wish to serve.

MR TRETHOWAN (East Melville) [11.22 a.m.]: The moves the Minister is making and the changes he wants to introduce in the Bentley Hospital are a major attack on the public health care services for the people south of the river for no good reason other than political philosophy. This is the pattern that Labor Governments are setting up throughout Australia, to attack the private health care system and the ability of people to have a choice of treatment in a public hospital.

The fact remains that up until now Bentley Hospital has represented one of the lowest cost bed care centres in the whole system. It is a highly efficient hospital; the cost of running a bed 1 understand is between \$120 and \$130 per day per patient, compared with the cost in the teaching hospitals—Royal Perth Hospital, QE II, and Fremantle Hospital—which is between \$300 and \$400 per day. Yet, those patients at Bentley Hospital have the ability to be serviced by some of the

top specialists in Perth, and with the use of first-class facilities.

The cost to the community is low and the hospital is efficient. Why change the freedom of choice for people south of the river? As the member for Clontarf has indicated, the catchment area of the hospital starts west of Stock Road, covers the people in my electorate, runs to Ascot in the east and down towards Kelmscott in the south, and 85 per cent of the patients of the hospital over the past year have come from that area. The hospital services the people of that region with a choice of specialists who are equal to any in Western Australia.

It services them with a large number of GPs from that area being able to take their own patients into that hospital and treat them there. It has worked very well, yet, because of political philosophy and because of his beliefs, the Minister wants to change that.

Do you wonder, Mr Speaker, that 11 000 people in that area do not want the system changed because they are being well-serviced at the present time? This Government will not listen to 11 000 people because it is committed to a political philosophy which will cost the community more, cost the individual more, and provide a lower standard of service.

The system that the Minister seeks to introduce into hospitals such as Wanneroo, Osborne Park, Kalamunda, and Armadale is based on a system which operates in New South Wales. In New South Wales the peripheral hospitals are large, 400-bed hospitals, and they approximate to the teaching hospitals in this State where we have registrars and permanent medical staff available 24 hours a day. However, that is not the case with the Bentley Hospital.

Bentley is a hospital which has 80 beds. There are no permanent medical staff. Whenever a specialist or a GP puts one of his patients into that hospital and treats him, if there is a cause for concern about the medical condition of that patient, the relevant GP or specialist is contacted immediately by that hospital. Straightaway he prescribes further treatment or visits the hospital to take care of the patient himself, one to one. It is a one-to-one relationship. Patients, whether public or private, are cared for on a one-to-one basis by the GP or specialist treating them. That is not the case in the large teaching hospitals where, if any, after hours problems are solved by the registrar.

What is the Government offering? It is offering to employ some full-time staff on a salaried basis and allow specialists in particular to come in on a sessional basis. The Government is offering them

\$120 for sessions of three hours. That just includes the operating list a surgeon may have in the morning; it does not include the fact that that surgeon may have to visit, consult, or treat the patient during hours after that period.

With the current cost of running an office, a specialist could not afford to run his consulting rooms on \$40 an hour. It is absolutely ridiculous. The people who will suffer are the people who live in the area south of the river; the 85 per cent of the people who are the patients of that hospital currently, and who were put in that hospital by their GPs, and referred by their GPs to some of the top specialists in this State, because those GPs have confidence in the medical treatment their patients will receive from those specialists in that hospital.

Come the change of the system—with 15 people who have applied, only half of whom are specialists—a majority of those specialists would be unknown to the local GP. How much confidence can those GPs have in the way in which their patients will be treated at that hospital from now on when they have no choice of other top quality specialists to refer them to? That fact is borne out by what has happened with those hospitals that have been already treated in this way; that is, Osborne Park and Wanneroo.

Several members interjected.

Mr TRETHOWAN: This will reduce the opportunities for first-rate medical care. One of the areas it will affect most is the area of obstetrics and gynaecology. At present, 23 beds at Bentley Hospital are for obstetrics patients. The only other hospitals south of the river that handle obstetrics are Attadale Hospital, in my electorate, and Woodside Maternity Hospital. Both are private hospitals. The only public hospital available for people for obstetric care, south of the river, is Bentley Hospital.

Mr Parker: I think you had better get your facts right: Woodside is a Government hospital.

Mr TRETHOWAN: I am sorry. Woodside is a Government hospital and Attadale is a private hospital. The catchment area in my electorate, an area which runs from Stock Road to Ascot to Kelmscott, has only one public hospital available, Bentley Hospital, and the number of beds at the three hospitals I mentioned are at present fully utilised.

If anyone wants to use an obstetric bed at present that person would have to go north of the river. The fact remains that many of the specialist gynaecologists and obstetricians who currently use Bentley Hospital will not be able to do so from next Monday. This means that families which

have traditionally gone to a particular gynaecologist and may have had one or two children with that gynaecologist will not be able to be referred to that gynaecologist and still go to Bentley Hospital to have their children.

I understand there is even doubt whether there will be any obstetric beds at Bentley, because the Minister has found he has insufficient applicants, and is threatening to turn Bentley Hospital into an annexe of Royal Perth Hospital and to transfer medical patients out there. All the surgical and specialist cases will have to go into Royal Perth. Is that the kind of treatment that the people in the Bentley, Ascot, Gosnells, Melville, or Canning area deserve?

They have access to a very good facility in Bentley Hospital. They can be referred to top specialists in Perth by their own general practitioners. Bentley Hospital serves the community well because it is one of the most efficient hospitals in this State in terms of the bed cost, compared with bed costs in Royal Perth Hospital which are twice or nearly three times that of Bentley.

Mr Hodge: They are different hospitals; one is a teaching hospital.

Mr TRETOWAN: I am talking about the care patients receive at Bentley, which is first rate. They have a one-to-one relationship with their general practitioners and surgeons. That level of service will reduce and the cost to the community will increase. Some other means could have been found to overcome the problem of not having enough medical staff to operate the system.

One solution which is being proposed is to annex Bentley Hospital as part of Royal Perth and get it lost within that particular jungle. That is the reason we have brought this matter to the House this morning. These changes are suggested to take place from next Monday. Those people south of the river will have their medical care inhibited, not because of the inefficiency of the current facility or the quality of the people delivering it, but because of the philosophy of this Government.

Mr McNee: Shame!

MR HODGE (Melville—Minister for Health) [11.32 a.m.]: We have heard 20 minutes of nonsense so far from two badly briefed and ill-informed members of the Opposition.

Western Australia has approximately 100 Government hospitals. Only a handful of those hospitals have a medical staff—that is, salaried or sessional doctors. An important part of the health policy put to the electorate at the last election by the Labor Party was that we would do something about reversing that peculiar situation. We

promised we would gradually phase in a system of appointed staff on a salaried or sessional basis throughout Government hospitals.

It seems odd to the present Government that over the years previous Governments have put hundreds of millions of dollars of taxpayers' money into building Government hospitals but have then stopped short of providing medical personnel to staff them. It seems very odd to build a Government hospital and not put any doctors in it.

Our major non-teaching Government hospitals in the metropolitan area are almost entirely without resident or appointed medical staff. We have rectified that position so far at Osborne Park and Wanneroo Hospitals. I am pleased to say that system is working satisfactorily in those hospitals.

Mr Trethowan: Are you sure about that?

Mr HODGE: It is not a new or revolutionary system; it has been working most successfully for decades in our major teaching hospitals. I am sure no member would dispute that we have some of the finest teaching hospitals anywhere in the world. They operate on a salaried and sessional arrangement and have done so for decades.

Mr Trethowan: How big are they compared with Bentley, and how much do they cost?

Mr HODGE: One of the main reasons we want to make this change at Bentley is the gross distortion in treatment patterns which have emerged at the hospital because of the present system of payment—fee for service. Members will be shocked to hear that a gross imbalance exists in the treatment patterns at that hospital. Less than four per cent of patients in Bentley Hospital are there for medical, non-surgical treatment, whereas over 60 per cent are there for surgical procedures. Members who know anything about hospitals will realise that that is a gross distortion of the treatment pattern.

Normally in most hospitals, the medical and surgical patients are roughly even in number. In most hospitals they are about 40:40, with the rest of the workload made up by paediatric or gynaecological patients, etc. In this hospital less than four per cent of the patients are medical patients.

Mr Trethowan: One-third are obstetric patients.

Mr HODGE: This is a Government hospital, and it is there to serve the local community and for the local general practitioners and other doctors to use for the benefit of the community. There are 40, not 50, general practitioners who at times use the hospital. Many of them are not getting their fair share of access to Bentley Hospital because of the distorted pattern I have previously mentioned. I will be very pleased to try to make

sure that every local GP who wishes to go on using that hospital under the new arrangement gets an enhanced opportunity to do so.

The distorted pattern of medical treatment at Bentley Hospital is having severe implications for the teaching hospitals. For example, 20 per cent of the patients at Royal Perth Hospital currently come from the Bentley Hospital catchment area. Of those 20 per cent, more than 60 per cent could have been appropriately treated at the Bentley Hospital. All members will be aware of the constant pressure on this Government and previous Governments to put more beds into the big teaching hospitals. They are very expensive beds—\$300 to \$400 a night per patient, and we are under constant pressure to provide more beds.

It is obvious this Government is not going to do that. The previous Government did not do it, quite correctly, because it does not make for the best and most efficient use of the taxpayer's health dollar, which is to rationalise the present system of hospitals. If we can get Bentley Hospital to work better to admit people from that area for medical conditions, it will take the pressure off Royal Perth. That pressure is very significant—of the about 7 000 patients who go to Royal Perth a significant number could go to Bentley.

Mr Trethowan: Where do the people wanting surgery in Bentley go?

Mr HODGE: There will still be plenty of room for surgery in Bentley.

Mr Trethowan: It will be full!

Mr HODGE: If it does become full we will consider expanding Bentley's size because that is where the growth can occur—at those hospitals with a much lower cost structure, as the member correctly identified. We will be prepared to consider expanding the hospital.

We are in the middle of an \$8 million upgrading programme at Bentley now, and before long there will be 48 extra beds for geriatric and psycho-geriatric patients.

Several members interjected.

Mr HODGE: That gives an idea of the Government's commitment to an upgraded role for the Bentley Hospital.

A lot of nonsense has been talked about the opposition coming from the community and doctors in the area. Before the ink was dry on the advertisement to go into the paper to invite applications, the local doctors organised themselves into a political pressure group, hired a PR consultant, printed pamphlets and had articles run in the newspapers, and started printing petitions containing very misleading information. Before I had a

chance to discuss the matter with them at the appointment arranged through the AMA and before the information had gone out, the doctors rushed in and said they would not have a bar of the scheme. They did that before they knew what it was all about—before there was an opportunity to explain how the scheme would work.

Mr Trethowan: You agreed to meet them but you put an advertisement in the paper on the day of the meeting.

Mr HODGE: I agreed to meet them to explain how the system would apply.

Several members interjected.

Mr HODGE: If they had that understanding they were incorrect and had no basis for it.

The member for East Melville made the point that the doctors and specialists would not be able to get along on the miserable sessional fees we are prepared to pay. The sessional fee rate was agreed upon after exhaustive negotiations with the Australian Medical Association. The rate of remuneration was discussed and agreed with the AMA. We negotiated this over a period of months and there is a printed set of conditions which the AMA has accepted. We could not agree on a few points and an arbitrator was called in; we accepted his decision, and so the rates of remuneration and conditions have been arrived at by arbitration and negotiation with the AMA.

Mr Trethowan: For the equivalent of teaching hospitals in New South Wales.

Mr HODGE: It was based on the teaching hospitals award in this State, if the member would like to know. It was agreed to by the doctors' representative association, the Australian Medical Association. If the doctors are unhappy with the deal that the AMA negotiated, it is up to them to take that up with the AMA and request the AMA to reopen negotiations. We are prepared to meet with the AMA and discuss the matter at any time.

The member for East Melville has been badly briefed and does not understand, because, in addition to the normal sessional payment, if doctors are required to come back to the hospital in an emergency after normal hours, they will get an additional payment. The additional call-back fee is \$53.40 for a consultation and \$80.10 for all consultations with a medical procedure. That is the amount that has been negotiated in addition to the sessional payment. The AMA has agreed to that. If the doctors have any dissatisfaction, their argument is with the AMA and not with the Government.

A lot has been said about the catchment area of the Bentley Hospital. People can juggle statistics

as long as they like. The fact remains that the catchment area that the doctors think is their catchment area covers one-third of the entire metropolitan area.

Mr Williams: That was agreed to by the Health Department 12 months ago.

Mr HODGE: It was agreed to on an interim basis. The matter has since been reviewed and that catchment area has been modified. The catchment area that the doctors maintain is correct covers one-third of the entire metropolitan area and goes right down to Hamilton Hill. Some of the suburbs that they claim are in the area contribute less than one per cent of the patients to the hospital. That is how ridiculous the catchment area is.

The Bentley Hospital will continue to serve the community. There will be greater access for the local general practitioners. A good range of services will be available. There will be no diminution in the range of specialist services that are now available. We have advertised for the basic range of special services that that type of hospital requires. If there is a need for other services that are not catered for, they will be brought in by a special arrangement. I believe that every service that the local community can reasonably expect will be provided through that hospital and will be provided in a more efficient and more economical way.

There are some misconceptions about how the sessions will work. I do not mind members of the Opposition holding the odd views that they hold. However, some doctors hold the view that, if they work on a sessional basis, they will be restricted to a particular time at which they have to be in the hospital, for example, half a day a week. That is not the way it will work at all. They will continue to treat their patients in the same way that they have treated them in the past. If a patient wishes to go into the hospital as a private patient, the doctor, if he is appointed to the hospital, will be permitted to bring in his private patients, as is the situation now. If the patient is a public patient, he will be admitted as a public patient and the doctor will attend him in the same way as he does at this time. He will not be required to go into the hospital for a particular length of time. It is up to him how often he goes and how he treats the patient.

His initial sessions will be based on his history of treating patients in the previous year. If he is a busy doctor, obviously he will be allocated more sessions than if he only uses the hospital occasionally. That is the way the system will work. That will be reviewed regularly. I am prepared to discuss with the AMA any modifications or fine tuning which it thinks the system requires.

Finally, there seems to be some misconception about which doctors will get appointments and which will not. The same sort of system will apply there as is used in the teaching hospitals and at Osborne Park and Wanneroo. Doctors will be made to submit themselves to the scrutiny of their peers. An appointments committee will be made up of representatives of the Australian Medical Association, the appropriate learned college—if the doctor is a general practitioner, then representatives on that committee will be from the Royal College of General Practitioners—and a representative from the Health Department of Western Australia.

Those medical practitioners will have the say on who gets an appointment at a hospital and who does not. They will make their recommendations to me and I am pleased to advise the House that, in every case in which recommendations have been made to me in respect of Osborne Park and Wanneroo, I have accepted the recommendations.

That is the way the system will work. If the Opposition stopped trying to score cheap political points on this matter and threw its weight behind the Government, there is no way that this system would fail to offer a better service to the residents of Bentley and to the satisfaction of doctors.

MR LAURANCE (Gascoyne) [11.45 a.m.]: We are encouraged by the fact that the Government's honeymoon is well and truly over. That is not better demonstrated than in the health area. After hearing only tripe for 18 months about consensus and about the Government's being moderate and responsible, we now see it in its true colours. Typical of born-again socialists, it is now pursuing the medical profession.

The Minister said that it is Australian Labor Party policy to have salaried doctors. It is good enough for the Labor Party for all doctors to become employees of the Government. That is what the ALP wants. It has told the doctors, "If you don't like it this way, vote against us at the next election". That is what it is encouraging them to do. They do not need much encouragement. Let us hope that the 12 000 people who signed the petition which was prepared recently all decide to change their vote as well.

The Government must urgently rethink its position before 1 October or the Bentley Hospital and all those who use it will be disadvantaged. The Government must get off this collision course with the medical profession. Previously, 150 GPs and specialists used the Bentley Hospital. Now only 15 or 16 GPs and specialists have applied to use it. Several of those have never used the hospital before. Do those doctors have the confidence of the

people and the GPs in the area? We are worried that they have not.

The worry is that the best of the people available, the best of those specialists and surgeons who are using the hospital now, will not apply. What will happen to the patients in that area if the best people do not apply for the salaried appointments? Where will they go? The end result will be that the hospitals will be under-utilised, as is the case elsewhere. We know that GPs will only refer people to specialists in whom they have confidence. If those specialists do not apply for sessions at the Bentley Hospital, the GPs will refer them to other specialists. They will refer them to the private and teaching hospitals. The queues at the teaching and private hospitals will become longer than they are now.

Patients will receive less than good service. We will not say that the service at Osborne Park, Wanneroo or Bentley will be second rate. However, the Government cannot guarantee that the service will be the best, either. If it is not the best, patients will go somewhere else. They will go to the teaching hospitals or to one of the private hospitals.

Mr MacKinnon: They will go where the Premier went.

Mr LAURANCE: That is the point that I am making. If those hospitals are not good enough for the Premier, why are they good enough for the people of this State? Why did the Premier not go to Osborne Park or Wanneroo? Why did he attend a private hospital? He attended that hospital because it was the best. He went where he could get the best. That did not include hospitals like Osborne Park and it will not include Bentley.

The Government will never make salaried employees out of the best surgeons of this State. No socialist Government will ever do that. The Premier recognised that. He got his health care somewhere else. Who will be left to attend such hospitals as Bentley Hospital? The pensioners will be left with that second-rate service. The poorer people of this State will have to attend hospitals like Bentley, Wanneroo and Osborne Park.

However, the Minister for Health, his family and rich people like the Premier will get the best.

Several members interjected.

Mr LAURANCE: The real worry is that the Bentley Hospital will become like the Osborne Park and Wanneroo Hospitals which are only half utilised. The Minister for Health knows that he had to transfer other units to those hospitals in order that they were fully utilised.

Mr Hodge: That is not true. You have been badly briefed.

Mr LAURANCE: The doctors and the surgeons have told us that those hospitals are only half utilised. If they are not only half utilised I ask the Minister for Health to try to get me some plastic surgery at Osborne Park. It could be done before, but it cannot be done today.

Several members interjected.

Mr LAURANCE: Specialist services were available at Osborne Park and Wanneroo Hospitals previously, but they are not today. What about the people who want to utilise the ophthalmology service at the Wanneroo and Osborne Park Hospitals, and cannot use it? It was available before, but it is not available now because those specialists will not work under this system. The Government cannot make employees out of them.

Why is the ALP doing this? Is it because the specialists may earn an extra dollar or two? If someone wanted surgery for a brain tumour at the Wanneroo Hospital would he allow a surgeon at the Wanneroo Hospital who is not the best to perform the operation? Would he be worried about the fact that a specialist may be paid a bit more? If it were me I would be looking for the highest paid specialist in the State. I would look for the person who would earn the most money if I were going to allow him to operate on a strategic part of my body. I would ask my doctor to refer me to the highest paid specialist. I would be like the Premier. I would ask my doctor if there were any highly paid specialists at Wanneroo, and he would say, "No, not any more". I would then ask him if there were any highly paid specialists at Osborne Park Hospital and he would say, "No, not any more". I would then ask him to find someone who is highly paid, because he would be good. The Government will not have such patients at those hospitals. However, it will have the pensioners.

The Government will average them down—it will be the socialist alternative. The Government will say to the doctors at Wanneroo and Osborne Park, "Here are a few measly dollars for working in those hospitals". Is that the health care service the Government wants? Is it good enough for the Minister for Health, his family, or his mother and father? It is not good enough for me and it is not good enough for the Premier. That is how serious the situation is.

Mr Trethowan: The pensioners now have the choice of top surgeons.

Mr LAURANCE: If what the Opposition says is not right, why are there not specialist services at

the Osborne Park and Wanneroo Hospitals? Why cannot people obtain ophthalmology services and plastic surgery at those hospitals when they could before? They are not available now. The best surgeons have not applied for the positions and they will not apply for them at Bentley. The Government will lose the surgeons from Bentley and the patients will not receive the best service. If they stay at that hospital they will receive treatment from those doctors who will accept the situation, and they are not necessarily the best available.

Not only are the Wanneroo and Osborne Park Hospitals not fully utilised, but I am also told that there is a serious under-utilisation of theatres. Surgeons from those hospitals have told me that the staff are working to rule. The theatres are closed down for about two hours over the lunch period. Surgeons have told me that under the sessional basis they attend the theatre for a certain length of time. If they have a surgery case which cannot be listed until after 4.00 p.m., the theatre staff say that the operation may not be finished before 5.00 p.m. and that is when they will knock off. In a case like this the surgeon cannot conduct that operation. No good surgeon will operate under those circumstances. Therefore, we have the staff who work-to-rule, and less than the best people operating in those hospitals.

Several members interjected.

Mr LAURANCE: Good surgeons have left the Government hospitals in droves. It is not that the other surgeons are not good, but they are not the best or the most experienced. The medical pity is, that the surgeons who have been left at those hospitals do not have access to the best surgeons because they are no longer in those hospitals. A person who is good, but not the best, cannot rub shoulders with the best surgeon and say, "I have a very difficult case, will you give me a hand with it?" unless he goes to the teaching hospitals.

An article was published in the newspaper yesterday about a man who could not get into a hospital. The Wanneroo Hospital is half empty.

Several members interjected.

Mr LAURANCE: The man is waiting at home for admission to Sir Charles Gairdner Hospital, yet the Wanneroo Hospital is half empty.

Mr Hodge: I investigated that article and it is completely incorrect.

Several members interjected.

Mr Hodge: The article is totally incorrect.

Mr LAURANCE: Perhaps it is, but tell that to the Press. I said that it was in the Press yesterday.

Mr Pearce: You have an obligation under Standing Orders to ascertain the accuracy of Press reports.

Mr LAURANCE: If the Minister for Education's area was concerned and it had less than a better hospital, let us see whether he would have a serious operation in the Osborne Park Hospital or Bentley Hospital after the Government's disastrous arrangements commence on 1 October.

Let Western Australians beware: It is socialised medicine that we are in for. The Minister has said that that is what the Government will do and that it is the Government's policy. He has said that if the people do not like it they can vote against it at the next election. The same thing will happen at Bentley as has happened at the Wanneroo and Osborne Park Hospitals. It is a shame.

Several members interjected.

Mr LAURANCE: This Government bears it on its head and if it had any sense it would get rid of this Minister—and quickly, before 1 October.

MR PARKER (Fremantle—Minister for Minerals and Energy) [11.56 a.m.]: I guess it is the lot of all Governments, but it is extraordinary that when Governments try to implement a policy they are criticised for doing so. When a Government decides not to implement a policy, or it is unable to implement it for some reason, it is criticised for that as well. The other thing which seems to be a constant factor of government is that a Government is criticised if it spends too much money and raises the necessary taxes in order to spend it, but when it finds ways of saving money or spending it more cost effectively, it is also criticised.

Several members interjected.

Mr PARKER: The Opposition should wait and see.

In this case, both these allegations have been levelled at the Government. Both these catch-22 situations have been developed by the Opposition.

In the case of this policy the Minister has said to the medical organisations and to the public that the Government has a health policy which was put before the public at the time of the last election. The Minister has also said that he is implementing that policy in a gradual way, which is medically responsible and which is the way he suggested at the time he announced the policy to the public. When the Government does that it is told that it is being ideological because it is implementing a policy. If the Government were not implementing its policy maybe it would not be ideological, but then it would be criticised for breaking its promises.

There can be no doubt that what the Minister for Health is doing is implementing a policy,

which was put in a sensible way, before the people at the time of the last election. That is the first point. The second point concerns costs. Of course, there are always pressures on Governments to provide additional services.

Several members interjected.

Mr PARKER: The Minister cannot respond.

Several members interjected.

Mr PARKER: Let us get on to them. I think the member for Clontarf referred to the fact that all the ALP members in that area were under great pressure. The member for Welshpool has just advised me that he has received only four approaches about the matter. Three of those were from people who were not from his electorate and the other was asking him to comment on a pamphlet, and that was his mother-in-law. She wanted to know what it was about.

Several members interjected.

Mr PARKER: The member for Welshpool has received only four approaches and his area adjoins the hospital. If I recall correctly the Bentley Hospital has been in the Welshpool electorate from time to time, depending on where the boundaries have been drawn by the Electoral Commissioners.

On the question of funds, there are always pressures on Governments on the one hand to spend more money and on the other hand to lower and certainly not increase taxes. Nowhere more strongly are those pressures exerted than in areas where a lot of personal sensitivity is involved and that includes the health and education areas—where people are concerned about their health or the health of their relatives and where people are concerned about their education or their relatives' education. Yet, of course, those two areas alone account for between 60 and 65 per cent of the State's expenditure.

Several members interjected.

Mr PARKER: If there are doctors who will not apply I will show members opposite to what degree it relates to health matters and to what degree it relates to financial matters. We are talking about a hospital. Obviously much depends on how one defines the catchment area and if it is defined sufficiently broadly, obviously one can say that all the patients come from that catchment area.

The Campbell Report, which was prepared in 1981 under the aegis of the former Minister for Health, Mr Ray Young, recommended a catchment area which has now been adopted after some revision by the Health Department, which is a much more realistic one. It does not include areas such as Hamilton Hill, which, for example, is very close to the Woodside Hospital referred to by the

member for East Melville, and the Fremantle Hospital itself, which is an excellent hospital.

If one looks at the Campbell recommendations in relation to catchment areas, only 10 per cent of the patients in the Bentley Hospital come from the immediate catchment area defined by the Campbell report. Of course, if one looks at a catchment area, which covers most of the metropolitan area, it is likely that one will get a very substantial part of that filled. If one looks at the Royal Perth Hospital and analyses who went to the Royal Perth Hospital from the catchment area one will find that the Royal Perth Hospital's workload is 20 per cent, representing about 7 000 admissions which came from patients in the immediate Bentley area, and some of those did go in for specialised treatment.

The interesting thing about it is this: Over 60 per cent of the admissions to the Royal Perth Hospital from people in the Bentley area were patients such as pensioners and other people who were not going in for elective surgery but for basic essential medical needs which could not be met by the Bentley Hospital because it is a hospital in which only four per cent of its activities are other than elective surgery. In other words, historically, only four per cent of the activities in the Bentley Hospital have been for the medical needs of pensioners—in the non-profitable area, if one likes. Of course, elective surgery is the most profitable area and specialists are seeking and using that hospital for elective surgery. I do not care about those doctors making a profit; I am not concerned about that. What I do care about is if they make excessive profits at the taxpayer's expense. If they want to go out there—

Mr MacKinnon: Which doctors are making excessive profits? You specify them.

Mr PARKER: If the Deputy Leader of the Opposition would listen for a moment I will tell him. Again we hear the Opposition constantly talking about the virtues of private enterprise and how Governments should not get involved in assisting private enterprise. "The Government should stand aside", said the Leader of the Opposition, "and let the free enterprise system work." I remember hearing the Leader of the Opposition only a few days ago saying it was tough out there in the world of private enterprise, but the people who operate it have to understand that and cannot come running to the Government every time they want a hand-out. He also made the point that there is an obligation on the private sector, a point with which I agree. We are not talking here about private income because these doctors will still have the right if they are admitted to the hospital to admit private patients and get their fee for service from

those private patients. They can get it through the normal channels either from the patient direct or from the patient's health insurance arrangements, whatever they may be.

We are talking about those people who are treating public patients, not privately insured patients. In the last financial year the payment to the doctors in the Royal Perth Hospital for treating those public patients, excluding what they received from the private patients, was in excess of \$600 000. If I can quote one example to answer the Deputy Leader of the Opposition, the very same doctor operates both at the Royal Perth Hospital and at the Bentley Hospital. At the Royal Perth Hospital that doctor operates on a sessional basis. He operates four sessions a week; that is, four half-days a week. For those four half-days a week he is paid \$25 000 per annum by the taxpayer. That is the basis upon which it is proposed in terms of relative incomes that doctors will operate at Bentley, and it is the basis which, as I understand it, is currently operating at Osborne Park and Wanneroo Hospitals.

That very same doctor operates as well at the Bentley Hospital on public patients. I am not talking about his private practice now. I am talking about his public patients whom he treats on behalf of the Government at the Bentley Hospital. Those public patients he treats or operates on at the Bentley Hospital are treated by him at that hospital for one half-day a month, which is equivalent to one session a month. He is not paid on a sessional basis, but on a fee-for-service basis. I will not call it one session a month. It is only one half-day a month that he actually spends there. For that one half-day a month he receives, also from the taxpayer, from the public purse, \$25 000 a year. It is exactly the same on a fee-for-service basis.

Is it any wonder then that the Government is looking at effective health care delivery, which involves ensuring that the people who are not in the profitable areas of medicine—that is the people with basic medical complaints who need treatment—are not squeezed out of the hospitals. Also this one man is doing one-sixteenth of the work that he was doing at the Royal Perth Hospital—

Mr Laurance: Is he any good?

Mr PARKER: —on behalf of the taxpayer and gets paid sixteen times as much per hour of operation at the Bentley Hospital. Is it any wonder that the doctors who are operating on that system are upset? I can understand their being upset. However, that has nothing to do with health delivery. It is all to do with their incomes.

I do not have any objections to doctors earning high incomes. They can go and earn as much as they like as far as I am concerned. What I do care about is the fact that they are earning high incomes at the expense of the taxpayer, when there are other more efficient and more medically sensible ways of delivering the same or a better service.

The people who really need the basic care, the community care—and the reason for having these hospitals scattered over the community is to provide the best possible care, as close to the community as possible—are not getting the best care. In the case, of the Bentley Hospital, they have not been getting, under the previous system, the best possible level of community care, although they have been getting the best level of medical income and operations have been going on there which could go on elsewhere. But the pensioners have been squeezed out. They have to get on the bus and go into Royal Perth Hospital because they are not able to get that basic medical care at the Bentley Hospital. Until the Minister instituted his changes the same applied at the Osborne Park Hospital and the Wanneroo Hospital. That is why we developed our policy—not under some ideological commitment—but out of a desire to improve the medical services available to the people of this State.

Motion, by leave, withdrawn.

BILLS (5): INTRODUCTION AND FIRST READING

1. Electoral Amendment Bill.

Bill introduced, on motion by Mr Carr (Minister for Local Government), and read a first time.

2. Election of Senators Amendment Bill.

Bill introduced, on motion by Mr Tonkin (Minister for Parliamentary and Electoral Reform), and read a first time.

3. Rights in Water and Irrigation Amendment Bill.

Bill introduced, on motion by Mr Tonkin (Minister for Water Resources), and read a first time.

4. Appropriation (Consolidated Revenue Fund) Bill.

5. Appropriation (General Loan Fund) Bill.

Bills introduced, on motions by Mr Brian Burke (Treasurer), and read a first time.

RURAL SECTOR HARDSHIP: SELECT COMMITTEE

Extension of Time

On motion by Mr I. F. Taylor, the time for submitting the final report of the Select Committee was extended to 11 October 1984.

ACTS AMENDMENT (COURT FEES) BILL

Second Reading

MR GRILL (Esperance-Dundas—Minister for Transport) [12.13 p.m.]: I move—

That the Bill be now read a second time.

There is no general power in either the Local Courts Act or the Justices Act to waive, reduce, refund, or defer payment of prescribed fees. That contrasts with the Supreme Court Act and rules which do provide that the court in a particular case, for special reasons, may direct that the payment of the whole or a part of a fee shall not be taken, or shall be remitted, or that the payment of the whole or a part of the fee be postponed.

The Bill proposes to amend the Local Courts and Justices Acts to insert a similar discretionary power to be exercised by clerks of court.

Clauses 3 and 7 provide for the making of regulations under the Justices Act to provide for the waiver, reduction, refund, or deferral of the payment of prescribed fees.

Clause 8 provides for the making of similar Local Court rules.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Trethowan.

ADOPTION OF CHILDREN AMDT BILL

Second Reading

MR GRILL (Esperance-Dundas—Minister for Transport) [12.16 p.m.]: I move—

That the Bill be now read a second time.

This Bill vests Supreme Court records of adoptions in the Family Court.

Following the establishment of the Family Court of Western Australia, responsibility for matters under the Adoption of Children Act was transferred from the Supreme Court to the Family Court.

However, records to that time remained vested in the Supreme Court. This has caused confusion, because inquiries may have to be redirected from one court to another. It is therefore desirable that all adoption records be vested in the one court.

I commend the Bill to the House.

Debate adjourned, on motion by Mr MacKinnon (Deputy Leader of the Opposition).

CONSERVATION AND LAND MANAGEMENT BILL

Second Reading

Debate resumed from 26 September.

MR BRIAN BURKE (Balga—Premier) [12.17 p.m.]: I must say at the outset that I took very strong exception to the remarks made by the member for Gascoyne during his contribution to this debate. His personal criticism of Dr Syd Shea carries on what has become a tradition in the Opposition benches; that is, a tradition of personal vilification and character assassination.

Dr Shea has been a long-serving and valuable member of the Public Service throughout the period of this Government's term in office and the terms of office of its predecessors. There is absolutely no call for the member for Gascoyne to make the sort of claims he made about Dr Shea's spending time working on Mandurah Shire Council business and as a result being rendered unfit to continue in the Public Service. It was particularly unfair and unfortunate that this member should continue in the same train as he has previously on other matters.

At this early stage in my speech I will direct the attention of the Chamber to the evidence that the member of Gascoyne said he would produce of appointments of certain people to this department prior to the passage of the legislation through the Parliament. The member for Gascoyne said he had evidence and that he would produce it. I am wondering whether he will do so now.

Mr Laurance: I will produce it during the Committee stage of the Bill.

Mr BRIAN BURKE: The member has said that he will produce during the Committee stage of the Bill evidence of the appointment of people to positions in this department.

Mr Laurance: I will produce evidence that you are proceeding in a way that is prejudging the approval of Parliament to this amendment.

Mr Pearce: That is not what you said.

Mr BRIAN BURKE: The Government has prepared for the legislation. However, the member for Gascoyne said that the Government had appointed people to positions in this department.

Mr Laurance: I will explain at a later stage.

Mr BRIAN BURKE: It is unfortunate, mean and nasty of the member for Gascoyne to carry on in this fashion. It is not very helpful to his own position.

Mr Laurance: I will worry about my position.

Mr BRIAN BURKE: It certainly colours the Opposition in the same way as many of the other

things that the Leader of the Opposition and the member for Gascoyne in particular appear to say in respect of different matters.

Mr Laurance: If you check the *Hansard* it will be seen that I paid tribute to Dr Shea for his scientific work, but said that he loses his objectivity when he gets involved in politics.

Mr BRIAN BURKE: The member for Gascoyne cannot wriggle out of what he said. We all heard him.

The Government was disappointed with the reaction of the Opposition to this measure and it seems to us to have been opposition for the sake of opposition.

The Opposition had an opportunity to make a constructive and useful contribution to what is a very major piece of legislation, and to adopt a non-partisan approach to that legislation. As an example of the difference in the approach of members of the Opposition, the member for Vasse has obviously done a great deal of work on the legislation, and he has proposed 18 or 20 amendments. I have indicated to him that the Government is prepared to accept all but two or three of those. The member for Vasse did not spend all his time speaking about irrelevancies, as did the member for Gascoyne, and the marked difference in approach was highlighted by the continued reference of the member for Gascoyne to the personality of people like Dr Shea.

Several members interjected.

Mr Blaikie: Let me also put the record straight. The Opposition does not support what you are attempting to do.

Mr BRIAN BURKE: I presume the Opposition's arguments, which were very difficult to follow, were based on a misunderstanding and a misconception of the legislation. If that is not the case, it is opposition for opposition's sake; however, I do not expect the House to expect me to imply to members opposite that its opposition is simply a political expedient, so I will proceed to attempt to deal with the arguments as they were raised. In that way I hope to clear up the misunderstandings and misconceptions.

Firstly, I should deal with the criticism of the task force and the process from which the task force took the policy as it has developed to this stage we are now considering. The member for Vasse was, I think, quite harsh with members of the task force. I think he suggested the task force was under some sort of political direction or control.

Mr Laurance: That was the Government's direction.

Mr BRIAN BURKE: There are two things about that: First, to make an allegation of that sort immediately causes the question to be raised about the evidence necessary to support the allegation. I challenge the member for Vasse, or any other member of Parliament, to produce any evidence that there was any political direction of the task force.

Mr Laurance: Certainly at the time there was.

Mr BRIAN BURKE: I can say there was no political direction by me as the Minister responsible. I am not aware of any political direction by any of my colleagues to the task force as it carried out its work.

Mr Blaikie: Before you get off that subject, there was political direction because the task force had to report in conformity with the policy of the Government, so the task force was put into the position of having to follow the policy of the Labor Party.

Mr BRIAN BURKE: All the departments within the Public Service are adjured with a responsibility to implement Government policy, as they were when the previous Government was in office. That is not political interference or direction.

Mr Blaikie: Please!

Mr BRIAN BURKE: That is a matter of public policy.

Mr Laurance: You prevented them from being scientists and made them puppets. They admitted it to us.

Mr BRIAN BURKE: You are a very narrow-gauged—

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr BRIAN BURKE: The member for Gascoyne is a narrow-gauged member.

Mr Laurance: You can do better than that.

Mr BRIAN BURKE: I can do better than that. It is not my intention—

Several members interjected.

Mr BRIAN BURKE: Because the member for Gascoyne has been interjecting—

Several members interjected.

The DEPUTY SPEAKER: Order!

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr BRIAN BURKE: I will appeal to the member for Gascoyne—

Mr Laurance: Come on!

The DEPUTY SPEAKER: Order! Perhaps the Premier could resume his seat for a moment. I would point out to the member for Gascoyne that on several occasions I have had to call "Order". He knows as well as anybody else in this Chamber that when I am in the Chair I do not mind interjections, but I will not tolerate interjections of the sort which have been going on for the last few minutes. I am not going to continue to call "Order". If he forces me to I will take action.

Point of Order

Mr LAURANCE: On a point of order, Mr Deputy Speaker, I take your point; I will not offend in that way again, as long as I am not called on to respond to remarks made by the Premier.

The DEPUTY SPEAKER: That is not a point of order.

Debate Resumed

Mr BRIAN BURKE: I challenge the member for Vasse or anyone else to produce evidence of the political direction which was given to the task force. I know of no political direction, apart from the one I suppose the member for Vasse points to as the one he means, and that is that the task force has a responsibility to implement Government policy.

Mr Laurance: That is all-important.

Mr Blaikie: For goodness sake! It is not an academic exercise, it is a political exercise on which you embarked these people.

Mr BRIAN BURKE: I raised during the debate the fact that it is very difficult to instruct or to write terms of reference which would implement the Opposition's policy, or anybody else's policy, because part of the democratic process sees Governments elected on policies, and then as Governments they must implement those policies. That is the first political point.

Mr Laurance: We cannot swallow that.

Mr BRIAN BURKE: If the member for Gascoyne is to continue he will cause me to answer his interjections and I do not particularly want to.

Mr Laurance: Let me answer a few of your remarks which you made a few minutes ago.

Mr BRIAN BURKE: The member for Gascoyne has marked himself as an absolute failure within his own party; he has retreated to the backbench.

Mr Laurance: To give you a few barbs into the bargain.

Mr BRIAN BURKE: I really cannot believe any man—

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr BRIAN BURKE: I cannot believe any man can take himself seriously and carry on in this fashion.

Mr Laurance: We take you seriously now and again.

Mr BRIAN BURKE: The member for Gascoyne has lost the respect of the Government benches and he is rapidly losing the respect of his own members.

Mr Laurance interjected.

Mr BRIAN BURKE: Everybody knows that is true. Let me continue to say there was no political direction. That is the first point I want to make in response to the arguments expressed by the Opposition.

Secondly, there is a very severe challenge to the integrity of the members of the task force implicit in the comments made by the member for Vasse. It is a difficult challenge to understand, because on the one hand in talking about the System 6 study and its report, a study and a report of which Dr Mulcahy was the principal architect, the Opposition praises Dr Mulcahy, but in respect of the work he does in the task force, because it does not suit the Opposition, the Opposition criticises him and says that the task force is simply a political exercise.

Mr Laurance: One took years and the other weeks.

Mr BRIAN BURKE: It is difficult to know how one can challenge the integrity of the man after so resoundingly praising that same man's integrity. Let me make it perfectly clear—

Mr Blaikie: You are going a little further into what I said.

Mr BRIAN BURKE: I will go a little further into what the member said. Let me simply say—

Several members interjected.

Mr BRIAN BURKE: If Opposition members are to continue like this I shall never finish the speech. It is up to them. I will reply to the debate or—

Mr Laurance: Take your mug and go home.

Mr BRIAN BURKE: No, I shall just sit down and see the second reading passed. That is entirely up to the Opposition.

Mr Blaikie: This is the poorest performance of a Premier I have ever seen.

Mr Laurance: Sit down.

Mr BRIAN BURKE: If the Opposition does not want the arguments answered, I am prepared not to answer them.

Mr Laurance: Please yourself!

Mr BRIAN BURKE: The member for Gascoyne really does try one's patience. It is really an awful situation. If one made any sense—

Several members interjected.

Mr BRIAN BURKE: If the member wants to know the truth I feel sorry for him.

Mr Laurance: You do?

Mr BRIAN BURKE: I do.

Mr Laurance: I feel sorry for you as well.

Mr BRIAN BURKE: I feel sorry for the member, but it is for different reasons. I feel sorry for his failure.

Mr Laurance: My failure?

Mr BRIAN BURKE: On the one hand—

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr BRIAN BURKE: On the one hand, we have Dr Mulcahy roundly criticised for his participation in the task force and, on the other hand, we have Dr Mulcahy praised for his participation in the System 6 report. I make it perfectly clear that the Government has complete confidence in Dr Mulcahy and in the members of the task force who were responsible for doing all of the work that has led to this Parliament today considering the legislation before us.

Then the Opposition, through the member for Vasse, went on to criticise the lack of consultation during the process of formulating the task force report. That criticism simply has no basis in fact. It was the most comprehensive report on land resource management that has ever been undertaken. That is simply the truth and, as I have said before, it was carried out completely independently of any Government direction. There was no political interference and there was no Government direction. Rather, the comprehensive nature of the land task force's investigations involved extensive consultations with members of the community generally, industry, local authorities, and other Government agencies.

Let me give members some examples of what the task force did and then let us hold those examples up against the criticism that the task force did not carry out some sort of comprehensive review. The task force met with over 80 different groups and individuals during the time that the report was being developed. Three major workshops were held in country areas to discuss land resource management. An interim report was

produced so that the public could respond to the general concepts which were being developed before the final recommendations were made to Government. The task force received over 200 written submissions and applications in respect of that report.

Copies of the task force's report were sent to all local authorities throughout the State and every organisation and individual that made a submission or attended a workshop, and copies have been available free of charge to all members of the public.

Let us look at the lack of consultation the Opposition claims. We had major workshops, 80 different meetings, copies of the task force's report were sent to all of those interest groups and local authorities, and over 200 written submissions were received by the task force during its deliberations.

Subsequent to the adoption of the broad recommendations of the task force, all local authorities have been sent two personal letters from me outlining the general principles which the Government has adopted and asking for further submissions to be made to the implementation group which was directed to put into effect the recommendations which have been adopted by the Government.

So once the broad concepts were developed, two letters were written by myself to each of the local authorities asking for their further participation.

During the period when the implementation group was working, after the process of consultation to which I have referred previously had concluded, opportunities were presented for any individual agency, local authority, or community group to make further submissions to it.

In summary, as was the case with the System 6 report, there has been extensive consultation with all members of the community and every opportunity has been given for the general public to participate in both the formulation of the recommendations and their implementation.

One of the most interesting aspects was perhaps the way in which the Opposition unwittingly fell into commenting on the interim report and responding to it as the basis for its arguments. Of course, the interim report was just that; it was an interim document that provoked, and sought to provoke, responses and submissions from different people. The Opposition's final position appears to me to be based on the interim report, not on the legislation that is before the Parliament.

If members cared to examine closely the interim and final reports of the task force, they would know that a large number of the recommendations and the suggestions that were made in response to

the interim report have now been included in the final document.

The character of the final document is, in large part, a reflection of the suggestions and statements that were made and, on that basis, we fail to see any logical claim that the Opposition has to a position which denies the task force, on arguments that go to the interim report and not to the final document.

Subsequent to the final report, the submissions which were received by the task force were adopted in principle in many cases and the recommendations to form an integrated land management agency and to set up an implementation group were made. It is true to say very few objections to the proposal have been received by my office.

What has happened is that the interest groups, the community groups, the public, local authorities, and others have achieved what the Opposition has failed to achieve; that is, a position which reflects their attitude to the final report of the task force, not to the interim report. In those cases where opposition was expressed previously, much of that opposition has been withdrawn and, in most cases, there has been no further comment, despite the two personal letters I sent on the final positions adopted by the task force.

The response of local authorities, as it is indicative of the local authorities' attitude towards the Government's decision, is interesting in view of the following statistics. Members should bear in mind that all local authorities have received advice from me on two separate occasions in respect of the Government's proposal.

In reply to those two separate pieces of advice, my office has received a total of 11 responses from local authorities. Two of those responses opposed the Government's proposal; six indicated outright support; and three submissions were noncommittal.

So in response to the final document and in response to two different letters from me that were posted to local authorities, they have come to the conclusion, as reflected in the 11 responses elicited, that, on balance, they support the task force's final recommendations.

Mr Rushton: What about all the other silent ones? They have not had the chance to digest it and come back to you.

Mr BRIAN BURKE: The only significant group of people which has registered an objection to the Government's proposal to form this integrated department has been the Conservation Council of Western Australia, and, interestingly, the principal cause for its concern related to its

perception of the inadequacies of the Forests Department.

However, following extensive consultations with the implementation group, even that community body has withdrawn its opposition to the proposal. The Conservation Council is the only significant group to have opposed the legislation.

When that group raised its protestations, the implementation group had discussions with it, and it subsequently withdrew its opposition. Although the Conservation Council objects in principle, it recognises there are substantial benefits in the Bill and it has submitted constructive suggestions as to how the Bill can be improved.

In fact, all of the groups with which we have spoken have been very constructive and intelligent in their approaches to our deliberations. The only exception has been the Opposition which has exhibited a negative and destructive, rather than constructive, approach. I repeat, following the final recommendations of the task force and the implementation group's decisions, the only significant group to have registered any opposition was the Conservation Council objects in principle, it with that council subsequently saw it withdraw the objections which it had previously.

Mr Blaikie: What you are saying then is, as far as the Government is concerned, the broad community accept what you are proposing and have no objection to it.

Mr BRIAN BURKE: I am saying that we have not received any objections.

Mr Laurance interjected.

Mr BRIAN BURKE: I am not sure about the morale of public servants—

Mr Laurance: It is very low.

Mr BRIAN BURKE: However, the problems experienced by public servants under some of the people who were Ministers when the Liberal Party was in Government in previous years were not so much related to the question of lowered morale, but rather stemmed from a disdain for the ability of some of the Ministers who were incumbent.

The member for Gascoyne interjects to mention the timber industry and I am glad that he does, because that is a very important group which has been consulted exhaustively by the Government during the formulation of this legislation. Contrary to what the Opposition has suggested, that extensive consultation has elicited, if not absolute support, then certainly no expressions of outright opposition to the proposal.

If the member for Vasse has evidence of outright opposition to this legislation from the industry, I would like him to produce it. The member

said in his speech that he knew certain things about the timber industry, and I would like him to tell me what outright opposition he can evidence in this matter.

Mr Blaikie: Take a look at the annual report of the Forest Products Association, the body representative of the timber industry.

Mr BRIAN BURKE: I really hope that the member for Vasse is being serious about this matter. If he is, he has failed to understand that we are talking about legislation before the Parliament, not proposals current prior to the production of that annual report.

Mr Blaikie: What the Premier is trying to hoodwink this House about is the fact that the forest industries are not prepared to lose the conservator or the Forests Department.

Mr BRIAN BURKE: I have asked the member for Vasse to produce evidence that supports his contention that the forest industries oppose this legislation, and he has not been able to do so.

Mr Blaikie: I am telling you that the forest industries don't support the loss of the conservator or the Forests Department as a department.

Mr BRIAN BURKE: All I can say to the member is that, if he produces the evidence, it will be taken seriously into account, but all he is doing is telling us things that he has reason to believe are true. Where is the evidence for his belief? Where is the reason for his saying these things? The member received a letter from the industry.

Mr Blaikie: I have told you how the forest industries feel; they do not want to lose the conservator or the department.

Mr BRIAN BURKE: Could the member please produce the evidence which shows that?

Mr Blaikie: I am not going to turn around and finger organisations.

Mr BRIAN BURKE: I am not asking the member to finger organisations.

Mr Blaikie: You would automatically cancel their licence; that is what you would do.

Mr BRIAN BURKE: Rubbish! Perhaps the member could white out the names so that they were not obvious and I would not know who they were.

Mr Blaikie: You go on with your speech.

Mr BRIAN BURKE: I am trying to answer some of the queries Opposition members raised, but it seems they do not have the evidence to support their statements.

There was extensive consultation with the timber industry, and as with any industry group there

were some areas of concern; there is no doubt about that.

Mr Laurance: Where is your evidence?

Mr BRIAN BURKE: Evidence of the concern?

Mr Laurance: Yes.

Mr Blaikie: That is not a bad point. Produce the evidence.

Mr Laurance: What right have you got to come to Parliament and say things like that?

Mr BRIAN BURKE: Then let me withdraw the comment, because presumably the Opposition now says that there is no opposition from the timber industry. I am now simply agreeing with the proposition put by the Opposition; but if the Opposition does not believe that this is so, I am happy to accept its view.

Mr Laurance: There is concern, and we raised it in the Parliament.

Mr BRIAN BURKE: There has been opposition to the legislation; there have been specific questions about some areas of the Bill. Those questions have been raised with me personally by different members of the industry. But many individual members of the industry have expressed support for the Bill because it promises them security that they previously have not enjoyed. On that basis many of them said that the advantages outweighed any disadvantages they perceived in the Bill.

There have been a number of criticisms of the concept of an integrated land management agency and the way it would work. A number of Opposition speakers encapsulated their objections in this respect by referring to a "mega-department" that would create "mega-problems". They were the words used by the member for Vasse and repeated by other Opposition speakers.

These are the facts: The new department will have a Public Service staff of 635 and a wages staff of 736, a total of about 1 400 members. By any standard, that could not be called a "mega-department". Could the member for Vasse explain why he considers that to be a mega-department?

Mr Blaikie: That is different from what the Minister for Education said; he said it would have only 700 people. It has at least doubled in size since he made his comment.

Mr Laurance: There are about 1 200 people in the Forests Department.

Mr BRIAN BURKE: I did not hear the Minister for Education say that, but if he did it makes the member for Vasse's criticism even less valid, because if the member is prepared to say that a

department of 700 staff is a mega-department, it really says something about his judgment.

Mr Blaikie: Your Minister said it.

Mr BRIAN BURKE: But the member for Vasse said that it was a mega-department.

Mr Blaikie: It is a mega-department by comparison with the National Parks Authority.

Mr BRIAN BURKE: It is a mega-department by comparison with the RSPCA.

Mr Pearce: It is tiny compared with the Education Department, which is the point I was making.

Mr BRIAN BURKE: It is a mega-department compared with a lot of other departments which are much smaller; but with a total complement of 1 400 employees, it is certainly not a mega-department by comparison with the Education Department, the Health Department, or the Department of Mines, all those departments which members opposite have not previously called mega-departments, departments which are much bigger than this proposed department.

As for the criticism of the integrity of the land management department concept, I would have thought that the Opposition would provide some constructive alternative; but speaker after speaker gave no alternative, with the notable exception perhaps of the contribution from the member for Narrogin.

The member for Vasse did not say, "If you do this, if you change this or if you amend that, you will have a better result in terms of the legislative outcome". His opposition was simply based on his belief that there was no credible or constructive alternative.

Mr Rushton: The alternative is to leave the administration as it is and to leave the areas as they are.

Mr BRIAN BURKE: What the member for Dale has just said is that he is prepared to see things continue as they are.

Mr Rushton: I know what you said.

Mr BRIAN BURKE: We all heard the member for Dale, and he cannot now backtrack. What he says is that we should leave things as they are.

Mr Rushton: Napoleon II. "Big brother".

Mr Pearce: Ethelred the unready over there.

Mr BRIAN BURKE: What the member for Dale and the member for Vasse seem to think is appropriate, first by their stated position and second by their lack of any credible alternative, is this: Three different agencies operating out of the same country town should operate three different radio communication systems that are incompat-

ible. That is the first thing they are prepared to see continue.

The Opposition is prepared to see continue a situation in which there are four different fire control agencies, which leads to the ridiculous situation where one agency sends its fire trucks from Perth to a wildfire on the south coast, some 14 hours' driving time away.

The Opposition is prepared to see continue a situation where the National Parks Authority, because of its small size, operates a system of vehicle purchase which is dependent on buying vehicles that have been rejected by the Forests Department as being inefficient.

There was no constructive or credible suggestion in this matter. The Opposition is prepared to support the status quo, and in doing so it must explain to public servants in all these smaller agencies why they do not have an adequate training scheme. We heard the member for Gascoyne talk about the benefits of the Forests Department in respect of its safety record and training schemes. What the Opposition has to do in opposing this move without providing an alternative is to explain why the smaller agencies should not have the same sort of benefits.

The list is endless. Inefficiency has occurred as a result of duplication throughout the system that is sought by this legislation to be integrated into a much more efficient form. It is also true that when the Opposition raised questions regarding the under-resourcing of national parks in particular, and of wildlife, we were challenged to produce evidence that more reserves would be provided. All I can say is that the Budget which will be brought down on 9 October or thereabouts will indicate quite clearly to the Chamber where we stand in terms of reserves; but in any case that is a strange sort of argument to hear from the people who were in Government for nine years during which time the reserves provided in these special areas were inadequate and inappropriate.

Mr Spriggs: It grew out of all proportion.

Mr BRIAN BURKE: That is not true.

Mr Spriggs: You inherited the best system of land management that any State in Australia has got and you are going to destroy it.

Mr BRIAN BURKE: The reserves provided were inappropriate and inadequate and in nine years nothing was done to redress the problems I spoke of.

Mr Spriggs: You are going to destroy the best land management system in Australia.

Mr Pearce: Are you speaking as a consumer representative on the dental technicians board?

Mr Blaikie: We will deal with that later.

Mr BRIAN BURKE: Numerous arguments can be put forward to support the regionalisation and the amalgamation into an integrated department of the agencies that are suggested to be amalgamated and included in the form as proposed.

Mr Blaikie: What other agencies do you propose to include in addition to the three that are currently provided for in this legislation?

Mr BRIAN BURKE: That was one of the points raised by the member for Vasse and, as I indicated by way of interjection at the time, no consideration has been given to and no decision has been made in respect of the addition of any further areas of authority to the new department. We are hoping to establish the department to see how it works and to see whether it can sensibly and efficiently handle functions which are being performed separately or inadequately in other places. No decision has been made. The member for Vasse will be the first to be informed of any decision as soon as it is made.

Mr Blaikie: You realise your own initial Press release fuelled that fire when you said four additional agencies would be included in the land management legislation.

Mr BRIAN BURKE: I hope to finish my remarks by lunch time, and to do so I will need to go fairly quickly through some of the arguments raised by the Opposition. Firstly, I mention the Opposition's major objection to integrating the Forests Department into the new department. By integrating the Forests Department into an amalgamated agency it is possible to provide a first-class inventory and mapping service throughout the State and that is not possible at this time. It is true that the existing resources of the Forests Department are not sufficient to provide that service, but with a very small addition of funds that service can be provided throughout the State. The alternative to the provision of an efficient inventory and mapping service to the National Parks Authority or to the wildlife authority would involve the expenditure of hundreds of thousands of dollars, and that is simply because no such service is currently in existence. But with a small addition of funds to the Forests Department those other departments can share in the benefit of that service.

I acknowledge that there are advantages in smaller organisations, but simply, if an organisation is too small it is not able to provide basic services and it is inefficient by definition. A whole range of services could be provided from an amalgamated agency that would not be possible to

provide from the single existing agency, and these are the sorts of advantages that the single agency, the integrated land management department, will be able to provide. Aerial photography detection services, computer systems, a mechanical services division, an efficient accounting and auditing system, a training system, improved safety systems, etc., could be achieved. The list is endless. These are the sorts of advantages that the smaller agencies will be able to enjoy as part of the integrated land management department. To suggest that we have a multiplicity of land management agencies which have basically the same functions, is a ridiculous proposition and is quite contrary to what I believe was the philosophy expressed by the Leader of the Opposition when he applauded the Government's initiative in respect of the Public Works Department. That serves no purpose that the Government is able to perceive in terms of efficiency. If the Opposition can see that the duplication of smaller agencies in their nature, establishment, and functions—

Mr Spriggs: They have totally different responsibilities.

Mr BRIAN BURKE: If that duplication—

Mr Spriggs: They are totally different.

Mr BRIAN BURKE: —is of some virtue in the eyes of the Opposition then it should say where the virtue lies because we fail to see it. The Opposition has also criticised the structure and organisation of the proposed new department. We have prepared detailed explanatory notes—we have circulated them to all members of Parliament—on the proposed operation and administration of the new department. That should be sufficient for members of the Opposition, but if they want to pick up matters on a personal basis, I am perfectly prepared to talk to the Opposition about them or to make available any explanations sought. In fact I have already made available departmental experts who have spoken to the Opposition in an attempt to lift the veil of ignorance that members of the Opposition exhibit about the new department.

Local government was also mentioned and, contrary to what the Opposition suggests, the Bill does not in any way decrease the powers of local government. Specifically it does not remove from local government the control of any reserve vested in a local government authority. There is no removal.

Mr Spriggs: It has the ability to do that?

Mr BRIAN BURKE: I can only say that the Bill does not do what the member for Darling Range says it does.

Mr Spriggs: I am asking. Has it the ability to do that?

Mr BRIAN BURKE: That is not my understanding from reading the Bill. I suppose the member for Darling Range can read the Bill in any way he likes, if he bothers to read it, but that is not my understanding. In respect of benefits to local government, for the first time local government will be able to participate in land management policy formulations on public use in their shires.

Mr Blaikie: How?

Mr BRIAN BURKE: This will be possible because of the Bill's provision for statutory input into the land management planning process; that is how. For example, in a shire like Manjimup, in which only 17 per cent of its land is under private ownership, the local authority will be able to influence land management practices in a large proportion of the shire held under public ownership. That is a good thing. I would have thought, for local government. We will see improved co-ordination of public land management and improved management of public lands because of greater efficiency and increased resources, and this will be of some benefit to local government. We will make more funds available, perhaps not as much money or not as many reserves as we would like, but certainly more funds than are presently available will be provided for this area of government.

The regional system of management of the department will also be of considerable benefit to local authorities because it will mean that the department will be responsive to local issues. I will enumerate a whole list of other benefits for members. We will continue after lunch so I can tell everyone about some of these other benefits. They include liaison between Government departments and local authorities.

Mr Blaikie: How will that liaison occur?

Mr BRIAN BURKE: Because of the regional nature of the administration. That is something that the member has sought time and time again in his public statements inside and outside this House. We spoke about the regionalisation of land management.

Mr Blaikie: Yes, but I think we turned around and put amendments on the Notice Paper in respect of local government.

Mr BRIAN BURKE: We sent the Opposition's amendments to the draftsman and he thought that they were part of the project competition for Parliament Week!

Mr Blaikie: You now are insulting an officer of the Government.

Mr BRIAN BURKE: I do not care who I am insulting.

Mr Blaikie: That happens to be the parliamentary draftsman.

Mr BRIAN BURKE: Yes, but he was acting on the Opposition's instructions. I doubt that anyone could produce anything successful on any instruction that the Opposition could issue.

Mr Blaikie: Now you are trying to back off.

Mr BRIAN BURKE: I am not trying to back off anything; I am quite enjoying this.

Another additional benefit will be that under this Bill the new department will be able to provide a land management service, if the local authority wants it.

Sitting suspended from 1.00 to 2.15 p.m.

Mr BRIAN BURKE: In the very short time that remains to me, let me simply say that the Government regards this Bill as a major piece of legislation that is one of the Government's foremost initiatives in the quest for increased efficiency.

We deny those objections raised by the lead speaker for the Opposition, some of which I have dealt with already. In particular, without having the time to deal in detail with some of the further objections, let me say this: The adverse effects on the timber industry, to which the member for Vasse referred in his contribution, are not perceived by the Government; rather the reverse is the case. There are definite advantages for the timber industry in the proposal which is now before the Parliament.

The most startling advantage is the one that goes to the security of tenure for the industry and to the general health, on an ongoing basis, of the resource on which the industry is based. Secondly, in respect of the Forests Department—it is unfortunate that so little time remains—the Government rejects completely the allegations made by members of the Opposition who referred to the attack upon the Forests Department and the general debilitating effect on that department of this legislation.

It was strange to hear the Opposition object to the legislation on the basis that it attacked the Forests Department, then very shortly afterwards to hear that this new department was to be run by the Forests Department. Let me say quite clearly that the Government recognises the repository expertise within the department. It is true that the department will be enhanced; that its role will be expanded, and that its authority will be underlined under the provisions of this Bill, which provides for an integrated land management department.

I urge members to support the legislation.

Question put and a division taken with the following result—

Ayes 22

Mr Barnett	Mr Parker
Mr Bateman	Mr Pearce
Mrs Beggs	Mr Read
Mr Bridge	Mr D. L. Smith
Mrs Buchanan	Mr P. J. Smith
Mr Brian Burke	Mr I. F. Taylor
Mr Burkett	Mr Tonkin
Mr Carr	Mr Troy
Mrs Henderson	Mrs Watkins
Mr Hodge	Mr Wilson
Mr Jamieson	Mr Gordon Hill

(Teller)

Noes 15

Mr-Blaikie	Mr Laurance
Mr Bradshaw	Mr MacKinnon
Mr Clarko	Mr McNee
Mr Cowan	Mr Old
Mr Coyne	Mr Rushton
Mr Crane	Mr Trethowan
Mr Grayden	Mr Spriggs
Mr Hassell	

(Teller)

Pairs

Ayes	Noes
Mr Bertram	Mr Thompson
Mr Tom Jones	Mr Williams
Mr Terry Burke	Mr Peter Jones
Mr Bryce	Mr Court
Mr McIver	Mr Mensaros
Mr Evans	Mr Watt
Mr Grill	Mr Tubby
Mr Davies	Mr Stephens

Question thus passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Barnett) in the Chair; Mr Brian Burke (Premier), in charge of the Bill.

Clause 1 put and passed.

Clause 2: Commencement—

Mr LAURANCE: This clause says the Act shall come into operation on a day to be fixed by proclamation. That is a standard clause for Bills passed through this Chamber. It means at that time all the due processes of our parliamentary procedure have been complied with; the Bill has been brought to this Chamber and passed through the first and second reading stages, the Committee stage, and the third reading, and then has gone to the other House where it has gone through a similar procedure.

The Bill then must be assented to, and eventually it becomes law and is proclaimed. At that time the Government has the approval of Parliament to proceed. During the debate the Opposition has made a very clear case to show that the Government has pre-empted the approval of Par-

liament on this occasion and has proceeded to establish this department without parliamentary approval. On a number of occasions during the debate the Premier called on me to give evidence that this was the case. I told him I would do that in the Committee stage, and as we are now talking about the timing of the commencement of this legislation and when the department can legally be set up, it is appropriate I should do so.

Some 12 or 14 hours before I spoke in the second reading debate, the member for Narrogin first made the allegation while the Premier was in the Chamber and in control of the Bill. I quote the member for Narrogin as follows—

If not already legally established, it is nonetheless making decisions and going down an administrative path; appointments are being made, and decisions and policies are being made and developed.

Further on in his remarks he said—

... we are told that one of the reasons that opposition cannot be countenanced is that the department it proposes to create is already functioning. This represents an arrogant affront to the Parliament.

The Premier did not refute those comments, despite the fact that he was in the Chamber and in charge of the Bill. One can only assume he thought that was the case. When I spoke in the second reading debate I made similar claims which the Premier refuted, and he challenged me, as he is wont to do. It seems to be a favourite escape clause of his; he says, "I challenge you".

We have a duty as members of Parliament to bring matters of concern before the Chamber. Many meetings take place when we are discussing legislation and we form an opinion as to a Bill. We are quite entitled to come here; members are freely elected and, regardless of the Premier, can bring those opinions and feelings to the Chamber. Sometimes members will produce evidence and name names. However, when we have a scurrilous Government like this one, one is sometimes not prepared to name names in order to protect the people who give information. This Bill is a case in point, because there are people in the timber and forest industries with a very short tenure of security. They will not be named.

Mr Old: Otherwise their tenure will be shorter.

Mr LAURANCE: That is right. They will have no security of tenure. But it does not mean they have not been in discussion with us. We will honour our obligation to them. That is why we have a Parliament and a democratic institution, and no bluff and bluster from a boofhead like the Premier will change that.

Several members interjected.

Mr LAURANCE: In addition to accepting the comments of the member for Narrogin, the Premier also answered a question in this Parliament in which he said many things already had happened in relation to this department: People had been seconded, and many officers had been working on this proposal for a long time; stationery had been prepared—we were told that—but when we tried to obtain copies, it had suddenly vanished. The stationery which was prepared for the new department was suddenly withdrawn. Let the Premier deny that.

Mr Peter Jones: Some months ago.

Mr LAURANCE: It was withdrawn in embarrassment. I challenge the Premier to show that what I am saying has no substance. He is very deep in his papers.

Mr Carr: Bored silly like the rest of us.

Mr LAURANCE: The Government proceeded in this way well before the Act has been proclaimed. Clause 2 refers to proclamation on a date to be fixed; we do not know what the date will be, but it is the day we are waiting for. Sure, Governments are entitled to make preliminary arrangements, but I think members will agree this Government has gone a long way beyond that in relation to this department.

It is virtually agreed that the Premier has already appointed people to the department. We might argue about the difference between "appointed" and "seconded". Nevertheless, the people are there and are doing the job.

They have created stationery that had to be quickly withdrawn. They also have an in-house newsletter. The Premier gave details of that in his answer. The newsletter is entitled "Indat", and it is circulated to the agencies involved in the amalgamation. The Premier says that the newsletter is to keep involved officers informed about the progress of the amalgamation. We believe it to be part of the Government's move to establish the department well and truly before the Government obtained parliamentary approval for that move.

That is the evidence that I have been challenged to provide. Let me once again challenge the Premier to refute it. The Government has made this move already. The whole thing has been a fabrication. It set up a task force which had only a very short life, and it produced a predetermined result. The Government sent scientists away and told them to come back with that predetermined result as quickly as possible.

As soon as the Government received the report of the task force, it set about establishing this

department without gaining parliamentary approval. The Premier has been challenged with that evidence and has not refuted it in Parliament. When provided with the evidence, the Premier suddenly went quiet because the evidence was given under his own hand and provided to Parliament by way of an answer to a parliamentary question relating to the establishment of this department.

Members of the Opposition have said that this action is an affront to the Parliament. I hope that the Premier will learn a lesson from this issue. If he wants to make a major change to the Public Service in the future or introduce such a major initiative, he should bring the matter before the Parliament and obtain approval for it. He would then be able to proceed with the action that he wished to take.

Mr BRIAN BURKE: The member for Gascoyne said that appointments had been made to this proposed department prior to the passage of the legislation through the Parliament. That is not true. The member for Gascoyne now says that he was talking about secondment to the proposed new department. That also is not true. An implementation group has been working on this matter for a number of months. No stationery has been printed whatsoever, except for a brochure which was tabled in this House and which was produced by the Public Service Board. Nothing has been done that is not the normal part of preparation for the passage of legislation. If the legislation is defeated by the Legislative Council, that will be the decision of the Council. It is a major piece of legislation; a major initiative of the Government. We cannot make the Legislative Council support it.

When challenged to produce the evidence, the member for Gascoyne was unable to say whether people were appointed to positions in the proposed department. He now says that secondments were made, but not to the department, because the department does not exist. The member for Gascoyne must know enough about the Public Service Act to know that one cannot second people to positions that do not exist.

No appointments have been made, contrary to what the member for Gascoyne said.

Mr Hassell: You have got a *de facto* department operating. It is all together on one floor of a building.

Mr BRIAN BURKE: We have the implementation group working on it.

Mr Hassell: Aha!

Mr BRIAN BURKE: What does the Leader of the Opposition mean by "Aha"? Is the Leader of

the Opposition saying that appointments have been made to a *de facto* department?

Mr Hassell: No, because that legislation has not been passed, as you know. You have had a *de facto* department operating for months.

Mr BRIAN BURKE: In that case, the Leader of the Opposition at least understands what the member for Gascoyne does not understand. The member for Gascoyne understands that appointments have been made to the department. The Leader of the Opposition now says that that is not possible. Who is right; the member for Gascoyne or his leader?

Mr Hassell: All I suggested was that you have a *de facto* department.

Mr I. F. Taylor: Who is the leader?

Mr BRIAN BURKE: I do not know. However, I understand that the member for Gascoyne retired from the front bench because he could not get support for the position of deputy leader of his party. He finished up with one vote, and that was his own. Even his seconder did not support him.

Mr Old: That is typical of you.

Mr BRIAN BURKE: Opposition members can dish it out. They sat and listened to the member for Gascoyne call me a "boofhead". However, when they get a bit of their own medicine they suddenly get offended.

Mr Laurance: I am not offended. I do not worry when you offend me. If you were supporting me I would be very worried. In fact, you called me a failure earlier on.

The CHAIRMAN: Order!

Mr Laurance: That is the most complimentary thing that has been said to me for a long time.

The CHAIRMAN: Order! I ask the Premier to resume his seat. Earlier today, while in another Chair, I had the occasion to draw to the attention of the member for Gascoyne that I called for order on a number of occasions and he ignored my call. If he continues to ignore my call today I will take action.

Mr BRIAN BURKE: I was saying that it is all very well for Opposition members to dish it out. However, when it is handed back to them, all of a sudden they have offended sensibilities.

Let me tell members the truth once more. No appointments have been made to the proposed Department of Conservation and Land Management. The Leader of the Opposition has indicated that that is not possible. The other evening the member for Gascoyne said that he had evidence that the appointments had been made. He has not produced that evidence.

Mr Hassell: He was talking about your *de facto* department.

Mr BRIAN BURKE: The member for Gascoyne was not. He said that appointments have not been made to this department. I still cannot understand how the member for Gascoyne can say that he has evidence about appointments to a department and not produce it. He said that appointments were made to a department. Where is the evidence?

Mr Laurance: I have produced the evidence.

Mr BRIAN BURKE: That must have been when I was absent.

Mr Hassell: People are working there.

Mr BRIAN BURKE: What does the Leader of the Opposition mean by, "People are working there"? No appointments have been made to any department because no department has been established.

The member for Gascoyne said that stationery had been printed, and he said that it had been withdrawn. No stationery, apart from a brochure produced by the Public Service Board which was tabled in this House, has been printed. The member for Gascoyne said that he had produced evidence about the stationery. Where is it?

Mr Laurance: It is the newsletter which you produced in your answer to Parliament.

Mr BRIAN BURKE: The newsletter does not comprise stationery. If it did, why did the member for Gascoyne say it had disappeared?

Mr Laurance: That was other stationery.

Mr BRIAN BURKE: Where is the other stationery?

Mr Old: It disappeared.

Mr BRIAN BURKE: Why does not the Opposition get its act together? It is talking about disappearing stationery, stationery that is not stationery, appointments to a *de facto* department, and appointments to a department that has not been established. The Opposition has absolutely no cohesion in the arguments it presents. Not only that, but also it presents them claiming to have evidence and saying that it will produce it. However, it fails to produce that evidence.

Mr PETER JONES: I raised this matter the other night. No matter what amount of bluster the Premier goes on with, the fact remains that the arrangements that are being prepared to be put into place have pre-empted the debate and passage of this Bill through the Parliament. The Premier said in his answer that the Public Service Board "has approved the structure of the new department". Of course, no final appointments have been

made to that department because there is no department. We know that.

Mr Brian Burke: Why did the member for Gascoyne say that there was?

Mr PETER JONES: I cannot talk about what the member for Gascoyne said. I raised this matter. I come back to the point that, no matter what amount of bluster the Premier goes on with, the fact remains that, for some months, people have been working in anticipation, and certainly on the assumption, that what is proposed in this Bill will become a reality when the chances of that occurring are very slim.

Mr Brian Burke: Why are they?

Mr PETER JONES: Also, Mr Chairman, we have a situation where various officers—I do not know how many because I have not spoken to everyone, but certainly some officers—have made it clear to me that a suggestion was made to them regarding their careers. It is far too ridiculous to suggest that there has not been some form of anticipation by the Government that what is proposed will become a reality. I rest my comments on what I said the other night.

It is an affront to the Parliament for this type of decision to be made based on some divine right and the belief that this legislation will become a reality. However, some members in this Chamber will endeavour to make sure that it will not become a reality—not what has been proposed today and certainly not what some of the officers to whom I have spoken have been led to believe. No amount of explanation will cover the facts that the Premier's answers have indicated that a considerable amount of time has been spent on this legislation over recent months, that this work will not go down the track, and that the assumption has been made that what is proposed will become a reality.

Mr BLAICKIE: I back up the concerns expressed by the member for Gascoyne and the member for Narrogin. Notwithstanding the comments of the Premier, the Opposition is concerned that a substantial amount of work has been carried out in the structure of Government regarding the re-arrangement of staff should this legislation be passed by the Parliament.

The argument that has been advanced is that the Government should not be in a position to predetermine what will be the final decision of the Parliament. Notwithstanding whatever work has been carried out to the contrary, the Government has decided that this legislation will be passed and that the programme undertaken by many officers in order to implement the Government's legislation will be put into train.

It does not do the Government any good to preempt the decision of Parliament. I draw the Premier's attention to another piece of legislation that was brought into this Chamber a few months ago. It concerned the South West Development Authority. The legislation was passed by both Houses of Parliament and some amendments were made to it. The fact is, that the South West Development Authority, as such, was already instituted and operating without the legislative powers it required.

It is my concern that the Government is preempting a decision by this Parliament and it is ignoring what Parliament may decide. I do not know what Parliament will ultimately decide, but I know that the Government has put a lot of work into this legislation.

Parliament is the only place in which the Opposition can question the Government's actions and it is the only place in which the public can question the priorities of the Government.

Notwithstanding the comments made in the Premier's second reading speech, he did not give an indication of the savings which were to be made and what will happen as a result of the legislation. It appears that should this legislation be passed the arguments that have been put forward by the Government will not have been arguments, but innuendos and criticism of the Opposition.

The Government has not brought forward any new facts in relation to the costs that will be incurred by this department. I support the comments by the member for Gascoyne and the member for Narrogin that the Government has preempted the decision of Parliament because it has already carried out a lot of work in regard to the legislation. In matters of this nature the Government has no right to do that and to make prior determinations.

Clause put and passed.

Clause 3: Interpretation—

Mr BRIAN BURKE: I move an amendment—

Page 2, line 27—Delete the words "and Recreation".

This amendment is required because simply including the word "Recreation" gives undue emphasis to the area of recreation.

Amendment put and passed.

Mr BLAICKIE: I move an amendment—

Page 4, line 8—Insert after the definition of "land" the following definition—

"local authority" means the council of a municipality constituted under the Local Government Act 1960;

Mr Brian Burke: We will accept that.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 4 to 7 put and passed.

Clause 8: Reservation of State forests—

Mr BLAIKIE: This clause refers to the reservation of State forests and subclauses (1) to (3) read as follows—

- (1) The Governor may, by order published in the *Gazette*, reserve for the purpose of a State forest any Crown land, including any area which is a timber reserve.
- (2) The Minister shall cause a copy of any order made under subsection (1) to be laid before each House of Parliament within 6 sitting days of the House next following the publication of the order in the *Gazette*.
- (3) If each House of Parliament passes a resolution, of which notice has been given within the first 14 sitting days of the House after a copy of an order has been laid before the House under this section, that the order be disallowed the order thereupon ceases to have effect.

The Opposition proposes an amendment to subclause (3) to change the word "each" in line 1 to the word "either". In proposing this amendment it is important to understand the actions and intentions of the Government.

Is it the intention of the Government that the clause as it currently reads, "If each House of Parliament", means that each singular House of the Parliament, can, in effect, disallow the regulations or is it the intention of the Government that it will require the two Houses of Parliament to act conjointly?

Mr Brian Burke: That will be the effect of your amendment.

Mr BLAIKIE: Yes, that is right, but it is not absolutely clear that the Government wants both Houses to, in fact, have an agreement to disallow the State forest reservation.

Mr Brian Burke: Unless your amendment is passed, yes, but if your amendment is passed it would let either House do it.

Mr BLAIKIE: That is the reason the Opposition wants to proceed with this amendment. It is important to understand that the will of the Parliament should not necessarily reflect the will of the Government.

Mr Brian Burke: You are having the opposite effect. You are letting either House do it. We would require both so if you had each in, the

Legislative Council could still disallow it. But the way you are doing it you are making it weaker.

Mr BLAIKIE: I would like the Premier to advance it a little further. My understanding of this is that either House of Parliament independently would have the opportunity to disallow a further reservation for a State forest.

Mr Brian Burke: Under "each" that would be the case. If the Legislative Assembly passed the reservation and it was rejected in the Legislative Council the reservation would not stand. What we are doing is strengthening any reservation for State forests, but you are proposing the opposite effect.

Mr BLAIKIE: I believe it is important that the Parliament is able to decide these matters. If the Government decides a further area of land should be reserved for State forests, under the Bill as it currently stands, the agreement of both Houses of Parliament will be required to disallow that regulation.

What the Opposition is submitting is that where future State forests may be required, such a determination could be made by one House or the other House, but it does not need to be a conjoint decision. It could be an independent decision of either House. I believe the amendment is important. Each year we see a Bill concerning reservations of State forests come before the Parliament and rarely is there any dissent to that Bill. I believe the amendment will ensure that the Executive is more responsible in its decisions. It provides that the Executive will be more responsible for those areas of land that it wishes to have included in the State forest areas. There is a very real reason that the Opposition wants the will of the Parliament to determine whether or not the State forests should be extended. We believe either House should be able to make a decision to disallow a reservation, bearing in mind that such a determination will be made only for very sound and valid reasons.

The Government is proposing that, unless both Houses agree to disallow a reservation the will of the Government shall be carried out, and the Opposition does not support that view.

I move an amendment—

Page 9, line 17—Delete the word "each" with a view to substituting the word "either".

Mr BRIAN BURKE: The Government opposes the amendment. It seeks simply to make it more difficult to reserve forests. If the Opposition wants to make it more difficult to reserve State forests, I suppose that is the case; but I think the Opposition is confused—which may be too strong a word. It thinks that somehow or other, conservation ex-

clusions can be achieved under this particular clause. That is not the case. We are talking about State forests and the ease with which State forests can be reserved. Nevertheless, if the Opposition maintains its position, we simply reject the amendment.

Mr PETER JONES: I do not think the Premier is fully aware because across the Chamber to me he gave an explanation which is the reverse of what the clause says. Talk about making it easier to lock it up or unlock it! All that the Opposition is seeking is that when the Government, on the advice it receives, determines that an area shall be gazetted as a State forest, an Order-in-Council shall be made and laid on the Table of both Houses. If that is disallowed by one of the Houses, the reservation is not accepted or approved. Why we want to bring in a clause which varies from the normal situation which prevails with other matters that are gazetted or tabled, having been through the Executive Council, I do not know.

In view of the Premier's answer, one must start to become suspicious. Normally, when regulations are laid on the Table of both Houses, they are not approved in the normal sense of having a debate and a vote taken. The approval is deemed to have been given if within a period of 14 sitting days no-one moves to disallow them. In this case the Premier and the Government are asking that that requirement apply to both Houses of Parliament. That is quite a strange kind of situation and the word "either" which would bring it back to a situation which prevails in other circumstances, is quite a normal word. It would express the will of the Parliament and allow the subject of the Government's decision to be debated and made public. One does not have to have a public debate in two Houses of Parliament in order to get the subject of the Government's decision-making out into the public arena. It only needs one House and that is done from time to time. I do not see why the Premier has supported and defended a situation which is different from the other kind of tablings which occur.

Mr Brian Burke: It is exactly the same in the Forests Act.

Mr PETER JONES: I am aware of that. I said "regulations". In this case because the matter runs wider and because this department is proposed to have much wider ramifications than the usual confines of the existing Forests Act, I do not see why the Premier is not prepared to accept the situation of changing the word "each" with the word "either".

Mr BLAIKIE: I would not want the Premier to be under any misapprehension as to what I believe

is in the existing Forests Act and what is being proposed here. Notwithstanding what is currently in the Forests Act I would advise the Premier we are writing a new Act for an entirely new ball game and for an entirely new set of circumstances.

While the original Forests Act used the term and clause 8 is almost a direct pull from the Forests Act, we are looking at an entirely new ball game. What we are proposing is that the authority of the Executive may be questioned by the Parliament from time to time if the Executive decides it is going to create new forest reserve areas. We want to state in this Bill that either House of Parliament will have an opportunity to make a determination and that the Parliament will not be subjected to the will and the whim of the Government of the day. It needs to be very clearly understood that in the new ball game that we have under this Conservation and Land Management Bill there will not be a Conservator of Forests. He will not exist; nor will the Forests Act.

The Government has dismantled both the Act and the position. In its place we shall have a Lands and Forests Commission which will handle the State's forests and the conservator will be replaced by an executive director who will be a servant of all disciplines and probably a master of none. He will be responsible for forests management, conservation and recreation and must serve all disciplines.

The CHAIRMAN: Order! I hope the member is going to relate this to the removal of the word "each".

Mr BLAIKIE: Very definitely I am, Mr Chairman. The only person to whom we shall be able to turn is the Director of Forests and I cannot imagine his making any requests to reserve State forests. Under the proposed Act this will fall on the executive director or the Minister of the day.

The CHAIRMAN: Order! The member must make some effort at least to relate this to the removal of the word.

Mr BLAIKIE: I realise that I have been drawing a long bow to get to the point. However, the Government's proposal has moved the Opposition to endeavour to have the word "each" deleted so that it is not necessary for both Chambers of Parliament to agree to disallow the regulations. The Opposition would like either Chamber to be able to pass a resolution which disallows the extension of State forests.

We are now talking about a completely new set of rules—it is a whole new ball game. We no longer have a person responsible for State forests who draws up working plans and organises the management of the forests. This function was pre-

viously carried out by the conservator. There is now a real need to ensure that the power of the Executive Government can be—I will not say it will be—curbed, if and when it is necessary. That is an important principle; it should be possible for either Chamber of Parliament to exercise its power with regard to disallowing an extension of the State forest. It should not be necessary for both Chambers to agree.

Mr MENSAROS: I would like to add something to the argument which has not previously been canvassed. We have a fundamental difference between the Forests Act and the proposed legislation with regard to creating forest reserves. According to subsections 22(1) and (2) of the Forests Act compulsory acquisition of land requires parliamentary approval. That means if a piece of land is created as forest Parliament has approved of that creation. Subclause 8(1) of the Bill before us permits the Government to reserve forests by order published in the *Government Gazette*. Therefore, an administrative action can create a forest. Under those circumstances it is more than fair that each House separately should be able to disallow an extension.

The Government's argument would be stronger if the provision to which I referred in the Forests Act prevailed in the Bill before us. If both Houses of Parliament have agreed to create a reserve, it is reasonable that both Houses should be required to disagree to an extension. However, if the creation of a reserve can be effected in some cases by administrative action, surely there should be a safeguard that either House has the power to disagree with the administrative action. It could be that the creation of the reserve infringes on someone's rights. The Administration may not have taken that into consideration whereas the legislators, whose jobs and responsibilities are to represent people, should be able to express disagreement with the action of the Administration. In fact, they alone can voice their disapproval. Therefore, the Government has departed from common usage and custom that an administrative action can be made void by either House of Parliament. The Government is not justified in departing from that custom. The situation is the same in this case. The administrative action provided for in subclause 8(1) creates a reserve and, therefore, either Chamber of the Legislature should be able to disallow it.

When I first read this amendment I thought the use of the word "each" rather than "either" was a matter of semantics; that the clause had not been examined and that the Government's intention was the same, whichever word was used. I did not for a moment think that it was a deliberate

attempt by the Government to deny the normal privilege of Parliament whereby each of the Chambers can effectively disallow an administrative action. The Premier has apparently explained that it is the wish of the Government that the disallowance should be effective only if both Chambers approve. That means the Government is endeavouring to strengthen the administrative action against the will of the Legislature.

The Interpretation Act contains a provision that the courts should take into consideration Parliament's interpretation of legislation when dealing with provisions of an Act of Parliament. It is proper that we record the Government's intention in this regard and the vehemence of our opposition to it. Initially I thought the use of the word "each" was a grammatical error but it was obviously the will of the Government that the Administration should prevail over the Legislature. If for no other reason than principle, that is wrong. The amendment by the member for Vasse is, therefore, justified.

Mr LAURANCE: I also support the amendment. The Government has been co-operative with regard to a number of amendments on this Bill and I thought it would have seen fit to allow this amendment also. I expected the Leader of the House to support the amendment because he has made the point on many occasions, particularly when in Opposition, that Parliament should not be a rubber stamp for the Executive arm of government. However, the Government seems to be attempting that in this case. It may have taken this clause straight from the Forests Act but so many parts of that Act have been dismantled that I do not think it is valid to include the clause in the Bill just because it is contained in the Forests Act.

The points have been well canvassed by the Opposition. We believe that both Houses of Parliament should be able to act independently on these matters and look at them separately. If the Executive brings the matter to Parliament, we can presumably tell what the result will be in the House where the Government is formed; that is this Chamber, the Assembly. But in our bicameral system we should not prevent the upper House from looking at it. That is why the member for Vasse has asked that either House should be able to pass such a resolution.

The CHAIRMAN: He has actually not moved that at all.

Mr LAURANCE: I take the point.

Mr Blaikie interjected.

Mr LAURANCE: I think the Government should look at the fact it is not always going to be in Government. Particularly it should not insist on

which House passes a resolution. A chance should be given for "either" to be inserted. That is the point the Opposition has made. We call on the Government to accept this amendment, as is the position with a number of other amendments moved by the Opposition.

Mr BRIAN BURKE: I simply restate the position. The Opposition's amendment will make it more difficult to reserve State forests. If that is what the Opposition wants to do, so be it. We are not of that mind and we oppose the amendment.

Amendment put and a division taken with the following result—

Ayes 17			
Mr Blaikie	Mr McNece		
Mr Court	Mr Mensaros		
Mr Cowan	Mr Old		
Mr Coyne	Mr Rushton		
Mr Crane	Mr Stephens		
Mr Grayden	Mr Trethowan		
Mr Hassell	Mr Tubby		
Mr Laurance	Mr Spriggs		
Mr MacKinnon		(Teller)	
Noes 23			
Mr Bateman	Mr Parker		
Mrs Beggs	Mr Pearce		
Mr Bridge	Mr Read		
Mrs Buchanan	Mr D. L. Smith		
Mr Brian Burke	Mr P. J. Smith		
Mr Burkett	Mr I. F. Taylor		
Mr Carr	Mr Tonkin		
Mr Davies	Mr Troy		
Mr Grill	Mrs Watkins		
Mrs Henderson	Mr Wilson		
Mr Hodge	Mr Gordon Hill		
Mr Jamieson		(Teller)	
Pairs		Noes	
Mr Thompson	Mr Bertram		
Mr Williams	Mr Tom Jones		
Mr Peter Jones	Mr Terry Burke		
Mr Clarko	Mr Bryce		
Mr Bradshaw	Mr McIver		
Mr Watt	Mr Evans		

Amendment thus negatived.

Progress

Progress reported and leave given to sit again, on motion by Mr Gordon Hill.

ADMINISTRATION AMENDMENT BILL

Second Reading

Debate resumed from 15 August.

MR MENSAROS (Floreat) [3.17 p.m.]: This Bill amends the Act which, amongst administrative and other measures, deals with the law of inheritance in the case of a deceased person who did not leave a valid will. Accordingly, despite the short title of "Administration Amendment Act" it is really necessary to cite the full title, which is "An Act to Consolidate and Amend the Law Re-

lating to Probate and the Administration of the Duties of the Estate of Deceased Persons". Even this full title is somewhat deceiving, because it refers to taxes rather than the important material law about inheritance itself.

It was always my curious experience, whenever I had the opportunity for conversation with legal people, to compare Continental legal principles with those of the English law—and being Australian, as we have inherited law from the United Kingdom, with the influence of Roman law on English law. This influence is denied more often than not. This is perhaps because the French were proud of the Roman law influence, and unadulterated roman law was in force in France and in some parts of the Continent right up to 1900. The English, of course, never like to be compared with the French or with the Continent itself. Yet the parent Act and the original English law expressed in the Statute of Distribution—that was the name of the original law—are clearly derived from the Roman law which, in my humble view, has never been bettered by any other legal system in history.

The strength of the Roman law was particularly specific in the laws pertaining to property and inheritance. The end result of intestate inheritance in the Bill follows the Roman law—allowing for the "half-blood becoming full blood" situation, which did not exist there—albeit it is expressed in a much more complicated way. It also cuts out more distant relatives.

Based upon the Law Reform Commission's advice, whereas distribution of the estate among issue appears to go on indefinitely—in other words, living successors of the intestate, deceased person, his sons, grandsons, great grandsons, etc., for as many generations as exist, are not inhibited from inheriting the deceased estate—on the collateral distribution, which is the relation or next of kin on the side, such an inhibition exists, because inheritance stops at the grandparents' second issue. Of course, that is a very complicated expression. It really means one's first cousin, because the grandparents' son is one's father's brother and his son is one's first cousin. So inheritance stops at the first cousin of the deceased. If none of those cousins is living, the whole estate passes to the Crown by way of escheat. This is an unnecessary interference in individual rights.

The argument by the Law Reform Commission, which apparently the Attorney General and, in turn, the Government have accepted, is that the general community should benefit, rather than distant relations who have had no significant contact with the deceased who did not leave a will. That argument is arbitrary and too far-fetched. It

does not take into consideration the inherent respect which most developed countries or communities have for personal property. Most lawyers here, having been educated in English law and having practised in Australia, might believe such a position is in order; but I do not suggest it is, particularly when we take into account that the amendment will change the *status quo* which has no limitations.

The argument of the Law Reform Commission is quite strange. It appears to be based on the premise that the inheritance would be a prize for someone for being a close relation. I do not think it is. During one's life one can make a gift which actually involves disposing of one's property to whoever one wishes. One is not inhibited when one makes a gift of one's property to the extent that one may only do so to relations or near next of kin. One may make gifts to the most distant relation or to someone who is not a relation. Why then, just because one died without making a will or because one's will has been lost, as would occur in many cases, should one's relations be entitled to one's estate only to a certain degree?

The only valid argument I can see for this appears as a side sentence in the Minister's second reading speech, and the explanation that there might be a number of small estates where it could be comparatively expensive, from the point of view of the value of the total estate, to institute a search for any relation who is still alive, if there are no known nearer relations. However, that would be very easily overcome by simply providing a time limit and indicating that the intestate deceased estate would be advertised in a certain manner in the daily newspapers, or the *Government Gazette* plus the daily newspapers, and, if no answer comes to hand within a certain time, the estate could be kept, not permanently, but for the time being, in some sort of a trust account. If within a longer period, say 10 years, nobody stakes a claim, the escheat should take place.

I know this action is not being taken by the Government—at least I suspect it is not—in order to achieve fiscal gain, because in a question directed to the Attorney General, I asked the value of the amounts which came to the Treasurer by way of intestate deceased estates where no next of kin had come forward and they were not able to be accommodated even under the present law. The Attorney General's answer indicated that the amounts by which the Treasury benefited were very small. In round figures they were as follows—

	\$
1981-82	280 000
1982-83	315 000
1983-84	275 000

Therefore, taking the six-year period which was the time span referred to in my question, there was an average yearly benefit of \$238 000 to the Treasury from escheat; that is, unclaimed intestate deceased estates.

I also understand that the trustee companies may have asked the Government of the day to introduce some sort of legislation to make their work easier, because I suppose some of these intestate estates are handled by trustees and they want administration of them to be less expensive. However in any event, expenditure incurred is covered by the estate itself.

An alternative solution would be to do as I have suggested; that is, to impose some sort of monetary limit to the effect that, if the estate is not worth more than, say, \$10 000, a further search for the next of kin should be discontinued.

I emphasise that the principle ought to be retained; that is, the principle that every person should have an absolute right to his property and that his property should not be interfered with even after his death.

It is perhaps an interesting analogy to understand that during the lifetime of any person, the right to his property has not been subject to attempts at interference. There are some differences with the type of disposal of property. If it is sold and money is received, that is a taxable exercise. However, if the property is a gift or an inheritance, presently it is not subject to tax.

I am quite surprised that the Attorney General himself accepted this recommendation. As the recommendation and the study by the Law Reform Commission date back quite a while, I made inquiries of the previous Attorney General (Hon. Ian Medcalf) and he told me that he did not proceed with the recommendation for the simple reason that he did not accept the principle embodied in it that there should be a curtailment of someone's property, even after that person's death. The State should not even think of benefiting from these things. Some people make a will or a bequest which will leave their whole estate with some Government instrumentality, and seats of learning such as universities although they are autonomous, are frequently the beneficiaries of such bequests; but even direct Government instrumentalities such as the Art Gallery, the Zoological Gardens and the State Library frequently inherit estates from people.

	\$
1978-79	148 000
1979-80	91 000
1980-81	317 000

I do not think society would agree to this move—if people were sufficiently aware of it. Legislation such as this generally passes unnoticed and receives little or no publicity at all; it can be placed on the Statute books entirely unnoticed and therefore create no disagreement or uproar in the public arena. I have tried to place on record the view that it is absolutely wrong in principle, no matter what sort of practicalities or convenience arguments are introduced, to interfere with a person's right to his property.

I still have migrants in my electorate who are Australian citizens approaching me with certain inheritance problems involving people who have died behind the Iron Curtain—as it is so rightly referred to—in Communist countries. But even in countries where communism prevails there is no curtailment of the degree of relation who can inherit intestate estates. I have had constituents ask me to translate documents and to make inquiries with certain embassies regarding their inheritances involving properties left by deceased persons in those countries, and with no will having been made out. For some reason those properties have not been confiscated; perhaps it has been a home unit lived in by the deceased person, as in the case of the example I have in mind. My constituent, who is an Australian citizen now, inherited that property. He had to pay probate duty because that was still payable in the country concerned; but there was absolutely no curtailment of his rights to the property no matter how distant a relation he was.

Another example involved a migrant who was an Australian citizen and had done pretty well for himself in Western Australia. In his will he left his entire estate to the university, and a considerable amount was involved. Perhaps because it was known that I was a member of Parliament, I received letters from a very distant relation of that man, and in those letters it was explained that the person was living in very poor circumstances. He explained that he was a third cousin to the deceased and that he thought it was not fair that the deceased had not left him anything. He asked me whether I could do something to help him. I went along to the university—this was a long time ago—and explained the situation, and the university was quite happy to have the matter considered by the senate, so that out of the estate the university had inherited, it might provide an annuity to this person who, as I said, was a very distant relation to the deceased. This was agreed to by the senate and the person received an annuity.

Under this legislation that person would not be entitled to that consideration. I am not suggesting that he was legally entitled to consideration even

under the existing law; but the principle prevailed that he was a distant relation and should have received some benefit from the estate.

I do not think it is appropriate for the Opposition to attempt to amend this sort of legal Bill. It could always be argued that the amendments were not properly drafted, despite the fact that we customarily have the facility of a private members' draftsman, who is a very willing young officer at present; but I would not pretend that we have the facilities to draft watertight amendments. Neither would I expect the Minister handling the Bill in this Chamber, on behalf of the Attorney General in another place, should be so familiar with the subject that he could make decisions of his own. Consequently I am not suggesting amendments, but I would very much like the Minister to take cognisance of what I have said; it would then be up to him to follow up any suggestion; or perhaps he may think it is fair and correct that the Bill should be accepted as a policy of this Labor Government, a Bill which has the effect that an individual's right to his or her property should be curtailed.

The other provisions in the Bill are not as important as the one on which I have spoken. One establishes the principle that no distinction should be made between whole blood and half blood. We have no dispute with this under the circumstances of today. When more than one person is entitled to an estate it determines whether the entitlement should be to a part of the estate or to a share of the whole estate; in other words, should the estate be divided in kind, when one relative is equally entitled as the other, perhaps with each relative getting one house, or should the estate be lumped together, for the money to be divided equally—this is referred to as *per capita* or *per stirpes* distribution. The provisions of the Bill qualify the situation. With these fairly strong reservations, I will not formally vote against the second reading.

MR GRILL (Esperance-Dundas—Minister for Transport) [3.40 p.m.]: It is noted that the Opposition spokesman on this matter supports all provisions of this Bill except those dealing with the termination of the collateral line with the second issue. I thank the Opposition for its qualified support and I merely indicate to the House that this Bill sets out clearly in one Act the rules governing the distribution of the assets of people dying intestate—that is, people dying without wills—and it in no way affects distribution in relation to the status of a person dying with a will of some form.

It is interesting to note that the member for Floreat balks at those provisions of the Bill which would terminate the collateral line so that remote

issue of an intestate would not receive any distribution under the estate of that intestate person. All I can say to that is, firstly the provisions of this Bill follow the recommendations of the Law Reform Commission, and as such they have been accepted by this Government. Secondly, those provisions which are now objected to by the member for Floreat were accepted in another place. Thirdly, I suspect that these amendments to the law of distribution are in fact supported by the legal profession of Western Australia.

The member for Floreat in some strange manner that I cannot really follow tries to build a case to the effect that it is in some way an impairment, an impediment, or an abrogation of the laws of personal property for the estate of an intestate person to be accreted to the Crown when he does not have any close or reasonably close relatives; in other words, where the estate formerly would have gone to some remote relative. I just cannot follow that argument or see where it is relevant. I suppose it might be the situation that in many cases a person would not know the deceased, and probably in most cases at least would have had no contact with the deceased. In any case that I can think of, such a person would be quite undeserving of, if not unsuspecting of, the receipt of some share of that estate. We have all heard the story of a nephew far removed receiving a fortune or some distribution, under an estate of some long lost uncle in another land, a person of whom he has never heard. That sort of fairytale of someone who, out of the blue, receives an endowment under an estate from a person with whom he has probably never had any contact, really does not have any place in current law and in current social thinking.

I really believe that the case put forward by the member for Floreat—a case which he appears to have put forward on his own behalf—is rooted in antiquity and is really a proposition that is out of touch with present social thinking, and in no way does it abrogate the rights of personal property.

The other argument, of course, against the proposition put forward by the member for Floreat is that the distribution in the circumstances that he was talking about, where the estate goes to some remote relative, is particularly cumbersome.

It is hard to track down those remote relatives and one can never be quite sure, when distributing an estate, whether they have all been discovered. One could advertise in newspapers and make other inquiries around the world, but quite often it is impossible to ascertain within a reasonable time whether one has actually located all the remote issue of the deceased person.

The third point was an admission made by the member himself, and that is that these sorts of situations are pretty rare, and do not involve a lot of money. I really think that the member for Floreat is out of step, not only with his own party but also with society generally, and although I thank him for his general support of the Bill, I do not think there is any foundation in law or in social mores for the case he put forward today.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

MR GRILL (Esperance-Dundas—Minister for Transport) [3.48 p.m.]: I move—

That the Bill be now read a third time.

MR MENSAROS (Floreat) [3.49 p.m.]: I am glad that the Minister responded to my comments, and I would like to use this opportunity in turn to reply to his response. He questioned whether my argument was correct. The Minister felt that if I had my way, the person or persons who could inherit the deceased's estate might not be deserving of the estate because they might be very distant relatives, and might not even have known the deceased person; but he really did not argue on the same level as I did. That argument has nothing to do with the individual's right to his or her property, a point which was the crux of my argument. The presumed intention of the deceased person governs the distribution of his property.

If a person thinks he may have distant relatives, but feels they are not deserving of his property, it is likely he will leave a will and will his estate to the Government, the community, to some other arm of the Government, or to private organisations. If he does not do so, it should not be presumed that he wanted a relative not to benefit from his estate, no matter how distant that relative may be.

I think the argument about whether the inheritor of the estate deserves it is irrelevant. It may well be that someone does not deserve to inherit an estate, but does according to the law, if the benefactor dies without having made a will.

The Minister said that the legal profession agreed with the provisions of this Bill. I do not like to borrow expressions from the Government, but yesterday and today we heard frequently from the

Premier, "Where is the proof for this?" I cannot see that the legal profession would have agreed. Sometimes these things go unnoticed, but it is a fact that the Law Reform Commission has brought down a report. It is a fact also that the legal profession did not get up in arms, but 95 per cent would not have read the report. If a person does not express disagreement, that does not mean he is in agreement with something. In order to be able to state that the legal profession agrees—

Mr Grill: I said, "I suspect" that the legal profession agrees. I did not say they did.

Mr MENSAROS: We are then on an equal footing. The Minister suspects the legal profession agrees, and I suspect it does not. I say that after having spoken with the Attorney General of the previous Government, who is respected in politics, and is a well-respected representative of the legal profession as well.

The next argument put forward by the Minister is that situations such as this are rare. They may be rare, but we are dealing with a principle. I could not care less whether it happens daily, in large quantities, or seldom. I am interested in the principle of an intestate estate which has no beneficiaries such as close relatives or distant relatives.

My studies, based on Roman law, indicate that it is superfluous to establish a difference between collateral and direct relations. In Roman law one has either ancestors or descendants. If one does not have descendants, one must have had people who preceded him—ancestors. If one's first ancestor being his father or parents, does not have other descendants, one goes to the next ancestor. It can go on indefinitely and somewhere along the line there is issue. So in Roman law an argument will not use the expression of collateral relations, because it is either descendants or ancestors. Therefore, one can go back to the grandfather, or the great-grandfather, whose place will be taken by their issues.

Finally, lest there may be some misunderstanding, and if it is considered that I am going my own way—I am always happy to go my own way—being the Opposition spokesman on these matters I would not represent a view that has not been agreed to by the Opposition. The Opposition agreed that it would not propose amendments to legal or technical Bills, because it would be a fairly complicated process, considering the means available to the Opposition. However we agreed that we should highlight the points of disagreement. When I first reported the provisions of this Bill to the Leader of the Opposition, being a lawyer he pricked up his ears and said, "Surely they

are not things for which we stand". So lest the Minister misunderstands the position, this is the opinion of the Opposition.

MR GRILL (Esperance-Dundas—Minister for Transport) [3.56 p.m.]: The argument put forward by the member for Floreat deserves some sort of reply. First, the argument he put forward concerning the property of the deceased is a two-edged sword. He argues that property belongs to the deceased, therefore, it should go to his remoter relatives, if he does not make a will. I would suggest on the other hand that a person always has the right to make a will if he does not want the property to go to the Government. All he needs to do is make a will, and that will not happen. The argument put forward by the member for Floreat goes both ways.

Second, I have already indicated by way of interjection that I was not saying that the legal profession supported the proposition put up by the Government. I said, "I suspect that to be the case".

The two other arguments put forward by the member appear to be rather esoteric. They relied largely on Roman law. I suggest to the House that although Roman law was a fine law in its time, events have changed since then and we are not necessary modelling our legislation on the laws of antiquity.

Question put and passed.

Bill read a third time and passed.

SUITORS' FUND AMENDMENT BILL

Second Reading

Debate resumed from 15 August.

MR MENSAROS (Floreat) [3.58 p.m.]: The Suitors' Fund Act was enacted in 1964 to provide a fund from which the costs of certain appeals before the courts could be drawn. The operating word is "courts".

The Small Claims Tribunal is not constituted as, nor considered to be a court. Therefore, an appeal from the Small Claims Tribunal to the Supreme Court by way of prerogative writ, does not come under the provisions of the Suitors' Fund Act.

To remedy this situation, the Bill amends the definition of "court" to include a reference to the Small Claims Tribunal.

The opportunity is used to rectify an error which has nothing to do with the Small Claims Tribunal, and provision is made for amounts of money to be taken from the fund.

Section 14(b) deals with people with a disability. This matter was not mentioned, but it is now remedied in this Bill.

I use this opportunity to ask the Minister whether he has any knowledge of the reason the amount in the suitors' fund has dropped. The yearly balance which stood to the credit of the fund, and about which I have asked a question, appears to have grown from 1965 to 1979 and dropped from then onwards. Without reading all the figures, I point out that when the original Act was introduced, the fund was started with \$1 000 and it then went to \$11 000, \$20 000, \$29 000, \$38 000, \$48 000, and so on up to \$110 000. Between 1977-79 the figure stood around \$110 000. From 1980 onwards it began to decrease to \$72 000, \$66 000, \$59 000, and \$41 000.

That may have been a result of inflationary forces diminishing the value of the contributions, and appeal costs were higher, or perhaps there were more appeals brought under the Suitors' Fund Act. If either of those cases is the reason for the fall in the fund, I suppose it would be appropriate for the Attorney General to think about increasing the fees so that the purpose of the Act can be maintained and the fund will not be diminished.

I have no reason to oppose any part of this Bill; I support it. I will relate an interesting story which is there in *Hansard* for anyone to read from the time the Suitors' Fund Act was introduced. One of our old and now deceased friends—I do not think he had any enemies in this House; everybody liked him, and everyone called him "Drummer Hall"—the then member for Albany was in the House when the Minister introduced a Bill to establish a suitors' fund. The words caught his ear and he interjected to say, "Has that got anything to do with suits and the Albany Woollen Mill?" The Minister assured him it did not, but it is an interesting note on which to finish my comments.

MR GRILL (Esperance-Dundas—Minister for Transport) [4.03 p.m.]: I thank the member for Floreat and the Opposition for the support of this Bill. The member is correct in saying that the amount in the suitors' fund has been diminishing in the last few years. However, there is still a substantial amount in the fund—I think the sum is \$59 000 according to the Auditor General's report of 1983.

This question came up in another place, and at that time the Attorney General indicated he was aware that the fund had diminished of late—over the last few years—and the matter was being kept under review. He thought the fund was not in any dangerous position and that, if in the review pro-

cess it appeared the fund might be in some danger of being extinguished, he would take the necessary action. The Attorney General made the point that this Bill should not expand the calls on the fund, and I think the member for Floreat would agree.

As to the specific question of why the fund is diminishing, I cannot answer with any certainty. I suspect it is probably related to two things: Firstly, a more generous or liberal attitude taken by the judiciary in granting certificates, and secondly—and I think I am almost certainly correct here—the greater cost of appeals over the last few years.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Grill (Minister for Transport), and passed.

RESTRAINT OF DEBTORS BILL

Second Reading

Debate resumed from 15 August.

MR MENSAROS (Floreat) [4.08 p.m.]: Like almost all the fairly large number of legal Bills presently before the Parliament, this is one which the previous Government and the previous Attorney General (Hon. Ian Medcalf) instructed the Law Reform Commission to study and to bring down a report. It would be fair and important to state that recently I have read newspaper reports about Law Reform Commission recommendations and studies in relation to which the Attorney General said he got things moving because the previous Government let them lie, and the matters were not dealt with.

Technically that might be so, but the reason was that the previous Government, and particularly the previous Attorney General, was most critical of these matters, and he wanted to do the right thing. If the Law Reform Commission brought down a recommendation—the correct description of its activities being "recommendations" and not "*faits accomplis*"—which did not suit either his legal interpretation or the principles he stood for, he set it aside. He was not the type of person to simply say, "That is wrong, and this is the way we are going to correct it". He wanted matters re-examined with his officers, and that is the reason

some of the initiatives—of which there were quite a number touching almost every field where there were problems of legal administration—did not reach the stage of being introduced to Parliament.

I do not think this is one of those matters, although my understanding is that he did slightly change the recommendation. Indeed, that prevailed because the Attorney General amended the Bill as opposed to the original format, which original format was based on the unqualified acceptance of the Law Reform Commission's recommendation.

The report, which is project No. 73, recommended—as does the Bill—that the Absconding Debtors Act, which originated in 1877, 107 years ago should be repealed and replaced with more up to date provisions.

What is really refreshing about this measure is not only that the provisions are more adapted to present-day conditions, but also that the drafting, which I have seldom experienced in my time, makes the Bill a welcome document. I would be the last one not to express my commendation about the Bill because, as you might have perceived, Mr Speaker, for good or bad measure, I am the person who probably has to read most of the legislation and deal with it. It is fairly complicated legislation and it was a refreshing experience for me to read it because it was produced in short and to-the-point sentences. I have compared the way it was drafted with the way the Absconding Debtors Act was drafted. That Act has seven sections all of which contain only one sentence. All of those sentences continue for over half a printed page. One needed to read the sections two or three times before one comprehended their proper meaning.

The new Bill not only prevents debtors from leaving the State, but also prevents a debtor from transferring, giving away or removing his property from Western Australia. To that end the Bill provides for a warrant for the arrest of that debtor or for a summons to be issued against a person to appear in court. That can be obtained by the creditor. However, it is conditional upon the applicant's satisfying the court or some person empowered to act, that the debt exists, that the debtor is about to leave Western Australia, and that that debtor's absence would adversely affect the claim. The applicant must also satisfy the court that the debt is for at least \$500 and that the application is made within a reasonable time, which time is not qualified.

Those conditions also apply in relation to the transfer of property.

I said previously that this Bill was amended in the Legislative Council. It was not. I had in mind another Bill which was amended since its original introduction.

The previous applications regarding the same debts are also mentioned. Review proceedings are provided for the judicial authority and/or the Supreme Court to hear the case.

To prevent capricious applications for restraint, the Bill provides for civil remedy for the debtor or alleged debtor for recovery against the claimant.

My only real concern about this Bill—it is based on the Minister's comments in relation to the previous Bill that we have to be more up to date and more modern, with which I do agree—is that the minimum limit set down in the Bill is \$500. I think the same figure was recommended three or four years ago. The figure was low even then and, I think in real terms, it is even lower now. Today, one cannot buy a return ticket to the Eastern States for \$500. I think the figure is unnecessarily low and because of that many more cases would become involved. A much more suitable amount would be a figure of \$1 000 or more. I think a figure of £20 was recommended in the 1877 legislation. By any form of mathematics and by any value, that amount would be worth more than \$500 today. I therefore feel that that limit is too low.

MR GRILL (Esperance-Dundas—Minister for Transport) [4.16 p.m.]: I thank the member for Floreat for his support of the Bill. I therefore take it that the Opposition supports the Bill. The substantive point which he brought forward relates to the limit placed on the amount of money for a claim. He is quite right. I am now looking at the Law Reform Commission report, project No. 73. On page 36 of that report, the commission recommends that the bottom limit be set at \$500. I tend to agree with the member for Floreat's argument.

Unfortunately, I do not really have the authority, at this stage, to accept an amendment. I think it would be a rather cumbersome process if I did. I do not know what consideration the Attorney General has given to this matter. However, I will raise it with him.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Mr Burkett) in the Chair: Mr Grill (Minister for Transport) in charge of the Bill.

Clauses 1 to 11 put and passed.

Clause 12: Arrested debtor brought before court—

Mr GRILL: I move an amendment—

Page 9, lines 22 and 23—Delete the words “bring the debtor” and substitute the words “cause the debtor to be brought”.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 13 to 24 put and passed.

Clause 25: Protection of persons executing warrants—

Mr GRILL: I move an amendment—

Page 18—Delete clause 25 and substitute the following—

Protection

25. A member of the Police Force or other person on whom a power is conferred or duty is imposed under this Act is not personally liable in civil proceedings, and the Crown is not liable, for any act done or default made by him in good faith for the purpose, or purportedly for the purpose, of carrying this Act into effect.

The reason for the amendment is fairly clear. It grants a wider and better protection than does the existing clause 25 of the Bill.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 26 to 31 put and passed.

Title put and passed.

Bill reported with amendments.

JURIES AMENDMENT BILL

Second Reading

Debate resumed from 19 September.

MR MENSAROS (Floreat) [4.26 p.m.]: In line with the Government's non-discrimination policy which is often repeated these days in second reading speeches and other announcements, we have now reached a stage where a prostitute will be eligible to sit as a juror. What sort of achievement that is, I do not know, but I will leave it to the judgment of the House.

Not only prostitutes, but also every woman who is not compelled by economic policies of successive Federal Governments to go out to work and who chooses to be an old-fashioned housewife will not be excused from jury service.

Mr GRILL: That is not true.

Mr MENSAROS: It is true—not because she is a housewife—

Mr GRILL: If she has children under the age of 14 years she will be exempted.

Mr MENSAROS: If she claims she has children to look after she may be excused, but it is not automatic; so can a man be excused if he looks after children.

I am referring to a woman who chooses to be a housewife, but who, under the equal opportunity principle, will not have the privilege which was accorded to her previously.

I suppose that by all who “hail” this as an achievement of modern society it will be said that it will make women, their families, and society generally, happier, healthier and better. I do not know whether that is correct, but I do not think a great deal of importance has been placed on such questions in this Bill.

I do not have a “mandate” for what I am saying. For the Minister's benefit, I indicate that it is simply my personal view. I hope that the Minister will take it as being my view. I am not ashamed of it—I am proud of it.

Mr GRILL: You are out of step.

Mr MENSAROS: Ladies in our society should be accorded certain privileges.

Other than taking away the women's privilege of being able to choose to be exempted from jury service the Bill contains a number of provisions. Instead of the prevailing system of exempting a number of specified occupations, in addition to exemptions by proclamation of specified servants of the State, the Bill creates three categories of people who shall or may not serve as jurors. These categories are: People who are not eligible, people who are not qualified, and people who may be excused, which is based on a discretionary decision. Because of the amendment which has been made in the Legislative Council the Opposition has no objection to these categories and the new system from that point of view of jurors being empanelled.

I support the Bill.

MR GRILL (Esperance-Dundas—Minister for Transport) [4.31 p.m.]: I thank the member for Floreat for his general support of the Bill. I am surprised at his views; they are completely out of step with modern thinking and modern social views.

Mr Mensaros: That may be so, but there are certain values which are not bound to time.

Mr GRILL: In that case, please oppose the Bill. I remind the member for Floreat that Opposition members in the upper House were very fullsome in their praise of those clauses.

Mr Mensaros: Not altogether. If you read the *Hansard* you will see that John Williams said some very unkind things.

Mr GRILL: They were said in joke. It was a very poor joke. He referred to a judge in the 16th century who, when protesting at the very concept of women going onto juries, said that if women were meant to go on juries God would have given them brains. I do not think that the conservative member for Floreat would embrace that view.

I am rather surprised to hear the views of the member for Floreat put forward in this day and age, but I realise they are his personal views.

Mr Hassell: Some of your colleagues would ban him from saying it if they had their way.

Mr GRILL: I do not think so. One of the pertinent and practical reasons for women serving on juries is that they reflect much better the general make-up of our community. There is a practical reason that women should be represented in close to equal numbers on jury service, as well as the more philosophical argument.

Nonetheless, I realise the Opposition has not opposed this Bill and I thank it for its qualified support.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Grill (Minister for Transport), and passed.

QUESTIONS: ON NOTICE

Closing Time

THE SPEAKER (Mr Harman): I wish to advise members that as we are not sitting next week questions for Tuesday, 9 October will close at 4.00 p.m. on Thursday, 4 October 1984.

QUESTIONS

Questions were taken at this stage.

SMALL BUSINESS GUARANTEES BILL

Message: Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR TONKIN (Morley-Swan—Leader of the House) [5.05 p.m.]: I move—

That the House at its rising adjourn until Tuesday, 9 October 1984 at 2.15 p.m.

Question put and passed.

House adjourned at 5.06 p.m.

QUESTIONS ON NOTICE

861. *Postponed.*

TRANSPORT: RAILWAYS

Katanning: Shunting

873. Mr OLD, to the Minister for Transport:

- (1) What is the average daily time taken in shunting fuel rail cars in and out of fuel depot sidings at Katanning?
- (2) Will the fuel depots at Katanning be assured of early placement of rail cars each day as is the current practice?

Mr GRILL replied:

- (1) Off-peak—85 minutes
Peak—180 minutes
- (2) Yes.

TRANSPORT: RAILWAYS

Albany-Katanning-Nyabing

875. Mr OLD, to the Minister for Transport:

- (1) Is the by-pass line on the Nyabing-Katanning-Albany route yet completed?
- (2) If not, when is completion expected?

Mr GRILL replied:

- (1) No.
- (2) December 1984.

TRANSPORT: RAILWAYS

Katanning-Nyabing

876. Mr OLD, to the Minister for Transport:

- (1) What is the speed and weight limit on the Nyabing-Katanning line at present?
- (2) What is the expected speed and weight limit when the improvements to the line are completed?

Mr GRILL replied:

- (1) 30 kph axle loadings 11 tonnes.
- (2) 50 kph axle loadings 16 tonnes.

TRANSPORT: RAILWAYS

Katanning: Fuel

877. Mr OLD, to the Minister for Transport:

- (1) How many fuel rail cars were received in Katanning for the years 1982 and 1983?
- (2) How many are expected to be received in 1984?

Mr GRILL replied:

- (1) 1982-83—1 241
1983-84—1 180
- (2) 1 200.

TRANSPORT: RAILWAYS

Katanning-Nyabing

878. Mr OLD, to the Minister for Transport:

- (1) What amount of money has been expended on the Katanning-Nyabing line since the decision was taken to upgrade it in order to carry heavier train loadings?
- (2) What is the total amount to be expended prior to grain haulage commencing this year?

Mr GRILL replied:

- (1) \$280 000.
- (2) \$800 000.

TAXES AND CHARGES

Increases: Percentage

880. Mr HASSELL, to the Treasurer:

- (1) What has been the average percentage increase of State Government charges (including fees) over the years 1983-84 and 1984-85?
- (2) Specifically, what has been the average percentage increase in charges over the years 1983-84 and 1984-85 in respect of the State Energy Commission, the Metropolitan Water Authority, Westrail and the Metropolitan Transport Trust?

Mr BRIAN BURKE replied:

- (1) and (2) The member will be advised in due course on these matters.

ENERGY: STATE ENERGY COMMISSION

Deficit

881. Mr HASSELL, to the Treasurer:

What is the estimated deficit for 1984-85 of the State Energy Commission as alluded to by the Premier in announcing the increases in Government charges earlier this year?

Mr BRIAN BURKE replied:

I refer the member to the reply by the Minister for Minerals and Energy to question on notice 94 of 1984.

PORT AUTHORITIES: ADMINISTRATION

Report

887. Mr PETER JONES, to the Minister for Transport:

- (1) With regard to the report to him by the Co-ordinator General of Transport relating to the administration of port authorities in Western Australia, how many public submissions on the report had been received by the closing date of 30 August?
- (2) When is it expected that decisions will be made on the recommendations contained within the report?

Mr GRILL replied:

- (1) Six.
- (2) Because other submissions are expected, the closing date has been extended and it is now not expected that the report and submissions will be considered by Cabinet before November.

TRANSPORT: RAILWAYS

Bowelling-Wagin

888. Mr PETER JONES, to the Minister for Transport:

- (1) With regard to the Wagin-Bowelling railway line, is further expenditure still proposed for the above line?
- (2) What is the level of funding that has been so far expended in restoring the line?
- (3) What is the current assessment of:
 - (a) frequency of services on the line;
 - (b) tonnage that will be attracted to use the line;
 - (c) tonnage that will be required to justify the expenditure which has been committed in the Government's decision to re-open the line?
- (4) What efforts is Westrail making to ensure that the line is attractive for potential customers and to ensure that the line is utilised to its maximum potential?

Mr GRILL replied:

- (1) No further expenditure is proposed on restoration work.
- (2) \$142 000.
- (3) (a) The frequency of service on the line is determined by the tonnage and type of commodity being transported.

Service frequency varies between one service per day during the peak grain season to nil services per week during the period prior to harvesting, when neither grain, wool, nor general traffic are available for transportation.

- (b) 10 000 tonnes comprising grain, wool, and fertiliser.
- (c) Assessed additional tonnage required to produce a similar financial result to that existing prior to the temporary closure of the line is 4 000 tonnes per annum.
- (4) The recent appointment of an operations officer in the adjacent area will provide increased and improved client contact and assist in attracting more tonnage to rail.

INDUSTRIAL DEVELOPMENT:
PRODUCTIVITY*Initiatives: Western Australian Government*

890. Mr PETER JONES, to the Premier:

- (1) What specific initiatives is the Western Australian Government undertaking to increase productivity within Western Australian industry?
- (2) What concerns, if any, does the Western Australian Government have regarding the international competitiveness of existing Western Australian export industries?
- (3) What is the relativity between establishment and production costs in Western Australia compared with our international competitors in competing for export markets?

Mr BRIAN BURKE replied:

- (1) to (3) The member will be advised in due course of these matters.

PASTORAL INDUSTRY: LEASES

Camballin Farms and Liveringa Station

894. Mr PETER JONES, to the Minister for Regional Development:

- (1) What progress is being made with Arabian Agri-Business Consultants International regarding the acquisition of Camballin Farms and Liveringa Station?
- (2) What involvement has Sir Lennox Hewitt had in the above negotiations?

- (3) Has Khalid Al Zayani yet undertaken his visit to Australia and discussions with the Government regarding the purchase of the above properties?

Mr GRILL replied:

- (1) Arabian Agri-Business Consultants International (Agricon) has submitted a proposed development plan and feasibility study for consideration by Government.
- (2) Sir Lennox Hewitt has not taken part in negotiations as there have been none. However, he has discussed the matter in very general terms with myself on two occasions prior to the submission being received on 5 September.
- (3) No.

TRANSPORT: FREIGHT

Grain: Newdegate

895. Mr PETER JONES, to the Minister for Transport:

- (1) Under the proposed Westrail grain freight plan, what is the proposed charge against growers for grain delivered to Newdegate?
- (2) What is the actual cost to Westrail of transporting grain from Newdegate to Albany?
- (3) What is the estimated cost of transporting grain to Esperance from Newdegate?

Mr GRILL replied:

- (1) Westrail's grain contract proposal offered a freight rate of \$16.64 per tonne in 1984-85 for grain transported to Albany from the Newdegate bin.
- (2) The costs of transporting grain from Newdegate to Albany is commercial information confidentially retained by Westrail.
- (3) The estimated cost of transporting grain to Esperance from Newdegate is not available. It has not been calculated and would involve a specification of operating parameters and further research.

STOCK: TRANSPORT

Licences

901. Mr PETER JONES, to the Minister for Transport:

- (1) What requirement exists to obtain appropriate permits prior to the use of road trains to haul livestock on approved routes?
- (2) What conditions have to be complied with before the permit will be granted?
- (3) What highways and other roads have been classified as approved routes?

Mr GRILL replied:

- (1) Road train permits must be obtained from the vehicle loads section of the Main Roads Department.
- (2) The existing standard conditions for general road train operations together with special supplementary conditions for road trains to be used for the transport of livestock on the recently approved extensions in the south-west. All conditions are readily available from the vehicle loads section of the Main Roads Department. Special supplementary conditions to be applied in the south-west are detailed in attachment "B" of the July 1984 review report recently forwarded to the member for Narrogin.
- (3) Standard "approved routes" are shown on MRD form 1258B and the recently approved extensions for the transport of livestock in the south-west are shown on attachment "D" of the July 1984 review report. Details of approved routes are readily available from the vehicle loads section of the Main Roads Department.

BUSINESS: LEGISLATION

Review

902. Mr COURT, to the Minister for Industrial Development:

When will the Government complete its review of State laws hampering business?

Mr BRYCE replied:

The Government sees the review of State laws and regulations hampering business as an important ongoing function.

Considerable progress has already been made in this complex area, and through machinery being established in the Small

Business Development Corporation, this progress will continue.

DEFENCE: HELICOPTERS

Construction: Western Australian Companies

903. Mr COURT, to the Minister for Technology:

- (1) What Western Australian industries may be involved in the manufacturing of helicopters for the Australian Government?
- (2) What new industries may be established in Western Australia to benefit from this large project?

Mr BRYCE replied:

- (1) The most likely WA industries to be involved in the RAN helicopter project are those with production capability to manufacture engine and airframe components such as forgings, castings and body panels and specialised electronic components such as multiwire printed circuit boards. Other industries may become involved when the overseas supplier's offsets programme is known.
- (2) It is not anticipated that new local industries will be established as a result of this project. Any work arising is anticipated to be contained within current local industry capability.

FORMULAB TECHNOLOGY AUSTRALIA PTY. LTD.

Investment

904. Mr COURT, to the Minister for Technology:

- (1) Through what Government department did the Government fund its \$375 000 investment in Formulab technology?
- (2) Under what conditions was the money paid?
- (3) (a) Was the money all paid in the 1983-84 financial year;
(b) if "No", when will it be paid?
- (4) Who provided the Government with technical advice on the investment?
- (5) Who carried out the financial evaluation of the investment?

Mr BRYCE replied:

- (1) The Technology Development Authority has made available \$375 000 to

Formulab, subject to strict and confidential terms of performance, to encourage, facilitate and assist the development and commercialisation of a unique Western Australian electronic technology.

- (2) See above.
- (3) This is the subject of a confidential agreement.
- (4) and (5) The Technology Development Authority drew on highly qualified professional experts in analysing the technical and commercial potential of the technology.

925. *Postponed.*

PUBLIC ACCOUNTS COMMITTEE

Government Instrumentalities: Government Requests

930. Mr MacKINNON, to the Premier:

- (1) Has the Government at any time since 20 February 1983 requested the Public Accounts Committee to examine any Government agencies or statutory authorities?
- (2) If so, will he list the requests made and the dates upon which they were made?

Mr BRIAN BURKE replied:

- (1) Consideration is currently being given to appropriate alterations to the powers of the Public Accounts Committee to enable it to more effectively examine Government agencies and statutory authorities. The Government will not request the Public Accounts Committee to examine Government agencies or statutory authorities until its powers are clarified.
- (2) Not applicable.

933. *Postponed.*

STATE FINANCE: BUDGETING *Performance, and Programme*

935. Mr MacKINNON, to the Premier:

- (1) Has the Government yet introduced programme and performance budgeting?
- (2) If so, in which departments has it been introduced?

Mr BRIAN BURKE replied:

- (1) The matter is under consideration.
- (2) Not applicable.

936. *Postponed.*

TRANSPORT: RAILWAYS

Billboards: Government Attitude

940. Mr BRADSHAW, to the Minister for Transport:

- (1) How does he reconcile the advertising signs on railway land along main roads when the Main Roads Department will not allow advertising signs for business along highways?
- (2) In view of the Government's anti-tobacco advertising philosophy does he condone the cigarette advertising on railway land?
- (3) (a) Does he also condone cigarette advertising on Metropolitan Transport Trust buses;
(b) if not, why is there cigarette advertising still appearing on Metropolitan Transport Trust buses?

Mr GRILL replied:

- (1) Many of the signs on railway land have existed for a number of years and were placed under contract arrangements with Australian Posters Pty. Ltd. I understand that this agreement was entered into prior to the promulgation of the Main Roads' regulations controlling advertising signs. All proposed new signs adjacent to main roads are subject to agreement by the Main Roads Department.
- (2) No. All advertising on railway land related to tobacco products is to be phased out with total removal by June 1987. This timing coincides with the expiry date of contracts between Australian Posters and tobacco companies.
- (3) (a) No;
(b) the existing contract, which expires in September 1987, permits advertising of tobacco products. Any new contract negotiated will prohibit such advertising on MTT buses.

ROAD: FARRINGTON ROAD

Plans: Amended

941. Mr RUSHTON, to the Premier:

- (1) What firm decisions have been made with the City of Cockburn and the City of Melville for the amended development of Farrington Road and adjacent streets and roads?
- (2) What related issues is the Environmental Protection Authority expected to report upon?
- (3) Will he please table a plan showing the effect of the amended decisions already made regarding the Farrington Road development and adjacent streets and roads development?
- (4) Will he list the items upon which decisions are yet to be made for development of Farrington Road and adjacent streets and roads with:
 - (a) City of Cockburn;
 - (b) City of Melville;
 - (c) Environmental Protection Authority;
 - (d) Murdoch University;
 - (e) Main Roads Department;
 - (f) Metropolitan Regional Planning Authority;
 - (g) State Housing Commission;
 - (h) Town Planning Department;
 - (i) private property owners;
 - (j) private contractors;
 - (k) private conservationists?
- (5) Is the Government considering the Labor Party, Trades and Labor Council and other requests to withdraw road funds and stop Farrington Road and other adjacent roads and streets being built?

Mr BRIAN BURKE replied:

- (1) to (5) The member will be advised in due course on these matters.

TRANSPORT

Commission and Co-ordinator General: Amalgamation

942. Mr RUSHTON, to the Minister for Transport:

- (1) Is the office of Co-ordinator General of Transport and Transport Commission being merged into a Transport Department because—

- (a) it is Labor Party policy;
- (b) it is more efficient?
- (2) If it is claimed it is more efficient will he explain how, and table the report and papers supporting such claim?
- (3) Will he please table the report and papers by a private consultant and departments and the previous Government which prove the present transport administration structure is more administratively cost efficient than that proposed by the Government of a Transport Department?

Mr GRILL replied:

- (1) (a) Specifically no. However, the party policy does call for the setting up of a Transport Ministry;
- (b) yes.
- (2) For documentation, I suggest that the member commence with a reading of the State Transport Co-ordination Act and the Transport Act. It will be evident to him, from that and from his own experience, that the functions of the Co-ordinator General of Transport and the Commissioner of Transport have increasingly come to overlap. It is obviously more efficient for the State to have one Department of Transport rather than two partial "departments", between which the division of functions is not entirely clear to anybody.
- (3) If the member will be more explicit I will see what I can provide.

ROAD: MITCHELL FREEWAY

Extension: Commitment

943. Mr RUSHTON, to the Minister for Transport:

- (1) Is the announced extension of Mitchell Freeway past Warwick Road a firm commitment?
- (2) What financial arrangements have been made with the Shire of Wanneroo for the extension?
- (3) Will the freeway extensions still go ahead, whether or not the Sorrento marina be developed for environmental or other reasons?
- (4) Should Ocean Reef site be expanded as a marina for the America's Cup instead of Sorrento, for environmental or other reasons, will the Mitchell Freeway be ex-

tended further by 1986 to accommodate Ocean Reef marina's extra activity?

Mr GRILL replied:

- (1) The extension of Mitchell Freeway to Hepburn Avenue is a firm commitment.
- (2) No financial arrangement is involved with the Wanneroo Council in respect to the above extension.
- (3) Yes.
- (4) The amount of work necessary beyond Hepburn Avenue would make it impractical to complete a further extension of the Mitchell Freeway in time for the America's Cup defence. However, there are other alternative routes available to Ocean Reef.

945. *Postponed.*

ROAD: ROCHDALE ROAD

Bypass: Lalor Committee

954. Mr MENSAROS, to the Minister representing the Minister for Planning:

- (1) How many comments were received on the recommendations of the Lalor Committee?
- (2) Were any of the comments in opposition to the recommendation to build a bypass road for Rochdale Road in Claremont?
- (3) (a) Has Cabinet considered the recommendations of the report yet;
- (b) if so, what is the timing of the construction and completion of the bypass road;
- (c) if not, when is Cabinet considering the report?

Mr PEARCE replied:

- (1) In regard to the recommendations of the Lalor Committee nine comments have been received to date. Two others—Fremantle and Cottesloe—have requested an extension of time.
- (2) No.
- (3) (a) No;
- (b) no decision has been made to carry out this work;
- (c) in view of the acceptance of late submissions Cabinet is unlikely to consider the report before the end of October.

ELECTORAL: ROLLS

Local Authorities: Adult Franchise

955. Mr TRETHOWAN, to the Minister for Local Government:

- (1) Is he aware of major discrepancies in the rolls supplied by the Electoral Department to local authorities as part of the implementation of the Government's adult franchise legislation?
- (2) Are the addresses of electors on the State roll in country areas frequently that of the Post Office in the nearest town rather than that of their place of residence?
- (3) Has this resulted in the Electoral Department registering many people on local government adult franchise rolls in either the wrong ward or even the wrong municipality?
- (4) Is he aware that this has resulted in a costly and time consuming task for local authorities in correcting these rolls?
- (5) Will he ensure that in the next local government elections, no one is disenfranchised from either the ward or municipality in which they have a legitimate claim to be enrolled as a result of inaccuracies in the local government rolls supplied by the Electoral Department?
- (6) Will he consider reimbursing local authorities incurring additional costs through the introduction of adult franchise so that the ratepayers are not required to bear the additional burden of cost?

Mr CARR replied:

- (1) It was anticipated that there would be difficulty in allocating the names of many electors to wards or municipalities, thus preliminary working rolls have been sent to councils as part of a co-operative revision programme. This programme is expected to culminate in accurate rolls being submitted to councils in time for the 1985 annual elections.
- (2) Where this occurs, the procedure outlined in (1) will help overcome the problem.
- (3) See answer to (1).
- (4) See answer to (1).

- (5) Every step is being taken to ensure that all eligible electors will be able to vote.
- (6) There is no present intention to reimburse councils as suggested.

ROTTNEST ISLAND: BOARD

Environmental Subcommittee

956. Mr MacKINNON, to the Premier:

- (1) Is he aware that the Rottneest Island Board in past years has had an environmental subcommittee reporting to it?
- (2) Who were the members of that committee in:
 - (a) 1974;
 - (b) 1976; and
 - (c) 1978?
- (3) Is the committee still in existence?
- (4) Who are the current members of that committee?

Mr BRIAN BURKE replied:

- (1) to (4) The member will be advised in due course of these matters.

ENERGY: SEC

Energy Research Institute: Functions

958. Mr LAURANCE, to the Minister for Industrial Development:

- (1) (a) Is he aware of a body known as the Energy Research Group;
 - (b) if so, what is its function?
- (2) (a) Has the Government provided this group with any funds;
 - (b) if so, for what purpose?
- (3) Is the Government considering any future funding for this group?

Mr BRYCE replied:

- (1) (a) Yes;
 - (b) the Energy Research Group is a private research and development company, working in energy and electronic technology.
- (2) (a) No;
 - (b) see (a) above.
- (3) No.

GOVERNMENT ASSISTANCE

Barup Pty. Ltd.

959. Mr LAURANCE, to the Minister for Industrial Development:

- (1) Has the State Government, or any of its agencies, ever provided financial assistance to a firm known as Barup Pty. Ltd.?
- (2) If so, will he provide details and dates regarding the assistance given and advise the purpose for which the funds were made available?
- (3) Is any consideration being given to a current application for funds for this company?

Mr BRYCE replied:

- (1) The Department of Industrial Development has not provided financial assistance to Barup Pty. Ltd., nor is consideration being given by the department to a current application for funds for this company. I am not aware of any other agencies of the State Government providing or considering financial assistance to the company.
- (2) Not applicable.
- (3) See (1) above.

HEALTH: HOSPITAL

Carnarvon: Blood Bank

960. Mr LAURANCE, to the Minister for Health:

- (1) Is he aware of community concern at Carnarvon over the staffing of the blood bank at the Carnarvon Regional Hospital?
- (2) Will he ensure that staff levels for this unit are maintained adequately to ensure the proper functioning of the unit?

Mr HODGE replied:

- (1) Yes.
- (2) Though the blood bank is located in the hospital the collection of blood and the provision of blood is the responsibility of the Australian Red Cross Society. I am advised by the Australian Red Cross Society that the current level of staffing is considered adequate for the service to meet current demands for blood. I am also advised that a review of staffing levels is being conducted by the Red Cross in country areas. This review will

be considering Carnarvon in the near future.

ELECTORAL: CHIEF ELECTORAL OFFICER

Allegations: Ministerial Approaches

962. Mr LAURANCE, to the Minister for Transport:

- (1) With reference to allegations made by the former Chief Electoral Officer, Mr Coates, reported in *The Western Mail* on the weekend of 22-23 September, 1984, will he inform the House in respect of the period since the present Government has been in office whether he or any of his advisers or officers have made any approaches to the Electoral Department or any of its officers or former officers:
 - (a) in relation to the removal or making available any person or body outside the department of any departmental or electoral records or copies of records or any information whatsoever from the department;
 - (b) ordering, requesting or suggesting the replacement of any officer or officers employed or engaged by the department for any purpose by an Aborigine or Aborigines;
 - (c) ordering, requesting or suggesting the appointment or engagement of more Aborigines within or by the department?

- (2) If any of the above actions have been taken will he give full details to the House?

Mr GRILL replied:

- (1) (a) I have not requested information or records from the Electoral Department, other than that of a general nature available to all members, and I am not aware of any of my officers having sought such information.
- (b) I have not ordered, requested or suggested the replacement of any officer or officers employed by the Electoral Department, and I am not aware of any of my officers having done so.
- (c) I have not ordered, requested or suggested the appointment of more Aborigines within the department, and I am not aware of any of my officers having done so.
- (2) Not applicable.

**ELECTORAL: CHIEF ELECTORAL
OFFICER**

Allegations: Ministerial Approaches

963. Mr BLAIE, to the Minister for Works:

- (1) With reference to allegations made by the former Chief Electoral Officer, Mr Coates, reported in *The Western Mail* on the weekend of 22-23 September, 1984, will he inform the House in respect of the period since the present Government has been in office whether he or any of his advisers or officers have made any approaches to the Electoral Department or any of its officers or former officers:
 - (a) in relation to the removal or making available any person or body outside the department of any departmental or electoral records or copies of records or any information whatsoever from the department;
 - (b) ordering, requesting or suggesting the replacement of any officer or officers employed or engaged by the department for any purpose by an Aborigine or Aborigines;
 - (c) ordering, requesting or suggesting the appointment or engagement of more Aborigines within or by the department?
- (2) If any of the above actions have been taken will he give full details to the House?

Mr McIVER replied:

- (1) (a) I have not requested information or records from the Electoral Department, other than that of a general nature available to all members, and I am not aware of any of my officers having sought such information;
 - (b) I have not ordered, requested or suggested the replacement of any officer or officers employed by the Electoral Department, and I am not aware of any of my officers having done so;
 - (c) I have not ordered, requested or suggested the appointment of more Aborigines within the department, and I am not aware of any of my officers having done so.
- (2) Not applicable.

**ELECTORAL: CHIEF ELECTORAL
OFFICER**

Allegations: Ministerial Approaches

964. Mr COURT, to the Minister for Health:

- (1) With reference to allegations made by the former Chief Electoral Officer, Mr Coates, reported in *The Western Mail* on the weekend of 22-23 September, 1984, will he inform the House in respect of the period since the present Government has been in office whether he or any of his advisers or officers have made any approaches to the Electoral Department or any of its officers or former officers:
 - (a) in relation to the removal or making available any person or body outside the department of any departmental or electoral records or copies of records or any information whatsoever from the department;
 - (b) ordering, requesting or suggesting the replacement of any officer or officers employed or engaged by the department for any purpose by an Aborigine or Aborigines;
 - (c) ordering, requesting or suggesting the appointment or engagement of more Aborigines within or by the department?
- (2) If any of the above actions have been taken will he give full details to the House?

Mr HODGE replied:

- (1) (a) I have not requested information or records from the Electoral Department, other than that of a general nature available to all members, and I am not aware of any of my officers having sought such information;
 - (b) I have not ordered, requested or suggested the replacement of any officer or officers employed by the Electoral Department, and I am not aware of any of my officers having done so;
 - (c) I have not ordered, requested or suggested the appointment of more Aborigines within the department, and I am not aware of any of my officers having done so.
- (2) Not applicable.

ELECTORAL: CHIEF ELECTORAL OFFICER

Allegations: Ministerial Approaches

965. Mr MENSAROS, to the Minister for Education:

- (1) With reference to allegations made by the former Chief Electoral Officer, Mr Coates, reported in *The Western Mail* on the weekend of 22-23 September, 1984, will he inform the House in respect of the period since the present Government has been in office whether he or any of his advisers or officers have made any approaches to the Electoral Department or any of its officers or former officers:
 - (a) in relation to the removal or making available any person or body outside the department of any departmental or electoral records or copies of records or any information whatsoever from the department;
 - (b) ordering, requesting or suggesting the replacement of any officer or officers employed or engaged by the department for any purpose by an Aborigine or Aborigines;
 - (c) ordering, requesting or suggesting the appointment or engagement of more Aborigines within or by the department?
- (2) If any of the above actions have been taken will he give full details to the House?

Mr PEARCE replied:

- (1) (a) I have not requested information or records from the Electoral Department, other than that of a general nature available to all members, and I am not aware of any of my officers having sought such information;
 - (b) I have not ordered, requested or suggested the replacement of any officer or officers employed by the Electoral Department, and I am not aware of any of my officers having done so;
 - (c) I have not ordered, requested or suggested the appointment of more Aborigines within the department, and I am not aware of any of my officers having done so.
- (2) Not applicable.

ELECTORAL: CHIEF ELECTORAL OFFICER

Allegations: Ministerial Approaches

966. Mr CLARKO, to the Minister for the Environment:

- (1) With reference to allegations made by the former Chief Electoral Officer, Mr Coates, reported in *The Western Mail* on the weekend of 22-23 September, 1984, will he inform the House in respect of the period since the present Government has been in office whether he or any of his advisers or officers have made any approaches to the Electoral Department or any of its officers or former officers:
 - (a) in relation to the removal or making available any person or body outside the department of any departmental or electoral records or copies of records or any information whatsoever from the department;
 - (b) ordering, requesting or suggesting the replacement of any officer or officers employed or engaged by the department for any purpose by an Aborigine or Aborigines;
 - (c) ordering, requesting or suggesting the appointment or engagement of more Aborigines within or by the department?
- (2) If any of the above actions have been taken will he give full details to the House?

Mr DAVIES replied:

- (1) (a) I have not requested information or records from the Electoral Department, other than that of a general nature available to all members, and I am not aware of any of my officers having sought such information;
 - (b) I have not ordered, requested or suggested the replacement of any officer or officers employed by the Electoral Department, and I am not aware of any of my officers having done so;
 - (c) I have not ordered, requested or suggested the appointment of more Aborigines within the department, and I am not aware of any of my officers having done so.
- (2) Not applicable.

967. *Postponed.*

**ELECTORAL: CHIEF ELECTORAL
OFFICER**

Allegations: Ministerial Approaches

968. Mr PETER JONES, to the Minister for Police and Emergency Services:

- (1) With reference to allegations made by the former Chief Electoral Officer, Mr Coates, reported in *The Western Mail* on the weekend of 22-23 September, 1984, will he inform the House in respect of the period since the present Government has been in office whether he or any of his advisers or officers have made any approaches to the Electoral Department or any of its officers or former officers:
 - (a) in relation to the removal or making available any person or body outside the department of any departmental or electoral records or copies of records or any information whatsoever from the department;
 - (b) ordering, requesting or suggesting the replacement of any officer or officers employed or engaged by the department for any purpose by an Aborigine or Aborigines;
 - (c) ordering, requesting or suggesting the appointment or engagement of more Aborigines within or by the department?
- (2) If any of the above actions have been taken will he give full details to the House?

Mr CARR replied:

- (1) (a) I have not requested information or records from the Electoral Department, other than that of a general nature available to all members, and I am not aware of any of my officers having sought such information;
 - (b) I have not ordered, requested or suggested the replacement of any officer or officers employed by the Electoral Department, and I am not aware of any of my officers having done so;
 - (c) I have not ordered, requested or suggested the appointment of more Aborigines within the Department, and I am not aware of any of my officers having done so.
- (2) Not applicable.

**ELECTORAL: CHIEF ELECTORAL
OFFICER**

Allegations: Ministerial Approaches

969. Mr TUBBY, to the Minister for Housing:

- (1) With reference to allegations made by the former Chief Electoral Officer, Mr Coates, reported in *The Western Mail* on the weekend of 22-23 September, 1984, will he inform the House in respect of the period since the present Government has been in office whether he or any of his advisers or officers have made any approaches to the Electoral Department or any of its officers or former officers:
 - (a) in relation to the removal or making available any person or body outside the department of any departmental or electoral records or copies of records or any information whatsoever from the department;
 - (b) ordering, requesting or suggesting the replacement of any officer or officers employed or engaged by the department for any purpose by an Aborigine or Aborigines;
 - (c) ordering, requesting or suggesting the appointment or engagement of more Aborigines within or by the department?
- (2) If any of the above actions have been taken will he give full details to the House?

Mr WILSON replied:

- (1) (a) I have not requested information or records from the Electoral Department, other than that of a general nature available to all members, and I am not aware of any of my officers having sought such information;
 - (b) I have not ordered, requested or suggested the replacement of any officer or officers employed by the Electoral Department, and I am not aware of any of my officers having done so;
 - (c) I have not ordered, requested or suggested the appointment of more Aborigines within the department, and I am not aware of any of my officers having done so;
- (2) Not applicable.

ELECTORAL: CHIEF ELECTORAL OFFICER

Allegations: Ministerial Approaches

970. Mr MacKINNON, to the Minister for Industrial Development:

(1) With reference to allegations made by the former Chief Electoral Officer, Mr Coates, reported in *The Western Mail* on the weekend of 22-23 September, 1984, will he inform the House in respect of the period since the present Government has been in office whether he or any of his advisers or officers have made any approaches to the Electoral Department or any of its officers or former officers:

(a) in relation to the removal or making available any person or body outside the department of any departmental or electoral records or copies of records or any information whatsoever from the department;

(b) ordering, requesting or suggesting the replacement of any officer or officers employed or engaged by the department for any purpose by an Aborigine or Aborigines;

(c) ordering, requesting or suggesting the appointment or engagement of more Aborigines within or by the department?

(2) If any of the above actions have been taken will he give full details to the House?

Mr BRYCE replied:

(1) (a) I have not requested information or records from the Electoral Department, other than that of a general nature available to all members, and I am not aware of any of my officers having sought such information;

(b) I have not ordered, requested, or suggested the replacement of any officer or officers employed by the Electoral Department, and I am not aware of any of my officers having done so;

(c) I have not ordered, requested, or suggested the appointment of more Aborigines within the department, and I am not aware of any of my officers having done so.

(2) Not applicable.

971. *Postponed.*

ENVIRONMENT: HARVEY ESTUARY

Seawater Pipeline: Study

972. Mr BRADSHAW, to the Minister for the Environment:

Will the Government give an undertaking to submit the John Holland Company's plan to pump seawater via a twin pipeline into the Harvey Estuary to an equally searching feasibility and environmental impact study as that proposed for the "Dawesville Cut" in order to determine which is the better and most cost effective alternative?

Mr DAVIES replied:

All options of this sort will have been considered as part of the research into management options.

EDUCATION: TERTIARY

WAIT: University Status

973. Mr CLARKO, to the Minister for Education:

Further to question 795 of 1984 and part (3) thereof, concerning his statement to the Press recently regarding the Western Australian Institute of Technology being given university status by 1988, would he give me specific details of the response from the Western Australian Post Secondary Education Commission to the proposal?

Mr PEARCE replied:

WAPSEC has not yet sent its response to me.

WATER RESOURCES: DAMS

Total Dissolved Solids

974. Mr STEPHENS, to the Minister for Water Resources:

With respect to the undermentioned dams/water supply in each of the past seven years respectively, what was the highest and lowest reading expressed as P.P.M. T.D.S. and in what month was the reading taken at —

(a) Wellington;

(b) Mundaring;

(c) Bolgarup;

(d) Serpentine;

(e) Canning;

(f) Wungong;

(g) Denmark?

Mr TONKIN replied:

Owing to the shortness in time it has not been possible to obtain the information and the member will be advised in writing.

MINERALS: COAL

Collie: Open-cut

975. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) Adverting to the reply given to question 194 on 2 August 1984, and as the preponderance of coal to be dedicated to the power and supply for the proposed aluminium smelter is to be open-cut coal, is it anticipated that the ratio of 80:20 as indicated in the reply will be maintained?
- (2) If "No", what movement in the ratio is estimated to occur during the 1990s because of the proposed smelter development?

Mr PARKER replied:

- (1) and (2) Long-term forecasts indicate that overall future coal production from the Collie coalfield including coal required for the power for the proposed aluminium smelter will be mined in the ratio of about 80 per cent open-cut and 20 per cent deep mine.

976. *Postponed.*

ENERGY: GAS

Pipeline: Geraldton

977. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) What stage has been reached in design and construction of the lateral pipeline to supply natural gas to Geraldton?
- (2) What is the total estimated cost of the line, and associated facilities and distribution network?
- (3) When is it anticipated that this very positive initiative will be completed?

Mr PARKER replied:

- (1) The specification documents for the Geraldton gas lateral are scheduled to be issued to prospective tenderers during October 1984.

- (2) A budget of \$5 million has been allowed to complete the lateral and initial distribution facilities.

- (3) Gas is scheduled to be available in Geraldton during May 1985.

ENERGY: ELECTRICITY

Power Station: Carnarvon

978. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) What is the current total cost of generating electricity at the Carnarvon power house?
- (2) What is the current cost when measured in cents per kilowatt hour?

Mr PARKER replied:

- (1) The cost of generating and supplying electricity in Carnarvon in the 1983-84 financial year was \$5.661 million.
- (2) This equates to a cost of 19.2c per kilowatt-hour generated.

PERTH MINT: EXPANSION AND UPGRADING

Cost, and Plans

979. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) With regard to the future of the Perth Mint, have plans been prepared in recent years for further development and modernising of the Perth Mint?
- (2) Have officers of the mint and/or State Government received development plans and specifications regarding the details of an appropriate up-grading and modernisation?
- (3) What are the anticipated costs of the works to be undertaken?
- (4) (a) Is consideration currently being given to transferring the operations of the mint to a new location;
(b) if "Yes", what location is being considered as the new site for the Perth Mint?

Mr PARKER replied:

- (1) Yes. I have recently received the final report of the Royal Mint services feasibility study for the Perth Mint which examined the technical and some financial aspects of upgrading and expanding the Mint's refining and coining facilities.

- (2) Senior officers of the Mint and the Department of Resources Development have received a copy of the above study.
- (3) It is not yet decided what works are to be undertaken, therefore it is impossible to indicate any anticipated costs.
- (4) (a) This is an option which is being considered;
- (b) no decision has been made regarding the above option.

ENERGY: GAS

Liquid Petroleum Gas: Extraction

980. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) With regard to the liquid petroleum gas available from the North-West Shelf natural gas project, what arrangements are now being considered for extraction of liquid petroleum gas from the gas stream?
- (2) Is it proposed that the extraction of liquid petroleum gas will now be undertaken in the Perth region rather than the Pilbara?
- (3) Is it proposed that the State Energy Commission will be involved in the extraction, preparation and marketing of liquid petroleum gas?

Mr PARKER replied:

- (1) The joint venture participants in the North-West Shelf gas development project are currently re-assessing previous plans to extract and sell liquefied petroleum gas as a separate product.
- (2) If the joint venture participants decide not to extract and sell liquefied petroleum gas as a separate product, an opportunity will be provided for parties other than the joint venture participants to consider extraction of the components of liquefied petroleum gas from the domestic gas stream either in the Pilbara or in the Perth region.
- (3) No decision has yet been made on the involvement of the State Energy Commission of Western Australia in any liquefied petroleum gas extraction possibility.

ENERGY: GAS

Deliveries

981. Mr PETER JONES, to the Minister for Minerals and Energy:

Adverting to the reply given to question 240 on 2 August 1984, have arrangements now been finalised regarding compensatory offset arrangements for the short initial delay in gas delivery?

Mr PARKER replied:

Arrangements in this regard have not yet been finalised.

ENERGY: SEC

Restructuring: Cabinet Approval

982. Mr PETER JONES, to the Minister for Minerals and Energy:

With regard to the restructuring of the State Energy Commission promised by the now Government in 1982, is it fact that the restructuring of the commission, and the creation of the new body which is to control planning and management of energy resources in Western Australia, is not yet approved by Cabinet and forwarded to Parliamentary Counsel for drafting?

Mr PARKER replied:

There are a variety of measures which need to be undertaken to implement the policy. These are at various stages of detailed consideration.

983 and 984. *Postponed.*

GAMBLING: LOTTO

Agency: Australind

985. Mr P. J. SMITH, to the Minister representing the Minister for Administrative Services:

- (1) When did Mr Vivian of Australind Village Newsagency first apply to the Lotteries Commission to be approved as a Lotto outlet?
- (2) Was that application by Mr Vivian rejected?
- (3) Is an application by Mr Vivian to be approved as a Lotto outlet presently being considered by the Lotteries Commission?

- (4) Is there any reason why Mr Vivian's newsagency cannot be granted permission to be so approved?
- (5) What are the distances to each of the three Lotto outlets closest to the Australind Village Newsagency?
- (6) At what hour do each of these outlets close on Thursday evenings?

Mr PEARCE replied:

- (1) 21 January 1983.
- (2) Yes.
- (3) An application is being considered at present.
- (4) Mr Vivian's application has been included for consideration in the next general review of all Lotto applications.
- (5) P. Slater, Eaton Park—4 kms
E. Reid, Forum Sandrich Park—8 kms
J. Cartledge, Bunbury Newsagency—12 kms.
- (6) P. Slater—7.00 p.m.
E. Reid—9.00 p.m.
J. Cartledge—9.00 p.m.

986 to 988. *Postponed.*

ENERGY: GAS AND OIL

Offshore Drilling Rigs

989. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) Adverting to the reply given to question 733 on Wednesday, 19 September 1984, would he please identify the four offshore drilling rigs referred to in part (1) of the reply?
- (2) What is the number of offshore drilling rigs expected to be operating in Western Australian permit areas prior to 30 June 1985, in order to satisfy agreed work programmes?
- (3) Will he advise on what basis it is considered that recent oil discoveries referred to in the reply will encourage industry to pursue substantial exploration programmes in offshore Western Australia, and what evidence exists that substantial programmes are being proposed?

Mr PARKER replied:

- (1) *Sedco 600*, at Talisman No. 1 well;
Energy Searcher, at Samson No. 1 well;
Golmar Main Pass III, at Cambridge No. 1 well; and
Maersk Valiant, at Lenita No. 1 well.

- (2) Two offshore drilling rigs.

- (3) Large quantities of gas have been discovered offshore WA, but because of the gas market situation it is unlikely that new gas projects will be developed within the next 10 years and this delay in development possibilities for gas has acted as a disincentive to petroleum exploration. However the several recent offshore oil discoveries indicate that readily marketable oil is present offshore WA and this will act as an incentive to exploration. No formal requests have been received for work programmes to be increased.

990. *Postponed.*

EDUCATION: PRIMARY SCHOOL

Oakford: Relocation

991. Mr RUSHTON, to the Minister for Education:

- (1) Referring to his meeting with a deputation from the Oakford Parents and Citizen's Association of the Shire of Serpentine-Jarrahdale on 20 June last, regarding the future of Oakford primary school, do the Government and the department intend to resite the school?
- (2) If "No", do the Government and the department intend to upgrade the present site and school?
- (3) When can a response to the deputation's request be expected?
- (4) If "Yes" to (1) or (2), what improvement programme will be implemented before next winter?
- (5) When can work be expected to start?

Mr PEARCE replied:

- (1) Yes, if a suitable site can be obtained.
- (2) Not applicable.
- (3) to (5) On 2 August, following further discussions with the Shire of Serpentine-Jarrahdale, two possible sites were identified. Action is in progress to ascertain the cost and suitability of these sites.

When this information is available, and a decision can be made as to the site for relocation, details such as timing of the works required will be decided.

TRANSPORT: WESTRAIL

Staff

992. Mr RUSHTON, to the Premier:

- (1) Referring to his letter of 18 July, listing information requested by me by question 3396 on 29 May, and his invitation to contact him for further information before using the statistics in a comparative manner, will he please let me have a summary of the statistics provided equating the totals on—

- (a) 30 September 1983;
- (b) 31 January 1984;
- (c) 31 March 1984;
- (d) 31 May 1984;

with the total 92 220.52 given for 31 March 1983?

- (2) Will he please let me have a list of the total Government employment as at the latest date on which the numbers are available for departments and authorities funded through Consolidated Revenue Fund/General Loan Fund and for those not funded through the Consolidated Revenue Fund/General Loan Fund?

- (3) Will he please explain how the totals of employees listed for Westrail are calculated, and compare them with the actual numbers of persons employed by Westrail or the listed dates, as they conflict with information already provided by the Government?

- (4) What is the total number of people employed by Westrail at the present time or the latest date for which figures are available expressed—

- (a) total number of persons employed by Westrail;
- (b) adjusted to full-time equivalents;
- (c) present method used in calculating present figures listed?

Mr BRIAN BURKE replied:

- (1) to (4) The member will be advised direct in writing in due course.

993. *Postponed.*

ROTTNEST ISLAND

Wages Pause Funds: Labour Intensive Works

994. Mr MacKINNON, to the Minister representing the Minister for Employment and Training:

Will the Minister list for me the labour intensive works, which have been carried out on Rottnest Island under the wage pause programme, totalling \$227 000 as referred to by him in question 809 of 20 September 1984?

Mr PEARCE replied:

Yes. A letter listing full details will be sent to the member.

DEPARTMENT OF INDUSTRIAL DEVELOPMENT

Review: Steering Committee

995. Mr MacKINNON, to the Deputy Premier and Minister for Industrial Development:

- (1) In reference to question 811 of Thursday, 20 September 1984, concerning the review of the functions of the Department of Industrial Development, who is the ministerial adviser represented on that steering committee?
- (2) What is the name of the firm of consultants which has been engaged to assist in the review?

Mr BRYCE replied:

- (1) M. C. Lisle-Williams.
- (2) Arthur Young Management Consultants.

ROTTNEST ISLAND: BOARD

Staff: Kingston Barracks

996. Mr MacKINNON, to the Premier:

- (1) Is it fact that the Rottnest Island Board is considering or have decided to house Rottnest Island Board staff in the army accommodation at Rottnest when it is vacated by the army later this year?
- (2) If not, what will the accommodation be used for once it is vacated?

Mr BRIAN BURKE replied:

- (1) Arrangements have been made with the Army for a caretaker to move into one of the cottages to protect the facilities from vandalism. That person will be from the existing Rottnest Island Board staff.

- (2) The board is presently evaluating all the alternatives to fully utilise the entire accommodation facilities. It is proposed that the facilities will be utilised by educational school groups and under-privileged families during this Christmas holiday period. The board is presently organising a programme of utilisation. Long term use will be decided when all aspects are duly considered.

EDUCATION: HIGH SCHOOL

Lynwood: Manual Arts Centre

997. Mr MacKINNON, to the Minister for Education:

- (1) What is the estimated cost of improvements to be made to the manual arts centre at Lynwood Senior High School?
- (2) When will work on these improvements commence?

Mr PEARCE replied:

- (1) and (2) Announcements concerning the capital works programme will be made when the Budget has been brought before Parliament.

LAND: URBAN LANDS COUNCIL

Annual Report, and Members

998. Mr MacKINNON, to the Minister representing the Minister for Planning:

- (1) Who are the members of the Urban Lands Council and what are their current terms of appointment?
- (2) Does the Urban Lands Council complete an annual report?
- (3) Is the report tabled in the Parliament?
- (4) If not, why not?
- (5) Will the Minister table a copy of the latest report of the Urban Lands Council?
- (6) If not, why not?

Mr PEARCE replied:

- (1) Chairman—Mr R. B. MacKenzie—appointed until 31 December 1984.

Members—Mr S. W. Parks, Mr F. Pinczuk, Mr W. P. Griffiths, Mr P. Solomon.

Members' terms of appointment have not been specified.

- (2) Yes.
- (3) Yes.
- (4) to (6) Not relevant.

LAND: URBAN LAND DEVELOPMENT CO-ORDINATION COMMITTEE

Members

999. Mr MacKINNON, to the Minister representing the Minister for Planning:

- (1) Who are the members of the Urban Land Development co-ordination committee?
- (2) What are their terms of appointment?
- (3) What are the objectives of the committee?

Mr PEARCE replied:

- (1) URBAN LAND DEVELOPMENT CO-ORDINATION COMMITTEE

MEMBERSHIP—

Hon. Peter Dowding LL.B., MLC—Minister for Planning—Chairman

Hon. Keith Wilson, MLA—Minister for Housing

Mr Bill McKenzie—Chairman, MRPA

Mr Ron Smith—Nominee of Minister for Housing

Ms Brenda Robbins—Urban Lands Council

Mr David Donaldson—UDIA

Mr Michael Glendinning—UDIA

Mr John Wilson—HIA

Mr Gordon Pavlinovich—MBA

Mr Colin Heath—REIWA

Mr Garry McKeown—Executive Officer C/- Town Planning Department.

OBJECTIVES—

To provide a forum for the interchange of information between public and private sectors on issues which may inhibit residential land supply or impact on development costs.

To receive and consider reports from members concerning land supply in terms of their field of expertise.

To review and report on the demand for and supply of residential land within the Perth Metropolitan Region.

To monitor and advise on the need for residential land releases in specific areas.

To advise the Government on the market share of Government residential land.

To publish data concerning current and projected residential land stocks.

- (2) Members representing the private sector serve on a voluntary basis as nominees of their respective bodies.
- (3) See (1).

1000. *Postponed.*

GOVERNMENT INSTRUMENTALITIES: ACCOMMODATION

Bunbury: Tenants

1001. Mr MacKINNON, to the Premier:

- (1) Is it true that Commonwealth Government departments or agencies have been asked to consider becoming tenants of the Austmark office block in Bunbury?
- (2) If so, which departments or agencies have been approached?

Mr BRIAN BURKE replied:

- (1) and (2) The member will be advised of the reply to this question and questions 1002 to 1005 in due course.

GOVERNMENT EMPLOYEES

Bunbury: Number

1002. Mr MacKINNON, to the Premier:

- (1) How many State Government officers are currently working in the City of Bunbury?
- (2) Would he list for me the departments for which they work and their relative number?

Mr BRIAN BURKE replied:

- (1) and (2) See reply to question 1001.

GOVERNMENT INSTRUMENTALITIES: ACCOMMODATION

Bunbury: Cost

1003. Mr MacKINNON, to the Premier:

- (1) Is he aware that Telecom is currently paying in the vicinity of \$70 per square metre per annum plus normal outgoings for office accommodation it occupies in Bunbury?
- (2) How does he therefore justify the rental of \$150 per metre per annum being paid by the State Government for the

occupancy of the Austmark building in Bunbury?

Mr BRIAN BURKE replied:

- (1) and (2) See reply to question 1001.

GOVERNMENT INSTRUMENTALITIES: ACCOMMODATION

Bunbury: Alternative Site

1004. Mr MacKINNON, to the Premier:

- (1) Is it true that the Government is already already planning for another State Government office complex for Bunbury (i.e. other than the Austmark building)?
- (2) If so, where in Bunbury is this development to be built?
- (3) When is it planned to proceed?
- (4) How large is it anticipated to be?

Mr BRIAN BURKE replied:

- (1) to (4) See reply to question 1001.

GOVERNMENT INSTRUMENTALITIES: ACCOMMODATION

Bunbury: Department Relocated

1005. Mr MacKINNON, to the Premier:

- (1) Is it fact that only one existing State Government department will be relocated into the Austmark office block in Bunbury?
- (2) If so, which is that department?
- (3) If not, which departments are to be relocated or are being considered for relocation?

Mr BRIAN BURKE replied:

- (1) to (3) See reply to question 1001.

1006 and 1007. *Postponed.*

INTERLAKE STUDY: BURSWOOD ISLAND

Development: Recommendations

1008. Mr MacKINNON, to the Minister representing the Minister for Planning:

What type of development was recommended to proceed on Burswood Island by the Interlake study into the area?

Mr PEARCE replied:

The concept plan by Interlake includes *inter alia* proposals for exhibition and other buildings and active and passive recreation areas.

1009 and 1010. *Postponed.*

MINISTERS OF THE CROWN

Overseas Travel

1011. Mr MENSAROS, to the Premier:

Adverting to his reply to question 640 and 641 and appreciating the costly exercise of retrospective research, would he institute a system whereby in the future every Minister and accompanying officer (whether public servant or advisor) would have to keep an ongoing tab on the name of persons travelling and the cost of overseas Ministerial trips as a result of which such costs would be automatically on record and be able to be produced without any further expense in the interests of more open government?

Mr BRIAN BURKE replied:

The matter will be considered.

MINISTERS OF THE CROWN: PREMIER

Letterhead Paper: Manufacture

1012. Mr MENSAROS, to the Premier:

Would he please say where the paper was manufactured which is used for his black and gold printed letterheads?

Mr BRIAN BURKE replied:

Current stocks and orders of letterheads for my office include both Australian and American manufactured paper. It is my intention to order only Australian manufactured paper in future.

MINERALS: DIAMONDS

Western Australian Diamond Trust: Prospectus

1013. Mr MENSAROS, to the Premier:

Would he please tell the House where the impressively finished prospectus about the public's participation in the Western Australian Development Corporation's Argyle diamond mine project was printed?

Mr BRIAN BURKE replied:

The Western Australian Diamond Trust Prospectus was prepared by and is a matter for the Western Australian Development Corporation.

PORNOGRAPHY: CENSORSHIP

Ministerial Conference

1014. Mr MENSAROS, to the Minister representing the Minister for Administrative Services:

Could he please further explain his reply to question 517 in view of the reported fact that both the New South Wales and Victorian Premiers have initiated a meeting of the Commonwealth and State Ministers responsible for measures regulating the classification and distribution of video tapes?

Mr PEARCE replied:

It is accepted practice for the Commonwealth Minister responsible for censorship to initiate meetings with State Ministers.

The Minister for Administrative Services is attending a meeting in Melbourne on 28 September 1984 with Commonwealth and State Ministers on censorship matters.

ROTTNEST ISLAND

Development Plans: ERMP

1015. Mr MENSAROS, to the Minister for the Environment:

In connection with any new development of plans of Rottnest Island, will developers be requested to submit an environmental review management programme?

Mr DAVIES replied:

For any new development on Rottnest Island brought to its attention, the EPA will recommend to the Minister for the Environment on the appropriate level of environmental impact assessment. For environmentally significant proposals it may be anticipated that the EPA will recommend the preparation of an environmental review and management programme.

1016. *Postponed.*

PORTS AND HARBOURS: DREDGING

Murray and Serpentine Rivers

1017. Mr MENSAROS, to the Minister for Works:

Would he please tell the approximate cost of dredging operations recently completed—

- (a) at the mouth of the Murray River;
- (b) at the mouth of the Serpentine River?

Mr McIVER replied:

- (a) and (b) the Murray River channel—\$22 000;
- the Serpentine River channel—\$54 000;
- the confluence of Murray/Serpentine Rivers—\$28 000.

GOVERNMENT INSTRUMENTALITIES:
ACCOMMODATION*Mineral House: Construction Programme*

1018. Mr MENSAROS, to the Minister for Works:

Would he please give approximate time schedules for the various phases of the recently announced construction of the second Mineral House?

Mr McIVER replied:

It is anticipated that construction will commence by early 1985 and that the building will be ready for occupation by September 1986.

GOVERNMENT INSTRUMENTALITIES:
ACCOMMODATION*Mineral House: Construction Programme*

1019. Mr MENSAROS, to the Minister for Minerals and Energy:

Would he please describe or show on a map the proposed location of the second stage of Mineral House and also where the Government Chemical Laboratories are going to be housed in the future?

Mr PARKER replied:

It is proposed to demolish a wing of the Government Chemical Laboratories to make way for Mineral House stage 2. A new building will be constructed on the Hay Street frontage to accommodate the displaced functions of the laboratories.

NATURAL DISASTERS: FLOODS

Flood Plains: Studies

1020. Mr MENSAROS, to the Minister for Water Resources:

- (1) Which are the areas/regions in the State where flood studies (prepared by the Public Works Department) already exist?
- (2) Are there any further areas/regions subject to such studies?
- (3) If so, what is the order of preference?
- (4) When can the studies expect to be completed?

Mr TONKIN replied:

- (1) to (4) Owing to the shortness of time it has not been possible to obtain the information and the member will be advised in writing.

PORNOGRAPHY: CENSORSHIP

Publications: Restricted Sale

1021. Mr COYNE, to the Premier:

- (1) Under sub-section 1 of section 10 of the Indecent Publications Act, how many publications (printed material) has the Government approved for restricted sale since:
 - (a) 1 January 1984;
 - (b) 7 June 1984?
- (2) If sold prior to 1 January 1984, would this material have been subject to prosecution?
- (3) How many prosecutions were made for the sale of indecent printed publications:
 - (a) 1983;
 - (b) 1984?

Mr BRIAN BURKE replied:

- (1) (a) 1835;
- (b) 924.
- (2) It is possible that some of the material may have been liable to prosecution if sold prior to 1 January 1984.
- (3) Information detailing the categorization of such prosecutions is not available.

HOUSING

Home Buyers' Assistance Fund

1022. Mr TRETHOWAN, to the Minister representing the Minister for Consumer Affairs:

- (1) How many people have been helped each year since the establishment of the home buyers' assistance fund?
- (2) What was the total amount provided by the home buyers' assistance fund in each of those years?
- (3) What was the income of the fund in each of those years?
- (4) What has been the income and expenditure each year of:
 - (a) the fidelity guarantee fund;
 - (b) the educational facilities fund,
 since their establishment?
- (5) What has been the income provided each year in the Real Estate and Business Agents Supervisory Board from the investment of the deposit trust since its establishment?
- (6) What percentage of return on investment annually does that present?
- (7) To whom have distributions from the educational facilities fund been made?
- (8) How much each year has been distributed to the organisations listed in answer to (7)?

Mr TONKIN replied:

- (1) to (8) The information will take some time to collate and will be forwarded to the member by the Minister for Consumer Affairs by letter in due course.

EDUCATION: FUNDING

Tertiary Sector

1023. Mr CLARKO, to the Minister for Education:

- (1) Is it fact that he stated in *The West Australian* of 17 September 1984, that if more money were available for education he would not advocate that it go to the tertiary sector?
- (2) (a) If "Yes", would he provide evidence to support his assertions;
- (b) is this further evidence of his continuing unsubstantiated attacks on the tertiary institutions of Western Australia?

Mr PEARCE replied:

- (1) The article was a reasonably accurate report of my comments.
- (2) My comments were based on a recognition of needs across the whole education system, not an attack on any sector of education.

EDUCATION: DISABLED CHILD

Minister's Comment

1024. Mr CLARKO, to the Minister for Education:

Was his statement in *The West Australian* of 4 September 1984, under the heading: "Pearce chides father of retarded boy", a fair account of that incident, and if so, would his remarks have added to the circumstances surrounding this case?

Mr PEARCE replied:

This matter is again *sub judice*.

ELECTORAL: CHIEF ELECTORAL OFFICER

Allegations: Ministerial Approaches

1025. Mr WATT, to the Minister for Water Resources:

- (1) With reference to allegations made by the former Chief Electoral Officer, Mr Coates, reported in *The Western Mail* in the weekend of 22-23 September 1984, will he inform the House in respect of the period since the present Government has been in office whether he or any of his advisers or officers have made any approaches to the Electoral Department or any of its officers or former officers:
 - (a) in relation to the removal of, or making available to any person or body outside the department, any departmental or electoral records or copies of records or any information whatsoever from the department;
 - (b) ordering, requesting or suggesting the replacement of any officer or officers employed or engaged by the department for any purpose by an Aborigine or Aborigines;
 - (c) ordering, requesting or suggesting the appointment or engagement of more Aborigines within or by the department?

- (2) If any of the above actions have been taken will he give full details to the House?

Mr TONKIN replied:

- (1) (a) Of course information from the State Electoral Department has been supplied to outside bodies. As the member knows, the department has much information which is of interest to many people and, where it is proper to do so, this information has always been and will continue to be cheerfully supplied.

There is exchange of correspondence and information between the State Electoral Department and my office and my staff have, no doubt, made many requests for information. If the member is suggesting that there has been any impropriety with respect to these interchanges of information I can assure the House there has not. If any improper request was made the matter should have been drawn to my attention the moment it occurred. I have no recollection of the former Chief Electoral Officer mentioning any such improper requests to me.

- (b) See answer to 1(c) below.
- (c) The Government and the State Electoral Department has a good general policy of giving the best possible service to electors and one aspect of this service is to assist minority groups to participate in the democratic process. Where there are significant numbers of an ethnic group the department endeavours to employ some members of that group as electoral officials. Aborigines are one such group and where there are significant numbers of Aboriginal voters, people of their race should be employed to help overcome problems of language and customs at polling places. I table correspondence relating to this policy of which I am proud.
- (2) Details are given in the tabled correspondence. It is impossible to investigate any allegations if the former Chief Electoral Officer or anyone else, such as the leader of the Opposition or the member asking this question, has knowledge which he will not provide. The former

Chief Electoral Officer apparently did not confide in his deputy which I find stretches the bounds of credulity. Heads of departments must act in a proper manner by immediately informing their Ministers of any possible impropriety and/or if the situation requires, by informing the Chairman of the Public Service Board. These actions provide for the maintenance of proper procedures and hence good government.

The paper was tabled (see paper No. 166).

QUESTIONS WITHOUT NOTICE

ABORIGINAL AFFAIRS: LAND RIGHTS

Seaman Inquiry: Report

267. Mr HASSELL, to the Minister with special responsibility for Aboriginal Affairs:

In the absence of the Premier and the Deputy Premier, I ask the Minister the following—

- (1) Is he aware that the media have been provided with embargoed copies of the Seaman report and the Government's comment for most of the day, leading up to a Press conference and the release of the report by the Premier at 3.30 this afternoon?
- (2) Is he also aware that the Opposition was not provided with a copy of the report or the Government's statement until an hour after the release had been made?
- (3) Does he not regard that as complete discourtesy to the Opposition given that, as the Government well knows, the media are as interested in receiving comment from the Opposition on the report, as they are from the Government?

Mr WILSON replied:

- (1) and (2) I am not aware of when the media were given copies of the report.
- (3) The fact that in the past the Opposition has not had material available to it, has not stopped it from commenting on the issue.

HEALTH: BENTLEY HOSPITAL

Petition: Fate

268. Mrs HENDERSON, to the Minister for the Environment:

- (1) Did he receive a petition on Friday, 14 September relating to Bentley Hospital?
- (2) What happened to it?

Mr DAVIES replied:

- (1) and (2) I am pleased to say that indeed I did receive a petition from a group of pensioners in the electorate. I am sorry that the member for East Melville, who was pleased to cast doubts and aspersions on the incident this morning, is not sitting in the House to hear the reply. However, I will make certain that he gets a copy.

At the request of a local doctor, and at his convenience and also at my convenience, I arranged to receive a petition from, as I anticipated then, two local doctors on Friday, 14 September, at 4.00 p.m. I was later contacted by the doctor who asked whether it would be okay to bring along a few pensioners whom they could rally up—about 100—to present the petition. Being a pleasant fellow, and always happy to co-operate, I said I would be delighted to receive those pensioners. Of course, I anticipated that there would be some newspaper people in attendance.

I arrived at my electorate office at 4.00 p.m. on the Friday, but even being generous with the count, I doubt whether I could find 30 pensioners. However, I did find one extra doctor, making three doctors in all, and fewer than 30 people to present the petition. In fact, the number was probably closer to 20. I must admit the weather was bad.

Mr MacKinnon: How often do 20 people visit your office with a petition?

Mr DAVIES: I have never had 20 people at my office to present a petition before, but this was the instant crowd organised by the three local doctors to impress upon me the seriousness of the situation.

There seemed to be some confusion about who would present the petition to me, and finally the lady carrying it found she was the one to present it. The petition was not handed to me until we posed for the Press and many of those present got into the picture. I was very

happy to have them in my office, because many of them are good friends of mine.

Incidentally, the petition was not addressed to anyone in particular. I have a copy of it here. It is just headed "Bentley Hospital Petition. We the undersigned—" and so on.

After all the pictures had been taken and I had received that petition—I had taken the precaution of obtaining from the Minister for Health a statement as to the Government's side of the position—I handed this around to the people who came to see me. One of the dear souls kindly took it upon herself to distribute a bundle the next time she went down to the senior citizens' centre. I thought this was very generous of her, but it did not show she was terribly concerned about the fact that she was petitioning for no change to be effected to Bentley Hospital.

I repeat that the petition was not addressed to anyone in particular. I was requested to get it to the Minister for Health. This I did the very next week. Since then, further petitions have trickled into my office, and I have been pleased to pass those on to the Minister for Health.

Members know what happens generally to petitions when they are presented to the House, and they will surely realise it is better to bring these things directly to the notice of the Minister in his office rather than have them laid on the Table of the House.

Several members interjected.

Mr DAVIES: It is not directed to the Speaker. The member for Dale is as thick as two planks! I have said three times that it was not addressed to anyone in particular. If the member wants to have a look at it, I am happy that he should; but please listen. It makes it very difficult when members doze off like that and then come in with what they think is a cutting answer.

Several members interjected.

Mr MacKinnon: It is a dorothea dixer. Why should we listen to your rubbish?

Mr DAVIES: Here is the member for Murdoch who has been lurking in the background on the whole matter—

Mr MacKinnon: In the background of what?

Mr DAVIES: —and trying to cause a little trouble.

Mr MacKinnon: I have not spoken to a single person in my electorate about Bentley Hospital.

Mr DAVIES: It afforded me an opportunity to look at some of the petitioners. Would members believe—

Several members interjected.

The SPEAKER: Order! The Minister should wind up very quickly because I am really not sure that the question is in order.

Mr DAVIES: I shall be only too happy to comply with your wishes, Sir. Finally, I will be able to say I am sure that the Minister for Health, having got the petition, will be interested to find that there are people from places such as Port Denison and Exmouth who are concerned with the closing of Bentley Hospital. It was a well-organised petition.

ABORIGINAL AFFAIRS: LAND RIGHTS

Seaman Inquiry: Report

269. Mr HASSELL, to the Minister with special responsibility for Aboriginal Affairs:

In the absence of the Premier and the Deputy Premier, I address this question to the Minister with special responsibility for Aboriginal Affairs. As a result of the Premier's recent visit to Canberra and his meeting with the Prime Minister in relation to the release of the Seaman report and its implementation, what arrangement has been agreed between the State and the Commonwealth on that matter?

Mr WILSON replied:

I gather the import of the question by the Leader of the Opposition to be in relation to arrangements between the Premier and Prime Minister regarding the release of the Seaman report.

Mr Hassell: I said, "and its implementation".

Mr WILSON: Certainly the Premier has met and had discussions with the Prime Minister about the release of the Seaman report and about the implementation of what the Government may see fit to implement arising from that. I understand that the Prime Minister is in a position to discuss that with his own Cabinet.

That is where the matter rests at the present time.

WATER RESOURCES: IRRIGATION

South-west Districts: Allocation

270. Mr D. L. SMITH, to the Minister for Water Resources:

In view of the reasonably favourable water storage levels in the major dam supplying the south-west irrigation districts, will the Minister inform the House of the allocations for the 1984-85 season?

Mr TONKIN replied:

I would certainly love to if I knew what they were. It has always been my desire to share information with members of the House. If I had some notice of the question, I would tell the member what is happening.

INDUSTRIAL RELATIONS: DISPUTE

Transport Workers' Union: Secretary

271. Mr PETER JONES, to the Minister for Transport:

- (1) What action is the Government taking to prevent the industrial action proposed by the Transport Workers' Union on behalf of the union secretary from taking place?
- (2) If the Government's efforts are to no avail and the disruptions do occur, what action does the Government propose to take to alleviate the great inconvenience which will result to the general public?

Mr GRILL replied:

- (1) and (2) I really cannot answer the question put forward by the member for Narrogin. Unfortunately, I have been in the Eastern States for the past few days. I have only just returned, and I am not aware what action is being contemplated.

Mr Peter Jones: When you become informed about it, do you propose to take some action on behalf of the public?

Mr GRILL: Once I know what it is.

Mr MacKinnon: I would have thought you would be in touch with the office while you were away.

HOUSING: MORTGAGES

Foreclosures: Statistics

272. Mrs BEGGS, to the Minister for Housing:
Will he inform this House what up-to-date figures are available regarding mortgage foreclosure?

Mr WILSON replied:

Foreclosures by the major permanent building societies for the first two months of the 1984-85 financial year total 19.

This may project 114 on an annual basis. I would like all members to know that, when compared with 294 foreclosures in 1983-84 and 462 in 1982-83, the figures I have here confirm that this Government hopes members opposite will one day understand—Western Australia under this Labor Government has replaced its financial chaotic aimlessness with a healthy economical programme of stability.

WATER RESOURCES: IRRIGATION

South-west Districts: Allocation

273. Mr TONKIN (Minister for Water Resources): May I amend an answer?

Several members interjected.

Mr TONKIN: It happens all the time when one gets information. I have just had a rare flash of memory. I do not know whether other members have had this experience.

Mr MacKinnon: You are not amending an answer; you have just found a bit of paper.

Mr TONKIN: I am amending the answer I have already given to the member for Mitchell. I cannot understand why I did not remember it all before. My amendment reads as follows—

Though the storages this season are not quite as good as they were at the same time last year, I have approved the following allocations:

For the Collie River, Harvey (including Logue Brook) and Waroona districts, the allocation is 14 000 cubic metres per rated hectare.

In the Waroona district the Samson, Drakesbrook and Waroona Dams are all over-flowing, the

Wellington Dam is 82 per cent of its capacity.

The Stirling Weir, the Harvey and Logue Brook Dams are holding slightly less than 79 per cent of their total capacity.

In conclusion, I would just like to say that I am sick and tired of people saying what lovely weather this is. It is absolutely terrible weather. The metropolitan dams are only just over half full.

QUESTIONS ON NOTICE: ANSWERS

Delayed.

274. Mr HASSELL, to the Leader of the House:

In the absence of the Premier, the Deputy Premier, and the Minister for Agriculture, I address this question to the Leader of the House.

I ask the Leader of the House—

In view of the fact that a number of questions on today's Notice Paper have been answered with a statement that the member will be advised in due course, and no substantive answer has been given; in view of my own experience, without exception, that every such answer never results in a final answer for months on end unless the matter is followed up by the member asking the question—

Mr Tonkin: Without exception?

Mr HASSELL: In my experience, without exception. I have had to follow up every one. Never has a Minister given me the required information without my chasing it up.

Will the Leader of the House be good enough to check with the Premier or his department to ensure that the answers are provided promptly, as some of them were requested specifically in connection with the preparation for the Budget part of the session?

Mr TONKIN replied:

The Leader of the Opposition has made a very reasonable request. I know that, in the case of one answer of that nature which I gave, I did so because I was aware that we would not be sitting until 9 October, and, therefore, I thought, rather than just postpone the question, I would answer it by saying that we did not have the information at the moment

and we would write to the member concerned. The idea was not to postpone the question for months, but to provide the member with the answer before 9 October. I shall endeavour to follow up the matter, and I hope all the Ministers present will try to ensure that, if they have dealt with questions in that way, they are followed up quickly.

Mr Hassell: I would like you to understand that I am not being unreasonable about the matter. However, questions I asked in May were not answered until the later part of this session.

Mr TONKIN: Some questions require the preparation of an enormous amount of information, and take months to prepare. I assume the questions to which the Leader of the Opposition referred require the provision of a certain amount of information which could not be prepared in time for today. If that is the case, the Ministers concerned will provide the information to the members later in the week. Those Ministers present will know the position and those who are not will be contacted.

One of the problems in respect of questions is their very short lead time. I find, especially in regard to Wednesday's and Thursday's questions, when I receive the suggested reply from the department for my perusal, if I have to make a qualification or if some other check has to be carried out, because I am not satisfied the answer is adequate, the question frequently has to be postponed. That is because the period of time within which one may make the adjustments is very short.

I do not know whether other Ministers find that is the case, but I shall discuss it with them and ascertain the position. It may be we are trying to set too high a standard in the sense of a question being asked and answered shortly thereafter. I know this Parliament has the tradition of answering questions on notice and questions without notice more promptly than has any other Parliament.

Mr Rushton: It would be easier if we did not have so many dorothy dix questions.

Mr TONKIN: We are talking about questions on notice. When a Minister receives the suggested reply from the department, if there is some problem with

it, frequently there is inadequate time to rectify the answer and provide it the same day. If it happens to be the last day before a recess, as is today, this kind of delay occurs. The question asked by the Leader of the Opposition is quite reasonable, and we shall try to get the answers to the members as quickly as possible.

HEALTH: HOSPITAL

Wanneroo: Casualty Section

275. Mrs WATKINS, to the Minister for Health:

In deference to members of the Opposition, this is not a dorothy dix question. I ask—

In view of the fact that the casualty section of the Wanneroo Hospital—members opposite know all about the Wanneroo Hospital—has been in operation since July 1983, could the Minister supply the House with monthly statistics of patient usage from July 1983 to August 1984?

Mr HODGE replied:

I am pleased to provide the following information—

Mr MacKinnon: Just off the cuff. You just happen to have it handy!

Mr HODGE: I received it a few moments ago over the telephone, if the Deputy Leader of the Opposition wants to know. For the period from July to December 1983, the statistics are as follows—

Date	No. of Patients
July	320
August	280
September	280
October	370
November	380
December	520

The figures from January to August 1984 are as follows—

January	490
February	600
March	710
April	650
May	570
June	610
July	630
August	700

That is a total of 7 100 patients since the service began.

TRANSPORT: FREIGHT

Grain: Committee

276. Mr WATT, to the Minister for Transport:

I refer to a letter I wrote to the Minister on 12 July and to which I have not yet received an acknowledgement or reply and I ask—

- (1) Will the Minister advise whether he will consider including in the membership of the grain freight steering committee, a representative of the Road Transport Association of Western Australia and a representative of the Transport Commission to provide some balance to the committee, given the significant proportion of the State's grain production which is transported by road?

- (2) If not, why not?

Mr GRILL replied:

- (1) and (2) I honestly cannot recall the member's letter, but I shall certainly endeavour to find it. It would be most unusual that a letter should go that long without being answered. I will certainly give consideration to including those representatives on the grain freight steering committee, but the member must bear in mind that this committee was not set up by this Government; it was set up by the previous Government and its composition was decided by the previous Minister for Transport.

Mr Watt: I am not being critical; I am simply saying that changing times often bring about changing needs.

Mr GRILL: I was simply pointing out that the committee was not set up by this Government, but by the previous Government, and I did not decide its composition.

We could certainly look at including on the committee a representative of the Road Transport Association, but I think that would be unwise. If we are to include a representative of the Road Transport Association, we would then need to include a representative of Westrail. It is hardly appropriate to have the people with whom the grain freight steering committee is set up to negotiate,

actually being part of that committee; so I think it would be dangerous to do that.

There are probably some very good arguments as to why they should not be included, but I shall look at the matter.

In respect of the Transport Commission, my answer would most certainly be "No". I do not believe that a Government body such as the Transport Commission should be involved in those sorts of negotiations.

That sort of body is established to give impartial advice to the Minister, and it can be involved in giving advice in respect of these matters, but it would not be proper for it to be involved in commercial negotiations.

I shall chase up the member's letter. I am very surprised it has not been answered. It may have gone astray, but I shall get an answer to him in due course.

ROAD: MITCHELL FREEWAY

Extension: Financial Arrangements

277. Mr RUSHTON, to the Minister for Transport:

Referring to my question 943 today relating to the extension of Mitchell Freeway to Hepburn Avenue, I ask—

- (1) What financial arrangements have been entered into to finance the extension of the freeway to Hepburn Avenue by 1986?
- (2) If no additional financial arrangements have been made, what road projects have been deferred to accommodate the extension of the freeway to Hepburn Avenue?

Mr GRILL replied:

- (1) and (2) The additional financial arrangements—and there are additional financial arrangements—involve a component of prefunding.

ROAD: FARRINGTON ROAD

Realignment: Cost

278. Mr PETER JONES, to the Minister for Transport:

This Minister has not been here for a while. We did not sit for three weeks and this is the first time since then that we have seen him. My question relates to a matter which was being dealt with before the Minister went away. I ask—

- (1) With respect to the realignment of Farrington Road and Bibra Drive, a matter which has been publicised, who will pay the additional costs involved of any finally agreed realignment?
- (2) Will either the City of Cockburn or the City of Melville be required to bear any of the additional costs?
- (3) What is the estimated additional cost—I realise it would not have been finalised—involved in constructing the proposed new realignment?

Mr GRILL replied:

- (1) There will be additional costs and they will be borne by the Main Roads Department.
- (3) At this stage the only ascertainable additional costs will involve the acquisition of four private blocks of land, but there may be additional costs associated with the realignment, although that might not necessarily be the case.
- (2) No, it is not contemplated that either the Cockburn Shire or the City of Melville should bear any of those costs.

Mr Peter Jones: How much money are we talking about?

Mr GRILL: It is hard to put a figure to it; it would certainly be less than \$200 000.

Mr Peter Jones: No more than \$200 000 for the realignment and the acquisition of four blocks of land?

Mr GRILL: In round figures; but it is very hard at this stage to give a definitive figure.

Mr Peter Jones: We won't hold you to it.

ABORIGINAL AFFAIRS: LAND RIGHTS

Seaman Inquiry: Report

279. Mr WATT, to the Minister with special responsibility for Aboriginal Affairs:

I understand that the Minister has released a copy of the Seaman report to the media, but does he intend to make copies available to members of Parliament?

Mr WILSON replied:

The report is being printed in a limited number to start with because of pressures on the Government Printer. A copy has been made available to the Leader of the Opposition.

Mr MacKinnon: "A" copy.

Mr WILSON: Yes, that is what I said.

Mr MacKinnon: We will take turns to read it.

Mr WILSON: Members opposite have not shown a great deal of interest in it up to now; they did not make a submission to the inquiry. I am not sure that they will be interested in it.

Several members interjected.

Mr WILSON: Why this sudden interest in it after these 12 months? Members opposite are now wanting a copy of the report; suddenly they are interested in a report in which for 12 months they said they had no interest.

Several members interjected.

Mr WILSON: They made no submission to the inquiry, which would indicate they had no interest in it.

Mr McNee: Are you ashamed of it?

Mr WILSON: Not at all; I am just interested in the sudden interest shown by members opposite. I find it very encouraging. It shows a welcome development in their social understanding.

Mr Tonkin: A social conscience.

Mr WILSON: I would not go so far as to say that. As I was saying before I was rudely interrupted by members opposite, a copy of the report has been made available to the Leader of the Opposition. An initial batch of copies has been printed and as soon as sufficient copies are available, they will be circulated to each member of Parliament. The timing will depend on the Government Printer.

HEALTH: HOSPITAL

Wanneroo: Unused Floor

280. Mr CRANE, to the Minister for Health:

(1) Was it an election promise of this Government to open the unused floor of the Wanneroo Hospital?

(2) If "Yes", has the floor been opened?

(3) If "No", why not?

Mr HODGE replied:

(1) to (3) I do not recall making a specific promise that we would open the unused floor at the Wanneroo Hospital. I have made statements to the members representing the district that the moment the demand at the hospital indicates that the unused section needs to be open, the Government will open it.

Mr Bradshaw: They certainly made a song and dance about it before the election.

Mr HODGE: Perhaps they did, but my indications are—bearing in mind that I keep a very close watch on that hospital because of the recent introduction of the new system there—that bed-demand rates are increasing. In recent days there

has been quite a dramatic increase in demand at the hospital and I am told that, on average, 50 beds a day have been occupied for the last few days. The moment the usage of that hospital indicates that we would be warranted in providing the extra beds, the Government will not hesitate to take action.
