

Legislative Council

Tuesday, 8 September 1981

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 4.30 p.m., and read prayers.

BILLS (2): ASSENT

Message from the Governor received and read notifying assent to the following Bills—

1. Workers' Compensation Amendment Bill.
2. Cattle Industry Compensation Amendment Bill.

PARLIAMENTARY PRIVILEGES ACT

Statement by President

THE PRESIDENT (the Hon. Clive Griffiths): Honourable members, when I was elected to the position of President in May 1977 I assured members that I would maintain and uphold the traditions and dignity of the office. I undertook also, as part of the responsibilities of office, to protect the rights and privileges of the members of the Council and to ensure that to the best of my ability the Standing Orders of the Council were complied with.

On the last sitting day of the House—Wednesday, 26 August—the Attorney General, by leave of the House, made a ministerial statement in relation to a question without notice asked by the Hon. G. C. MacKinnon on 13 May 1981. Honourable members will recall I was not present on 13 May. Unfortunately, my attention was temporarily distracted whilst this statement was being made, and it was not until Mr MacKinnon spoke on the motion to adjourn the House that I realised what had transpired appeared to impinge upon the question of parliamentary privilege, and was therefore a serious breach of the fundamental rule that a question of privilege is a matter for determination by the House.

The correct procedure that must be followed when a member considers that a matter of privilege has arisen since the last sitting of the House is for the member to rise to speak, as is specifically provided for in Standing Order No. 94. When the matter has been raised it is necessary, pursuant to Standing Order No. 95, to suspend the consideration and decision of every other question until a decision has been reached. Where a member complains of a statement in a newspaper as being a breach of privilege, there

are certain procedures in Standing Order No. 96 which must be observed.

In the House of Commons, the Speaker has been provided with the power to decide whether a complaint by a member of a possible breach of privilege should be referred to a Committee of Privileges for determination, and he also has 24 hours to decide. Such a power is not available to me, notwithstanding the provisions of the preamble and section 1 of the Parliamentary Privileges Act 1891, which appears on page 154 of the companion volume to our Standing Orders.

Section 34 of the Constitution Act 1889—the “recited Act” referred to in section 1 of the Parliamentary Privileges Act—provides us with the power to adopt Standing Orders which have the force of law when approved by the Governor. It therefore follows that the Standing Orders relating to matters of privilege to which I have previously referred have precedence over the provision contained in the Parliamentary Privileges Act, and must be observed by this House.

It is not competent for a Minister, the Government, or indeed, the President, to rule on a matter of privilege. Furthermore, parliamentary privilege is a collective privilege, and is therefore the collective property of the House. It is not necessary for the member involved to pursue the matter. It is the prerogative of any member to question whether or not a breach has occurred.

Following the adjournment of the House on Wednesday, 26 August I discussed the matter with both the Clerk and the Hon. G. C. MacKinnon, and have now examined the question without notice asked by Mr MacKinnon.

I am of the opinion that it was out of order on three counts: firstly, the matter should have been one for the House to decide in accordance with Standing Orders Nos. 94 to 96; secondly, it sought a legal opinion; and finally, it could have been considered to be a matter of *sub judice*, and should have been ruled inadmissible.

THE HON. G. C. MacKINNON (South-West) [4.37 p.m.]: Mr President, I rise to seek information from you. I preface my request by saying I was extremely interested to hear your statement and I share your belief that parliamentary privilege is the rock on which the Westminster parliamentary system is built; it is absolutely sacrosanct and essential for the proper conduct of our parliamentary system.

Bearing that in mind and bearing in mind your admonition of us in the way this matter was handled earlier, is it competent for us now to proceed to discuss the matter and take it further,

appreciating that under Standing Orders Nos. 94 to 96 the action should have been taken the day after the event? From your deep knowledge on the subject, could you advise if we can now debate the matter at length for the edification of all?

The PRESIDENT: The first thing I point out is that it is not competent for anyone to speak to the statement I have just made, but bearing in mind the Hon. Graham MacKinnon has asked a question and bearing in mind what has occurred up to this time I think it is only right for me to answer the question without in any way conceding that it is question time as far as I am concerned.

The situation is quite clear to my mind in that there are three alternatives open to honourable members. The first is that in view of what has already taken place, I would rule it is perfectly admissible for a member to take the action provided for in Standing Order No. 96.

The second alternative would be for a member, at the appropriate stage of today's proceedings, to seek leave of the House to move a motion without notice for the purpose of discussing the statement I have just made.

The third alternative would be for an honourable member, either today or another day, to give notice of a motion to discuss the content of my statement. Now is not the correct time to be entering into a discussion of my statement.

QUESTIONS

Questions were taken at this stage.

LEAVE OF ABSENCE

On motion by the Hon. F. E. McKenzie, leave of absence for nine consecutive sittings of the House granted to the Hon. J. M. Berinson due to private business overseas.

MENTAL HEALTH BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.24 p.m.]: I move—

That the Bill be now read a second time.

This Bill is the product of an extensive rewriting and rearrangement of the 1962-1976 Mental Health Act, with considerable alterations to that Act.

In the period of the production of this Bill, submissions on its contents were received not only from officers and various disciplines within Mental Health Services, but also from a number of interested organisations and individuals. All submissions were given careful consideration.

The rearrangement of various provisions contained in the 1962 Act brings together related sections in a more cohesive way which will make the new legislation easier to read and operate.

The principal effects of the proposed changes relate to—

- the provision of increased protection of the rights of patients and those who could possibly become patients;

- the requirement for additional and more specific criteria justifying non-voluntary admission to an approved hospital;

- the separation of intellectual handicap and mental illness as different entities;

- abolition of the concept and use of after-care status;

- a change in remand provisions; and

- a change in the discharge procedure for voluntary patients.

Protection of the rights of patients and potential patients is extended in this Bill by the increased responsibility upon boards of visitors in relation to their reporting to the Minister for Health and by progress towards separation of services for the intellectually handicapped and the psychiatrically ill. It will extend to the examination requirement prior to non-voluntary referral to approved hospitals and will ensure that medical examinations must be made, or court or justice's orders issued, not more than three days prior to referral to hospital. The existing 14 days for normal medical referrals and the validity of a court or justice's order for 28 days are considered excessive.

Protection will be extended to acknowledge the rights of persons referred to hospital but not admitted. From time to time persons referred to hospital are not admitted after examination, because it is considered they are not suffering from mental illness necessitating detention. The fact that referral has occurred can be exploited by others, such as in litigation. The proposed addition, in essence, provides the person referred but not admitted with an authoritative comment on his psychological state at the time of referral.

The Bill provides for reduced periods of non-voluntary detention. The proposed changes, in essence, reduce the initial assessment period from six months to a realistic 28 days. Extension of

patient status, where this is considered necessary, will be for periods of six months, instead of twelve months, as until now.

The provisions relating to the sending and receipt of letters will remove censorship completely. Where relatives of a patient instruct a medical or legal practitioner to visit a patient, the consent of the patient shall, whenever possible, be obtained.

In regard to refusal to discharge non-voluntary patients at the request of others, where such applications are declined either by the psychiatrist superintendent of the hospital or, on appeal, by the Director of Mental Health Services, a written statement of the reasons for such refusal must be provided by the superintendent or the director. These measures augment in a considerable way the existing rights of patients and clients of the department.

The definition of "mental illness" embodied in the Bill excludes "intellectual handicap" and, further, the criteria for non-voluntary admission to and detention in an approved hospital require not only that a person is suffering from mental illness but, additionally, that the mental illness is of a nature or degree which warrants detention for treatment in the interests of the person's welfare or for the protection of others, or he does not, by reason of his mental illness, appreciate that he needs treatment for it. The changes reflect the view that non-voluntary referral should not be undertaken lightly and that adequate justification for such action must exist.

The 1962-1976 Mental Health Act contains a definition of "mental disorder" which embraces both mental illness and intellectual defect. Changes incorporated in this new legislation will abolish the umbrella term "mental disorder" and define and deal separately with mental illness and intellectual handicap respectively.

This is in accord with modern thinking in most countries and reflects the view that the two are quite different entities, requiring different approaches. It is in line also with the Government's and the department's policy, already well advanced, that the two areas should be functionally separated.

This will be achieved as soon as those intellectually handicapped persons still accommodated in Swanbourne Hospital can be relocated.

Under the provisions of this Bill, persons suffering from intellectual handicap will not be admitted in future to a psychiatric hospital unless they are suffering also from mental illness.

The term "intellectual handicap" used in this Bill has now gained widespread acceptance, replacing such terms as "mental deficiency" and "mental retardation". The definition proposed is regarded as more satisfactory and in line with modern thinking.

The abolition of after-care status must not be confused with abolition of after-care (post-discharge) services which will, of course, continue to be available.

Under existing Mental Health Act provisions, persons admitted on a non-voluntary basis may be released from hospital on after-care whilst still retaining patient status under the Act. This has facilitated the return of such persons to hospital, without further certification, should their condition deteriorate. This is the principal advantage of after-care and is not an inconsiderable one.

Nevertheless, after-care almost certainly has been over-used, mainly to ease the process of re-admission, but also to facilitate Public Trust supervision of persons who, although deemed incapable of managing their affairs, can be discharged from hospital.

It is conceded that abolition of after-care status may cause some initial practical problems, but it is considered that these can be overcome through the co-operation of Mental Health Services and the Public Trust Office.

Where a trial period of leave from hospital is considered desirable, leave of absence provisions can be used, for a limited and specified period.

At present, persons may be remanded from court either on bail or in custody in an approved hospital. This Bill permits remand on bail, or in custody at such place as the court may specify.

This will allow the courts to exercise discretion in determining where observation and examination can most appropriately be undertaken. While this could well still be at an approved hospital, it could equally be decided that it would be more suitable for the client of the court to be remanded to a remand centre. Ideally a remand centre should be part of the court's service structure.

It can be argued that a client before the court, charged but not tried or sentenced, should not be admitted to a Department of Corrections establishment, nor should he be admitted to an approved psychiatric hospital without having had prior medical, preferably psychiatric, assessment. Provision is made in the Bill for the period that a person may be remanded for psychiatric assessment not to exceed seven days.

At present, a voluntary patient can be required to give 72 hours notice of his wish to leave hospital. While such a provision is rarely invoked, its retention makes a mockery of the term "voluntary" and the change proposed will mean that voluntary patients in approved hospitals will, as can patients in general hospitals undergoing any form of medical treatment, be able to leave hospital as soon as is practicable after requesting discharge.

Other changes embodied in the Bill include the acknowledgement of attainment of majority at the age of 18 rather than 21 years; the appointment of all boards of visitors to be made by the Minister instead of, as at present, some by the Minister and others by the Governor; and the inclusion of transitional provisions consequent upon changes described earlier.

Redrafting of regulations is under way and these will be tabled as soon as possible. They will include the addition of new regulations relevant to the question of consent by patients to psychosurgery and electroconvulsive therapy, commonly known as ECT or shock treatment.

To assist in consideration of these issues, the Minister for Health has decided to form a small independent committee of inquiry which will report directly to him on the medical, legal, and any other aspects of these treatment methods on which it chooses to comment.

This committee will be under the chairmanship of Emeritus Professor Eric G. Saint, who will be assisted in his activities by two other persons, one of whom will be a legal practitioner and the other a representative of the behavioural sciences.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. Hetherington.

ACTS AMENDMENT (MENTAL HEALTH) BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.36 p.m.]: I move—

That the Bill be now read a second time.

This Bill provides for complementary amendments to several Acts arising from the Mental Health Bill. They are generally minor in nature, but necessary in order to render those particular Acts consistent with the new mental

health legislation. There are, however, some clauses which call for some explanation.

The Bill transfers from the Mental Health Act to the Child Welfare Act a provision relating to the definition provision of "a child in need of care and protection" which properly belongs in the latter Act.

As the Mental Health Bill discontinues provision for the detention of persons suffering from mental disorder, and provides only for the detention of persons suffering from mental illness, as defined in the Bill, the offences in the Criminal Code relating to the wrongful detention of such persons require amendment to reflect the change.

The Mental Health Bill provides for the superintendent of a hospital when reporting the discharge of a patient to the Public Trustee to report also whether the patient is capable of managing his affairs. This Bill enacts that where the discharged patient is reported as being incapable of managing his affairs, the Public Trustee's duties as to the care and management of his estate continue after discharge under the provisions of the Public Trustee Act relating to the estates of infirm persons.

The need for this provision arises from the fact that persons who no longer require detention for treatment in terms of the Mental Health Bill do not necessarily, on discharge, have the capacity to resume control of their financial affairs.

The after-care provisions of the present Act have been used until now to continue the Public Trustee's role in the management of the affairs of such persons. With the deletion of after-care by the Mental Health Bill, the Public Trustee would otherwise find himself in the position of being obliged to hand back funds and other assets to persons whom the superintendent would certify as being incapable of managing them.

The Bill therefore continues the Public Trustee's responsibility for the financial affairs of persons who, although discharged, are certified by the superintendent on discharge as being incapable of managing their affairs.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. Hetherington.

TRADING STAMP BILL*Second Reading*

Debate resumed from 11 August.

THE HON. LYLA ELLIOTT (North-East Metropolitan) [5.39 p.m.]: The Opposition supports this Bill. I believe that, in some small way, I may have contributed to the Minister's decision to introduce it in another place.

In March this year I received a letter from one of my constituents who complained that national competitions advertised in magazines frequently were not open to Western Australians, because a law existed in this State which prevented the enclosure of a label when submitting the competition entry form. This woman felt that was a discriminatory situation as it appeared Western Australia was the only State in which such a law applied.

She pointed out that frequently one would see, at the bottom of the competition advertisement, the words, "This competition is not open to residents of Western Australia". She enclosed an example of such an advertisement which appeared in *The Women's Weekly* of 1 April 1981. The advertisement was for a brand of cloth called "Chux" and the competition prizes were rather valuable and included such commodities as dishwashers, washing machines, microwave ovens, and so forth. At the bottom of the advertisement, the following words appeared, "This competition is not open to residents of Western Australia". Shortly after receiving that letter I noticed a similar notation on the bottom of a label on a can of Kan Tong vegetables. This competition also offered some rather interesting prizes, such as a trip to Wrest Point casino for seven nights, travelling expenses, and so on. However, at the bottom of the advertisement the following words appeared—

Kan Tong "Win a Fortune" is not open to the employees and their families of Masterfoods their promotional and advertising agencies or residents of Western Australia.

It seemed to me that if such a law existed in this State only and prevented residents of Western Australia from participating in such competitions, it was a rather silly law unless someone could provide sound justification for it.

Members may recall that I placed a question addressed to the Attorney General on the notice paper on 1 April which reads as follows—

- (1) Does any law exist in this State which precludes Western Australians from

being eligible to enter competitions for consumer goods published in Australian magazines?

(2) If so—

- (a) which law is it; and
(b) what is the reason behind it?

The Attorney General replied—

(1) Yes.

(2) (a) The Trading Stamp Act 1948 as amended.

- (b) To prevent large businesses operating systems of gift coupons, whereby they could gain unfair trading advantages over small businesses.

I decided to do a little research into the background of the legislation and, as a result, I followed up my question with a letter to the Minister for Consumer Affairs indicating my opinion that the matter should be reviewed in view of the fact that the legislation placed Western Australians in a discriminatory position.

The debate which took place in Parliament in 1948 was rather interesting and amusing. I do not know whether members are old enough to remember that, at that time coupons or labels—

The PRESIDENT: I can remember.

The Hon. LYLA ELLIOTT: You, Sir, can remember. In those days, products such as tins of condensed milk, packets of tea and biscuits, and those sorts of items had labels or coupons attached and consumers could send these to the manufacturers and obtain some rather modest gifts such as tea sets, silver trays, tea towels, and that sort of thing. Of course, prior to the war, the labels on packets of tea were worth a ha'penny.

The Hon. R. J. L. Williams: Your grandmother must have told you that, because you are not old enough to remember it.

The Hon. LYLA ELLIOTT: I thank Mr Williams for that remark. Members may recall the Bushells tea label was worth a ha'penny. My husband told me a story about the days when he was a lad in Kalamunda. Times were rather hard and the young lass who lived next door had the opportunity to apply for a job in a department store in the city, but she did not have enough money for the fare into town.

My husband's family was pretty hard up also, but his mother was able to go through her cupboards and come up with some Bushells tea labels which the young lass took down to the local shop and sold for a ha'penny each. She got her

bus fare into Perth and was able to get the job in the department store. She stayed there for many years.

They were difficult times and that is an example of the sort of thing that used to occur. However, in 1948 the Government of the day saw fit to introduce a Bill to ban the use of coupons or labels to enable people to obtain goods or prizes for them. Debates in the Chamber at the time were rather amusing, but members did not treat the matter very lightly. There were many pages of debate on whether the law should be introduced. Members discussed the relative merits of tea and condensed milk. A number of sexist remarks were made that members would not dare to make in this day and age, although perhaps I may be wrong. For example, one was made by the Minister introducing the Bill, Mr Thorn, who said—

If members will give thought to the matter they will fully appreciate the effect of the gift coupon system. I think they will be in agreement with me on the subject. I know that my own wife would buy an article, whether she thought it was the best quality or not, as long as there was a gift coupon attached to it, because she would think about the little present she would get later.

The Hon. A. H. Panton then said, "Why don't you buy her one?"

However, the Minister said the reason for the introduction of the legislation was that it was to protect local manufacturers and retailers from unfair competition from the big Eastern States companies, but there was by no means unanimous support for the Bill. In fact, it was dealt with on non-party lines. The Bill's opponents referred to the fact that the Chamber of Manufactures was not pressing for it, but rather the two main supporters of the legislation were the shopkeepers' lobby and *The West Australian* newspaper.

The shopkeepers did not like the coupon system because apparently they found it a nuisance, a bit like children today taking bottles to the store to get the deposit. They were not very impressed with the handling of the coupons. Apparently the motivation of *The West Australian* was that this was a form of advertising and perhaps if we did away with the coupon system more money might be spent on advertising in that newspaper.

The point made was that, contrary to what the Minister was saying, that little firms could benefit from this system of attaching a coupon or label to a product as a form of advertising. Actually, one

Western Australian firm built up a business on this. During that debate reference was made to the fact that the firm of Mills and Ware was involved in this with its milk arrowroot biscuit. It actually built up a business around this coupon system.

Reference was made also to an inquiry that took place in England in respect of trading stamps and the use of the coupon system whereby small firms were able to be involved quite effectively in this sort of advertising. Members pointed out that large firms were able to spend advertising money in other directions and referred to such things as radio shows. Here again, I do not know if members are old enough to remember the Colgate Palmolive Jack Davey show or the Lux Radio Theatre on Sunday nights, which were rather an expensive form of advertising.

The Act was introduced in 1948 and today there would appear to be some doubt about its effectiveness.

No evidence has been provided that local businesses since that time have been protected from Eastern States competition. If we look at the questions of transportation, marketing, and promotion and the economy of today, we find it is a very different ball game from that which existed in 1948.

The Minister in his second reading speech said the legislation was impracticable and difficult to enforce. It is a fact that it is preventing Western Australians participating in national competitions. After all, they are being penalised because they are paying for the advertising component in the cost of the product, yet they are not able to participate in the competitions.

I agree that particular part of the legislation is discriminatory and should be repealed. Therefore we support the Bill.

THE HON. P. H. WELLS (North Metropolitan) [5.52 p.m.]: I rise to support the Bill before the House. I will add to the Minister's speech a third reason for the repeal of this Act: it is impracticable to enforce it strictly. I have some doubts about supporting the introduction of trading stamps because I believe some of them get very close to the area of gambling. Encouraging the trait of gambling in our young people is something I am against. I believe it is one of the ills we are facing in our society. It would appear that over the years we have tended to legislate more and more to encourage games of chance within our society and I feel that some of these games are not in the best—

Several members interjected.

The Hon. P. H. WELLS: To qualify that, I would point out that within our society we have the TAB which was designed to get rid of starting price betting. Now we have telephone betting, which is another way of encouraging people to gamble.

There are people who would scream that we should have casinos. I agree that within the community there are groups which would argue that we should have more games of chance. I believe we should have less.

One of the reasons that I feel doubtful about some of the trading stamp situations is that they start an undesirable trait in the very young. Not all trading stamp competitions fall within this category; but some hold out for the winner the concept of getting something for nothing, particularly competitions which are purely games of chance. I do not believe that is for the betterment of the community and I am sad that they have to continue.

I accept that in this situation it is impracticable for one State to try to enforce its legislation. If it is ineffective legislation, I would support the Bill before the House which amends that situation.

THE HON. G. E. MASTERS (West—Minister for Fisheries and Wildlife) [5.55 p.m.]: I thank the House for its support of the Bill. It is fair to say that the Hon. Lyla Elliott and many others put forward proposals suggesting and recommending changes. I am sure her contribution had a bearing on the decision that has been made. This is a recognition, of course, of changing times. If we examine the background of the legislation, we realise why these changes have to be made. I must remember when I am next cooking dinner to examine the cans very carefully to see whether there are any bonuses I can gain from the labels.

The Hon. R. Hetherington: Don't cut your finger.

The Hon. D. K. Dans: Don't buy a lottery ticket.

The Hon. G. E. MASTERS: Perhaps it will encourage me to cook more often. I would challenge the comment of the Hon. Peter Wells. I do not believe this is a form of gambling at all. It is a promotional exercise. It is really a bonus payment for the number of purchases made and is simply, perhaps, a share of some of the profits made from the articles involved. I would not agree that it is in any way a gambling procedure.

With those few words, I thank the House for its 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

Bill read a third time, on motion by the Hon. G. E. Masters (Minister for Fisheries and Wildlife), and passed.

Sitting suspended from 6.00 to 7.30 p.m.

HOUSING AGREEMENT (COMMONWEALTH AND STATE) BILL

Second Reading

Debate resumed from 26 August.

THE HON. F. E. MCKENZIE (East Metropolitan) [7.30 p.m.]: The Opposition opposes this Bill; we support the following statement made by the Minister in his second reading speech—

The amount prescribed is unrealistic and totally inadequate, particularly in view of the facts that—

the base amount includes \$54 million by way of tied grants for pensioner and Aboriginal housing; and

no provision is made to vary this amount in the wake of inflation and any other changing circumstances.

If it was totally unrealistic and inadequate, why did the Government accept the agreement put forward by the Federal Government? Of course, I am aware that the amount is a base amount and that top-up funds were supposed to be available at a later stage; no doubt that was one of the reasons the Government accepted what the Commonwealth was handing out. However, we all know that in the last week or so the Federal Minister for Housing and Construction (Mr McVeigh) flatly refused to agree to the States' request for an additional \$313 million for housing to help alleviate the critical situation in the States.

We are aware that the various State Ministers for Housing requested the Federal Minister to reconsider his refusal and that he rebuffed them by saying he would not give serious consideration to their plea. This is becoming a typical answer from the Federal Government.

The housing situation has deteriorated alarmingly since the Whitlam Government went

out of office. At least we had about three years remaining of the five-year agreement negotiated during the term of the Whitlam Government; that agreement was of real value to the States. However, the housing industry throughout Australia now is in a very serious situation.

What has caused this situation to develop? Members would be aware that the goal of the Australian people to own their own homes is fast disappearing. Each year we see reducing numbers of people owning their own homes. One of the causes of this situation is the Federal Government's support of the suggestion by the centre for economic development in Australia that for many years, far too high a proportion of our resources has been turned to housing. That belief has considerable influence with the Federal Government, as indicated by the statements of the Federal Treasurer and his colleagues to the effect that a conscious policy of developing projects by the redirection of resources from the housing sector is something which ought to be pursued. In other words, what we are now witnessing is a redirection of funds from the housing sector to enable resources development to go ahead.

The Hon. Neil Oliver: What amount of money do you think should be allocated to the housing sector of the building industry?

The Hon. F. E. McKENZIE: It is not for me to say how much should be allocated. However, the State Ministers for Housing went back to the Federal Government with a request for an additional \$313 million. Obviously, they had done their homework and believed that to be a reasonable amount to enable the States' housing programmes to be maintained. If the Federal Government had accepted the States' approach, the total amount to be made available for housing would have been \$575 million. In fact, we are to receive less than half the amount we should receive to enable us to maintain a reasonable home building programme in Australia.

During 1980, 28 partnerships or registered companies in the building industry in Western Australia failed, which works out at a rate of over one a fortnight. I suppose one could say that during 1975-76, the house building industry was at its peak. The downturn which followed those years indicated a depressed level of activity. This situation persists even today as the following example indicates: In 1979-80 5 503 fewer new dwellings were completed than in 1976-77. In particular 3 507 fewer houses were built and, in June 1980 dollars, the value of work completed was \$193 million less in 1979-80 than in the three years previously.

Statistics for 1980-81 indicate the decline in activity is continuing.

In the first six months of 1980-81, the latest period for which statistics are available, the number of building approvals for new dwellings fell by 464 or around 6 per cent, compared with the corresponding period in 1979-80. Commencements on new dwellings fell by 417 and the number of new dwellings completed during the period fell from 8 486 to 7 600—a fall of 886 completed new dwellings or 10.5 per cent. The number of commencements for new houses has fallen by 812, or 13.7 per cent, and the number of completed new houses has fallen from 6 336 to 5 300—a fall of 1 006 or 15.9 per cent.

In the past five years, Commonwealth funds for housing have been cut by \$37.5 million—enough to build 1 700 three-bedroomed State Housing Commission homes.

This year, we have received in advances \$2 million less than we received in the previous year. It is true that funds for Aboriginal housing have increased slightly; however, in real terms, taking inflation into account, the amount has fallen, as have funds for old persons' homes.

It is not good enough for the Government to accept that sort of deal from the Federal Government. I am fully aware the Western Australian Minister protested vehemently to the Federal Government over the deal it was dishing out to this State; I accept that the situation must be worrying him. Doubtless the Minister in reply will point to the fact that Labor States also have accepted the agreement; I do not excuse those States; no State Government should have accepted this deal.

I realise that times are difficult in all States; however, the States will pay the price for accepting the deal offered by the Commonwealth. They should have stood firm and said, "It is just not on". If the States stood united, surely they could extract a better deal from the Commonwealth than the one we finished up with. In real terms, taking inflation into account, we are looking at a reduction in funds of about 15 per cent under this new agreement.

It is becoming difficult to obtain not only a State Housing Commission home but also a home on the open market. For example, there has been a severe reduction in the number of people moving into their first homes as compared with three or four years ago. Interest rates are high, and one needs a substantial income before one can qualify for even an average sized loan from the building societies.

In a situation like this, because people are not building their own homes, the demands on the State Housing Commission will become even greater. Indeed, the trends are already evident. This Government has a responsibility to ensure the community is adequately housed. The increased demand on the Housing Commission has resulted in that organisation providing accommodation only for those who are really desperate; this trend is evident now, and it will continue to the point where the Housing Commission will not cater for anybody but the severely disadvantaged.

The commission has been forced to increase its rentals for three-bedroomed homes to \$44.50 a week, which is far and away above the level which applied when the last Labor Government was in power. I do not propose to give the statistics again, but the position is becoming very difficult for people on low incomes.

I am fully aware of the rebated rental system that applies, but we must remember that to get the assistance of a rebate a person has to be earning less than \$176 gross. A man earning \$176 gross would be bringing home to his family perhaps just \$130 after taxation. That is not a princely sum. He is paying about 30 per cent of his net income in rent. This is a very disturbing situation at a time when we ought to be providing more money to the SHC to meet the housing needs in the community.

Members may have noticed a call by a principal of a large building society recommending that people go into the rental area because he does not believe it pays people to buy homes with the present high interest rates. However, already we have witnessed certain real estate people in Perth indicating that rents could go up to \$80 a week. It will be at least \$80 for a three-bedroomed house. That is quite a sum to pay each week. I am not thinking of the average weekly earnings, which are said to be around \$270 a week; not many people living in my area receive that amount. Average wages are around \$160 a week, not \$270.

I mentioned earlier the number of people moving into homes for the first time. In June 1979 it was indicated that 43.61 per cent of applicants for home loans were first home buyers. In June 1981 the percentage had dropped to 16.59 per cent. That is a very dramatic drop and one with which we ought to be concerned.

I will not say a great deal more. I know a lot was said in another place and I do not want this Chamber to be just an echo chamber. I have said enough to indicate that the Government should

not have been a party to signing this Commonwealth-State housing agreement. Considering the record of the Fraser Liberal Government in Canberra, the State Government should have known that SHC funds would be slashed and that the position would become even more difficult during the next three years. It was not right for the Government to accept this agreement.

THE HON. NEIL OLIVER (West) [7.49 p.m.]: I would like to quote from the report titled "Poverty in Australia" which is often referred to as the Henderson report. I quote from page 164 as follows—

... of the total of 183 000 housing authority tenants the total poor numbered only 51 000; 132 000 housing commission rented dwellings (72 per cent) were occupied by people with incomes more than 120 per cent of the poverty line. At the same time, 86 000 families and individuals below the poverty line, and a total of 146 000 with incomes less than 120 per cent of the poverty line, were renting privately.

The true welfare housing demand in our community is really accommodated by the private sector. In fact, the report indicated over 100 000 dwellings were required in Australia in 1975 for people below the poverty line. The figures put forward by the Hon. Fred McKenzie indicate that at no stage would there be any chance of this being accomplished by the use of taxpayers' funds. The matter needs a totally new approach. Members have often heard me speak of harnessing and utilising private enterprise to meet these needs. I know the previous speaker has been interested in my remarks. I can see no way out of this dilemma, and I do not think we should blame either the Federal or State Governments.

I am not planning a conspiracy against the Hon. Fred McKenzie, but I ask him why, when the Tonkin Labor Government was in power in this State in 1972-73, and had the power to do something about welfare housing, Western Australia was allocated \$15.4 million while Tasmania was granted \$8.8 million, and yet in 1973-74 the Tonkin Government went to Canberra and asked for only \$13 million for welfare housing. At the time Mr Les Johnson was the Minister for Housing in Canberra. I ask the member to explain why Western Australia requested that amount when Tasmania asked for \$16 million, which it received. These figures are from the "Housing Australia Quarterly".

The 1976 census figures show that the Tasmanian population at the time was 402 866,

which was 2.93 per cent of the Australian population. Western Australia's population was 1 030 469, which represented 8.4 per cent of the total population.

The Hon. Lyla Elliott: Have you got the figures of the amount spent by the Tonkin Government on housing per year compared with the present Government?

The Hon. NEIL OLIVER: I would be interested to have the member give me any figures which show there was not a decline in the amount of funds allocated when the Tonkin Labor Government came to power in Western Australia. I have issued that challenge and I would be interested to see if I could be proved wrong.

The whole crux of housing is built on family formations. It is the real yardstick by which to measure the number of new houses required. I shall quote now from page 536 of the *Western Australian Year Book 1981*. It gives an indication of the marriages registered in this State from 1970 to 1979. The figures from 1976 are estimates. In 1970, family formations totalled 9 227, while in 1979 they totalled 9 239. Members can see the number of family formations is static, and I would be surprised if the Labor Party does not have economists who will agree that family formations are the yardstick in this situation.

The Hon. Lyla Elliott: What about people who live together?

The Hon. NEIL OLIVER: For some time I have been concerned with the appropriation of funds allocated to the home owners' account and lent at 5.25 per cent. I have been unable as yet to have the Minister verify the facts contained in a newspaper article which I read recently, but it was stated that all loans from 1978 onwards granted by the Commonwealth Government, and that is the grant of \$25 million referred to, were repaid over a period of 45 years. The Press article indicated 53 years, so the agreement may have changed the terms of repayment.

In our present day and age, with our high interest rates, it is totally unrealistic to accept that people should be obtaining finance at 5.25 per cent. I am sure the Hon. Robert Hetherington would agree with me when I say I would much prefer to see people obtaining money at 3 per cent under the bond rate, at around 11 per cent, so there is more money available for first home buyers. I am disappointed that it has taken since 1974 to form the intention to increase this figure from 5.25 per cent.

Members have heard me speak before on the matter of high interest rates. All I can say is that if people believe interest rates are high now they

should look back to 1974, because on 13 April of that year interest rates were the highest of any fiscal year. I have never seen the short-term money market go above that Friday, 13 April 1974 figure, when Gough Whitlam was Prime Minister of Australia.

The Hon. J. M. Brown: What was the rate?

The Hon. NEIL OLIVER: From memory, on 13 April 1974 the rate for buying bills was 21.8 per cent. The highest single buyer was the Bank of New South Wales, which bought over \$84 million-worth of bills. At 30 June 1981 the level had not reached the high level to which I have referred.

I have little to add other than to express my concern at the manner in which rental accommodation leased by the State Housing Commission to its tenants is maintained. Many members of Parliament are asked to act on behalf of their constituents in regard to complaints about rental accommodation. Such complaints are received from deserted mothers wishing to have a house or flat in a particular area. We all deal daily with such matters. Not a week would pass without each member of this Chamber being required to act on behalf of people with problems related to housing.

I have been increasingly disturbed as I have moved through State Housing Commission areas by the manner in which the average tenant maintains his or her premises. Frankly, if someone is renting private accommodation he or she is expected to attend to the cleanliness and maintenance of that accommodation.

The Hon. F. E. McKenzie: They are doing that. What are you talking about?

The Hon. NEIL OLIVER: If we are vitally interested in, say, the preservation of trees in our environment we should ensure a few people plant two or three trees in their gardens.

The Hon. F. E. McKenzie: They can't afford to pay for the water.

The Hon. NEIL OLIVER: When moving through State Housing Commission areas I see three or four cars parked in various spots on particular lawns. Quite frankly, I know the member who just interjected would not allow such an occurrence at the front of his home. If he were renting accommodation—

The Hon. D. K. Dans: You are not suggesting if we have more people do the things you suggest we would have more housing, are you?

The Hon. NEIL OLIVER: I do not believe this member also would behave in the way I have outlined. It is time the commission considered

imposing bonds so that the property of taxpayers—that is what State housing is—is attended to and maintained properly. If necessary a bond should apply on rental accommodation.

The Hon. D. K. Dans: Don't you think people in State housing pay tax?

The Hon. NEIL OLIVER: Last week a deserted mother with three children approached me. Incidentally, I know the family personally but the mother did not initially approach me. She was offered accommodation in Sussex Road, Forrestfield, and when she examined the premises she found them in a terrible condition. They were in such a condition that I would not expect anyone to live there. Upon inspection I found furniture still in the house and in the kitchen I found animals. It appeared the previous tenants had not at that stage vacated the premises or that the property had been re-let in the period of three to five days that it took me to get to it.

The woman to whom I have referred made some sort of verbal indication to the commission of the disgusting condition in which the premises had been left. Therefore the property was re-let prior to her filling in her response to refuse the premises. She sought my advice as to whether she should refuse or accept the premises, but the opportunity for her to do that did not occur.

The Hon. D. K. Dans: What does this have to do with the Bill?

The Hon. NEIL OLIVER: My remarks relate to the State Housing Commission and welfare housing; they have a lot to do with State housing. I would not like to see anyone live in some of the houses I have seen. These houses are owned by the taxpayers and should be treated with respect. The Leader of the Opposition basically is saying that State housing tenants should be able to pull flyscreens off doors and knock houses about.

The Hon. D. K. Dans: I wasn't saying that. You are saying there shouldn't be welfare housing because they knock houses around. You should see the private people who rent houses or flats. They do the same.

The Hon. G. C. MacKinnon: That is a long interjection.

The Hon. D. K. Dans: I'll give him a longer one in a minute.

The Hon. NEIL OLIVER: If people are given the opportunity to rent State houses they should respect those houses because they are the investments of taxpayers. The tenants should ensure the houses are maintained in a reasonable condition for other disadvantaged people who may

at some time in the future have the opportunity of renting them.

The Hon. F. E. MacKenzie: How many are you talking about?

THE HON. G. E. MASTERS (West—Minister for Fisheries and Wildlife) [8.05 p.m.]: I am sorry the Opposition has not seen fit to support this legislation. The Hon. Fred McKenzie made some comments in an attempt to justify the opposition of his party. To be realistic we must accept that the State Government is not at all happy with the funding level it has had to accept.

The Hon. F. E. McKenzie: Why take it?

The Hon. G. E. MASTERS: I ask the member to allow me to explain.

The Hon. F. E. McKenzie: All right.

The Hon. G. E. MASTERS: It is fair to say the Minister for Housing has stated on a number of occasions that the funding level is inadequate, and I must compliment him for the action he has taken. He has fought hard in the Eastern States at meetings with the Federal Minister for Housing and Construction and State Ministers to have an increase in the general allocation for housing and, in particular, the allocation for Western Australia.

Members must recognise the fact that if no more money is forthcoming some arrangement must be made or an agreement reached so that the allocated funds are provided. For that reason the Minister has stated that under protest we will accept the base level of funding.

The Hon. F. E. McKenzie: They are crocodile tears.

The Hon. G. E. MASTERS: The Hon. Graham MacKinnon has said we should play it straight down the line. We must recognise that eventually an agreement must be reached, and that if the Federal Government sets a certain level of funding we must accept it even though we feel it is wrong—it is not enough. What else can we do? We must at least start with the level offered to keep the SHC in business. I suggest to the Hon. Fred McKenzie that if we do not have a bar of the level offered we may not receive any funding at all. If his Government were in power—that would be a long time in the future—I am sure it would do as other Labor State Governments have done, and that is say reluctantly, "We accept".

The honourable member said that home ownership presently is under threat, and I agree that considerable pressure is being applied to would be home owners. It is our desire and probably the desire of the Opposition—I am not

all that sure about that—to encourage as many people as possible to own their own homes.

The Hon. D. K. Dans: Eventually we will all have mortgages and just keep going.

The Hon. G. E. MASTERS: It is our intention and our wish that those who wish to own homes are able to.

The Hon. D. K. Dans: I agree with you.

The Hon. G. E. MASTERS: That situation is difficult to achieve, particularly in trying times. At least the State Housing Commission and the Government have brought forward schemes to help prospective home owners. In particular I refer to the home purchase assistance scheme which will be of some assistance in regard to interest levels whereby the rates are subsidised and gradually increased as time goes on, as the Hon. Fred McKenzie would know from studying the documents related to that scheme.

A further scheme relates to rental assistance so that families will become established and be in a position to purchase their own homes. It could well be that the commission will help them with that desire.

We are taking progressive steps. Admittedly the availability of funds is tight and interest levels are higher than we wish, but the commission is doing its best within the levels of finance available to it. We must consider areas of assistance and the ways in which the commission can best use the funds made available to it. We certainly accept that in regard to private homes we must consider rental assistance in particular circumstances where we may be able to assist.

Western Australia has a very high quality of housing at a reasonable cost compared with other parts of the world, and we must consider interest rates and funding levels to maintain this situation. If we work towards that end we will achieve something that is advantageous.

The Hon. Fred McKenzie referred to the fact that this year Western Australia will receive over \$13 million for housing. In fact the exact amount is \$13.038 million which is slightly more than \$2 million above the level provided last year. He has all the figures in front of him. We know the funding for accommodation for pensioners is approximately the same this year as it was last year.

The Hon. F. E. McKenzie: It is less in real terms.

The Hon. G. E. MASTERS: The level of funding this year is \$2.589 million and last year it was \$2.549 million—about the same amount. Aboriginal grants also are at about the same level.

Certainly we have not received increases to keep up with a rate of inflation of, say, 10 per cent, but we have approximately the same amounts.

The Hon. F. E. McKenzie: They are well down if you take into account inflation.

The Hon. G. E. MASTERS: We are talking about the same figures. Faced with the situation of either accepting or not accepting the offered funds, we have no option but to accept them.

The honourable member referred to rebate levels and the advantages of rebates. The figures to which he referred were fairly accurate. A person earning \$170 a week pays approximately 27 per cent of his gross income, which amounts to approximately \$44 as the honourable member said. It is interesting to note that by way of the Commonwealth-State housing agreement 14 080 tenants receive rebates which vary with the levels of incomes and the particular situations.

The Hon. F. E. McKenzie: They are decreasing each year.

The Hon. G. E. MASTERS: Through the State Housing Commission \$229 000 weekly has been provided by way of rebates to people who deserve them. The people assisted in that way represent just under 56 per cent of the total number of people renting State houses, so that means many people are assisted.

The Hon. F. E. McKenzie: You should be paying more money in.

The Hon. G. E. MASTERS: If the Federal Government reaches a decision on its budgetary figures we must accept the decision. That is all we can do.

The Hon. F. E. McKenzie: When has the State Government put in money out of Consolidated Revenue?

The Hon. G. E. MASTERS: The State matches the funds provided by the Commonwealth.

The Hon. F. E. McKenzie: What about additional funds to that?

The Hon. G. E. MASTERS: We are under pressure as the honourable member would know. If we provide more funds to one area we must take those funds from another area. I ask the member to tell me where we could find further funds to provide additional State housing. If he can, that would be fine.

The Hon. F. E. McKenzie: I could do that.

The Hon. G. E. MASTERS: Last week the Opposition called for more funds to be provided for education, but to do that we would have to

take funds from the areas of health or welfare housing.

The Hon. D. K. Dans: Leap into the 80s—that is where you would get it from.

The Hon. G. E. MASTERS: We believe in good management, and that is the point I am making.

In regard to the comments made by the Hon. Neil Oliver, we recognise he has a greater knowledge of the housing industry in this State than anyone else in this Chamber and, probably, in this Parliament. His background in housing and knowledge of building costs and so on cannot be challenged.

Again I refer to the assistance scheme whereby interest rates are subsidised and the level of subsidy decreases each year. The interest rate rises by 0.5 per cent each year, depending on the level of income of the person concerned.

Federal advances must be repaid over 53 years at an interest rate of 4.5 per cent, which means those funds are subsidised by the Federal Government to the extent of 7, 8, or more per cent.

With those comments I must again say I hope the Opposition reconsiders its stand and acknowledges there must be an eventual acceptance, if even reluctantly, of the funding level provided by the Federal Government. If the Opposition does so it will support the Bill.

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

Bill read a third time, on motion by the Hon. G. E. Masters (Minister for Fisheries and Wildlife), and passed.

MARKETING OF ONIONS REPEAL BILL

Second Reading

Debate resumed from 26 August.

THE HON. J. M. BROWN (South-East) [8.17 p.m.]: I did endeavour to ensure this Bill would have a speedy passage through this House, but that was not possible under the Standing Orders. The Opposition has no objection whatsoever to the repeal of the Marketing of Onions Act. Today I asked a question about what will happen to the

funds that will be left in the trust account of the Onion Marketing Board and what amount is involved. From my study of the debate in another place I have been unable to ascertain that figure. I understand it will be \$20 366 plus some interest which has accrued, but the exact nature of how the money will be spent is not known. Perhaps I will find out that information tomorrow.

It was interesting to note that the Act was proclaimed in 1938 and if one cares to study *Hansard* one will find it was one of the first marketing Acts introduced. The growers of the day, most of whom came from the Spearwood area, were appreciative of the introduction of the Act. No-one will be disappointed to see the Act repealed—as much as we believe in orderly marketing—because the industry is conducting its affairs in a satisfactory manner to both the grower and the consumer.

We support the Bill.

THE HON. R. J. L. WILLIAMS (Metropolitan) [8.20 p.m.]: I do not want this occasion to pass unnoticed—and all the cracks about onions are already well documented—because when a Bill for the dissolution of the Onion Marketing Board first came to the House, you, Mr Deputy President (the Hon. V. J. Ferry), were extremely involved in that matter at that time. I wish purely for historical reasons to draw the attention of the House to page 1232, Volume 171, of *Hansard* dated 6 October 1965. The now President of this House, who also was on the committee which investigated this matter, made his maiden speech. It is worth drawing the attention of the House to his maiden speech because it shows he spoke on the subject of onions.

The Hon. P. G. Pental: He was very big on onions in those days.

The Hon. R. J. L. WILLIAMS: Yes, he was big on onions and onion growers. I do not think we should let this pass without drawing the attention of the House to the fact that 16 years ago the President made his maiden speech.

The Hon. D. K. Dans: He knew his onions.

The Hon. R. J. L. WILLIAMS: He did, and did not cry about them.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [8.21 p.m.]: I thank members for their support of this legislation. As much as members call for the repeal of unnecessary Acts, when such Bills come before the House members do like to reminisce. I thank them for their 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

Bill read a third time, on motion by the Hon. D. J. Wordsworth (Minister for Lands), and passed.

ADJOURNMENT OF THE HOUSE

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [8.22 p.m.]: I move—

That the House do now adjourn.

Railways: Small Goods Freight

THE HON. F. E. MCKENZIE (East Metropolitan) [8.23 p.m.]: I would like to bring to the notice of the House an article that appeared in the *Sunday Independent* of last Sunday, headed "Westrail sellout". It is a fairly extensive article that has some very severe ramifications in so far as relationships between Westrail and its employees are concerned. A great deal of concern has been caused, because there is much speculation within the railway industry as a result of this article and events that occurred prior to its appearance in the newspaper. I would like to read portion of this article to the House as follows—

THE STATE Government plans to hand over part of Westrail's freight operations to private enterprise.

A leading road transport company has had secret talks with senior Westrail officials in the past few weeks, and it is understood the deal has been given the go-ahead.

The deal gives the transport company all small goods freight — about three million tonnes a year — leaving Westrail with bulk grains, ores and minerals.

The company will take over part of the Kewdale freight terminal from Westrail for the new trucking venture.

The 40 or more railway workers handling small goods freight at Kewdale are expected to keep their jobs, transferring from Westrail to the private operation.

But the Australian Railways Union said yesterday it intends to block the move.

"It will not happen — it's as simple as that," said ARU vice-president Chris Chadd.

"I have spoken to people in the transport industry and they say it's going to happen.

"But the union will not just stand by and let it happen. We will take action to prevent it.

"If they sell this off, what's next — the whole terminal at Kewdale? It may seem ridiculous but it's not."

It went on to explain the discussions that were taking place, and an offshoot of Mayne Nickless was mentioned. The Minister made a statement concerning this article in Monday's edition of *The West Australian*. The heading was "No change planned for Westrail" and the article reads as follows—

Westrail had no immediate plans to hand over its small-goods freight operations to private enterprise, the Minister for Transport, Mr Rushton, said yesterday.

The South-West Area Transport Study (SWATS) had recommended that Westrail restrict its transport to bulk goods and that small-goods could be handled as easily by private firms.

But Mr Rushton said that he had not been approached by Westrail or private industry.

Westrail moved about 3 million tonnes of small-goods freight a year.

All I can say about that answer is that firstly if Mr Rushton is not aware of the discussions which took place, he ought to be. After all he is the Minister for Transport and it behoves him to inquire more fully into what is taking place before he issues a Press statement of that nature. The other part of the article with which I want to take issue is that the south-west area transport study did not make a recommendation that Westrail restrict its transport to bulk goods and that small goods should be handled by private operators. If one looks at the recommendation in the SWATS report one finds it recommends that an organisation called "Westfreight" be set up as a separate division. The purpose of setting up the separate division was to separate LCL traffic and parcels from bulk goods. There was no recommendation in the report that Westrail ought to restrict its transport to bulk goods. The report gives a number of reasons for this.

If one looks at the co-directors' report of SWATS, the Director-General of Transport and the then Commissioner of Railways, Mr Pascoe, had this to say—

The Commissioner of Railways be charged with establishing a new organisation to serve

as a distinct and separate vehicle for the commercialisation of Westrail. The co-Directors suggest it could be called "Westfreight". Westfreight would be controlled by Westrail and would compete with road operators for any commodity group opened to competition.

While Westfreight will need to be established from the outset as a commercial organisation it will also need to have the capacity to provide public service where Government decrees that such service is required.

This is virtually supporting the recommendation made in the SWATS report. The one thing the Government did not do when it brought in its new transport policy was to allow the "Westfreight" division to compete with private road transport operators; it would not allow this freight to go into the commercial area where it could be adequately serviced by interested road transport operators.

The next point I would like to make is that the Minister has said he did not know what was transpiring. If he did not know, he ought to have known, and this is particularly important because there is a great deal of apprehension amongst the workers in Westrail. A young chap came into my office yesterday during my absence and requested that he be provided with a reference. I happen to know the fellow very well and he would be one of the best wages employees of Westrail. My secretary asked him why he required a reference and his answer was that he wanted to leave Westrail because there was no future for him and that Westrail was losing some of its better employees.

The article in the *Sunday Independent* reported that a senior official from Westrail was going to work for a new company. I do not know if it is true, but I have been told that the senior official is the second in charge at road services, a fellow named Bevan Deller. I am told also that another of the good men in Westrail will work for Mayne Nickless. Westrail, a Government utility, is losing some of its best personnel to private industry, because they are not sure about their future, or they know that Westrail is finished.

Let me read to members a letter written by the General Secretary of the Railway Officers Union to the Secretary for Railways on 18 August—

I have been directed to express the deepest concern of this Union over deterioration of L.C.L. wagons and equipment at a time when efforts should be directed towards

securing L.C.L. and all other types of traffic for rail.

As stated at the recent discussion with the Commissioner, it appears very obvious to members of this Union that the L.C.L. area is not wanted by Westrail's Administrators and is being forced, cost wise, into a situation where it will be abandoned and handed over to road hauliers who now seem to have taken control of the road and rail transport systems in this State.

Before any handing over of this traffic is contemplated it is felt a full scale advertising and marketing campaign should take place. At present the only seen campaign is on behalf of road hauliers who pay for very expensive T.V. advertising.

Why is it that Westrail is allowing its facilities for this traffic to deteriorate and we are told it is too costly to handle and yet the road hauliers are going all out in their attempt to attain it?

The Commissioner advised that a study of this traffic is now in hand, but without fear of contradiction I would say that the Committee concerned will look at it, or be told to look at it, in the light of—too much cost—instead of how to increase the traffic to beat the cost. It is most unfair and unjust to place the last 20 years cost of replacements onto one year of operation. If Westrail has not made allowance for replacement of its tracks and L.C.L. rolling stock from its good years, then it has unfortunately been badly managed.

Unless every effort is made to attract new business and at the same time retaining the old before any thought is given to handing the latter over to freight forwarders, then severe industrial unrest may result in the protection of railwaymen generally.

It is requested, therefore, that only experienced railway orientated staff who have proved themselves as being capable of preserving and improving what we have are used on this study, and not those who merely recommend the disbandment of traffic or lines as an easy way out and without care for those who are expendable, present and future.

On 18 August, the Railway Officers Union was concerned about the discussions taking place.

I am speculating on this, but I have been told that the members of the committee are Mr Bernie Guthrie, Mr Robertson, and a senior official of the firm concerned. I understand that official has

been camped in Westrail's terminal for the last three or four weeks. If the Minister does not know that somebody from a private road firm is taking part in a committee and has been camped at the Westrail terminal for the last three or four weeks, there is something wrong with the administration of Westrail for not having advised him, particularly in view of the fact that the administration knows full well that industrial dispute is likely to occur.

I ask the Minister in this House to request the Minister for Transport to clarify the position. Something is going on. The wool cannot be pulled over people's eyes. People are being caused a lot of concern, particularly the people in the industry. It is unfair to place them in this position.

I know that Mr Robertson went to Kewdale today to speak to some of the workers. When the representative of the Australian Railways Union requested that he be allowed to be present, he was denied the right. Mr Robertson said, "I'll come and talk to you at three o'clock", but he would not talk to the workers in the presence of a union official. That is not good industrial relations. The next thing is that we will have a stoppage on the railways, simply out of ignorance.

It is important that communication be established. The Commissioner for Railways is reaching the stage at which he will not talk to the unions. In the interests of industrial relations, he ought to be talking to them, and they ought to be informed of what is going on. There is too much speculation. That is unfair.

Since the new electoral boundaries have been announced, members of Parliament have been concerned about their future. I am one such member. However, at least we know what is happening. The people at Kewdale and in the railway industry do not know, and their morale has reached a very low ebb. They are receiving no support from their commissioner. I am assured of that fact by the secretaries of all the unions. Les Young, from the Federated Engine Driver's and Firemen's Union, said to me today, "I have made repeated requests of Westrail to tell me what their corporate plan is". Westrail will not tell him. Why in the name of goodness have the employees to be kept in the dark? What have Westrail and this Government to hide?

If Westrail has something to hide, the Government should come clean. It should tell not only Westrail and its employees, but also the people in the country areas, what is in front of them.

Today I placed some questions on notice. I expect to receive answers tomorrow. My

experience has been that when questions are asked, one receives dodgy answers. I hope that the answers I receive tomorrow will be clear and concise. I ask the Minister for Lands representing the Minister for Transport to answer the questions, not only for my benefit, but also for the benefit of the public of Western Australia and the employees concerned. They ought to be put into the picture. It is imperative that we know. Sooner or later the workers in the railways should be brought into the confidence of the Government. If that is not done, we will head into a period of industrial unrest; and that will not do anybody any good.

If the Minister for Transport does not know the answers, which he ought to know, will he find out and make a clear statement, not a dodgy statement, so that everybody knows what is going on?

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [8.38 p.m.]: It is most unfortunate that articles such as the one in the *Sunday Independent* are printed. Undoubtedly the article in question has caused concern to Westrail employees who are looking to Westrail for their long-term employment.

Some people in our community have a vested interest in causing this sort of concern amongst workers. They try to make the workers dissatisfied with the executive of Westrail. What is going on in our transport field is well known. I do not have to go back to the SWATS report and the co-directors' report to learn of matters of which the public, the Government, and the Parliament are well aware.

We forced traffic onto rail. Even the light traffic that has been discussed today was placed on rail in spite of the fact that, in many cases, it could be carried better by road. Indeed, Westrail itself carries a large portion of the traffic by road.

The Hon. F. E. McKenzie: Will they continue doing that? That is the concern.

The Hon. D. J. WORDSWORTH: This policy has been carried on for far too long. Other States have made changes in freeing their transport systems.

They Hon. F. E. McKenzie: They have not handed it over to private enterprise.

The Hon. D. J. WORDSWORTH: At great cost! One of our great concerns is what has happened in Victoria and that the public transport system in New South Wales will be running at a loss of billions of dollars in a few years' time.

I would like to read to the House a letter from the Secretary for Railways (Mr Tobin) to the editor of the *Sunday Independent*, because that letter answers some of the questions raised today. The letter is as follows—

Dear Sir

Westrail is disturbed at the inaccuracies and irresponsible journalism displayed in your front page lead story "Westrail Sell Out".

We are progressing an internal study to examine several alternatives for the future handling of general freight on a more economic basis. This study is closely aligned to the Government's new transport policy requiring best use of resources and a commercialised Westrail.

One of the alternatives is the feasibility of a joint venture arrangement between Westrail and a Freight Forwarder.

There is no Government "sell out" as suggested. In fact, at this time Westrail has not formulated a recommendation to Government.

Railway Unions were previously informed that a review of general freight handling was being undertaken with the aim of achieving a financially viable operation to meet the competitive market.

Private transport companies have submitted to Westrail proposals that offer a joint venture in the handling of small goods freight.

At this stage no commitment has been made to any company but there are ongoing discussions in the course of the study. Nothing is known of the suggested name "Mayne Rail" nor is the recent tender invitation for placement of foundation piles at Kewdale relevant to this matter.

The Hon. F. E. McKenzie did not refer to that part of the article which alleged that piles were being driven for the construction of the new office for the so-called company, "Mayne Rail",

suggested by the *Sunday Independent*. The letter continues—

In fact, the piles are being placed in readiness for a new coal transfer plant.

It is of some concern that the *Sunday Independent* should print front page headlines which are speculative assumptions that only mis-inform the community and cause unnecessary alarm.

I request this letter be published as written.

It remains to be seen whether the letter will be printed in that form.

The Hon. F. E. McKenzie: Why don't they tell the unions about it so that they have no fear?

The Hon. D. J. WORDSWORTH: This letter indicates that Westrail has been discussing the matter with the unions.

The Hon. F. E. McKenzie: Just that general statement, but nothing else.

The Hon. D. J. WORDSWORTH: Discussions have been held with the unions. The unions are in sympathy with what has to be done.

The Hon. F. E. McKenzie: Well, you tell the unions.

The Hon. D. J. WORDSWORTH: I am sure they are making their contribution.

The Hon. F. E. McKenzie: Well, tell them what you are doing.

The Hon. D. J. WORDSWORTH: Westrail is handling this situation in the right manner. It is conducting an in-house study, and that is the way it should be. The Government is not telling Westrail what to do; Westrail is putting proposals to the Government.

The Hon. F. E. McKenzie: Why don't they take the unions into their confidence?

The Hon. D. J. WORDSWORTH: The Government has not made a decision. That was stated by the Minister, not only in the newspaper yesterday, but also in the other place.

Question put and passed.

House adjourned at 8.45 p.m.

QUESTIONS ON NOTICE

SHOPPING CENTRES

Geraldton

427. The Hon. TOM McNEIL, to the Minister representing the Minister for Urban Development and Town Planning:

- (1) Is the Minister aware that instead of one major shopping complex being built in Geraldton, there will now be two?
- (2) Has the Minister the authority to disallow the second development which is scheduled to be built in the suburb of Karloo in the Greenough Shire?
- (3) Using the MRPA figure of 1.30m² as the acceptable level of retail floor space per head of population, is the central shopping area in Geraldton, which currently possesses 59 960m² of shopping floor space, justified for a population in excess of 46 000?
- (4) Is the Minister further aware that Northlake Investments Pty. Ltd., in order to justify the feasibility of building in the Geraldton region, has put forward the following population figures to local government—

- (a) Carnamah—1 600;
- (b) Chapman Valley—965;
- (c) Coorow—1 385;
- (d) Geraldton—22 607;
- (e) Greenough—4 415;
- (f) Irwin—1 580;
- (g) Mingenew—895;
- (h) Morowa—1 530;
- (i) Mullewa—2 075;
- (j) Northampton—2 935;
- (k) Perenjori—1 315;
- (l) Three Springs—1 220;
- (m) Cue—330;
- (n) Meekatharra—1 384;
- (o) Mt. Magnet—525;
- (p) Murchison—160;
- (q) Sandstone—70;
- (r) Yalgoo—330;

a total of 45 321, which shows that the Geraldton shopping area has more retail floor space than is necessary?

- (5) Is the Minister further aware that the two new shopping complexes totalling an additional 26 590m² of retail floor space, will make Geraldton the most oversupplied shopping town in Western Australia?

- (6) What action does the Government intend to take to safeguard the interests of established small business in the Geraldton region?
- (7) Is the Minister prepared to reconsider her answer to question 315 of 4 August 1981 where it is stated, "There is no evidence to support the allegation that there is a proliferation of shopping centres in country areas. The Government is monitoring the situation."?

The Hon. I. G. MEDCALF replied:

- (1) No.
- (2) No.
- (3) The Minister is informed that the retail floor space in Geraldton is substantially less than the figure quoted and that this lesser figure appears to be justified for the catchment population.
- (4) (a) to (r) No; nor would the Minister expect to receive the figures in this case.
- (5) This question is not applicable. The two centres mentioned are in two separate local authorities.
- (6) The Government will continue to monitor the situation. The member is reminded, however, that decisions of the kind to which he refers are made by the relevant local authority.
- (7) No.

RECREATION: FOOTBALL

Grand Final

429. The Hon. TOM McNEIL, to the Minister representing the Minister for Recreation:

Further to question 381 of Tuesday, 18 August 1981, would the Minister ascertain the correctness of his answer to question (2)(b), viz. "that the WAFL Grand Final has been televised to the south-west and the metropolitan area for the past three years"?

The Hon. D. J. WORDSWORTH replied:

Question 2(b) of 381 discussed the basis for the decision and not the decision made.

In 1979 and 1980 the grand final was transmitted to the rural areas; i.e. the south-west and through to the far north. In 1978 it was transmitted to rural areas except the close-lying regions of Bunbury and Northam.

BROTHELS*Police Policy*

433. The Hon. PETER DOWDING, to the Minister representing the Minister for Police and Traffic:

I refer to his answer to question 326 of Tuesday, 11 August 1981, concerning prostitution and ask—

- (1) What are the names and addresses of persons who are tolerated as people running brothels or keeping premises for the purposes of prostitution?
- (2) For what period have these persons been so tolerated?

The Hon. G. E. MASTERS replied:

- (1) and (2) The Minister for Police and Traffic advises that the policies of the police in relation to law enforcement in this area have been fully explained. In particular the member is referred to the answers to questions 326 and 384.

It is denied that identifiable individual prostitutes' activities are permitted without liability to prosecution. Other details of information held by and actions of the vice squad in relation to individual offences are not disclosed for the sake of proper and effective law enforcement.

LIQUOR ACT*Amendment*

434. The Hon. PETER DOWDING, to the Minister representing the Chief Secretary:

- (1) Since the Minister has indicated that he will not amend the Liquor Act to prohibit racial discrimination in hotels, will the Minister say whether he is prepared to introduce an amendment to the Liquor Act to prevent a night club or other liquor outlet openly refusing to admit well dressed and well behaved people on the grounds that they are Aboriginal?
- (2) If not, why not?

The Hon. G. E. MASTERS replied:

- (1) and (2) The question is based on a stated and incorrect interpretation of what was stated to be the Government's position in the matter.

FIRES: FIRE BRIGADES BOARD*Standards*

437. The Hon. V. J. FERRY, to the Minister representing the Chief Secretary:

- (1) In view of the ever present fire hazard within the community, is he satisfied that—
 - (a) the standard of training of firemen is adequate;
 - (b) equipment for fire fighting is suitable for dealing with outbreaks of fire, particularly in high-rise buildings; and
 - (c) current building regulations contain sufficient safeguards to give reasonable protection to life and property?
- (2) In the case of older buildings, what measures are taken by the Fire Brigades Board to encourage improved fire protection arrangements, emergency instructions and drill?

The Hon. G. E. MASTERS replied:

- (1) (a) Yes.

Initial and ongoing fireman and officer refresher training courses are conducted at the Belmont Training Wing and fire officers in charge of crews at fire stations conduct field exercises and training as part of the daily routine.

The Belmont Training Wing is staffed by seven qualified instructors plus two officers engaged full time on breathing apparatus instruction.

During 1980-81 \$500 000 was spent in modernising facilities at the Belmont Fire Brigade Training Wing. The facilities are considered equal to any in Australia.

- (b) Yes.

The Fire Brigades Board operates some 240 fire engines and service vehicles to serve the metropolitan area and country towns. The following additional special equipment serves the Perth City and metropolitan area—

two 30 metre turntable ladders,
one 31 metre aerial platform
plus a 26 metre unit in reserve,

one 18 metre water tower
 pumper appliance about to
 go into service,
 one extra heavy pumper,
 one mobile control unit,
 one breathing apparatus
 control unit,
 one bulk foam unit.

The Chief Secretary has assured me that the Chief Officer and senior brigade officers are confident that the equipment is adequate to cope with any currently anticipated situation in high-rise buildings.

- (c) The fire safety provisions of the Uniform Building By-laws are considered to be generally satisfactory.

These by-laws are made under the Local Government Act and are administered by the Department of Local Government and local authorities with advice given on fire safety matters by the fire brigade to local authorities.

A recent amendment to the Uniform Building By-laws required sprinklered fire protection throughout for premises exceeding 25 metres in height against the old requirement of 42 metres height. The current building regulations follow closely the Australian draft model code and are constantly under review by the Building Advisory Committee set up under the Local Government Act and the Chief Officer of Fire Brigades is a member of that committee. Fire officers provide Government departments with advice on fire prevention methods.

- (2) It has been the practice for at least 10 years for the Western Australian fire brigade to advise and assist owners in formulating plans for evacuation of premises and one fire officer is engaged exclusively in this work. He assists people to draw up their own evacuation plan and usually attends the first two or three drills which are needed to validate the plan. The officer visited 83 different premises in 1980-81 in response to requests. The brigade has prepared a comprehensive booklet setting out the format for effective documentation of evacuation plan which building owners can follow step by step. At present there is no statutory requirement on owners to conduct evacuation drills and this aspect is under consideration currently.

FUEL AND ENERGY: NUCLEAR

Mr J. Hayes

439. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Fuel and Energy:

Referring to the answer given to question 395 of Wednesday, 19 August 1981—

- (1) Is it a fact that Burmott Australia's half-yearly nuclear power reports to the State Energy Commission consisted of selected references or extracts from publications?
- (2) Do they contain any other material?
- (3) Are those half-yearly reports being kept secret?
- (4) If so, would the Minister explain why?
- (5) Was Mr Hayes involved in any other consultants' secret reports to the State Government on nuclear power?

The Hon. I. G. MEDCALF replied:

- (1) to (5) The Minister for Fuel and Energy has advised that the purport of the member's question, and his previous question, is not clear.

If the member would like to write to the Minister directly, indicating the basis on which the information is being sought, then the Minister would be better able to respond.

FISHERIES

Rock Lobster

440. The Hon. TOM McNEIL, to the Minister for Fisheries and Wildlife:

- (1) Would he provide a list of currently licensed rock lobster processing boats?
- (2) How many of these vessels have had proceedings instigated against them by the Fisheries and Wildlife Department?

The Hon. G. E. MASTERS replied:

- | | |
|-----------------------------|-----------|
| (1) <i>Sea Horse George</i> | LFB F 267 |
| <i>Oceanic</i> | F 387 |
| <i>Lady of Fatima</i> | F 297 |
| <i>Vila Suka</i> | F 389 |
| <i>Vis II</i> | F 133 |
| <i>Lady Joyous IV</i> | G 4 |

- (2) Three of the six vessels have convictions recorded against them for purposes of section 55A of the Fisheries Act, where they have been used for or in connection with the commission of offences against the Fisheries Act. Court action is currently proceeding against a fourth vessel.

FUEL AND ENERGY: GAS

North-West Shelf: Contracts

441. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Fuel and Energy:

- (1) Has the State Energy Commission signed a contract to take 385 million cubic feet of gas per day from the North-West Shelf partners?
- (2) Is Alcoa Australia committed to taking a portion of this total?
- (3) If so, what quantity?
- (4) If "No" to (2), of the 385 million cubic feet, how much did the SEC anticipate Alcoa would require?
- (5) Is there a clause in the contract which allows the commission to purchase an amount less than 385 million cubic feet per day?

- (6) If so, does a lesser amount mean an increased price?

The Hon. I. G. MEDCALF replied:

- (1) Yes.
- (2) to (6) Alcoa Australia has entered into a memorandum of understanding for the supply of 4.4 million cubic metres of gas per day from the State Energy Commission. Under the terms of this memorandum of understanding, the detailed terms and conditions are commercially confidential.

FISHERIES

Lancelin

442. The Hon. TOM McNEIL, to the Minister for Fisheries and Wildlife:

- (1) Would the Minister advise the number and value of claims for compensation made by professional fishermen against American Naval Forces for loss of fishing gear during exercises carried out off Lancelin during—
 - (a) May 1980; and
 - (b) February 1981?
- (2) (a) How many claims, and for what value, have been settled; and
(b) how many are outstanding?
- (3) Has the responsibility for the lost fishing gear been accepted by—
 - (a) the Australian Navy;
 - (b) the American Navy;
 - (c) the Department of Defence; or
 - (d) the Deputy Crown Solicitor?
- (4) Has any attempt been made to find out why the American Naval Force, and in particular the *USS Tarawa* operated in the area, and at the depth the rock lobster fishermen were advised to place their pots?
- (5) If not, why not?
- (6) Can the fishing industry be certain that any future liaison between Australian and American Navies will be accurate and worthwhile?

The Hon. G. E. MASTERS replied:

- (1) to (3) This information is not held by the Department of Fisheries and Wildlife.
- (4) This matter has been taken up by the Australian Fishing Industry Council.
- (5) and (6) See answer to (4).

GOVERNMENT EMPLOYEES

Kimberley

443. The Hon. W. R. WITHERS, to the Minister representing the Premier:

Will the Premier advise—

- (a) the number of Government personnel employed in the Kimberley statistical region, and list the number employed against each department, commission or agency; and
- (b) the total annual cost of salaries and wages paid to those personnel?

The Hon. I. G. MEDCALF replied:

- (a) and (b) Personnel records for Government employees are not centrally maintained and are the responsibility of individual departments and authorities.

As the member would no doubt appreciate, the information requested is not readily available.

All departments and authorities would need to undertake a detailed examination of their records prior to the task of collating the details in order to answer this question.

In view of the amount of work which would be required, the Government would prefer not to divert staff, who are otherwise fully committed, for this purpose; especially at a time when we are endeavouring to reduce staff and at the same time cope with the most difficult Budget in post-war times.

If, however, the member has any special concern relating to a specific matter or department, the Premier will endeavour to obtain the information if the member will indicate such matter.

SHIPPING: STATE SHIPPING SERVICE

Broome

444. The Hon. PETER DOWDING, to the Minister representing the Minister for Works:

- (1) Has any of the material for the construction of the Camballin grain terminal at the Broome Jetty been carried on Stateships from Perth to Broome?
- (2) If so—
 - (a) what material has been carried;

- (b) where; and
- (c) when?

(3) Would the Minister indicate—

- (a) what material has not been carried on Stateships;
- (b) the identity of the material and the date of its transport; and
- (c) the means of its transport to Broome?

(4) Why, in each case referred to in the preceding answer, was the material not carried by Stateships?

The Hon. G. E. MASTERS replied:

- (1) to (4) Eight separate contracts have been involved in the provision of the grain storage and handling facilities at Broome. Each contractor was responsible for the marshalling of the materials required for his contract as well as for carrying out the contract itself.

Hence, the information sought is not available to the Public Works Department and would have to be sought from the contractors.

GOVERNMENT EMPLOYEES

Kimberley

445. The Hon. W. R. WITHERS, to the Minister representing the Treasurer:

Will the Treasurer advise the annual cost of maintaining personnel employed by the Government in the towns or communities of the Kimberley statistical region in respect of—

- (a) housing;
- (b) district allowances;
- (c) leave entitlements in excess of those received by metropolitan employees;
- (d) transport of personal effects to and from place of employment;
- (e) air fares for employee and family whilst on holidays;
- (f) subsidies such as air-conditioning, power costs, water subsidies or rental subsidies;
- (g) fares for employee and family to and from place of posting; and
- (h) cost of furniture and fittings for homes supplied to Government employees?

The Hon. I. G. MEDCALF replied:

- (a) to (h) See answer to question 443.

PUBLIC HOLIDAYS

Royal Show

446. The Hon. D. K. DANS, to the Minister representing the Premier:

In view of the decision of the Government not to gazette a Show Day public holiday in 1981, will the Premier—

- (a) confirm whether or not the Show Day holiday is to be removed on a permanent basis; and
- (b) confirm that all other public holidays currently gazetted will in fact be gazetted during 1981?

The Hon. I. G. MEDCALF replied:

- (a) It is not intended in future to grant an additional holiday for a Show Day.
- (b) Ten standard holidays are designated in the second schedule of the Public and Bank Holidays Act, and do not require gazettal. Any additional public holiday already gazetted for 1981 will be allowed to stand.

GOVERNMENT EMPLOYEES AND MEMBERS OF PARLIAMENT

Travel: Kimberley

447. The Hon. W. R. WITHERS, to the Minister representing the Treasurer:

Will the Treasurer advise the total cost of air fares, car hire and travelling expenses, accrued by State Government personnel and members of Parliament who travel into and from the Kimberley statistical region in the course of their duties?

The Hon. I. G. MEDCALF replied:

The question does not specify for which period the costs detailed are required. In any event, such details of costs are not maintained centrally and a great deal of research work in departments and authorities would be necessary to extract and collate the information.

See also answer to question 443.

WATER RESOURCES: IRRIGATION

Camballin

448. The Hon. PETER DOWDING, to the Minister representing the Minister for Water Resources:

I refer to the Camballin irrigation project, and ask—

- (1) Since 1 July 1980, have any payments become due for water, and if so, upon what date, and what date were they paid?
- (2) What are the dates of payments by the project to the Government during the year ended 30 June 1981 and 30 June 1982?

The Hon. G. E. MASTERS replied:

- (1) and (2) Yes, payments became due on 1 July 1980, 1 January 1981 and 1 July 1981, and were made on 18 September 1980, 10 October 1980 and 19 June 1981.

NATURAL DISASTERS: CYCLONES

Karratha

449. The Hon. PETER DOWDING, to the Minister representing the Minister for Regional Administration and the North West:

- (1) In what year was the "Kelly Line" established as to the likely surge line of the sea in the event of cyclonic conditions at Karratha?
- (2) Is the Minister aware whether since that date new information has come to light concerning tidal surge in cyclonic conditions and new mathematical models for predicting such surge?
- (3) Has the Minister been informed whether Woodside has conducted an examination of this problem for the Burrup Peninsula?
- (4) Are State Government officials analysing the material produced by Woodside, and if so, who is making the analysis, and what are the results of the analysis?

The Hon. I. G. MEDCALF replied:

- (1) 1968.
- (2) Yes.

- (3) Yes. However, it is not possible to extrapolate from the results obtained by Woodside for Mermaid Sound to what might pertain in Nickol Bay.
- (4) Yes. The James Cook University has been commissioned to undertake a study of tidal surge specifically in the vicinity of Karratha. The study is currently in progress and, while utilising some data from the studies conducted by Woodside, will constitute a completely separate analysis.

- (4) and (5) Although the Onslow town water supply has recently been augmented, water consumption in the town has increased and there is no spare capacity to cater for watering the oval. As the shire has been informed, the capital contribution required from the shire to upgrade the scheme further to provide sufficient water for an oval would be about \$45 000. Funds are not available from Government sources to meet this cost.

WATER RESOURCES

Onslow

450. The Hon. PETER DOWDING, to the Minister representing the Minister for Works:

- (1) Is the Minister aware that the Shire of West Pilbara has requested Government assistance to provide a satisfactory water supply to enable facilities for the town of Onslow?
- (2) Is the Minister aware that the former Minister for Works announced "The upgrading of the water supply would facilitate further expansion of tourist facilities in the town that was becoming very popular, not only within the Pilbara but also to visitors from other parts of the State and inter-State"?
- (3) Is the Minister aware that the town of Onslow is one of the few towns in the north without a suitable grass oval and the capital works necessary to upgrade the water supply to provide such an oval is beyond the means of the Shire of West Pilbara?
- (4) In the circumstances, will the Government accept this fact, and assist in establishing the water service to the Onslow sportsground?
- (5) If not, why not?

The Hon. G. E. MASTERS replied:

- (1) and (2) Yes.
- (3) Yes. I am not aware of the current financial position of the Shire of West Pilbara. However, in 1977 the council did inform the Deputy Premier that it did not see itself capable of raising the necessary funds.

EDUCATION: SCHOOL HOLIDAYS

Underprivileged Children

451. The Hon. PETER DOWDING, to the Minister representing the Minister for Recreation:

I refer to his answer to question 330 of Wednesday, 5 August 1981, and ask—

- (1) Who are the members of the committee distributing the funds?
- (2) Are any representatives from the north-west?
- (3) Was any regional priorities list sought or supplied to the committee prior to its deliberations?
- (4) If not, why not?
- (5) If so, by whom was it prepared?
- (6) How much, to whom, and for what, was each grant allocated?

The Hon. D. J. WORDSWORTH replied:

- (1) The advisory committee which makes recommendations to the Minister for Recreation is composed of the Department for Youth, Sport and Recreation represented by Mr R. Bailey (Chairman), the Department for Community Welfare represented by Mr H. Luxton, the Office of Child Care represented by Ms B. Bertrim, the Local Government Association (no representative yet nominated as replacement to previous member), and the WA Council for Children's Affairs represented by Mrs P. Ferrell and Mr N. Williams.
- (2) and (3) No.

- (4) Applications received by the Department for Youth, Sport and Recreation are categorised in accordance with the guidelines established by the advisory committee. For the purpose of allocating grants, the committee has determined what percentage of funds should be utilised within each grant category. This information is provided below—

Programme Category	Percentage of funds to each grant category
Traditional Day Care	60
Isolated Children's Programmes	15
Disadvantaged Metropolitan Programmes	10
Disabled Children's Programmes	10
Innovatory Programmes	5

The level of funding within each grant category is affected by the total amount made available by the Office of Child Care to the Department for Youth, Sport and Recreation.

- (5) Not applicable.

- (6) This information appears below.

VACATION CARE PROGRAMME
Allocations For August/September, 1981

Organisation	Programme Type	Amount Allocated
City of Stirling (six programmes)	Traditional Day Care	\$2 550.00
Balcatta		
Balga		
Nollamara		
North Beach		
Wandara		
Coolbinia		
Shire of Wanneroo (three programmes)	Traditional Day Care	\$1 000.00
Girrawheen		
Sorrento		
Wanneroo		
City of Melville	Traditional Day Care	\$480.00
Communicare (Inc) (four programmes)	Traditional Day Care	\$3 010.00
Riverton		
Lynwood		
Wilketton		
Bentley		
Perth YMCA (five programmes)	Traditional Day Care	\$2 000.00
Greenwood		
Melville		
Bentley		
Scarborough		
Fremantle		
Town of Armadale	Traditional Day Care	\$480.00
City of Gosnells	Traditional Day Care	\$420.00
Town of Geraldton	Traditional Day Care	\$420.00
City of Cockburn	Traditional Day Care	\$450.00
Shire of Bayswater	Traditional Day Care	\$450.00
The Lady Gowrie Child Centre (WA) Inc—Karawara	Traditional Day Care	\$780.00
Mandurah Police & Citizens' Youth Club	Traditional Day Care	\$700.00
West Kellmscott Community Recreation Movement	Traditional Day Care	\$780.00
Shire of Carnarvon	Isolated Children's Programme	\$660.00
Bunbury Voluntary Community Group (Inc)	Traditional Day Care	\$750.00
Bagot Road Children's Centre—Subiaco	Traditional Day Care	\$385.00
Shire of Roebourne	Isolated Children's Programme	\$900.00
Shire of West Kimberley	Isolated Children's Programme	\$400.00
School Holiday Programme		
The Tji Tji Club Wiluna	Isolated Children's Programme	\$800.00
YMCA Youth Clubs—Central Australia Region, Warburton	Isolated Children's Programme	\$400.00

Nyoongah Community—Moora	Isolated Children's Programme	\$750.00
Diandi Club—Mullewa	Isolated Children's Programme	\$600.00
The Meeting Place South Fremantle	Disadvantaged Metropolitan	\$190.00
Riding for the Disabled Association (two programmes)	Disabled Children's Programme	\$150.00
York Donerkin		
Wilketton Special School	Disabled Children's Programme	\$200.00
Out of School Care & Activities Association of WA (five programmes)	Traditional Day Care	\$4 360.00
Midland		
Belmay		
Forrestfield		
Leederville		
South Perth		
Goldfields Youth Management Committee—Boulder	Traditional Day Care	\$770.00
Young Women's Christian Association West Perth	Traditional Day Care	\$260.00
City of Fremantle	Traditional Day Care	\$420.00
Pineview Pre-School Coolbellup	Innovatory	\$200.00
Division for the Intellectually Handicapped Jurien Bay	Innovatory	\$365.00
Save the Children Fund Out of School Centre (two programmes)	Disadvantaged Metropolitan	\$2 500.00
Lockridge		
Koongamia		\$28 580.00

GRAIN: TERMINAL

Broome

452. The Hon. PETER DOWDING, to the Minister for Conservation and the Environment:

On 18 June 1981, the Minister advised—"Since returning to Perth I have contacted my Ministerial colleague, the Minister for Works, and recommended protective measures be taken to ensure that minimum damage occurs during construction of the Camballin Grain Terminal Works at Broome Jetty."

- (1) What protective measures did he recommend be taken?
- (2) Have those measures been taken?
- (3) Did he receive a report dated 26 May 1981, from the Minister for Works, outlining detailed action to be taken by the Department of Works to prevent environmental damage?
- (4) Did he provide me with either a copy of this report or the details of the steps that were being taken?
- (5) If "No", will he say why not?

The Hon. G. E. MASTERS replied:

- (1) In my letter of 25 June 1981 to the Minister for Works it was recommended that an outfall pipe be extended, and his views were also requested on additional protective measures to ensure that minimal damage occurred to the fragile beach area.
- (2) No. The Minister has, however, advised that the contouring, paving and outfall works will be completed before the next wet season.
- (3) Yes.
- (4) and (5) As arranged, copies of the Minister for Work's letters of 26 May 1981 and 17 July 1981 were sent to the member at Parliament House on 30 July 1981.

FUEL AND ENERGY: ELECTRICITY

Polychlorinated Biphenyls

453. The Hon. PETER DOWDING, to the Minister for Conservation and the Environment:

- (1) Is he aware that the substance polychlorinated biphenyls is a highly dangerous and most toxic substance, the only means of destruction being the incineration in a special ship, of which there is believed to be only one or two in the world?
- (2) Is he further aware that there is a total of 36 400 litres of this substance on the Cliff Robe River-Cape Lambert site, and that other mining companies, and companies involved in electrical generation, have large quantities of this substance in their possession?
- (3) Has the Minister's department been involved in monitoring the storage of this dangerous material?
- (4) If not, will he see that his department is involved?
- (5) Will he give a guarantee that this highly toxic and dangerous material will be stored in a safe environment pending destruction?

The Hon. G. E. MASTERS replied:

- (1) As indicated in reply to Legislative Assembly question 1152 of May 13, 1981, polychlorinated biphenyls (PCBs) are of concern because of their persistence and capacity to spread through the food chain, rather than because of their acute toxicity to humans. PCBs can be safely destroyed by heating them in special incinerators to 1100°C with a residence time of at least two seconds.
- (2) Yes. With regard to the Cliff Robe River-Cape Lambert site, the quantity of PCBs is approximate as the company has embarked already on a programme of progressive replacement of PCBs by the retrofilling process carried out in Perth under Public Health Department approved conditions and procedures. The PCBs are contained in electrical equipment which is in operational service, and is not stored.
- (3) No. However, the department has collated information on the consumption and disposal of PCBs and measures taken to control these substances as part of Australia's response to the decision of the OECD Council on Protection of the Environment by control of PCBs.
- (4) and (5) The environmental significance of PCBs has been recognised by the Australian Environmental Council. In 1975 the council commissioned the Australian Mineral Development Laboratories to report on the "environmental behaviour of PCBs". A copy of this report is available from the Department of Conservation and Environment's library. I am satisfied that the monitoring of the storage of PCBs is adequately met by the Public Health Department. As a consequence it is not necessary for my department to be involved in monitoring storage arrangements.

HOUSING: ABORIGINES

Commonwealth Funds

454. The Hon. PETER DOWDING, to the Minister representing the Minister for Housing:

I refer to my question 298 on Thursday, 14 May 1981, concerning the acquisition or sale of State Housing Commission

homes built with Commonwealth Aboriginal housing money, and ask—

- (1) Does the Minister claim to have replied to me, and if so, would he identify the letter and let me have an additional copy?
- (2) If the Minister has not replied, would he please let me have the details requested in that question?

The Hon. G. E. MASTERS replied:

- (1) and (2) The response has recently been despatched to the member. The delay is regretted.

BROTHELS

Police Policy

455. The Hon. PETER DOWDING, to the Minister representing the Minister for Police and Traffic:

I refer to his answer to question 326 of Tuesday, 11 August 1981, and ask—

- (1) Since 1976 how many people have been charged and convicted of keeping premises for the purposes of prostitution?
- (2) How many people have been charged and convicted in assisting in the management of premises for the purposes of prostitution?
- (3) How many of those charged and convicted were persons otherwise tolerated, and in those cases, why were they prosecuted?

The Hon. G. E. MASTERS replied:

- (1) 261.
- (2) 431.
- (3) Prostitution is tolerated rather than the prostitute individually and all persons engaged in this activity are liable to prosecution if the law is breached.

HEALTH

Isolated Patients: Travel Assistance

456. The Hon. PETER DOWDING, to the Minister representing the Minister for Health:

- (1) How many people were assisted in—
 - (a) 1978-79;
 - (b) 1979-80; and
 - (c) 1980-81

financial years, under the north-west assisted patient transport scheme?

- (2) What was the expenditure on the scheme in each of those years?
- (3) When, where, and to whom, was the plan to cease the scheme first announced?

The Hon. D. J. WORDSWORTH replied:

- (1) (a) 4 909.
(b) 4 530.
(c) 4 105.
- (2) 1978-79—\$874 878.
1979-80—\$899 480.
1980-81—\$839 578.
- (3) An announcement of cessation of the scheme was made by departmental officers at a meeting with administrators and directors of nursing of public hospitals on 7 August 1981.

ELECTORAL: ROLL

Offences

457. The Hon. PETER DOWDING, to the Minister representing the Chief Secretary:

- (1) Is correct enrolment on State Electoral rolls compulsory?
- (2) If "Yes", how many prosecutions for this offence were instituted in—
 - (a) 1978;
 - (b) 1979;
 - (c) 1980; and
 - (d) 1981 to date?

The Hon. G. E. MASTERS replied:

- (1) It is compulsory for a person who is entitled to enrolment to be enrolled.
- (2) (a) 1978—nil;
(b) 1979—one;
(c) 1980—nil;
(d) 1981 to date—nil.

HERBICIDES: 2,4-D and 2,4,5-T

Protective Clothing

458. The Hon. PETER DOWDING, to the Minister representing the Minister for Agriculture:

What protective clothing was made available to the workers injured in Kununurra as a result of spraying 2,4-D and 2,4,5-T on Noogoora burr recently?

The Hon. D. J. WORDSWORTH replied:

As indicated in the reply given on 18 August, there is no evidence that skin complaints reported were the result of contact with 2,4-D and/or 2,4,5-T.

Protective clothing available to all workers involved in using chemicals are overalls, gum boots, gloves, face masks, eye shields, ear muffs, and waders.

COMMUNITY WELFARE

Homeless Youth Research Project

459. The Hon. LYLA ELLIOTT, to the Minister representing the Minister for Community Welfare:

Further to my question 408 of 20 August, 1981—

(1) Is it a fact—

- (a) that the youth services programme was intended to be a three-year pilot programme operating in all States from July 1979, providing support services for homeless youth;
- (b) that the programme was to be a cost shared one on a dollar for dollar basis between the Commonwealth and State Governments;
- (c) that the figure available to Western Australia from the Commonwealth for this period is up to \$251 400, or \$83 800 per year since July 1979; and
- (d) that this means Western Australia could have been eligible for \$167 600 from the Commonwealth for homeless youth services in the past two financial years, but to date has only used \$51 999 of these funds?

(2) If the answers to (1)(a)-(1)(d) are "Yes"—

- (a) why has the State Government failed to take advantage of the balance of these funds in view of the obvious need that has been demonstrated for the services involved; and
- (b) what action does it intend to take to ensure they will be used by 30 June 1982?

The Hon. G. E. MASTERS replied:

(1) (a) and (b) Yes.

(c) Yes. These figures represent the maximum available, being the Commonwealth's computation of Western Australia's share of the \$1 million allocated for use nationally per annum under this programme.

(d) Yes. As with (c) above, \$167 600 represents the maximum allocation Western Australia could have received.

\$51 990 is already committed for expenditure during this financial year. A further \$44 806 is to be made available.

\$17 331 was expended during the June quarter of 1980-81.

This brings the total the Commonwealth has made available to Western Australian homeless youth services to \$114 127.

(2) (a) It is not a question of the State's failing to take advantage of the balance of the funds. In fact the Commonwealth has sought, through its funding in this area—

(a) to direct State policy even in areas of then existing State expenditure; and

(b) to force increased State expenditure without State agreement or capacity by refusing to recognise, for matching funds calculations, the State expenditure being made in the area.

From the first discussions held on this matter at the Social Welfare Minister's Conference in April 1979, the State has made its position clear—a position which has remained constant to this day.

The position is that the basis for State participation in this programme is subject to the following four conditions—

- (i) That existing and traditional State expenditure in this area be recognised by the Commonwealth as constituting the major part of the State's contribution to the programme (see 1(b) above). In the last three financial years, the State has expended \$195 000 in this area.

- (ii) That the allocation of the Commonwealth funds identified for expenditure within this State under the programme be determined on a conjoint ministerial basis.
- (iii) That Commonwealth participation outlined in (ii) above be limited to new projects. Traditional existing aspects of State allocations are not to be subject to counter approval by the Commonwealth.
- (iv) That existing State expenditure be assessed annually to determine the level of State contribution for matching purposes.

The Commonwealth agreed in principal to the State's conditions in July 1979. In October of that year, State and Commonwealth officials met and determined administrative arrangements for implementation of the programme; and in December the programme was publicly announced and advertisements placed in newspapers calling for applications. Funding approvals were forwarded to the Commonwealth in March 1980.

However, in April of that year, the Commonwealth reneged on its earlier in-principle approval of the State's conditions, in particular (i) above.

Since that time, the State has continued its efforts to implement this scheme in Western Australia along the lines of the original understanding with the Commonwealth, at the same time stressing the urgent need existing in Western Australia.

It was not until February 1981 that the Commonwealth finally agreed to release funds to this State. The funds financed projects for the June quarter 1980-81 and are currently in use (see 1(d) above).

The PRESIDENT: Order! Would members refrain from the audible conversations that imply that members are not interested in the answers to questions.

The Hon. G. E. MASTERS: To continue—

The delays in implementing this programme and the level of funding made available are the responsibility of the Commonwealth. Throughout this lengthy period of negotiation, the State has acted in a proper manner, pressing to secure funds for homeless youth services.

However, it is not proper for the Commonwealth to seek to take over State policy in relation to State expenditure, and neither can the Commonwealth commit the State to increase its expenditure, as has been sought to be done here.

- (b) The State has secured funds for the current financial year (see 1(d) above).

LAND: CLEARING

Wooroloo Brook

460. The Hon. LYLA ELLIOTT, to the Minister representing the Chief Secretary:

- (1) Has the Department of Corrections been involved in clearing of land in the Wooroloo Brook catchment area in the last five years?
- (2) If so—
 - (a) when did it take place; and
 - (b) what was the size of the area involved?
- (3) Are there any current plans by his department to clear land in this area?
- (4) If so, what are those plans?

The Hon. G. E. MASTERS replied:

- (1) Yes, in consultation with the Department of Conservation and Environment and the Western Australian Department of Agriculture in 1979.
- (2) (a) 1976—28 hectares
1977—50 hectares
1978—54 hectares
1979—60 hectares
1980—98 hectares.
- (b) 290 hectares.
- (3) No.
- (4) Not applicable.