

# Legislative Council

Tuesday, 11 November 1980

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

## QUESTIONS

Questions were taken at this stage.

## ACTS AMENDMENT (STRICT SECURITY LIFE IMPRISONMENT) BILL

### *Introduction and First Reading*

Bill introduced, on motion by the Hon. I. G. Medcalf (Attorney General), and read a first time.

## STATE FORESTS

### *Revocation of Dedication: Motion*

**THE HON. D. J. WORDSWORTH** (South—Minister for Forests) [5.01 p.m.]: I move—

That the proposal for the partial revocation of State Forests Nos. 12, 15, 28 and 37, laid on the Table of the Legislative Council by command of His Excellency the Administrator on the fifth day of November, 1980, be carried out.

The motion is put forward in accordance with the requirements of section 21 of the Forests Act 1918-1976, whereby a dedication of Crown land as a State forest may be revoked only in whole or in part by a resolution being passed by both Houses of Parliament.

If the actual areas of land set aside for State forest in 1918 were to remain exactly as originally designated, considerable hardship and disharmony would occur with those who live and make their living adjacent to the forest.

This year some 400 out of the two million hectares of State forest will be exchanged for land of like area and usually of better forest quality.

These exchanges are made, as a rule, with neighbouring farmers and landowners so that their boundaries, and also those of the State forest, can be made more workable. This can often be of vital importance for fire protection of our forest resources.

The gain to State forests through exchanges contingent on the proposals to be detailed will be in the vicinity of 430 hectares.

This amounts to a net addition of about 52 hectares to the State forest area. It is pointed out, however, that in one of the exchange proposals

the applicant is receiving an area in addition to the area of State forest as outlined in the proposal. This area comprises 184.1 hectares and is Timber Reserve No. 174/25 which is an area reserved under section 25 of the Forests Act. In this particular exchange the applicant is to receive 172.6 hectares of State forest and 184.1 hectares of Timber Reserve No. 174/24, totalling in all 356.7 hectares in return for which 227 hectares of private property is to be added to State forest. Although the applicant is gaining a larger area than he is losing, the land purchase board deemed that the areas of land were of equal value and the exchange proceeded on this basis.

The overall position arising from this proposal is that there will be a net gain of 52 hectares to the area of dedicated State forests and a net loss of 184.1 hectares from the area of Forests Act timber reserves, leaving an overall net loss of 132.1 hectares from the total forest estate.

I would like to draw members' attention to the fact that additions to State forests in 1979-80 amounted to 13 537 hectares and excisions amounted to 840 hectares, resulting in a net gain of 12 697 hectares due mainly to the dedication of a large area of the Wellington Dam catchment.

Several separate areas are embraced by the motion before the House.

I commend the motion.

Debate adjourned, on motion by the Hon. F. E. McKenzie.

## RECORDING OF PROCEEDINGS BILL

### *Report*

Report of Committee adopted.

## JUSTICES AMENDMENT BILL

### *Second Reading*

**THE HON. I. G. MEDCALF** (Metropolitan—Attorney General) [5.07 p.m.]: I move—

That the Bill be now read a second time.

Under the provisions of the Justices Act, persons who fail to pay fines may be imprisoned under warrants of commitment issued in accordance with that Act.

The present scale is one day's imprisonment for each \$5 of the amount outstanding. This figure was fixed in December 1971 and it is considered appropriate that the scale now be reviewed.

In reaching a decision on a new scale, consideration has been given to the relevance of the existing rate to present-day values.

The Government seeks to increase the figure referred to in section 167 of the Act from \$5 to \$20.

In arriving at the figure of one day's imprisonment for every \$20 regard has been had to prices, incomes, and current-day values as against those applying in 1971, when the present rate was established. In 1959 the daily rate for default was \$2.

In the period between 1959 and 1971 the Consumer Price Index and minimum wage index variations suggested that in 1971 \$3.65 would have been an appropriate figure. In fact, the figure of \$5 was selected.

In the last nine years, the Consumer Price Index and minimum wage index variations have been much steeper and calculations indicate that a figure in the vicinity of \$13 to \$14.50 could be appropriate.

The Government has, however, after looking at the position in other States, and bearing in mind the likelihood of further increases in the variations referred to, decided to recommend that the figure of \$20 now be adopted. This figure is considered to be reasonable, fair, and equitable.

As a matter of interest the present daily rates for default in other States are the following—

New South Wales	\$25
Victoria—average	\$10
Queensland	No set figure
Tasmania	\$5
South Australia	\$10.

During the six months ended 31 December 1979, over 700 people were received into prisons for default in payment of fines. In addition, there were others who served their defaults in police lockups.

Members will appreciate that such an adjustment as that proposed will reduce the period of imprisonment and, hence, the number of prisoners at any one time.

The Bill which is now before the House will amend section 167 of the Justices Act in order to give effect to the proposal.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. J. M. Berinson.

## RESERVES BILL

### *Second Reading*

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.10 p.m.]: I move—

That the Bill be now read a second time.

The Bill now before the House is similar to measures dealing with variations to class "A" reserves which come before Parliament usually towards the end of each session. The purpose in presenting the Bill late in the session is to ensure that as many variations as possible to Class "A" reserves can be embraced in the one Bill.

Fourteen separate proposals are contained in this Bill.

Reserve and Road Closure Act No. 102 of 1978 provided for the excision of three portions of Class "A" Reserve No. 28402 for university buildings, with the intention that one area be utilised for the realignment of Hackett Drive and the other two retained for recreation purposes. Construction of the new alignment has long since been completed and a survey has been carried out to define one composite area of Crown Land which is to be included with adjacent Class "A" Reserve No. 34322. This reserve is vested in the Subiaco City Council and it is also proposed that a small portion of adjoining Class "A" Reserve No. 17375 be excised and included within Class "A" Reserve No. 34322. The National Parks Authority has no objection to the proposal and authority is sought to exclude an area of 6 033 square metres from Class "A" Reserve No. 17375 so that the Subiaco Council can develop both areas for passive recreation.

Bernier and Dorre Islands are situated about 50 kilometres off the Carnarvon coast and are set apart as Reserve No. 24869 for the purpose "conservation of fauna". The reserve is vested in the WA Wildlife Authority, classified as of Class "A" and boundaries extend to high water mark. The Environmental Protection Authority recommended, and Cabinet agreed, that the purpose of the reserve be changed to "conservation of flora and fauna" and that the boundaries be redescribed to include land down to low water mark.

While preparing a plan to effect these recommendations, the Lands and Surveys Department noted a discrepancy in the original area of the reserve and a recalculation was made which fixed the size of the two islands at about 9 720 hectares in lieu of the original gazetted area of 10 521 hectares. The revised figure includes land to low water mark, but excludes two lighthouse sites of 405 square metres which are to be reserved and vested in the Commonwealth.

It will be necessary for Parliament to agree to an official reduction in the area of the reserve and also to alter the purpose to "conservation of flora and fauna" and authority is sought accordingly.

Class "A" Reserve No. 25039—conservation of flora—comprises the majority of abandoned Emu Hill townsite and is situated about five kilometres south-west of the Narembeen townsite. Investigations into the future of this reserve have led the Department of Fisheries and Wildlife to request that the purpose be changed to "conservation of flora and fauna" and that it be vested in the WA Wildlife Authority. The Narembeen Shire Council and the Department of Lands and Surveys endorse the proposal and the sanction of Parliament is required to alter the purpose of Class "A" Reserve No. 25039 accordingly.

Class "A" Reserve No. 24029 was set apart in 1954 for the multiple purposes of "kindergarten, infant health clinic, children's playground and park" and vested in the Nedlands City Council without power to lease. The reserve is situated in Floreat and is one of two parcels of contiguous land locally known as Lawler Park.

The city council constructed a hall on this reserve many years ago and recently applied to have the purpose of the reserve amended to include "civic hall". Vesting with power to lease was also required to formalise a leasing arrangement with the Hackett Civic Association.

The Department of Lands and Surveys considered that an addition to the already cumbersome purpose of the reserve would not be desirable—particularly if power to lease were given—as some of the other purposes did not require this facility. Agreement was reached to excise the hallsite from Class "A" Reserve No. 24029 so that the land could be separately reserved for a "municipal hall" and authority is sought to proceed with this course of action.

Westrail is in the process of upgrading the standard gauge railway and it requires an area of land for use as a loading siding in connection with a ballast quarry reserve near Toodyay. Land affected comprises portion of Class "A" Reserve No. 30192—Avon Valley National Park—and the National Parks Authority has confirmed that there is no objection to excision of the area concerned. It is proposed that the land be reserved for "railway siding" and parliamentary approval is needed to exclude the area from the national park.

Class "A" Reserve No. 5183 in Hamersley Road, Subiaco—for a civic centre—comprises city gardens and the city hall. The Subiaco City Council desires to lease the hall to a private caterer, but the current purpose of the reserve does not permit council to enter into such an arrangement. It is therefore proposed that the

purpose be changed to "parklands, hall site and functions centre" and the approval of Parliament is sought accordingly.

Class "A" Reserve No. 25933 for recreation and camping is situated at Point Quobba about 75 kilometres north of Carnarvon and is vested in the Carnarvon Shire Council. The reserve has always been a popular picnic, camping, and holiday area with a safe beach for children and is also a regular drawcard for tourists wishing to observe the "blowholes". The erection of a number of makeshift shacks on the reserve has caused the shire and the Department of Lands and Surveys to re-examine needs for the area and it is now proposed that separate reserves be created for a caravan park and camping, foreshore recreation, and chalet development over the area which now constitutes the Class "A" reserve. It is considered that these proposals will provide the most practical solution to orderly development of the land, but implementation of the actions will necessitate the prior cancellation of Class "A" Reserve No. 25933.

The Albany Shire Council desires to establish holiday chalets about 25 kilometres west of Albany at a place known as Port Harding. The site selected comprises portion of each of contiguous Class "A" Reserves Nos. 24547 and 24548—camping and recreation—which are vested in the shire. No objection is seen to the proposal which it is hoped will alleviate indiscriminate camping and erection of illegal shacks around this part of the coastline. Creation of a separate reserve for "holiday chalets" will be arranged together with vesting in the shire.

Class "A" Reserve No. 25337 containing 2.6425 hectares in Denmark townsite is set apart for the purpose "park (pioneer park), kindergarten and boy scout hall site" and is vested in the Denmark Shire Council. A kindergarten has been established on the reserve, but although an adjoining area was cleared for construction of a scouts' hall, building did not proceed as the organisation was catered for on another reserve. The Uniting Church has applied for an area of approximately 3420 square metres comprising the former scouts' site as it desires to establish a church and associated facilities on the land. Both the Denmark Shire Council and local environmental group support the venture. As negotiations concerning this matter have been in progress for about 12 months and these included unsuccessful investigations to locate a suitable alternative site, the church has become extremely concerned that its finances for the venture are being and will be further undermined unless building can commence in the very near future.

Therefore, in view of the circumstances and the fact that a scouts' hall site is no longer required in the purpose of the reserve and a kindergarten does not require an "A"-class classification, it is proposed to cancel the reserve. This action will permit early establishment of the church following which a separate Class "C" kindergarten reserve will be created and a thorough review of the future of the balance of the reserve will be undertaken in conjunction with the shire and other interested parties.

Greenplace Hostel at Point Chidley, Mosman Park, has been officially closed by the Mental Health Services and arrangements are in hand with the Public Works Department to sell the land and buildings *in situ*. However, sale of the property is complicated because even though the land has legal road access by way of Bateman and Wellington Streets, it is physically impracticable to gain entry from those streets and vehicles must travel along a road which has been constructed through and forms part of adjoining Class "A" Reserve No. 3346—recreation. The Public Works Department requires the road to be made a public thoroughfare, and bearing in mind that the Mosman Park Town Council has no objection to excision from the reserve and dedication of the land as public road, survey was carried out to define the limits of the road. It was not until survey had been completed that it could be determined that the area of the road would exceed the 1/20th restriction placed on road excisions from Class "A" reserves and it is therefore necessary to obtain parliamentary approval for this action to proceed.

In accordance with the metropolitan region planning scheme, West Coast Highway has been surveyed and constructed through the western portion of Class "A" Reserve 23563 at Hillarys-Whitfords—set aside for recreation-national fitness. However, because the amount of the land required for the road slightly exceeds the 1/20th restriction placed on amendments to Class "A" reserves, it is not possible to proceed with excision and dedication of the road under normal circumstances and it is necessary to obtain the approval of Parliament to exclude officially the land from the reserve.

Deviation of Salt River Road in the Shire of Cranbrook resulted in isolation of a small elongated portion of Class "A" Reserve No. 14792—Stirling Range National Park—from the main body of the reserve. The area inadvertently has been fenced in with, and cleared by the owner of, Plantagenet location 6154 and, as the land is no longer of any use as national park, it is proposed that it be disposed of to the owners of

that location. The National Parks Authority has no objection to the intended action and it is necessary to excise the area from the national park before it can be dealt with.

Class "A" Reserve No. 20701—public gardens—has an area of 311 square metres and is situated in the middle of the intersection of Crawley Avenue and Mounts Bay Road, Crawley. The National Parks Authority, in which the reserve is vested, recently advised that the land had been absorbed totally for road purposes many years ago and that action should be taken to formally cancel the reservation. The Main Roads Department has confirmed that the land officially forms part of Mounts Bay Road and it has become necessary to recognise this fact.

The northern portion of the developed part of Gracetown townsite is surrounded by Class "A" Reserve No. 27618 which is set apart for the purpose "recreation, caravan park and camping" and vested in the Shire of Augusta-Margaret River. The shire considers that the entire reserve should be retained solely for recreation purposes and the Department of Lands and Surveys supports the proposal, bearing in mind that a caravan park and camping facilities have been established several kilometres north-east of the town. It is proposed therefore that the purpose of Class "A" Reserve No. 27618 be changed to "recreation" to allow the shire to proceed with planning of the area.

As is desirable and in accordance with usual procedure, the Leader of the Opposition in the House has been provided with copies of relevant notes and plans applicable to each variation.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. J. M. Brown.

## COMPANY TAKE-OVERS AMENDMENT BILL

### Second Reading

Debate resumed from 6 November.

**THE HON. H. W. OLNEY** (South Metropolitan) [5.24 p.m.]: The Bill before the House has one object; that is, to remove a sunset clause in the parent Act which, if not removed, would have the effect of terminating the Act on 31 December 1980.

In his second reading speech the Attorney General explained the need to continue the parent Act pending the completion of the national scheme of company legislation. The Opposition accepts his assurance that this is the purpose of the amendment, which does appear to be obvious,

and accepts his assurance that the Government is proceeding with the national companies legislation as expeditiously as possible and, therefore, raises no objection to the amendment.

Question put and passed.

Bill read a second time.

### *In Committee*

The Deputy Chairman of Committees (the Hon. R. J. L. Williams) in the Chair; the Hon. I. G. Medcalf (Attorney General) in charge of the Bill.

Clause 1: Short title and citation—

The Hon. PETER DOWDING: Has the Attorney General communicated the terms of the Bill to the Law Society and has he received any submission from it in relation to the Bill?

The Hon. I. G. MEDCALF: No. I did not consider it necessary, because the amendment is simply an extension made necessary by reason of our inability to pass the major legislation. This is purely a holding action and I have not received a submission from the Law Society; that is, so many things come into my office that all I can say is I do not recall receiving a submission.

Clause put and passed.

Clauses 2 to 4 put and passed.

Title put and passed.

### *Report*

Bill reported, without amendment, and the report adopted.

### *Third Reading*

Bill read a third time, on motion by the Hon. I. G. Medcalf (Attorney General), and transmitted to the Assembly.

## **RURAL INDUSTRIES ASSISTANCE AMENDMENT BILL**

### *Second Reading*

Debate resumed from 5 November.

**THE HON. NEIL McNEILL** (Lower West) [5.29 p.m.]: I want to make a few observations about this Bill and perhaps to elaborate a little more in view of the debate which has already taken place in relation to it, and to draw attention to what I believe arises from that discussion.

First of all, I believe the debate on this Bill really has been a debate about the originating legislation, which is the Country Areas Water Supplies Act which gave the Government at the time the power to include and expand the water

catchment area and place a moratorium on clearing.

That has been the subject of the debate on this Bill. Perhaps that is understandable because this Bill deals with the powers of the Rural Adjustment Authority. As it was originally envisaged, that body was charged with the responsibility of handling financial arrangements for, particularly, the farming people concerned.

As a consequence of the farmers' losing their land due to the moratorium and in line with the compensatory measures required because of the initial legislation, the power of the authority needs to be clarified. Inasmuch as it has been determined, the original definition of the ability to give financial assistance has been found to be rather too limiting in its scope and hence we have the Bill before us. To that extent I am in full support of the Bill because I believe it is necessary to enable the authority to take whatever action seems necessary in order to compensate farmers adequately, or whatever may be the process, for loss in regard to this highly controversial land. The situation needs to be stabilised, not only because of the reforestation and the need for a control of salinity, but also because of the need to restore stability for the farmers who were so grossly affected as a consequence of the Country Areas Water Supply Act which was amended in 1978.

I will make the observation which I believe I ought to make because of the debate which has ensued in respect of the Bill before us. I think it may be true to say that it has been a rather more detailed and more lengthy debate than that which occurred at the time when the Country Areas Water Supply Act Amendment Bill was introduced into this Parliament. I believe that much of what has been said during this debate relates to hindsight and could to a large extent have been said previously. I want to remind members that when the Country Areas Water Supply Act Amendment Bill was introduced into another place in 1978 only two people spoke to it—the Minister when he introduced the Bill and the member for Warren upon resumption of the second reading debate. Of course, the Minister replied to the comments made during the second reading, but no discussion whatsoever took place in relation to any of the matters contained in that Bill when it passed through the Committee stage. The Bill came to this House; was introduced by the Minister for Water Supplies; was spoken to briefly by a member of the Opposition (the Hon. Bob Hetherington) who in a matter of a couple of paragraphs expressed support for it and wished it a speedy passage through the Parliament; was

spoken to at much greater length by the Hon. John Tozer; and was spoken to with particularity by the Hon. Win Piesse and me. That was the only debate which occurred.

It would be true to say that none of the matters which later became so controversial were elaborated at the time of the Bill's passage through this Parliament. I can only assume that a considerable lack of awareness existed on the part of a great many people as to what the real impact of that legislation would be. Therefore in view of the remarks made by the Hon. Graham MacKinnon during the debate on the Bill presently before us, let me remind the House of what he, as the then Minister for Water Supplies, said when he introduced the Country Areas Water Supply Act Amendment Bill. He is reported in *Hansard* on 25 October 1978, Volume 221 of 1978 as follows—

This Bill proposes a number of significant amendments to the Act. It extends the control of clearing to include the Mundaring Weir and Denmark River catchment areas, and the water reserves of the Kent and Warren Rivers.

The Western Australian Water Resources Council put forward the view to the Government that these catchments are vulnerable and must be protected as far as practicable from increasing salinity, which research has shown is accelerated when large areas of land are cleared.

Members will note that the Bill includes a provision that grants authority for additional catchments or water reserves to be added in the future, although there are no areas under consideration at present. This section could enable preventative action to be taken as a matter of urgency, should the necessity arise.

Another clause provides that any additions to the schedule are subject to scrutiny by Parliament as though they were a regulation.

That is the sum total of the description given at that time.

I know a great deal of water has passed under the bridge since then. Sir, you would be aware of the great many public meetings held throughout the countryside in regard to these matters. The other day the Hon. Graham MacKinnon made reference to the controversy that has occurred when he referred to the Hon. Tom Knight's saying he was hoodwinked. It may be that the Hon. Tom Knight used such an expression, but let me say that, when the debate on the Country Areas Water Supply Act Amendment Bill took place in this House, the Hon. Tom Knight was

not present—he was overseas. That is another reason for my giving the quotation. I am not sure of the purpose of the Hon. Graham MacKinnon's remarks, or the significance of his comment when he said that this matter arose—I hope I have not misunderstood him—as a consequence of a meeting of members of the Liberal Party. I recall what was said by the Hon. Graham MacKinnon at that time, and my clear view is that the action was to be taken as a consequence of the recommendation put forward by the Western Australian Water Resources Council.

A little more may be involved in my making that comment, but it was necessary to do so to draw attention to the fact that very little information was given to the Parliament when it debated the Bill to which I have referred. Certainly, recognition failed to be given to the consequences of the then proposed amendments. Certainly the member for Warren (Mr H. D. Evans) saw some significance in the proposals, but he was the only person in another place who did.

In this House the Hon. Win Piesse took particular note of what she thought may have been some of the implications. I suppose the only other person to draw attention to these matters was me, but because the then proposed legislation did not affect my electorate I restricted my remarks to a reminder to members of this House that the Minister had said matters of real significance were included in the then proposed legislation.

I asked members to take particular note of the legislation because I thought the matters of real significance would have far-reaching consequences. I must admit that I was unaware—I have remained unaware—of the eventual total effect.

The Hon. G. C. MacKinnon: In view of what had occurred over the two previous years I thought that what was anticipated would have been fairly clear.

The Hon. NEIL McNEILL: The Hon. Graham MacKinnon may say now that he believed he was fully aware of the consequences, but I am of the view that if he were of that mind at the time he introduced the Country Areas Water Supply Act Amendment Bill he would have devoted a little more attention to explaining the then proposed legislation.

The Hon. G. C. MacKinnon: I brought in that legislation when I took over the portfolio and on the heels of assuming the job of Mr O'Connor. All the work had been completed.

The Hon. NEIL McNEILL: I accept the Hon. Graham MacKinnon's comment. All I am doing now, which is perhaps the same as other members have done, is making observations after my examination of the Country Areas Water Supply Act Amendment Bill. I am doing this with hindsight, as a consequence of the occurrences which flowed from that legislation.

The Hon. G. C. MacKinnon: The legislation had to be put forward.

The Hon. NEIL McNEILL: My view is that the extent and the nature of the consequences which flowed from that were not anticipated.

The Hon. G. C. MacKinnon: I anticipated that it would be as difficult as it was, but I did expect support from one or two members.

The Hon. NEIL McNEILL: I will make another observation. The Hon. Graham MacKinnon may like to feel now that he expected more support from other members; that is for him to say. As he appreciates, I did not know the circumstances because the then proposed legislation did not affect my area. I have the thought in the back of my mind that because the explanations were not sufficient, no further probing was carried out and information was not forthcoming. Accepting that point we then brought in the Rural Adjustment Authority in order to administer those lands—the executive action having been taken by the Public Works Department—and it was then found that the authority did not have sufficient power to carry out the planned administration of the lands which came under its control. With the greatest respect to the Hon. Graham MacKinnon I would suggest that he should have anticipated the real consequences and the severity of the action we contemplated when debating the then proposed legislation. I am rather of the mind that the full implications of it were not thoroughly thought through. I do not blame him necessarily—

The Hon. G. C. MacKinnon: I thought Crown Law would have done all the checking.

The Hon. NEIL McNEILL: I am raising this matter because of the necessity to bring in the proposed amendments presently before us. If the matter had been completely thought through—certainly, a tremendous furore has been created particularly in the south-west—and all the implications had been fully worked out, there would not be a necessity for the Bill before us; all the matters could have been taken care of. I think it is now a matter of battling against sorry history; it is an unfortunate situation. Probably with hindsight I can say that it is a pity the situation occurred.

The Hon. G. C. MacKinnon: Is it a pity the original Act was brought forward?

The Hon. NEIL McNEILL: I do not think it was a pity the original Act was brought forward. I think insufficient preliminary investigation was carried out and therefore insufficient understanding was brought about in the minds of not only members of Parliament, but also, more importantly, the farming people who really bore the full onslaught of the implications which came about like a bolt out of the blue or a clap of thunder, whatever the expression may be. It is necessary to say that at the time the Country Areas Water Supply Act Amendment Bill and another one were introduced into the Parliament, it was understood that a lot of the land was used for agricultural purposes. Some of it was unalienated, and a considerable amount of it was Crown land or dedicated State forest. With due respect to the draftsman of the then proposed legislation, I say with hindsight that the description of the land may have clouded the issue. In other words, it appeared that the impact of the greatest significance was on Crown land or unalienated land and the impact of a lesser significance was on farming land.

I do not know whether that is truly the situation. It may well have been the understanding gained by some people at that time. Really I am not aware of any great controversy concerning the Crown land or the State forests. As far as I am aware, all the trouble has to do with farming land.

The Hon. G. C. MacKinnon: Do you remember how long the Bill was before Parliament for members to look at?

The Hon. NEIL McNEILL: The information is in *Hansard*.

The Hon. G. C. MacKinnon: It was about six weeks, for anyone who was interested enough to look at it.

The Hon. NEIL McNEILL: I think that is granted. It was introduced in another place and, in fact, completed its passage on Wednesday, 25 October. It then came to this House on the same day. It proceeded from one place to another, very quickly. It may have been before Parliament for a period of six weeks.

I am not saying members should not have made inquiries to a greater extent than they did. All I am saying is that perhaps this is a lesson we have learned. In fact, we may not have been placed in the situation in which some members have found themselves since as a consequence of this sort of thing happening. I do not say the legislation was bad; not at all.

To come back to the question whether I think it was a pity the original Bill was introduced, my reply is "No", it was not a pity because we had to have it at some time. Obviously, there had to be control of the salinity problem. I do not have the answers. Certainly, I have some views, but, the action had to be taken. That action followed as a consequence of the Bill introduced in 1978 and, in fact, there was all too little awareness of what would happen as a consequence.

I repeat: This Bill may be further evidence that the whole matter was not thought through, perhaps, as completely and totally as it could have been—bearing in mind all the consequences of which we are now more fully aware.

**THE HON. D. J. WORDSWORTH** (South—Minister for Lands) [5.47 p.m.]: I thank members for their support of this legislation. I will endeavour to answer the various questions which have been raised.

The Hon. J. M. Brown asked whether the farmers affected by clearing bans would be treated in a manner similar to that of the farmers who applied for rural assistance in other areas, and whether priorities would be given to those fortunate enough to have Crown land. I believe the honourable member has mixed two matters. They are treated separately. The application of vacant Crown land in adjacent water catchment areas can be taken to satisfy the compensation requirements of various farmers. The other, of course is funding through the Rural Adjustment Authority. That funding will not necessarily be spent on any vacant Crown land allocated.

The Rural Adjustment Authority is to have a major task in this area in the future, as is appreciated. The Public Works Department, and the Minister, took a great deal of the brunt in the early days, and I sympathise with both. The Public Works Department was placed into an environment with which it was not familiar, in having to deal with farmers and compensation.

The Hon. Neil McNeill: They should have been very familiar with farmers.

**The Hon. D. J. WORDSWORTH**: I think, perhaps, the Department of Agriculture was in a better position to do these things. It has been said the Public Works Department has not had much to do with farmers in this direction. As I have said, I think the Minister certainly had to take a great deal of the brunt in the early days, and it has taken until now to reach the stage where it will be easier to organise.

The Rural Adjustment Authority has been operating for many years, and handling this sort of problem for some time. It was set up with

special money provided by the Federal Government in times when we had a rural recession in this State, and throughout the whole of Australia. The authority was set up to administer such matters as farm amalgamation, and the wiping off of the cost of surplus buildings when amalgamations took place. The authority has operated very successfully. It is hoped the Rural Adjustment Authority will show the same skills in the water catchment areas.

As the Hon. Neil McNeill has said, it was hoped that additional legislation would not be required. However, it has been proved to be necessary, and that is the reason we have the legislation before us.

The authority will now administer the compensation fund previously administered by the Public Works Department. The authority also will act as co-ordinator in the various procedures involved in reaching agreement with the farmers. That will include not only land exchanges on adjacent catchment areas, but, of course, also the land which already has been bought by the Public Works Department, the cleared portions of which will be available for use in negotiations. I have also mentioned that the authority will have the ability to finance.

The Hon. J. M. Brown also asked whether the authority would continue to operate as it has done in the past. The task of the Rural Adjustment Authority has not been as great over the last year as the prospects for farming have now improved. While it has had the added responsibility of handling drought loans, its main duty involving farm amalgamation has decreased with more viable rural prices. The authority is also about to take on a new problem in pastoral areas in the amalgamation of some of the very small leases. In answer to the question: Yes, the authority has other duties and will carry on in the same manner as it has in the past. This will be an extra responsibility, shall we say.

The Hon. A. A. Lewis mentioned vacant Crown land set apart adjacent to water catchment areas and said that the farmers in those adjacent unaffected catchment areas had an expectancy of use of that land. He hoped that some land would be available for those farmers. I, myself, hope that the Rural Adjustment Authority will use with diligence vacant Crown land for exchange. Obviously, where this vacant Crown land is adjoining water catchment areas some of this land can be utilised by the farmers so affected. I hope we will not see the authority granting vacant Crown land to farmers in affected water catchment areas who are not reasonably close. That will cause additional problems. Certainly, I



would like the land used to satisfy some of the needs of those who are farming within the water catchment areas. Obviously, the vacant Crown land at this time cannot be granted to those who are unaffected by bans.

I will now comment on the matter of vacant Crown land and the allocation of conditional purchase blocks. As members are aware, the Government has announced a policy of making available up to 50 blocks under conditional purchase leases. I should say that no priorities in the allocation of these blocks is to be made to those who have been affected by the clearing bans. Those people who decide they want to get out of the water catchment areas, and who have sold their farms to the Government, have to stand on their own feet at the land board hearings. It must be remembered that most of the conditional purchase blocks will be hundreds of kilometres away from the clearing ban areas, and will not be suitable for the same type of agriculture.

It was also asked what part the Valuer General will play in this matter. He will be used in an advisory capacity as necessary. I think the Hon. A. A. Lewis already has outlined the procedures, and has pointed out that the Valuer General is the most appropriate body to assess the value of land exchanges which will take place. The Rural Adjustment Authority will use the technique of reconstruction which it has used in the past for amalgamation. Land exchanged, land purchased, and subdivisions will be taken into account, to satisfy the individual's required options, in seeking a solution.

The Public Works Department will be used in an advisory capacity as is necessary. It will still have the role of issuing or refusing to issue clearing permits.

The Hon. G. C. MacKinnon referred—perhaps by accident—to the Rural and Industries Bank when perhaps he should have referred to the Rural Adjustment Authority. They are two completely different bodies, but they have in common one person. Under the provisions of the Rural Adjustment Authority Act, one of the four members of the authority is required to be a Commissioner of the Rural and Industries Bank, or a member of the staff.

The Hon. A. A. Lewis suggested that a special survey should be made of the affected farmers in the various water catchment areas in order to get a better appreciation of what they hoped they could clear. I wonder whether that is not being a little difficult as it is now some time since the restrictions were placed on the land. In fact, one could almost say it is rather "teasing the cat".

The Hon. A. A. Lewis: That is not quite what I said; your notes are a little wrong. I said a survey should be carried out to get the total position of what the aims of the farmers were, and what the situation will be so that any authority which intends to do something will have an overall picture.

The Hon. D. J. WORDSWORTH: That, perhaps, is a better explanation of what the honourable member was getting at. I think ample information has been gained from one extensive survey carried out by the Department of Agriculture—door to door—in an effort to get a better assessment of the total scene. I do not know that we should go back at this stage to try to assess the beliefs of the farmers.

The Hon. A. A. Lewis: Area "A" in one catchment has been done reasonably thoroughly. Even that, to my mind, is not sufficient. I am trying to say the whole of the catchment needs to be covered, instead of one area.

The Hon. D. J. WORDSWORTH: I will draw to the attention of the Minister the remarks of the honourable member. One thing that must be remembered in this regard is that it would be very difficult to say what clearing would have been taking place in the future.

I happen to live in an area where a great deal of clearing is occurring; and whether clearing can be carried out depends very much on the economic condition of the particular area, the state of the particular industry, and the financial position of the farmers involved. While many people might say they would have cleared a great deal more land had they been able to, in fact such capital expenditure is very much dependent on income or bank loans which they may have received in the years since clearing bans were introduced.

The Hon. G. C. MacKinnon: Has your area got a salinity problem?

The Hon. D. J. WORDSWORTH: Yes, it has.

The Hon. A. A. Lewis: Do you know which of the areas create the greatest salinity problems, or are you just going ahead and clearing?

The Hon. D. J. WORDSWORTH: I think the members are trying to change the subject. I am quite happy to come back to that matter, but it has nothing to do with the question raised by Mr Lewis, which I am endeavouring to answer. I was interested to hear that the Hon. Win Piesse did not agree with Mr Lewis on this matter.

The Hon. A. A. Lewis: That is nothing unusual. She didn't agree with me on agroforestry when I first raised it.

*Sitting suspended from 6.01 to 7.30 p.m.*

The Hon. D. J. WORDSWORTH: I have covered the various requests from members for information on the Bill. There was a variety of questions relating to water catchment areas and the effect on them. The Hon. Neil McNeill pointed out that that debate covered a wide field. As legislation relating to the water catchment areas will be before us soon, and we are dealing now with the Rural Adjustment Authority and its duties, I will not cover those points. I will leave any queries on that to the next Bill, or to the Committee stage.

I thank members 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.

## INDUSTRIAL TRAINING AMENDMENT BILL

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by the Hon. G. E. Masters (Minister for Fisheries and Wildlife), read a first time.

### *Second Reading*

**THE HON. G. E. MASTERS** (West—Minister for Fisheries and Wildlife) [7.35 p.m.]: I move—

That the Bill be now read a second time.

The Industrial Training Act 1975 has been in force since February 1978, and in that time some deficiencies have been found in its operation. In addition, in the annual report of the Chief Industrial Commissioner for the year ended 30 June 1979, it was reported—

The commission questions whether it needs now to be the arbiter of applications brought before it under the Industrial Training Act, 1975, and repeats its views published in the report for the year July 1, 1974, to June 30, 1975, wherein it said—

That Act (the then proposed Industrial Training Act) and the new body it will constitute and which so far as the commission is concerned is the sole province of the parties to the system, could well contemplate the creation of an apprenticeship administration, which within itself is a

complete unit not subject to the physical fragmentation of the existing administration.

Within the passage of nearly 18 months since the Industrial Training Act became operative with its proclamation on the sixth day of February, 1978, the administrative processes seem to have been established and function to the point where all apprenticeship matters can be accommodated including these now residing with the commission.

The commission also suggests that the division of industrial training be given the authority to refuse applications for persons to be registered as apprentices.

The right to object to the employment of a person as an apprentice presently by virtue of regulation 7 of the regulations lies only with a registered union of workers or employers.

Experience shows that such rights are rarely exercised, yet the commission has become aware during other proceedings of inadequacies in training potential of both employers and apprentices well into an apprenticeship term.

The amendments contained in this Bill relate to apprentices and other persons undertaking industrial training. They have been considered, and in some cases instigated, by the Industrial Training Advisory Council, which consists of employer, trade union, and Government representatives.

Apart from those matters already mentioned, other provisions of the Act which will be administered by the division of industrial training relate to the hearing and determination of differences between the parties to the agreement. In some cases, a right of appeal against decisions of the director to a single industrial commissioner will be available. Also, power will be given to the director to delegate any of his powers or duties under the Act. This is considered necessary in order to overcome the increased volume of work which the amendments will generate within the division.

It sometimes transpires that when an employer has a shortage of work or is in financial difficulties, he may be able to employ an apprentice on a reduced time basis—for example, three days per week—rather than have the agreement suspended or cancelled. This alternative will ensure some continuity of the apprentice's training.

Experience has shown that some employers are unable to train an apprentice properly. This may be because of insufficient facilities or lack of

tradesmen, or because the employer may have a bad record in training apprentices. Therefore, provision is to be made for the director to have the power to approve or refuse such employers the right to employ an apprentice. A right of appeal will exist against the director's decision.

The existing practice and procedure prescribed in the regulations permit an extension of the three months' probationary period to six months. However, section 29 of the Act prescribes only a three-month probation period with no extension. An amendment to section 29 is proposed to validate what actually happens in practice.

Also amendments are proposed to overcome the problem whereby some employers continue to employ persons on probation well in excess of the probationary period, but neglect to enter into an agreement. In such cases, the parties will be deemed to have entered into an agreement and to be bound by it.

Technical college training is an integral part of an apprentice's training. The Act as it presently stands requires an apprentice to undertake classes in the trade in which he is being trained. However, there is no obligation on the employer to permit the apprentice to attend such classes.

A further anomaly also exists in that country apprentices, who are required in many cases to undertake correspondence lessons, are not permitted the equivalent time to complete lessons as those apprentices who attend technical colleges during normal working hours. Proposed amendments will overcome such anomalies.

Problems also exist with regard to apprentices who absent themselves without authority from technical training classes or fail to complete correspondence lessons. As already mentioned, the Act requires apprentices to attend classes or submit correspondence lessons. However, there is no penalty for failure to do so other than to repeat the stage of training, or extension or cancellation of the agreement. In many cases, this would be too harsh a penalty. It is therefore proposed that the director be empowered to impose a maximum penalty of \$20 where an apprentice fails to attend classes or to submit correspondence lessons.

At present, the Act or regulations confer power for cancellation or suspension of the agreement on account of misconduct, shortage of work, financial difficulty of the employer, or unsatisfactory progress or abandonment of trade by the apprentice. However, disputes have arisen between the parties which did not fall within any of the abovementioned categories and were not able to be resolved quickly. To overcome this difficulty, the director is to be given the authority

to cancel or suspend the agreement where special circumstances exist. The director will also have the power to authorise the transfer of an apprentice from one employer to another as a result of the handing over of functions previously carried out by the commission.

Section 40 of the Act is deficient in that it prescribes a penalty only for a person who commits an offence. Section 39, however, is the only section which has an offence-creating provision, and this is confined to matters dealt with in that section. It is proposed, therefore, to amend section 40 by including a general offence-creating provision in respect of contravention of other provisions in the Act.

Conferences conducted by the director have had considerable success in resolving problems. It is considered this success is measurably due to the informality of the proceedings where the parties are able to discuss their problems frankly. It is considered that if the parties resort to the engagement of legal practitioners to represent them, the success rate of such conferences could be affected. Therefore, legal practitioners will be excluded from conferences or hearings unless a question of law is involved or all parties consent to the appearance of counsel.

In the majority of cases where an agreement has been suspended, the apprentice will be placed with another employer with a view to continuing his training and eventual transfer. The wording of section 37 of the Act as it presently stands means that service for the purpose of apprenticeship cannot be counted until such time as the transfer is effected and suspension lifted. It is considered that this is an unreasonable provision. The section is to be amended to provide more flexibility in regard to suspensions and to regularise practices which presently are in operation.

Other amendments relate in the main to procedural matters and to widening of regulation-making powers. Two important matters in the latter category are—

to require probationary apprentices entering certain trades, such as electrical installing, to supply medical proof that they are not suffering from a colour blindness deficiency—this is seen as necessary to safeguard the interests of the community and the apprentice; and

to prescribe the maximum number of apprentices to be employed in proportion to the number of tradesmen employed—this is to ensure that a satisfactory standard of training is maintained.

It is emphasised that the whole tenor of this Bill is to improve the system of apprenticeship training.

For the information of the House, I wish to advise that I will be taking certain action resulting in amendments to the Bill during the Committee stage in accordance with notice given by the Minister for Labour and Industry in another place. I will seek the deletion of clauses 6 and 12 (3). I will provide greater detail at the appropriate time and in the meantime, I commend the Bill to the House.

Debate adjourned, on motion by the Hon. F. E. McKenzie.

### **COUNTRY AREAS WATER SUPPLY AMENDMENT BILL**

#### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by the Hon. G. E. Masters (Minister for Fisheries and Wildlife), read a first time.

#### *Second Reading*

**THE HON. G. E. MASTERS** (West—Minister for Fisheries and Wildlife) [7.45 p.m.]: I move—

That the Bill be now read a second time.

The amendments contained in this Bill relate to the need to improve the statutory provisions of the principal Act relating to the administration of clearing controls.

The 1976 amendment to the Country Areas Water Supply Act to impose clearing controls on Wellington Dam catchment was the first attempt in Australia to introduce statutory controls of this type. That amendment was quite well received and, generally, those affected observed its requirements in the spirit in which it was intended.

Following advice from the Western Australian Water Resources Council that further fresh water catchments were vulnerable and in need of protection as far as practicable from increasing salinity, a further amendment was introduced in 1978 to expand the area affected by the 1976 clearing controls to include the Mundaring Weir and Denmark River catchment areas, and the water reserves of the Kent and Warren Rivers.

The 1978 amendment was the subject of considerable controversy with farmers in the lower south-west and lower great southern districts.

As a result, the Act has been submitted to very close scrutiny, both by the farming community and by those areas of Government associated with its administration.

While the Government believes there is no requirement to change the basic philosophy of the clearing controls, it has been considered necessary to redraft some of the provisions which are critical to their effective management.

The purpose of this Bill, then, is to clarify certain provisions of the principal Act to ensure the proper and fair management of the controls. It does not seek to extend the area of the existing controls in any way.

Firstly, the Bill proposes to provide powers for the Minister to exchange, lease, or sell land acquired as part of the catchment clearing control activities. The present Act, as amended, regarding the clearing controls does empower the Minister to acquire—by negotiated purchase or resumption—the land, but Crown Law's advice is that it does not empower him to dispose of the so acquired land.

That places the Minister, and indeed the public, in the impossible position that the Minister accumulates land without being able to put it to further good use. Such use could include reforestation by the Forests Department or, more importantly, to consolidate and put to viable use by farmers the already cleared parts of the land by exchange or other allocation in kind by the Rural Adjustment Authority.

These desirable aims can be achieved only if the Minister is able to dispose of the acquired land to, for example, the Rural Adjustment Authority or the Forests Department. The ability of the Minister to deal in such a manner with land acquired by negotiated agreement as part of the compensation procedures is essential if the planned involvement of the Rural Adjustment Authority is to be successful.

Secondly, the Bill contains amendments to ensure that clearing conditions and obligations are transferred to future owners. The uncertainty which currently exists regarding the transfer to future owners of the clearing conditions which have been approved for a property and for which, in some cases, compensation has been paid, is undesirable both from the point of view of the original and subsequent owners and that of the Government agency or department charged with the administration of the controls.

The Bill also contains an amendment to authorise approved officers to enter onto properties to carry out work or inspections associated with land clearing controls.

The principal Act provides power to enter a property, after giving notice, in order to carry out work associated with the investigation, construction, and maintenance of an authorised

water scheme. No provision was included in the 1976 or 1978 amendments for right of entry in respect of activities associated with clearing controls.

It is emphasised, however, that entry onto property can be undertaken only after notice has been given and either the occupier consents or, if he does not, a warrant is taken out.

Another area which experience has shown requires amendment concerns the provisions relating to compensation. It is intended that a claim for compensation now will be accepted up to 12 months after a licence has been refused. Assessment of the claim will be based on values at the date of lodgment.

Provision has been made also for the payment of interest on outstanding compensation payments from the date the claim is received until it is discharged.

The Bill seeks also to modify the position in regard to adjudication on compensation claims and model these on the provisions of the Public Works Act which are well understood by the many individuals and agencies involved in this area.

The Bill contains amendments to strengthen the powers dealing with the restoration following conviction of an offence against the clearing control provisions. The main purpose of the earlier amendments relating to the control of clearing in salinity-prone catchment areas was to preserve the quality of the scarce fresh water resources of the State.

At present, the Act provides a maximum penalty of \$1 000 for unlicensed clearing and, in addition, gives a magistrate unqualified discretionary power to order the reforestation of the area. Reforestation is essential, if damage to the water resources is to be avoided and, also, to prevent landowners from gaining an advantage from an illegal action.

Therefore, unless in the view of the court there are special circumstances, the court shall order restoration of the area cleared without a licence or an equivalent area of land in the same ownership.

The Bill contains new provisions which cover default under a restoration order, particularly if the offender is not the owner of the land. Because the restoration must attach to the land, it has been necessary to place the obligations for restoration with the owner.

However, such an owner has the power to recover expenses against the offender should this be necessary. As a warning to future purchasers

of land which is subject to a restoration order, the amendments include powers for the Minister to lodge memorials with the Registrar of Titles.

Amendments have been included to provide authority to obtain a Supreme Court injunction in certain circumstances. Further, amendments seek to provide authority for property which has been acquired as part of the clearing control activities and which is later disposed of, to be subject to restrictive covenants as to future development and use of the land without compensation, such covenants to be made binding on subsequent purchasers.

It is considered desirable also to include provision for penalties for persons who make false or misleading statements of importance, in connection with an application or appeal relating to a licence to clear under the Act.

Other amendments included in this Bill relate to the removal of the current restrictions which necessitate obtaining a licence for minor essential clearing, such as the removal of poison bush; to the rephrasing of the sections dealing with the obligation to reject an application for a clearing licence when 90 per cent of the holding is already cleared; to the provision of authority to approve of part of an application to clear; and, finally, to the clarification of the provisions dealing with appeals to take into account the effect of other amendments within this Bill.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. J. M. Brown.

## TRANSPORT AMENDMENT BILL

### *Second Reading*

Debate resumed from 4 November.

**THE HON. F. E. MCKENZIE** (East Metropolitan) [7.53 p.m.]: The Opposition does not intend to oppose the Bill, because it is aimed mainly at making machinery changes which will alter the responsibility of the Director General of Transport. The machinery changes in the Bill concern other related matters also.

However, whilst supporting the Bill, I want to comment on the role of Westrail. Although we support the Bill, we certainly do not support the Government's land freight transport policy which has necessitated the changes to the Act.

In dealing with the provisions in the Bill, it is noted the functions which were previously the responsibility of the Director General of Transport will be given to the Commissioner of Transport. Those functions include the

construction or closure of lines, and we have no objection to that.

A provision in the Bill relates also to commercial goods licence applications. Previously the period for the submission of an application was restricted to seven days. This created problems for certain people in the community who endeavoured to obtain a licence. The Bill provides for that period to be increased to 14 days. We do not oppose that measure; in fact, we believe it is desirable and we support it.

Another provision of the Bill relates to the clarification required in respect of petroleum products used for a number of activities which are not related to the utilisation of roads. We agree that matter needs clarification and we do not argue with it.

The Bill refers to aviation gasoline, solvents, special boiling point spirits, liquefied petroleum gas, and, of course, any other items which the Government may, by regulation, from time to time prescribe.

Similarly, we have no objection to the increase in penalties. We must keep up to date with inflation and, bearing in mind the last date on which some of the penalties were increased was 1970, it can be seen it is time for them to be looked at again. Therefore, we do not believe the increases in penalties are unreasonable and we agree with the comments made by the Minister in his second reading speech on the Bill in relation to this matter.

We support the changes made in respect of warrants. Transport inspectors have a difficult job. If they are to police the provisions of the Act—provisions which we support—they have to be given the protection necessary so that people who are acting illegally may be apprehended.

In essence, I have covered the changes proposed in this Bill and we have no objection to them. However, in his second reading speech the Minister referred to the Government's policy in regard to land freight transport and he had this to say—

The first stage of the policy came into operation on 14 April this year; and, whilst public response is very encouraging, it has become apparent that the legislative changes proposed in this Bill are essential to the attainment of the long-term objectives of the policy.

It is not the view of the Opposition that the first stage of the policy has operated satisfactorily. I bring to the notice of members opposite the problems which have been experienced in relation to farmers. Perhaps, to some extent, the problems

have been alleviated as a result of recent discussions, but it should be remembered we have dealt with only the first stage of the policy so far and there has been a good deal of opposition to it already from the farming community. This has occurred in the first six months of the implementation of the policy and, in the opinion of the Opposition, worse is to come. As the Government's deregulation policy takes effect, more and more dissatisfaction on the part of the public will become evident.

I should like to refer to Westrail's annual report for 1980 in which the Commissioner of Railways had this to say—

The result was a deficit for the year of \$28.03 million, an increase of \$3.89 million over the previous year. The principal reasons for the increased loss are not difficult to find—fuel costs for the year rose by 100 per cent and labour rates by an average of 13 per cent, but there were no compensating increases in general freight charges, which remained at July 1978 levels.

It is misleading for the commissioner to say the \$3.89 million increase in losses over the previous year was attributable to fuel costs and labour rates. It well may be that a substantial portion of it was due to increased fuel costs; but if one examines the report in detail and if one looks at previous reports, one will see in 1978 the component of operating expenditure attributable to labour charges was 56.8 per cent.

In 1979 that component of 100 per cent was reduced to 55 per cent and if we refer to the annual report this year we will note that the amount has been reduced to 53.1 per cent. Whilst it may be correct to say that labour costs have increased by 13 per cent, the total labour cost has in fact fallen by more than 3 per cent since 1978.

The Hon. H. W. Gayfer: If you look at the other side of the ledger you will note what has helped that percentage along. It was not only an increase in throughput but also an increase in freights.

The Hon. F. E. McKENZIE: I am referring to operating expenditure, not the revenue side.

When referring to the planning factors it is very difficult to work out the separate items because fuel costs this year and last year were shown under the materials and supplies section.

The major component has been very much the same as we find in this year's Westrail report.

The Hon. D. J. Wordsworth: I think it said fuel was 2 per cent.

The Hon. F. E. McKENZIE: I think it is 5 per cent. The figure for fuel appeared for the first time this year under operating expenditure and the commissioner stated that it had gone up by 100 per cent. Fuel oil makes up 5.3 per cent of that total.

I will now refer to the figure of \$3.8 million and try to ascertain where the additional cost has been incurred. This figure also is broken out in the report. Of the \$3 892 336, \$2 593 631 was in fact an increase in interest over the year 1979-80. So, of the \$3.89 million that amount was the increase in interest. Interest has increased from \$16 million to \$19 million in round figures. All these items amounted to \$1 298 705. So, interest is more than double all the other components placed together. It is quite misleading to attribute the increased loss to labour rates. There is very little mention in the report about additional interest and the fact that of the \$3.89 million, \$2.59 million has been an increase in interest.

Westrail has published a document which shows Westrail's highlights of the year. Those highlights were—

- Best ever output per employee.
- Record freight tonnage moved.
- More tonne kilometres for each dollar expenditure.
- Increase in freight charges less than CPI.
- General rates and fares held at 1978 level.

It is very impressive to have such a publication with those details and it is probably good business to do so. However, we must look further into the matter. It has become a best-ever output through the hauling of more iron ore and bauxite. Of course there has been an improvement, but what has happened is that other sections of Westrail will be hived off to provide road operators with the level of incentive they require in their areas. Westrail is certainly doing an excellent job, but its output has increased because it is hauling more bauxite and more iron ore as well as more grain if it is available.

I have a great deal of sympathy for the people in the rural areas and, contrary to what Westrail officers tell me, I believe the farmers are being hit with higher freight rates than they ought to be. The wheat and grain freights must be utilised to build up train hauls generally. Grain haulage must be used to build up the full loads. This cannot occur with the unit trains which are used for the iron ore and bauxite haulage because they travel only from point to point.

Grain is certainly a great money spinner for Westrail. The grain freight rates ought to be cheaper. We ought to establish a principle of

knowing what the iron ore and bauxite companies are charged. There will be a Bill before this House shortly which will be aimed at taking away the necessity for Westrail to advertise what it charges. There is no way one can find out what charges are made to companies sending bauxite or iron ore by rail.

The Hon. D. J. Wordsworth: If you were Minister in charge of railways would you announce it?

The Hon. F. E. McKENZIE: I cannot answer that question off the cuff, but maybe I would not announce it. Westrail has been a sitting duck so far as the private road operators are concerned. Legislation is required so that charges are gazetted and so that when people look at the freight rates they will know the costs. People already know the position for general freight. If it has been good enough to do that in the public interest then why could we not have the opportunity to know the charge to the iron ore companies?

The Hon. D. J. Wordsworth: Not many people walk in off the street and want to move a million tonnes.

The Hon. F. E. McKENZIE: That is true, but we have always known the freight rates for grain.

The Hon. D. J. Wordsworth: That is because small quantities are carted.

The Hon. F. E. McKENZIE: What about the grain under contract with the Australian Wheat Board or CBH? What about that? Large quantities are carted in those instances and the price which is charged to the Australian Wheat Board is disclosed.

The Hon. D. J. Wordsworth: I do not know that it is necessary.

The Hon. H. W. Gayfer: The Australian Wheat Board, or individual growers?

The Hon. F. E. McKENZIE: Evidently the individual grower pays it.

The Hon. H. W. Gayfer: But it is charged directly to the individual growers.

The Hon. F. E. McKENZIE: We could extract more money especially when we look at the profit of the iron ore and bauxite companies. I think the market could bear more costs, even in competition with the private road operators.

The Minister would be aware of the situation with regard to the recommendations made in the SWATS report. It was stated that we are subsidising the truck operators in respect of the provision of roads. The average motorist is paying more than he ought to and the big road operators are getting off lightly.

The Hon. D. J. Wordsworth: We have seen a great deal of adjustment to that since the report.

The Hon. F. E. McKENZIE: But it has been the wrong way.

The Hon. D. J. Wordsworth: It has not.

The Hon. F. E. McKENZIE: I will quote those instances to the Minister in a few days' time after a certain Bill arrives in this place. I will also write to the Minister on that matter. I just wish to say that Westrail's additional loss this year is, in the main, attributable to increases in interest charges and is not attributable to labour costs. We hear the same old argument about increased costs being due to wages. I hope I have been able to show members that on this occasion that is not the case.

The Opposition supports the Bill because it implements mainly the policy of the Government. Whilst we support that policy we have no desire to be obstructionist with machinery clauses. Nothing has been changed except that the responsibility is being shifted from the Director General of Transport to the Commissioner of Transport. We see nothing wrong with that and we support the Bill.

**THE HON. D. J. WORDSWORTH** (South—Minister for Lands) [8.12 p.m.]: I thank members of the Opposition for their support of this legislation. I note that the Opposition's contribution was mainly in regard to the land transport policy to which it objects. However, I must admit that I did not entirely follow the arguments put forward.

The Hon. H. W. Gayfer: I followed a great deal of their argument. I was a little loath to get up and speak.

The Hon. D. J. WORDSWORTH: Perhaps it is a pity Mr Gayfer did not speak, but perhaps he will now.

The Hon. H. W. Gayfer: I have something to say, especially when the Minister is in charge of the Bill.

The Hon. D. J. WORDSWORTH: Mr McKenzie raised the matter of the farmers' unhappiness with the new transport philosophy. I think he was referring to the 200 kilometre increase. If there had been no change in policy the same increase would still have been necessary because there still would have been the need for further rises on all freight rates after a two-year lull. It would have been exactly the same today for the longer distances regardless of policy.

Negotiations have been carried out and incentive propositions have been put forward by

the Minister for Transport and these appear to have been accepted by the industry.

The Hon. H. W. Gayfer: Hardly negotiations. Propositions have been put forward.

The Hon. D. J. WORDSWORTH: They appear to be accepted by the industry. The matter of the labour costs increasing by 3 per cent of total expenditure was also raised.

The Hon. F. E. McKENZIE: A 13 per cent increase over the year and a reduction in the total operating cost over three years.

The Hon. D. J. WORDSWORTH: Mr McKenzie said the increase in interest was from \$16 million to \$19 million as shown in the annual report of the Commissioner of Railways.

Interest rates are adjustable in such circumstances. Unfortunately we have seen a sharp escalation in interest rates. The only mitigating feature is that when we repay loans we are paying them in dollars which are perhaps of lesser value than were those at the time the loan was taken out.

I thank members for their support of the legislation, and I commend it to the House.

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.

### **HOUSING BILL**

#### *Second Reading*

Debate resumed from 30 October.

**THE HON. F. E. McKENZIE** (East Metropolitan) [8.19 p.m.]: The Opposition supports the Bill. However, we believe some comments need to be made about it, and in particular, I draw the attention of members to our amendments on the notice paper. We hope that the Government will agree to them.

Whilst the Bill contains much good, we are not satisfied with some aspects of it. If our amendments are agreed to, the Bill will receive more broad approval from us than it will otherwise. As members realise, we have some reservations about certain provisions in the Bill,



but because of the good it contains, we have decided to support it.

Our amendments have been on the notice paper for some little time, and members should be fully aware of their intent. Therefore, I will deal with them during the Committee stage.

Looking at the legislation overall, we would like to take this opportunity to bring to the notice of members the situation in relation to the Government's responsibility in the area of housing. I would like to refer members to question 406 in the Legislative Assembly. This question related to allocations to the States under the Commonwealth-State Housing Agreement. The question was asked of the Honorary Minister Assisting the Minister for Housing, and it appears in *Hansard* of 20 August. Part (3) reads as follows—

Did the amount from 1975-76 and 1977-78 result from a five year agreement commencing in 1973-74 and prior to the election of the present Australian Government?

The reply to that was "Yes". The allocations referred to in 1975-76 and 1977-78 were made as a result of the Commonwealth-State Housing Agreement which was passed while the Whitlam Government was in power in Canberra.

Part (5) of the question asked—

Using the C.P.I. annual variations, what is the percentage reduction in real terms from June 1977-78 to 1980-81 respectively?

I ask members to bear in mind that 1977-78 was the last year in which that agreement initiated by a Federal Labor Government operated. The answer to that part was—

Australian weighted average—6  
Australian Capitals—45.90%  
Western Australia—Perth—44.88%

I would like members to note particularly that in Perth the reduction in real terms was 44.88 per cent. That highlights the real problem of the housing industry in this State. It is a colossal reduction at a time when State Housing Commission accommodation is being sought by more and more people who qualify for rental rebate from sheer economic necessity.

I have mentioned in the House before that last year, for the first time ever, the number of people qualifying for rebated rental in SHC accommodation exceeded 50 per cent—I think the exact figure was 51 per cent. The latest information I have received is that this figure is now nearly 70 per cent. I am not sure whether the figure is accurate, but certainly it continues to

escalate. This is creating problems for the SHC particularly at a time when more people than ever before are qualifying for rebated rentals and the funds available to the State have been reduced drastically by the Federal Liberal Government under Prime Minister Fraser.

Part (7) of the same question asked—

Is the Western Australian Government concerned with the reductions?

Of course the Minister's answer was "Yes", and well it ought to be. However, it is no good the Government simply saying it is concerned about the reduction. This Government has taken no positive steps to endeavour to extract more funds from Canberra. If this is how federalism works, I do not think it is a policy we ought to pursue. However, we all know that one of the architects of federalism was the Premier of this State, so I do not suppose he can bleat too loudly about its results.

It is absolutely disgraceful that Western Australia in real terms has suffered a reduction of 44.88 per cent in housing funds.

I draw this matter to the attention of members now, and during the Committee stage I will explain one of our amendments which proposes to have the Commonwealth-State Housing Agreements tabled in this Parliament as has been the case in the past. In this way we would know the sort of deal we are getting from Canberra. If the agreements are not tabled, it would be easy for the Government to gloss over the serious situation which the State is facing.

As I said, generally we support the Bill, but I wished to point out the reduction in loan fund allocations from the Commonwealth. These loan fund allocations are of great importance to our State, and they have been seriously depleted in recent years because of the policies of the Federal Liberal Government.

**THE HON. NEIL OLIVER** (West) [8.27 p.m.]: I am rather pleased to hear that the Opposition is not opposing the Bill except in relation to its amendments on the notice paper.

I would like to respond briefly to the comments of the Hon. Fred McKenzie in respect of Commonwealth-State Housing Agreement funds.

I do not have the figures with me, but the most disgraceful allocation of Commonwealth-State Housing Agreement funds by the Federal Government occurred during the period of the Tonkin Administration in this State. If the honourable member cares to examine the housing quarterly for that period he will find the State of Tasmania received double the amount received by

Western Australia. It was up to the State Government at that time to make its bid for allocation, and the Tonkin Government just did not satisfactorily make its bid.

The Hon. Lyla Elliott: The Tonkin Government built a record number of State houses.

The Hon. NEIL OLIVER: I am simply referring members to the records. If they like, I will get hold of these figures from the Parliamentary Library.

We have just heard again the old grind of the use of taxpayers' funds. In this day and age we must account for the manner in which we spend taxpayers' money.

The Hon. F. E. McKenzie: Don't you think taxpayers' funds should be returned to the State?

The Hon. NEIL OLIVER: I will deal with that in a moment, and I will show how narrow-minded Opposition members are in their approach to welfare housing.

The Hon. F. E. McKenzie: We are all ears.

The Hon. NEIL OLIVER: Why cannot Opposition members be a little original in their thinking? Why cannot they put some positive suggestions forward? I have heard the Leader of the Opposition say that the Labor Party is prepared to change. Certainly its attitude to the mining of uranium changed. The Opposition's Federal counterpart whilst in Government was a partner in the Ranger uranium project. However, when the ALP went out of Government, it changed its mind.

The Hon. F. E. McKenzie: What has that to do with housing?

The Hon. NEIL OLIVER: The Leader of the Opposition said, "We are a party ready to change."

The Hon. F. E. McKenzie: What does this have to do with housing?

The Hon. NEIL OLIVER: I should like to put some flexible propositions to the Opposition. Frankly, I quite understand why the Opposition supports this Bill and seeks to move only a few amendments. It is a Bill which members opposite embrace with both arms and with great loving care because it contains all the ingredients of the Frank Crean-Tom Uren-Les Johnson Housing Corporation Bill.

The Hon. F. E. McKenzie: At least we were getting houses built.

The Hon. NEIL OLIVER: It was said in another House by the Opposition's leading spokesman on the subject that this Bill is a double-edged sword. I am sure members opposite

would be very pleased to be in Opposition with this Bill.

The Hon. Peter Dowding: We are in Opposition.

The Hon. NEIL OLIVER: It looks as though members opposite will stay in Opposition in view of the legislation this Government is bringing forward. In the hands of the Opposition when in Government, this Bill indeed would be a double-edged sword.

The Hon. F. E. McKenzie: It is; I agree with you. Does that not worry you?

The Hon. NEIL OLIVER: No. Any Government is responsible to its electors, and we will act responsibly in this area. If members opposite choose to spend taxpayers' money to excess, let them go ahead.

It is interesting to learn of the operations of the State Housing Commission as outlined in the General Loan Fund Estimates of Expenditure. Last year, the SHC spent \$2.065 million on land acquisition, while this year it is anticipated it will spend \$1.950 million. In the area of land development, last financial year the SHC spent \$8.111 million, while this year it is estimated the amount will increase to \$10.325 million.

I do not know where these properties are being developed; they could be in Karratha or the Kimberley, where development costs are as high as \$10 000 per allotment; or, they could be in the metropolitan area, where development costs are approximately \$5 000 per unit. I would be interested to know just where these properties are situated, and whether they are really required by the SHC.

Basically, calculated on a simple \$5 000 development cost factor, it means the commission will develop some 2 000 building allotments this year. However, as far as I understand, the State Housing Commission's projects do not exceed 800 dwellings in any one year.

It is also interesting to note that in the area of house construction the amount for new works will decrease from \$12.253 million last year to an all-time low of \$6.390 million for 1980-81.

This legislation would be more appropriately titled the "Land Commission Bill" rather than the "Housing Bill". In fact, my copy of the Minister's second reading speech notes seems to have an erasure on the title page; I do not know whether it was initially called the "Land Bill".

The Hon. F. E. McKenzie: Do you realise that if the State Housing Commission—

The Hon. NEIL OLIVER: I briefly mention Westrail, which is a hobby horse of the Hon. Fred

McKenzie. I notice that the Reserves Bill, which was introduced today, makes provision for a reserve for a railway siding. I suppose Mr McKenzie will be extremely pleased about that. So, I hope he does not behave like an angry ant tonight.

Mr McKenzie also referred to the wage and salaries bill of Westrail being virtually static. I draw his attention to the fact that the salaries, wages, and allowances for the State Housing Commission will rise from \$8.024 million last year to \$12.074 million this year. That is an extremely significant increase.

If we compare the Estimates of Revenue and Expenditure with the General Loan Fund, we will find that the cost of administration is expected to exceed other expenditure by some \$10 million. It is interesting to note there are 651 clerks, typists, machinists, supervisors and assistants in the State Housing Commission; it works out at about one employee per house.

After those words, I should say that I support the legislation because the Minister made the following statement in his second reading speech—

The existing Act has proved wanting in a number of respects. It also contains much relating to what is broadly administrative detail and on that account has become very cumbersome and an inhibiting element in maintaining an efficient and cost-effective administration, which could quickly adapt to changing economic circumstance and the introduction of new practices in the private sector.

If that means there is to be a reduction in the overall costs of administration, the Bill has my support. The years of big spending of taxpayers' funds—with particular reference to the 1972-74 era—are over. Governments today are expected to be more accountable to the taxpayers. All taxpayers are looking to the likelihood of reduced taxes and Government charges. I am sure that all members would agree the matter of the growth of big government is a topical subject in their provinces.

This Bill will remove the requirement every three years to ratify a Commonwealth-State Housing Agreement. Currently, it is up for renewal and, in fact, it has been renewed on a yearly basis. I notice this is the subject of one of Mr McKenzie's amendments. The legislation will be streamlined in this respect and will be incorporated in the Act. There is no requirement for the matter to be ratified by Parliament because the statistics are available from the

Commonwealth Department of Housing and Construction.

The Bill will enable a more flexible approach to be adopted to funding. By "funding" I do not refer to taxpayers' funds by way of Commonwealth-State Housing Agreements, but to the raising of debentures and inscribed stock. This practice is nothing new; it is covered by the Loan Council.

However, what concerns me is that recent allocations and approvals by the Loan Council have resulted in an extremely high interest rate. In fact, the prime rate for the last Metropolitan Water Board loan was 12.7 per cent and, when we include the once only payment of 1 per cent to the underwriter, we find that funds are being obtained at around 14 per cent. This is a matter of great concern to us all; a considerable debt is being incurred. Even in this financial year the board is required to repay funds of the order of \$21.123 million, based on a 4.75 per cent loan, repayable over 53 years.

The SHC is borrowing on the loan fund market at a prime rate of 12.7 per cent which, when we include the 1 per cent underwriter's fee, places great strain on the ability of the SHC to continue to provide welfare housing.

The Hon. F. E. McKenzie: I agree with you about that portion of the Bill. However, how else can you make it up if you have a shortfall? I do not believe the SHC should be going on the open market. It is all right for the SEC and the Metropolitan Water Board, but not for an agency which is concerned with providing welfare housing.

The Hon. NEIL OLIVER: It is already recognised the SHC makes provision for rental dwellings for pensioners and aged persons. History has shown that the majority of people who were once low income earners later no longer require Government assistance, or require it to a lesser degree; therefore, that assistance or subsidy should decrease.

Therefore, I support the proposition that the role of the State Housing Commission should be to provide rental accommodation for those people who are in need, with little prospect of advancing their present status beyond that of requiring continuous Government assistance.

I certainly do not believe in the philosophy of the Hon. Fred McKenzie that taxpayers' funds should be advanced through the home owners account to enable purchasers to secure capital appreciation of their properties at the expense of the poorer section of the community. This account

currently is being abused by purchasers who acquire housing at subsidised interest rates.

The State Housing Commission, basically, should be restricted to the provision of rental accommodation for people on welfare, and for low income earners.

The Hon. Peter Dowding: Where does it say that in the Bill?

The Hon. NEIL OLIVER: It does not.

The Hon. Peter Dowding: How do you know it is for that purpose?

The Hon. NEIL OLIVER: If the honourable member who has been vaccinated with a gramophone needle listens to me he will realise I am expounding on the theory of what I believe to be the new role of the SHC.

The Hon. Peter Dowding: I just asked you whether it was in the Bill; it was not a very contentious interjection.

The Hon. NEIL OLIVER: If the honourable member cares to refer to the Minister's second reading speech—

The Hon. Peter Dowding: I am talking about the Bill, not the Minister's second reading speech.

The Hon. NEIL OLIVER: I will refer to that matter during the Committee stage.

As I was saying, the State Housing Commission should be restricted to the provision of rental accommodation for people on welfare, and for low income earners—those who have little possibility of emancipating themselves above that category. Rentals charged by the commission for housing accommodation for both categories of people should continue to be subsidised where necessary. I believe the financial situation of tenants should be investigated, and where it is established that a lower subsidy is warranted, rentals should be adjusted accordingly.

In places where income increases made assistance unnecessary, market rental values should apply, with yearly increases in accordance with market fluctuations, and the ability of the lessee to afford repayment.

The Hon. F. E. McKenzie: That applies now; the SHC charges market rental now. It charges about \$40 a week for a three-bedroomed home.

The Hon. NEIL OLIVER: Mr McKenzie should not try that one on me.

We should seek a more active involvement with the private sector in the form of a joint venture, particularly in the field of long-term investment. This goal can be achieved only by a more commercial approach in the erection of rental accommodation instead of using only

Commonwealth-State Housing Agreement funds, which the Hon. Fred McKenzie said are declining. In my opinion they will continue to decline.

The object of this Bill is to enable more flexible approaches to borrowings and fundings. It is a rather open Bill. Mr Les Johnson would be delighted with it, just as Mr McKenzie is delighted with it. However, it is a double-edged sword.

In the normal marketplace over the last five or seven years, because of increases in costs of unit production, long-term investors have found that it is almost impossible to provide rental accommodation with reasonable returns. I doubt whether any member of the House would not agree with that. Further, the same investors have found themselves in the unenviable position of facing rising maintenance costs, rates and taxes, and other costs all dissipating the returns of invested funds. I presume no member on the other side of the House or any member of the Government would disagree with that.

In order to encourage long-term investments in the production of rental accommodation it would be necessary to interpose a competent and independent manager between the owner and the tenant and ensure a guaranteed economic return.

The plan I propose is that the State Housing Commission should adopt the role of manager or head tenant; it would carry out this role well with the experience it has had over the last 31 years. As head tenant, the commission should examine the inclusion of various housing units in its rental plans, reach agreement with investors as to head-lease arrangements, provide reasonable returns, and establish a market rent applicable to the location of the type of housing unit. This would apply in any area be it Karratha, Port Hedland, the Pilbara, the Kimberley, the metropolitan area, or in south-west country towns. The commission would therefore act as the responsible managing agent.

As managing agent, its experience would fall into the following categories: maintenance of books of accounts, collection of rents, eviction of unsatisfactory tenants, reletting of units, repair and maintenance, and maintenance of gardens at the owners' costs.

The long-term investors, having reached agreement with the commission, should then proceed to construct a number of dwelling units on the basis of so many per annum over a period of, perhaps, five years in order to reduce the waiting list for housing of welfare people.

The Commonwealth funds which are decreasing each year should be used for the purpose of subsidising the difference between the rentals which the tenants are capable of paying and those generally prevailing as an economic return to investors. An economic return of 12 per cent locked to the long-term bond rate would appear to be a reasonable return, having regard for the ability of investors to obtain secure investments at this rate through Government guarantees.

In view of the fact that the Government is a last-resort lender—and a fairly good one based on the Court Government's previous Budgets—the interest rate may well be reduced in order to attract additional private investors to meet the demand which I believe will never be satisfied under any arrangement other than a joint venture.

From that 12 per cent going to the investors, taxation will revert approximately 4 per cent to the Government and the return bears some relationship to the long-term bond rate. If we are advancing funds at 4½ per cent without a management fee of 1 per cent as applies with terminating building societies, we use those funds to subsidise the investor up to the long-term bond rate, and we tax him back his 4 per cent, so we are starting to get a utilisation of funds. That is far greater than we would ever get under any Commonwealth-State Housing Agreement, and certainly more than from any agreement negotiated since federation.

The Hon. F. E. McKenzie: Where did you get this plan from?

The Hon. NEIL OLIVER: It is a philosophy on which I have been working since 1973 and one which I delivered to a housing convention in 1974. I believe it has been taken up in part by the Federal Government. It enables these types of schemes to be put into effect; it enables a far more flexible approach to housing, to use the Leader of the Opposition's term.

The major departure from what I have suggested up to now is that the owners be permitted to depreciate their properties over 35 years, at which time their properties would revert to the Crown. We are operating on a 53-year repayment under the Commonwealth-State Housing Agreement. With a depreciation allowance over 35 years, we would have properties reverting to the Crown and we have the requirement then to repay the Commonwealth. At that time we would start to have a large proportion of rental accommodation. So we have two alternatives: one is to reduce the rents and repay the funds between the difference of 35 and

53 years, and the other is to pay the funds back earlier. That is the alternatives the Government would have.

The Hon. F. E. McKenzie: Your party would not buy that; it is too much like socialism. The Government does not believe in those sorts of principles.

The Hon. NEIL OLIVER: Provided there is a depreciation allowance which enables a write-off and a taxation consideration, the Government could accept this idea. Certainly it would if the State would get something like another 2 000 houses over five years. In any case, I am all for it.

The Hon. F. E. McKenzie: I am not disagreeing with you, but properties tend to appreciate rather than depreciate.

The Hon. NEIL OLIVER: That is to the benefit of the State Government.

The Hon. F. E. McKenzie: Can you imagine someone on your side giving back a house after 35 years if its price has appreciated?

The Hon. NEIL OLIVER: During the time of the Tonkin Government, members opposite used the salt-and-pepper-type development, and this scheme could be implemented immediately through the use of existing accommodation rather than the building of new houses.

The Hon. Peter Dowding: It is a darned sight better than the ghetto system which has grown up.

The Hon. NEIL OLIVER: I could not agree more. The salt-and-pepper development has been tried time and time again and it does not work.

The Hon. Peter Dowding: Come on, where is your evidence? It is a darned sight more successful than ghettos. Ghettos have been a disaster.

The Hon. NEIL OLIVER: If the Hon. Peter Dowding has a solution he should come forward with it. I submit the proposal that we could use this scheme to buy rental accommodation scattered throughout the metropolitan area at the moment. Why should we have areas such as Parmelia, Balga, and Girrawheen?

The Hon. Peter Dowding: Come across the floor and join us; we agree with you.

The Hon. NEIL OLIVER: The Bill is a double-edged sword. Opposition members, should they get into Government—heaven help us if they do—would have the opportunity to go about it in the way they so desire because they did not remove the ghetto system and attempt the salt-and-pepper development.

I am saying that if the Government finds it necessary to assist low-income earners, it would without doubt ensure the commission concentrated its activities in the areas for which it was established. Subsidised housing will be with us for ever. Frankly, we, as a Liberal-Country Party Government, have compassion for the destitute, the handicapped, and the aged.

The Hon. R. Hetherington: I wish you would expand your compassion sometimes.

The Hon. NEIL OLIVER: It was during the Whitlam era of inflation that the people on fixed incomes—the pensioners and the aged people—suffered. By golly, they suffered!

The Hon. F. E. McKenzie: Don't talk rubbish!

The Hon. NEIL OLIVER: The socialistic welfare programmes of the Whitlam Government were an absolute and total failure.

The Hon. Peter Dowding: You have to be joking! Some do say we overspent.

The Hon. NEIL OLIVER: I wish the Hon. Peter Dowding could change his needle from 78 to 33 1/3 rpm. My original proposal was for a marriage of public and private systems with a head tenant or manager for long-term investors. In this way, the commission can continue in its normal role of social welfare assistance by helping to provide suitable accommodation. No problems should be encountered by the commission's highly-trained staff in handling the greater number of houses and units purchased.

Whilst I do not offer this as an ultimate solution, it is an alternative to the rental accommodation already available. All I can say is that we need to do some redefining and change our thinking.

Let us trust that the proposals contained in this Bill do provide the necessary flexibility for an efficient and new avenue of funding, which is not necessarily tied to debentures and inscribed stock, which I am not particularly in agreement with because in conjunction with the Loan Council it does not take into account the fund repayments and servicing costs and their dangerous effects. Some people believe interest rates are governed by the Reserve Bank, but I have my doubts.

The proposal I put forward is just one of many. I would be very interested to listen to Opposition members proposing something new—something which does not involve the old business of a Commonwealth-State Housing Agreement. Something fresh and new is required. An examination of the Henderson report would confirm my views, although the report has not

been implemented and is probably gathering dust and cobwebs on some shelf.

If Opposition members cannot understand my proposal, they will never understand anything other than the concept of gathering money from taxpayers and pushing it out through Government instrumentalities, such as the SHC. They advocate this instead of the marshalling of the great resources of private investors in this country which would double and treble our housing output so that in 35 years we would be able to reduce the rentals which members will know are never reduced these days; they are always increased.

The Hon. Peter Dowding: Who is doing that? Is it the Opposition who is putting up water and electricity bills?

The Hon. NEIL OLIVER: I can tell HMV that his party when in Government had a very interesting performance. At the moment I am examining the manner in which the expenditure of the Metropolitan Water Board was established and comparing the revenue raised during the time of the Tonkin Government with its expenditure. I will not speak in detail on that matter at this time and I will not be speaking on it during the Budget debate; but the Tonkin Government's record indicates a debacle and a mismanagement of taxpayers' funds which have brought about the increases in water rate charges. Heaven help us if HMV gets on this side of the fence and expounds his theories which are based purely on the use of taxpayers' funds with no account given to private investment or to anything else—only to empty the pockets of Australian taxpayers and to corporate taxes.

**THE HON. PETER DOWDING (North) [9.02 p.m.]:** I will take up one of the points raised a moment ago by the Hon. Neil Oliver. He spoke of the Liberal Government's concern for the destitute. This Liberal Government is not concerned with the destitute; it is legislating to take out of the Statutes any reference to the destitute. If the Hon. Neil Oliver had taken up the challenge to try to find in the Bill before us a reference similar to that contained in section 5 (b) of the State Housing Act he may have understood the point I was making to him, because section 5 states—

The objects of the Act are:—

- (a) the improvement of existing housing conditions;
- (b) the provision of adequate and suitable housing accommodation for persons of limited means and certain other persons not otherwise adequately housed.

If we look at clause 4 which relates to the Bill's objects we see that paragraph (c) makes reference to the provision of assistance to enable persons to obtain accommodation or improve the standard of their accommodation; paragraph (d) refers to the encouragement of the development and redevelopment of land for housing; and paragraph (e) refers to the carrying into effect of agreements with the Commonwealth.

Where is there any reference in this Bill to destitute people? The answer is that in this grand free-enterprise nightmare put forward by the Hon. Neil Oliver's Government, the destitute people are left out in the cold. That is the disgraceful way in which the State Housing Commission is presently being forced to implement its policies. That is a most disturbing fact for me because I represent an area in which housing is in absolute desperate shortage. One could go into all the towns in my electorate, except for Wittenoom, and find hundreds of people unable to obtain suitable accommodation. The private sector is not there.

Even though the Hon. Neil Oliver has a dreamlike approach to the benefit of private enterprise, the fact is that it does not help until there is a quid in what it does. If one goes to Karratha where there is a shortage of housing one will see that the commission does not keep even an emergency list because so many people are in desperate straits. Everybody on the State Housing commission list is in an emergency situation. Private enterprise is charging \$170 a week for a little four-square home, and that amount is typical of the rents people are being asked to pay in Karratha. This situation prevails before the great boom of the North-West Shelf gas development has got off the ground. That is the most incredible aspect of the sort of nonsense we hear about the benefits of free enterprise and about how it is some sort of cure-all for the disadvantaged of our society.

Where is free enterprise in times of need? It is comfortably demanding 15 per cent for mortgage money; comfortably charging high rates for bridging finance; and comfortably building where it can obtain \$150 a week rent for its houses.

The Hon. H. W. Gayfer: How much does the person paying that amount earn?

The Hon. PETER DOWDING: He earns \$10 000 a year. He may be a State Energy Commission employee or a chappie up there to work with a small business in the light industrial area. Perhaps he is a welder or some sort of fitter. He might earn \$10 000 or \$12 000 a year.

The Hon. H. W. Gayfer: Would \$8 500 be expected to go on rent?

The Hon. PETER DOWDING: He simply cannot pay that amount. That is why, if a person goes to Karratha, he will park a caravan illegally. Throughout the light industrial area one can see caravans parked in this way. Some people in caravans pay \$130 a week for on-site expenses. It is deplorable but will private enterprise wave its magic wand and save the disadvantaged people? To say that it will is so much poppycock.

The situation in other places in my electorate is desperate; in Port Hedland the position is impossible. Simply no private housing is available and the public sector—the State Housing Commission—simply cannot provide enough housing. The statistics do not represent the extent of the need because some people's names have been on the waiting list for a long time and they have given up; people recognise the situation is impossible so they give up. In Karratha the caravan parks are chockablock. That is not a desirable situation for a man who has children and who wants to make his living and reside permanently in the north. The social problems are deplorable, but will manifest themselves even more.

The Hon. Neil Oliver: Are they itinerant workers?

The Hon. PETER DOWDING: No. Often these people find that these areas are the only ones in which they can obtain employment, and they want to settle in the north because it is a good place in which to live, but they cannot find accommodation.

The Hon. H. W. Gayfer: Empty houses must be in the area.

The Hon. PETER DOWDING: No empty houses exist.

The Hon. H. W. Gayfer: If people cannot afford to pay \$170 a week rent some houses must be empty.

The Hon. PETER DOWDING: Somebody is always willing to pay the required amount. Some houses are empty, but their rents are incredibly high. The situation is the same in Broome, Derby, and Wyndham, or anywhere in the north one may wish to think of. The housing shortage is an appalling comment on the lack of interest by this Government and by the Commonwealth Government to organise their priorities in the way in which they ought to be organised. Instead of spending \$1 million or whatever on two additional Ministers in the Court Government, more houses could be provided. Instead of spending money on a Press secretary, some sort of media mogul to

help churn out volumes of material and to organise the Press, more houses could be provided.

The Hon. Neil Oliver: Provide more than your Government did?

Government members interjected.

The Hon. PETER DOWDING: If the members who interjected think electoral offices are not essential, I cannot help them because I believe such offices are essential for the people. I am glad the Hon. Sandy Lewis shows his concurrence with that belief. Some of the older members who are supposed to have wisdom and who have witnessed these shortages over the past may be willing to go back to the archaic situation that once prevailed, but I am not.

The fact is that this Government uses money supplied by the Commonwealth for Aboriginal housing to try to prop up its ailing State Housing Commission building arrangements because the Commonwealth Aboriginal funding in my view is improperly directed to housing with which the Commonwealth-State Housing Agreements are not able to cope.

I tried to chastise the Minister representing the Minister for Housing for calling the State Housing Commission list the "Caucasian list", which it is not. Nevertheless, it is a Commonwealth-State list which is used to note the names of people who fill the eligibility requirements for Commonwealth housing. It is disgraceful that money provided by the Commonwealth to meet an extreme housing need is not used to satisfy the Commonwealth standards and is used to simply carry out the normal role of the State Housing Commission. In my view it is an incorrect use of the funds and is a manipulation of money, and it appears that nothing is right. The Hon. Fred McKenzie in his comments pointed out that in the answer to a question from Mr David Parker in another place to the Honorary Minister Assisting the Minister for Housing, we can see that a dramatic decline has come about in the funds that should be available.

It is a matter of extreme concern to me because in my electorate literally hundreds of people who are put into housing are placed in a situation of overcrowding. They immediately find that pressure is exerted on them to accept a homeless couple, perhaps with children, and that situation is unsatisfactory. Arguments may occur and no-one may be prepared to chip in to pay the rent because no-one has the undivided use of the house—the situation snowballs. Those people may

then be evicted and have to move into another place and overcrowd it.

This pattern is occurring in places like Port Hedland and it is a pattern with which the hard-working officers in the commission are faced daily and by which they are being depressed daily. No evidence exists that the private sector could cope, particularly in areas like mine, and no evidence exists that the private sector is prepared to shoulder its responsibility to provide adequate housing.

At the moment we have a call from vested interests in Broome that they be permitted to undertake housing developments. Broome is a classic example of rents in the \$120 to \$150 a week range for a small house which in Perth might rent for \$30 or \$40 a week and which is no better accommodation than minimal State Housing Commission accommodation. In my view the private sector cannot cope. Of course, it does not cope because its primary interest is profit. When we have interest rates running at 15 per cent or 18 per cent for private finance, we have an intolerable burden. How can we expect people to build a house costing \$50 000 or \$40 000—that is the cost of a house in my area—and not accept an interest obligation of such a magnitude, and to reap a profit on top?

Of course, the public sector should cope with the situation because the private sector cannot. I have no objection to the private sector being involved in housing; that is an excellent idea. It has a role to play, but it should not operate to the exclusion of the public sector which under the present Act has a responsibility for housing; but this Government is attempting to abandon that responsibility. Not one member on the other side has satisfactorily explained that abandonment.

The Hon. Neil Oliver: Have a look at the Tonkin Government's record of operations under the Commonwealth-State Housing Agreements and you will see that it built fewer houses than were built in Tasmania.

The Hon. PETER DOWDING: I was talking at the 78 speed, but now I will have to drop to the 33½ speed. It is incredible that the Hon. Neil Oliver has managed to come out with such a statement. His interjection shows that he has not understood my point, which I will make again so that he is able to digest it: No mention is made in this Bill that adequate provision and suitable housing accommodation will be made for persons of limited means and certain other persons. I am sure even the Hon. Neil Oliver can cope with those words. The Bill before us makes no mention



of disadvantaged people, but will repeal the State Housing Act which does.

Another indication of the dangers of being sucked into this narrow tunnel-vision view of the glories of private enterprise is the policy of the SHC of abandoning its day labour work force and using private contractors to build houses. Members who represent country areas know the difficulty associated with the building of houses in the country. Inevitably, costs go up and up. There are delays in the delivery of various items, which compound the situation. However, in the north where the private developers are contracting to the State Housing Commission, they are building 40 and 50 houses at a time. There are no economies of scale accepted by them. In some instances, the work is substandard and the results are unsatisfactory.

I will refer to the answer to a question provided on 2 September by the Minister for Fisheries and Wildlife, shouldering the burden by representing the Honorary Minister Assisting the Minister for Housing. We were told that the cost of a State Housing Commission three-bedroomed home in Perth was \$20 500, and the same building in Broome cost \$40 800. Quite frankly, when those houses are being constructed in lots of 20, 30, or 40 it is nonsense to suggest the difference is to that sort of scale.

Some of the contractors in the north will not use local labour. They rely either on itinerant labour which they squeeze down to an immodest cost, and they reap the extra profit, or they bring in contractors from Perth. There is very little use of local labour or local contractors in the area. The economies of scale simply are not there, yet they ought to be.

The situation in some towns in my area is so critical there is no longer an emergency list. I want to mention one aspect of the matter which I think emphasises this pathetic clinging-to-the-private-enterprise philosophy, and I refer to the actions of Kel McKenzie, a worker for the Liberal Party in Derby. He went on the State Housing Commission list for a three-bedroomed home at the beginning of 1980, and he was granted a home within six days of the submission of his application, so my information reveals. He had a dependent daughter and a son, so that justified his being allocated three-bedroomed accommodation. The son was 29 years of age and a partner in his business, and his daughter, as I understand it, never left the metropolitan area.

The Hon. W. R. Withers: I do not think this had anything to do with party membership.

The Hon. PETER DOWDING: No doubt the Hon. Bill Withers can point out to me one other person who has ever got a house on that basis without any dependants.

The Hon. W. R. Withers: I can, actually. There are several of them.

The Hon. PETER DOWDING: Are they members of the party too?

The Hon. W. R. Withers: They happened to apply for houses when there was an excess of houses.

The Hon. PETER DOWDING: It is a serious matter, because it goes further than that. Only a matter of a few weeks previous to being granted a three-bedroomed home, he had sold his State Housing Commission assisted purchase house in Derby with a \$22 000 profit.

The Hon. F. E. McKenzie: It sounds like the Cruttenden matter all over again.

The Hon. PETER DOWDING: I am not raising this matter simply because it indicates the way in which the old boys of the Liberal Party often work; that is not the point. I am raising it because it is absolutely outrageous that the State Housing Commission should assist a man who only days before had made a profit of \$22 000 on the sale of a conditional purchase home.

The Hon. W. R. Withers: What was the date of the sale?

The Hon. PETER DOWDING: Settlement was in January 1980. The contract of sale was signed at the end of 1979 and the settlement was in 1980. I can assure the honourable member who interjected these are facts.

It is wrong that a businessman with no dependants in a town such as Derby should get a three-bedroomed house. It is wrong that a businessman with no dependants should get a house after waiting only six days. It is entirely wrong that he should be rewarded for his skill in manipulating the system to make a profit of \$22 000. The SHC is meant to be for low-income families.

The Hon. Neil McNeill: I hope your story is absolutely spot-on and correct, otherwise you are doing a terrible injustice to the man.

The Hon. PETER DOWDING: I can assure the honourable member there are no errors in the material which I am now giving to the House. If there are any errors I will apologise. I have stated this information in the House so that it will be reported and recorded in *Hansard*. All the information has been provided. I have a letter from the State Housing Commission, and I have

made inquiries. I have made title searches, and I have copies of some relevant documents.

The fact of the matter is that when one goes into towns in the Pilbara or the Kimberley this is the sort of story which abounds. There is a lot of concern that some people are manipulating the system. I regard it as outrageous that a SHC rental home should be provided on a conditional-purchase basis and sold at a profit, and the person concerned should be reaccepted for rental accommodation.

Let me demonstrate to and analyse for members—who may be unfamiliar with the electorate represented by the Hon. Bill Withers and me—the effect of rampant free enterprise in places like Broome. Whereas three or four years ago it was open to a person in Broome, on a low income, to get a SHC home, eight to 10 years ago the same person could get an assisted purchase home. That is a completely different question. There are no assisted purchase homes now. There is no opportunity for hard-working, decent citizens of Broome to buy a house. Neither the bloke who works in the shire, the fellow who has a job in the light industrial area, nor the man who works for the Main Roads Department, has any chance under the Liberal Government of this State of being able to purchase a house. One cannot say, “Stiff bikkies. They are the casualty of the free-enterprise economy.”

In Broome this Government was prepared to subdivide land and sell it at a profit of \$300 000. That seems to me to be wrong and not in the best interests of the Broome community.

In making these particular points in relation to this Bill I am very sorry to say that in its disregard for low-income people this Government has actively delayed an obligation of the SHC to give attention to disadvantaged people. As was the case with the railways, this Government is slowly squeezing the SHC virtually out of existence.

The Hon. Neil McNeill: How can you say the railways are being squeezed out of existence?

The Hon. PETER DOWDING: By their being closed.

The Hon. H. W. Gayfer: The only way they were effectively closed was when the Labor Party voted with the Liberal Party. That was the only time.

The Hon. PETER DOWDING: I do not care what history reveals. If one looks at the situation at Meekatharra one does not have to follow the principles of free enterprise, because when that line was closed the opportunity for fair

competition was excluded. So, the honourable member is all over the place.

Several members interjected.

The Hon. H. W. Gayfer: During the time of the Labor Government miles and miles of railway were allowed to close.

The DEPUTY PRESIDENT (the Hon. V. J. Ferry): Order, please!

The Hon. PETER DOWDING: I am very much indebted for the comments indicating the sort of embarrassment that exists on the other side of the House.

Finally, I wish to make reference to clause 5(2) of the Bill, which reads as follows—

(2) A reference in a provision of this Act to an “eligible person” is a reference to a person who satisfies the conditions of eligibility from time to time determined by the Commission and approved by the Minister for the purposes of that provision.

That subclause, in my view, indicates how members opposite continually follow their leader blindly. Members opposite do not care about disadvantaged people. That provision in the Bill is another one of those “Aboriginal Heritage Act” situations where the Minister will not let the SHC slip out of his grasp and exercise some independent judgment. The SHC is abandoning its statutory and governmental responsibility of caring for disadvantaged people. If the Government really is convinced that the SHC should assist disadvantaged people, clause 5(2) should refer to a disadvantaged status. There is no guarantee that disadvantaged people will be assisted.

Members opposite may well sit back smugly, or otherwise, contented with the situation. It may well be that members opposite are happy in the knowledge that the Government will act responsibly. However, members opposite have such a paranoid view of the Labor Party that they must be a little concerned. That sort of global provision might be misused by another Government. Certainly, we do not think we would misuse it, but we can imagine a situation where it could be misused. That is the reason this sort of provision has been written into the Housing Bill, and it is a provision which should be deleted.

In the view of the Opposition it is a disgrace the Bill contains no reference to disadvantaged people.

THE HON. P. H. LOCKYER (Lower North) [9.27 p.m.]: It is totally necessary that some of the points brought up by the Hon. Peter Dowding should be swiftly corrected because he has shown

a total lack of knowledge of the northern part of the State. I forgive him because, as I have said in the past, he is a tourist having been up there for only three or four years.

The Hon. Peter Dowding: Don't be silly.

The Hon. P. H. LOCKYER: It is true. The Hon. Peter Dowding said that people go to the north to earn \$10 000 or \$12 000 a year, and they cannot find anywhere to live. These people who traditionally follow construction camps around Australia earn considerably more money than that. They are quite happy living in caravan parks, and they have been doing that for a great number of years. Nobody has forced them to go to these towns in the north.

The Hon. Peter Dowding: Most of them were born there and have lived all their lives there.

The Hon. P. H. LOCKYER: I sat and listened intently to the Hon. Peter Dowding, and if he does not wish to show me the same courtesy, that is not my fault. The honourable member used the situation at Karratha, but it has to be borne in mind that the contracts for the natural gas venture have only just been signed, so what person would have invested money in that area to this stage? The situation is no different from that in any other construction town, such as Goldsworthy or Newman.

The Hon. Peter Dowding: You need to learn the evidence.

The Hon. P. H. LOCKYER: I am trying to embarrass Mr Dowding into staying, if nothing else. He always leaves when the going gets heavy.

It makes no difference which town one considers; the situation is the same in each town which has developed swiftly as a result of construction projects. I believe the State Housing Commission has done a commendable job in such places under extremely difficult circumstances. At times it has been faced with massive developments without having any possibility of budgeting for them. As far as Port Hedland is concerned, its population increased from about 2 000 to about 15 000 in a short time, and there was no question of any Government—be it Liberal or Labor—being able to provide the funds necessary to keep pace with the demand for housing.

However, those people who traditionally work in such areas are able to cope with this situation. Certainly the Hon. Peter Dowding painted a very black picture, which is not correct. He showed that he does not know the facts.

The Hon. T. Knight: You are dead right. There is a shortage of housing in the lower part of the State.

The Hon. P. H. LOCKYER: I do not care where one goes in Australia today; any town which has reasonable conditions has also a shortage of housing. I read in the paper recently that one of the few places in the State where there is a surplus of housing is Perenjori.

The Hon. F. E. McKenzie: Are you satisfied with housing in the north?

The Hon. P. H. LOCKYER: No, I am not.

The Hon. F. E. McKenzie: Then say so.

The Hon. P. H. LOCKYER: I said earlier there will always be a shortage of housing; but I am saying I believe the State Housing Commission is doing a commendable job.

The Hon. T. Knight: I noticed in the paper there are a few spare houses out at Kitchener.

The Hon. P. H. LOCKYER: The Hon. Peter Dowding also referred to the fact that people are making large profits by charging rent of \$170 a week. Of course that is the case; it is human nature for people to do that, and it is foolish of the honourable member to say otherwise. When Mr Dowding transferred to the north, I would have liked to inspect his accountancy in respect of his house in Perth. I will bet he let it out at the going rate. The market in the north is balanced by the going rate. I do not care whether people are Liberal or Labor supporters, if they can make a profit it is only human nature that they will do it.

I said before that the problems at Karratha are no different from the problems experienced in swiftly developed mining towns; and the problems of swiftly developed mining and other project towns of the future will be no different from those at Karratha.

Mr Dowding also said the people concerned in the north are not itinerants. They are. Many itinerant people have travelled from all parts of the world and all parts of Australia and New Zealand and have found work in the north.

The Hon. R. Hetherington: Are they all itinerants?

The Hon. P. H. LOCKYER: I am not saying all the people in the north are itinerants; I am saying a large percentage of them are.

The Hon. R. Hetherington: Get your facts right.

The Hon. P. H. LOCKYER: I have. Mr Dowding said virtually there are no itinerant workers in the north. He said people who are living in caravans and have applied for Housing Commission homes are not itinerants. I put it to you, Sir, that a very large percentage of them are. Mr Hetherington probably has never been to Port

Hedland, so he would not know what he is talking about.

The Hon. R. Hetherington: You are wrong again. I might get up and tell you a few things in a moment.

The Hon. P. H. LOCKYER: Mr Dowding said the State Housing Commission is not making an effort in its building programme. That is not right. I believe the commission has acted most responsibly over the years—and especially so at this very time—in respect of experimentation with different types of construction in the north. It has experimented with cluster constructions, brick veneer, and various other types of building to ascertain what is suitable in the north. This is not something which can be done overnight, and at least the commission is trying. I believe the staff of the State Housing Commission—and I have had a lot to do with them—are always open to suggestions from the general public, and they have done and are doing a good job.

As for the statement that some of the houses are of substandard construction, that is a lot of rot because the builders concerned are not paid unless the houses are passed by a State Housing Commission inspector. In Port Hedland I have inspected the finish of some new brick veneer houses, and I found it to be as good as any I have seen. It is just not right that the honourable member should make a statement like that. It is a matter of plain common sense.

The Hon. F. E. McKenzie: He probably referred to the type of accommodation as being substandard.

The Hon. P. H. LOCKYER: No, he was referring to the finish of new homes. It would have been a completely different story had he been referring to the type of accommodation available.

Mr Dowding also made a point about people making false statements to get onto the SHC list. Yes, people do that; some are guilty of it. However, I put it to you, Mr Deputy President (the Hon. V. J. Ferry), that this is done by people in any town. Recently in Carnarvon I had personal experience of the SHC finding out that a person had made a false statement, and that person was out of his accommodation within 14 days. He made exactly the statement that Mr Dowding accused a gentleman in Derby of making; he said he had a dependent child who turned out to be 25 years of age. When the commission found out about that, he was ejected, and rightly so.

People, by their very nature, at times will make false statements; a person desperate to obtain accommodation will say anything.

The Hon. F. E. McKenzie: Why have they not ejected Kel McKenzie?

The Hon. H. W. Olney: Perhaps it is because he is a member of the Liberal Party.

The Hon. P. H. LOCKYER: I do not know the answer. Mr Olney casts aspersions on the staff of the SHC. I hope the people in Derby read *Hansard*, and read what he has just said. If Mr Kel McKenzie has done the wrong thing, of course he should be ejected.

The people who make statements about the north, referring to the travelling population and excessive rents, should get their facts right first. I believe many people are happily housed in caravans in various places in the north. Of course the light industrial areas have caravans in them; and of course people who own blocks of land are charging excessive rents. But I put it to you, Sir, that is normal, human nature, and the situation is no different from that in any northern centre or from that in any remote place in Australia.

I believe the SHC is doing the right thing. Its efforts are pointed in the right direction. I believe the Honorary Minister is one of the hardest working Ministers in this State and he has one thing in mind; that is, the betterment of the people who are in the greatest need of housing in Western Australia. This Bill points those people in the right direction, and I support it.

THE HON. R. HETHERINGTON (East Metropolitan) [9.43 p.m.]: It had not been my intention to rise in this debate, but two things worry me. The first is in respect of what my colleague has pointed out about the Bill; because since I have been in this House I have heard many statements made about the Housing Commission to the effect that it is not involved in welfare housing. Certainly the commission will be able to point to this legislation from now on and say it is not involved in welfare housing. However, in fact, one of the great urgencies that we have is the whole problem of welfare housing.

I do not have to step out of my electorate to know one of the problems my electors bring to me all the time is that of trying to get some kind of housing for supporting mothers, people on pensions, and people who for all sorts of reasons cannot afford housing.

The Hon. Neil Oliver: You haven't got that on your own.

The Hon. R. HETHERINGTON: I am glad of that; I am talking about my own experience in

this instance, and I have no doubt what is happening to me in my electorate is happening to other members in their electorates also. The problem is being compounded right throughout the State.

The Hon. F. E. McKenzie: Not in the Premier's electorate.

The Hon. R. HETHERINGTON: No, not so much in the Premier's electorate. I know something about his electorate because I used to live there before I moved into an electorate which has a better class of voter if not necessarily always a better class of housing.

The Hon. I. G. Pratt: Bothering the image?

The Hon. R. HETHERINGTON: The point I am making is that I have been sadly perturbed since I have been a member of Parliament—and that is only for the last three years—about the greater and greater difficulty the Housing Commission seems to have in providing houses for people who desperately need them. I am worried the problem is going to be compounded and become worse. I am not convinced by anything in this Bill that will not be the case. I hope it will not be.

My second point is that I want to refer to the things the Hon. Philip Lockyer said. He has brought me to my feet by his statement about his total facts. Everything about him is total; he seems to have a totalitarian mentality. I have been to Port Hedland once for a day, and I have been to the Pilbara briefly for a few days. Brief though my visit may have been, I found living in caravans people who were very dissatisfied with their conditions; I found living in caravans people who were very sour about their situation; and I found people who wanted to get either better caravan parks, better caravans, or better housing and who were finding it very difficult to do so.

The other thing I want to mention is the Hon. Philip Lockyer's point of arguing when he said—as he does when he decides to defend something—that people go to the north because they want to. I have met plenty of people in my electorate who have been to the north because they had to go there because they could not get work here. Many of them found when they went there that as a result of the cost of living and the housing problems they were not terribly much better off than they were down here, and they did not enjoy their stay in the north. After listening to Mr Lockyer one would think that the north is full of happy, itinerant workers who have gone there because they love the place and the climate, and they are prepared to leave their homes and their wives and children, or to take them with them to

live in caravans, because they will have a happy holiday during which they will make lots of money.

The Hon. W. R. Withers: They are a lot happier than you are now.

The PRESIDENT: Order!

The Hon. R. HETHERINGTON: What I am saying is that such arguments do not carry very far. We all know that many people go north because they want to; we all know that many itinerant workers enjoy it; we all know many people go north not because they want to, but because they cannot find work here; and we all know some people do not enjoy it when they get there because the conditions are not very salubrious or satisfactory from their point of view.

The Hon. W. R. Withers: That applies all over Australia in any town, doesn't it?

The Hon. R. HETHERINGTON: If Mr Lockyer wants to produce that kind of selective argument and to say some people are happy, I will not deny it. Of course some people are happy, and some are not. But we are trying to look at the whole problem of the housing of people in this State, and we are facing the fact that with our burgeoning population our housing is becoming less and less satisfactory; and we are looking to the Housing Commission to do something about it.

Of course, as the Hon. Philip Lockyer has pointed out—and I hope he points it out to the Hon. Neil Oliver—human nature being what it is, people will make a profit out of housing if they have invested money in it, and private enterprise is there to make profits and not to provide welfare housing. Of course, if private enterprise in housing or any other area had provided those wonderful benefits, and provided a cornucopia of benefits to everybody, we would not have needed the Housing Commission or welfare housing or all the myriad of welfare agencies we have had in this State.

Of course, the reason we have developed welfare agencies, Labor Parties, militant unions, and the notion of socialism is that untrammelled private enterprise fails to provide the goods. It provides the profits for the few, but it does not provide benefits for the many because it does not know how to distribute them.

The Hon. W. R. Withers: You are making your "Marx"!

The Hon. F. E. McKenzie: Good ones, too!

The Hon. R. HETHERINGTON: I am talking facts, and if the honourable member cares to read Engels or Marx to learn of some of the conditions

of the working class in the nineteenth century, he would know what I am talking about. Of course, Marx was not always wrong. I am not standing here as a philosophical Marxist because I am not one. I have always rejected Marxism and I have always thought that an active social democratic party like the Labor Party is the best defence this country has against Marxism.

I am perturbed by some of the general attitudes towards welfare that are appearing in this Government. I will be making reference later to a statement by the Hon. William Hassell about the family, because it needs some analysis. This seems to be one of the great reactionary statements made by a Minister of this Government; but I will deal with that later, as it is not germane to this point. I mention it merely because I saw the Minister out of the corner of my eye, and I thought I should say it while he could hear me.

The Hon. I. G. Pratt: He cannot defend himself.

The Hon. R. HETHERINGTON: He can defend himself all right!

I did not really want to rise on this Bill, because I have not studied it closely.

The Hon. D. J. Wordsworth: Do not think we wanted you to.

The Hon. R. HETHERINGTON: Some of the arguments used by my colleagues behind me made a great deal of sense, but some of the arguments used by some of the gentlemen opposite did not make a great deal of sense. Of course, the Hon. Neil Oliver I listened to with great interest. It seems he does not always have the answers, but I know that he is full of good intentions, and something sometimes comes out of what he is saying. However, some of the newer members of the House stand and make very sweeping statements about "total facts" when all they are doing is blinding us with a lack of science.

The Hon. P. H. Lockyer: We do not want black pictures painted of the north. That is what your colleague said.

The Hon. R. HETHERINGTON: When we are talking about the north, we might try to look at it factually and not—

The Hon. P. H. Lockyer: That is what I am trying to do. It is very difficult, with tourists making wide statements.

The PRESIDENT: Order!

The Hon. R. HETHERINGTON: I am a little tired of hearing in this House a member who has been elected by the people of the north as their representative being dismissed as a tourist by a

member of this House whose arguments have never been made from a high intellectual standing.

The Hon. P. H. Lockyer: Do I get the cuts?

The PRESIDENT: Order! I would like the honourable member to relate his comments to the Bill.

The Hon. R. HETHERINGTON: I am sorry, Mr President. I was led astray by remarks from behind my back.

I will say no more about the Bill, because I have not studied it closely. I was provoked into making my remarks by some of the arguments that have been developed in this House. Like my colleagues, I support the Bill, while having some doubts about what will happen with it and the commission when the Act comes into being. That will interest us a great deal because as a party we are very concerned about the operations of the commission and about welfare housing. We will continue to be so concerned.

THE HON. I. G. PRATT (Lower West) [9.48 p.m.]: Those of us who have electorates with large areas of housing or people requiring the assistance of the State Housing Commission are very pleased this Bill is before the House. As the Minister said when introducing it, the Bill is to repeal the State Housing Act and replace it with legislation more in keeping with the requirements of today and in the foreseeable future. We all recognise this need; and we welcome the Bill. I rise to indicate my support for it.

I was very glad that the Hon. Fred McKenzie expressed the support of the Opposition, with perhaps a few minor reservations. I have been interested tonight to note the very constructive and meaningful speeches by the members who support the Bill. They have put up very good cases for support of the Bill; and I join them in that support.

THE HON. T. KNIGHT (South) [9.50 p.m.]: I was a builder prior to my entry to the Parliament, and I was building something like 70 per cent of all State Housing Commission homes in the Albany region. I have never found the situation at a public level where there has been sufficient housing. It is a commodity that always is in great demand.

Whatever the Government did, even if it had unlimited finance, it would not be in a position to please all the people all the time. I consider this Bill takes a new look at the housing situation in Western Australia. It gives the commission more authority and a few more teeth. It is a new venture into which the commission is moving to

the benefit of the people wanting housing in this State of Western Australia.

The commission is to be commended for its handling of the need for housing in this State, particularly in the developing areas. It has reached the stage of an ever-changing situation in housing and an ever-changing money market. The cutting off of finance from the Federal Government for the Housing Commission means that we will always be faced with a shortage of houses. Today a person applies for a house even before the tenders have been called; and it will be at least three months before the house is finished. When that waiting time is multiplied by 500 or 600, one realises that there is a shortage of 500 to 600 houses.

There is development everywhere; and the Government cannot look far enough ahead to make money available to build houses in the supposed development areas. However, when we consider some of the inland areas of Western Australia, we realise there are empty houses. Those are the places where development has stopped. Let us consider Ravensthorpe on the south coast. As members are aware, Ravensthorpe was a mining town, and there are empty houses there which were left behind by the mining company. Maybe the Housing Commission should be considering shifting those houses to different places. However, people demand a higher standard of living than they had 15 years ago.

It is very unfair to compare the activities of the State Housing Commission today with what it has been trying to do since its inception. It has had a big task. Housing is one of the biggest factors in a person's life; and people want the best standard. The SHC is endeavouring to meet this demand.

I commend the SHC for what it is doing; and I support the Bill.

**THE HON. W. R. WITHERS** (North) {9.53 p.m.}: I consider the Bill to be quite a practical Bill, and I thought it would not need my words to support it. The only thing that has caused me to rise is the speech by my colleague in the North Province (the Hon. Peter Dowding). It is rather a shame that somebody with his ability in speech and power of thought criticises the Bill without putting up practical suggestions for change.

The Hon. Peter Dowding made some points that may be accurate in the way he expressed them, but perhaps they are not accurate as seen through the eyes of a State Housing Commission officer. The Hon. Peter Dowding named a particular person in Derby, and he implied that that person received assistance because he was a member of the Liberal Party. If I thought that

had happened, I would be going all out to correct the situation. However, after the initial questions asked by Mr Dowding about this person, I queried the SHC to learn when the application was made. At that time there were spare houses; and that is why that person was given a house. There was not a waiting list. If there had been a waiting list, it would be a disgraceful situation.

That is a reflection on the member for making accusations which, although they appear to be right in the eyes of the public, are not factual. I am sure the SHC would not support anybody on political grounds.

**The Hon. F. E. McKenzie**: What northern country town was involved? Was it Broome?

**The Hon. W. R. WITHERS**: No. It was Derby.

**The Hon. F. E. McKenzie**: And there were spare houses in Derby?

**The Hon. W. R. WITHERS**: Yes, at that time. The commission had built 30 houses.

The SHC builds houses on demand; and the Government endeavours to build the number of houses that are needed in the north. Sometimes—and apparently this happened in Derby—it has built the houses required; but when it came to putting the people into the houses, the people had gone to other towns. They had become itinerant people. That is a pity.

Throughout the north there is a tremendous number of itinerant people. Some of the comments by Phil Lockyer concerning itinerant people in the north are correct. There are people with whom I have consulted who do not want to shift out of caravans.

I have had experience of living in caravans, tents, and substandard dwellings in the north. I have had greater experience of that than has any other person in this Chamber, past or present. Of the last three years, as a member of Parliament I have spent 2½ years in a caravan in the bush. I know what it is all about. I know what it is like to live in a caravan. I do not like it at all; but some people prefer it.

**The Hon. R. Hetherington**: Nobody is denying that.

**The PRESIDENT**: Order! I hope the honourable member is going to give us his views on the Bill shortly.

**The Hon. W. R. WITHERS**: As I said, I did not think the Bill required my words to support it. I am answering some of the things said by a member who was on his feet previously. He said some things which were not related to the Bill,

but nobody checked him. I am answering some of those comments he made.

The PRESIDENT: What somebody else has done is irrelevant.

The Hon. R. Hetherington: Do you want a State caravan commission set up as well?

The Hon. W. R. WITHERS: In speaking to this Bill, the Hon. Peter Dowding will be reported in the newspapers and on ABC radio, but not one practical suggestion will be reported. There will be nothing about the practicalities of this Bill, and what it is doing for the people of Western Australia. All that will be reported will be criticism and negative attitudes. Unfortunately, that is the way the Press is going today.

The member mentioned a clause in the Bill, and he said it was a shame that the Minister should have the power to accept the commission's recommendations. I do not see anything wrong in that. That is the way it should be in all things.

The Hon. P. H. Lockyer: That is why he is the Minister.

The Hon. W. R. WITHERS: That is right. The Minister is all-powerful within his portfolio. If he were not, what would be the sense of his being a Minister? I cannot see any reason for the member's objections to the clause of the Bill.

We will always have a housing shortage. Everywhere in the world that I have been, there is a housing shortage. The people who have said they do not have a housing problem—people like the Russians and the Chinese, with their Communist attitudes—do not have the standard of housing that we have here; nor will they ever have it.

The Hon. Peter Dowding criticised this Government and criticised this Bill without looking at any of the recent history concerning the State Housing Commission. He failed to recognise that some years ago I moved a motion of no confidence in the Minister for Housing in this Chamber for what had not been done in the SHC. It was unfortunate because, frankly, I liked the Minister. Since that time, the SHC has gone about housing in my province in the correct manner. It has increased the amount of spending *per capita*; it has picked up a tremendous leeway that existed in State housing. However, we will always require more.

This Housing Bill, as far as I am concerned, goes a long way towards meeting the needs of welfare housing, and I support it.

THE HON. G. E. MASTERS (West—Minister for Fisheries and Wildlife) [10.00 p.m.]: I would like to thank members for their support of

the Bill, but I am not absolutely certain that in fact the Hon. Bob Hetherington and the Hon. Peter Dowding support it. If, they do, I am pleased; but they seemed to raise a number of issues.

The Hon. R. Hetherington: I support the Bill.

The Hon. G. E. MASTERS: If that is the case, I suggest to the honourable member he relax a little more, because if he does not, he will certainly suffer problems with high blood pressure. It is interesting to note when members opposite get excited, they show their true colours. Bitterness towards private enterprise was quite obvious from the way in which the Hon. Peter Dowding and the Hon. Bob Hetherington spoke. We must look at the situation and recognise private enterprise in this State and throughout the country has a very real and proper role to perform.

The Hon. H. W. Olney: We do not have to agree with you all the time.

The Hon. G. E. MASTERS: I am aware of that. All I am saying is, I am disturbed when private enterprise is attacked as bitterly as it has been tonight. However, I suppose people in private enterprise would understand the position of members opposite in this respect.

I should like to turn to the remarks made by the Hon. Fred McKenzie who was the lead spokesman for the Opposition on this Bill and who supported it. He suggested funds had been reduced over a period of time since the Whitlam era. That is probably the case and we are concerned, as he is, about the matter. However, in areas of good financial management—and that is what we are looking at here—there needs to be concern for the public purse and consideration as to how much the public can afford and how much they are prepared to pay in taxation. There has to be a balance.

I simply draw to the attention of the member that, although Mr Whitlam handed out large sums of money, in the end the public rejected him and he sent the country almost bankrupt. We do not want that to occur again.

Several members interjected.

The Hon. G. E. MASTERS: Nevertheless, I will not provoke members opposite, if they support the Bill so strongly. I merely want to make one or two comments.

The Hon. Fred McKenzie talked about those who qualified for rebates and mentioned a figure in the past of 51 or 52 per cent. I understand he is correct and although I do not have the exact



figure, I believe approximately 70 per cent will qualify for a rebate this year.

With his great knowledge of the building industry, the Hon. Neil Oliver pointed out some of his ideas. Although they were somewhat complicated and I had trouble following what he was saying, I am aware of his great knowledge of the matter and, if his explanation is studied, it could perhaps answer some of the building problems in the future. His knowledge in that area is probably more extensive than that of any other member of the House.

The member referred to staffing in the SHC. One of the purposes of the Bill is that it has endeavoured to streamline the operation and contain the costs of staffing and managing the SHC. To some extent, the Bill will achieve that objective.

I am sorry the Hon. Peter Dowding is not here. Obviously he has business outside the House. Perhaps I could best describe his comments as extravagant in the extreme. I suppose we could judge his comments by comparing them with the statement he made to the effect that the two Honorary Ministers in this State cost the public \$1 million. That is the sort of extravagant comment he made in his argument. I do not believe I need to say much more about it.

The Hon. Phil Lockyer, with his knowledge of the north and as a resident of the north, has made statements which reflect badly on the comments made by the Hon. Peter Dowding and I believe he gave us the true position. I thank the Hon. Phil Lockyer for the remarks he made.

The Hon. F. E. McKenzie: Tell me how much the Honorary Ministers cost?

The PRESIDENT: Order! That has nothing to do with the legislation before the House.

The Hon. G. E. MASTERS: The only reason I brought it into the debate was that I wanted to relate that sort of extravagant comment to the rest of the comments made by the member.

The Hon. Peter Dowding said the Government did not consider the position of the destitute. The long title of the Bill reads, in part, as follows—

An Act relating to housing, to make better provision for housing and improving housing standards and conditions in this State . . .

That is the sort of objective aimed at in this Bill. I raise this matter, because the member said the Government did not take into account the needs of the destitute and those in greatest need.

The Hon. R. Hetherington: He did not spell it out.

The Hon. G. E. MASTERS: I refer members to page 5 of the Bill where subclause (3) reads, in part, as follows—

The conditions of eligibility mentioned in subsection (2) shall be determined and approved by reference to income criteria . . .

People in a high-income group certainly would not qualify and those with low or virtually no income certainly would qualify and they would fall into the class of people in most need or those who were destitute.

The Hon. F. E. McKenzie: The Bill says nothing about the poor.

The Hon. G. E. MASTERS: Does not the Hon. Fred McKenzie believe people on low incomes are poor? It is clear someone on a low income is poor and someone on a high income is not. The objective of the SHC is and always will be to help people in need, regardless of the fact that the Opposition says such people are not mentioned in the Bill.

The Hon. F. E. McKenzie: In decreasing numbers.

The Hon. G. E. MASTERS: The numbers are not decreasing. We spend the money properly and carefully and endeavour to serve those in the greatest need. There is no doubt at all about that, as far as the Government is concerned.

I do not believe there is a necessity for me to comment further. Members on this side of the House have answered the criticism levelled at the Government. Once again, I thank all members for their support of the measure.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Chairman of Committees (the Hon. V. J. Ferry) in the Chair; the Hon. G. E. Masters (Minister for Fisheries and Wildlife) in charge of the Bill.

Clauses 1 to 21 put and passed.

Clause 22: Powers in relation to development and management of land—

The Hon. F. E. McKENZIE: I move an amendment—

Page 15—Delete subparagraph (ii).

If my amendment were passed, it would effectively mean the end of the current management fee. That fee was introduced some time ago by the SHC for persons who were purchasing and leasing homes. The management fee is simply a revenue-raising interest hike. It cannot be justified and it is an immoral

interference with a contract entered into between two parties. There is no guarantee the fee will be kept at the present level.

We do not believe the management fee should be part of the Bill, because it is a revenue-raising interest hike. The permanent building societies have no provision for management fees and we cannot see any reason that the SHC should levy that sort of charge on the people concerned.

It is the policy of our party to oppose such charges. Another factor to be considered is that the Bill does not mention whether the fee will remain at the present level. It could be adjusted from time to time.

For those reasons, we believe the subparagraph should be deleted.

The Hon. G. E. MASTERS: The Government opposes the amendment. This is Labor Party policy, so we must expect such an amendment. Members opposite have always made their position clear as far as the management fee is concerned. However, we believe the SHC has a responsibility to trade as carefully as possible. We believe a management fee is a reasonable provision to apply to home purchases made prior to 1974. It certainly does not apply to any agreements or undertakings since that time. Therefore, in the interests of good management and bearing in mind that interest rates have increased, there needs to be a gain of at least some money in this area.

We do not suggest this fee does not raise money. We simply say there is a need for the SHC to cover some of its costs.

It is my understanding the management fee is unlikely to rise above the \$5 mark. I received such an assurance from the Minister responsible for the Bill. I imagine that would be a fair undertaking.

The Hon. F. E. McKenzie: For how long?

The Hon. G. E. MASTERS: The management fee will be phased out gradually as the homes are paid off and it will disappear altogether eventually. I believe approximately 9 000 homes are involved at the moment, but in more recent agreements and purchases this would not apply.

It is a reasonable and sensible provision and one which is necessary in the circumstances, bearing in mind the financial constraints on the SHC.

The Hon. R. HETHERINGTON: I support the amendment. I remember arguing against the introduction of the management fee some years ago. If one reads the clause, one sees it does not say a management fee will apply only to certain classes of houses. The commission may do as it

wants as far as management fees are concerned and the clause does not restrict the commission in the way the Minister has pointed out.

Unfortunately, we have discovered this Government tends to raise charges when it finds it cannot increase rents or is having difficulties in other directions. When the management fee was first introduced, it cut across a contract which had been entered into and people suddenly found they had to pay this little bit extra. I do not believe the Minister is justified in having this particular clause in the Bill.

Had the Minister said the management fee that has been charged on this particular class of houses would be phased out, we would still oppose it in principle.

We opposed the principal when it was first introduced, but at least we would feel happier with it if the commission did not have the power to increase management fees. Once again, as happens far too frequently in instrumentalities in this State, the commission found that this action was necessary and it has sought to raise revenue by the back door.

The Hon. NEIL OLIVER: It is regrettable that Mr McKenzie did not swap notes with Mr Dowding because their views are in total conflict with respect to this amendment.

Mr Dowding said that as the requirement for homes has decreased and fewer people are taking advantage of welfare housing, this is no longer required. I believe that early in their lives people require accommodation and later when their position improves they no longer require a subsidy. Quite frankly, this legislation is in complete agreement with the objectives of the Labor Party and Mr McKenzie and Mr Dowding should have a chat. Over a period of time property values increase, irrespective of inflation, and it is only natural that fees should rise.

The Hon. Peter Dowding: What has that got to do with management?

The Hon. NEIL OLIVER: If the fees are increased the revenue raised will be ploughed back to provide more housing and this is the very aim of Opposition members.

The Hon. F. E. MCKENZIE: It is quite obvious that there is a philosophical difference between the policy of the Government and the policy of the Labor Party, therefore it is pointless to pursue the matter further.

It is clear the Opposition does not favour the management fee and if it were struck out of the legislation it would be a far better Bill. It is an immoral charge and it is raising additional

revenue in a bad and unfair way. For that reason I am attempting to have the charge taken out of the legislation by way of an amendment.

Amendment put and a division taken with the following result—

Ayes 7	
Hon. J. M. Brown	Hon. F. E. McKenzie
Hon. Peter Dowding	Hon. H. W. Olney
Hon. Lyla Elliott	Hon. R. T. Leeson
Hon. R. Hetherington	(Teller)
Noes 18	
Hon. N. E. Baxter	Hon. Neil Oliver
Hon. H. W. Gayfer	Hon. P. G. Pandal
Hon. T. Knight	Hon. W. M. Piesse
Hon. A. A. Lewis	Hon. R. G. Pike
Hon. P. H. Lockyer	Hon. I. G. Pratt
Hon. G. C. MacKinnon	Hon. P. H. Wells
Hon. G. E. Masters	Hon. W. R. Withers
Hon. I. G. Medcalf	Hon. D. J. Wordsworth
Hon. N. F. Moore	Hon. Margaret McAleer
	(Teller)

Pairs

Ayes	Noes
Hon. D. K. Dans	Hon. R. J. L. Williams
Hon. J. M. Berinson	Hon. Neil McNeill

Amendment thus negatived.

Clause put and passed.

Clauses 23 to 41 put and passed.

Clause 42: Interest on loans—

The Hon. F. E. McKENZIE: I move an amendment—

Page 25, lines 19 to 23—Delete all words after the word "class" to and including the word "subsection".

As the clause now stands, it allows the State Housing Commission to change interest rates whenever it likes, after a mortgage has been signed. Our amendment provides that once a mortgage is signed at an agreed rate it cannot be varied. We ask the reason for this change when the Commonwealth provides the funds for the low-interest loans. We do not see why the money which the State Housing Commission obtains from the Commonwealth at, say, 8 per cent, can subsequently be varied so that the commission can obtain a higher rate of interest. If that money is obtained from the Commonwealth at a rate of 8 per cent, it ought to remain at 8 per cent and not be increased at some later stage. That is the reason for my amendment.

The Hon. G. E. MASTERS: Again, the Government opposes the proposal put forward by the Opposition. It seems quite reasonable that a variable interest rate should be available to the State Housing Commission.

The honourable member spoke about a set rate of interest for loan money but I think he has forgotten that this operation is a type of business

enterprise. There are additional costs such as administrative costs and management costs which are incurred by the State Housing Commission.

Most people accept that with housing interest and the like a variable area should be included so that, in circumstances where it may be necessary, an increase can be imposed. I am not so sure where the honourable members would go especially when they speak about raising more money to increase the number of houses built one minute and the next minute attempt to restrict a reasonable income. Money does not grow on trees and this seems to me to be a balanced proposition. If the Opposition is opposed to management fees and variable interest rates then I guess somehow or other it will pluck the money from another source.

The Hon. F. E. McKenzie: From the Commonwealth Government, where it ought to come from.

The Hon. G. E. MASTERS: The Commonwealth Government has constraints as far as finance is concerned. These are difficult times and money does not grow on trees.

The Hon. Peter Dowding: This is supposed to be a time of wonderful development.

The Hon. G. E. MASTERS: The Commonwealth Government is pursuing a responsible financial policy.

The Hon. Peter Dowding: No-one else thinks that.

The Hon. G. E. MASTERS: In these circumstances I believe this to be a reasonable proposition.

The Hon. NEIL OLIVER: The Government will have to throw this amendment out. If we accept the Opposition's amendment, it would mean that on any occasion when interest rates are reduced, that reduction should not be passed on to mortgagees.

The Hon. Peter Dowding: Do you think it will ever come to the stage where interest rates drop? You have to be joking!

The Hon. NEIL OLIVER: I do not know how long the member has been in the marketplace, but interest rates last week in respect of the exchange of mortgages were reduced by 0.5 per cent. I anticipate that they will increase by 1 per cent in the next two weeks. Mortgages are variable and if the Hon. Peter Dowding is involved in any way in the investing of clients' funds whilst practising as a solicitor—

The Hon. Peter Dowding: I am not a solicitor.

The Hon. NEIL OLIVER: It would be inequitable to say that if the operating funds on

debentures rise we should not pass that on to the mortgagees, and alternatively should debentures rates go down we should not pass that decrease on to the mortgagees. It would be inequitable right across the board. If the Opposition does not agree with that then I do not know what it will agree with. If Opposition members do not agree with this move then they are not agreeing to pass on that reduction to people who have mortgages.

If that is the policy of the Australian Labor Party, let its members wear it, and let them hang it around their necks for the next 25 years.

The Hon. PETER DOWDING: There is nothing in clause 42 to require the State Housing Commission or, for that matter, the Minister, to request reasonable interest rates. This is like the Minister's earlier reference to subclauses (2) and (3) of clause 5.

The Hon. G. E. Masters: We dealt with that.

The Hon. PETER DOWDING: I know we dealt with it. It is the same sort of difficult statutory exercise that the Minister seems to engage in. He imports into the clause words that simply are not there.

Clause 42 of this Bill suffers from the same problem; that is, in its statutory provisions it completely disregards the rights and needs of disadvantaged people.

The Hon. G. E. Masters: Rubbish!

The Hon. PETER DOWDING: The Minister points to one reference to disadvantaged people in the objects.

The Hon. G. E. Masters: I have already done that.

The Hon. PETER DOWDING: The Minister cannot do that, because it is not in the objects.

The Hon. G. E. Masters: It is a matter of interpretation.

The Hon. PETER DOWDING: It is not a matter of interpretation at all. The Minister could not really satisfy any court that the objects clause refers to disadvantaged people. He may be able to persuade members opposite that that is so, and that may be a comment about the Minister or about members opposite!

Clause 42 is designed to give the SHC a money-making role, and that should not be its role. The role of the SHC should be to spend its money in the best possible way, and that ought to be primarily in the assistance of disadvantaged people.

The point that the Hon. Neil Oliver seems to have missed is that disadvantaged people may have entered into a purchase arrangement with a

mortgage from funds acquired on a fixed rate. The honourable member has tried to indicate that the Government has some immense skill in financial circles. The money is being borrowed at one interest rate and lent at another—the interest rate ought to be fixed. That is the view of the Opposition. There is no protection for anyone under the provisions of clause 42. The interest rate is entirely at the discretion of the Minister and of the department, and that is not an appropriate way to leave it.

Governments such as the present Court Government squeeze the most money possible out of the disadvantaged people—the people least able to afford it. The Court Government is not prepared to squeeze the more affluent people in the community, and a good example of that is the Government's intention to amend the Stamp Act. The Government knows that for the last 12 months people have been getting away with manipulation of the stamp duty legislation, and it has done no more about that matter than to introduce an amending Bill. It has not even done what the Treasury has done; that is, to warn people that if they carry on with stamp tax avoidance after a certain date, they will find that the legislation will be retrospective.

Clause 42 is a good example of the way in which the Government is lining up the power to squeeze disadvantaged people. It is not so much the words that appear in the clause, but rather the power that the Government is giving to the Minister and to the SHC, a power with no legislative restraints and one which can be abused. Perhaps the Minister, in his extremely talented way, can find some reference to restrictions in clause 42. However, the truth is that there is no such reference.

The Hon. G. E. MASTERS: Obviously, the SHC is in existence to serve and help the disadvantaged as far as possible.

The Hon. Peter Dowding: Why don't you say that in the objects?

The Hon. G. E. MASTERS: Surely to goodness we do not have to spell that out. It is an accepted fact. The Hon. Peter Dowding knows it, and I know it.

The Hon. Peter Dowding: Why did you take it out of the legislation?

The Hon. G. E. MASTERS: This is like the argument we had the other night about the definition of the term "civil emergency". We had a long argument on the definition of the word "includes".

The Hon. Peter Dowding: Who accepted the amendment in another place? Your own Minister! That pulls the rug out from under you, doesn't it?

The Hon. G. E. MASTERS: I am merely saying we are arguing and arguing about one word. Any Government has a responsible role to play in regard to a State Housing Commission. If a Government does not perform in this regard, the public would soon react. Mr Dowding was very keen to comment on clause 42, but he paid scant regard to subclause (6) of clause 33 which reads—

... contracts of sale of that class but the contract may provide for the interest rate to vary in accordance with determinations published from time to time under that subsection.

The Hon. Peter Dowding did not seem to have any regard for that provision, but he is worried to death about this one. Did he not read that part of the Bill, or is he not worried about contracts, but is worried about mortgages? Most SHC deals are accomplished by way of contract.

The Hon. F. E. McKENZIE: Now we have dealt with another part of the clause, let us get back to the amendment. The point that seems to have been missed is that up to the present we have not had to worry about varying rates of interest. Because of the shortfall in the funds made available to the SHC, the commission has had to raise money from whatever source it can, whether it is moral or immoral to do so.

The reason for the amendment is that the Commonwealth allocates funds to the State at a certain rate of interest, and, in our view, it is immoral for the State to have legislation to allow those interest rates to be varied. The Hon. Neil Oliver knows very well that the rates are more likely to increase than to decrease. I read in the Press in the last few weeks that there is a possibility of an increase of 1½ per cent in interest rates.

The Hon. P. H. Wells: My repayment is lower now than it was when I first took it out, so interest rates have gone down.

The Hon. F. E. McKENZIE: That will not be so for long.

The Hon. P. H. Wells: I am telling you it has been down for the last two years.

The Hon. F. E. McKENZIE: The provision to vary the rates was not in the old Act.

The Hon. P. H. Wells: What about all those people on rebates?

The Hon. F. E. McKENZIE: In our view it is wrong for the commission to raise funds by

making a profit out of the money made available by the Commonwealth. If the Government does not agree, we will divide on this amendment.

Amendment put and a division taken with the following result—

## Ayes 7

Hon. J. M. Brown,	Hon. R. T. Leeson
Hon. Peter Dowding	Hon. H. W. Olney
Hon. Lyla Elliott	Hon. F. E. McKenzie
Hon. R. Hetherington	(Teller)

## Noes 18

Hon. N. E. Baxter	Hon. Neil Oliver
Hon. H. W. Gayfer	Hon. P. G. Pandal
Hon. T. Knight	Hon. W. M. Piesse
Hon. A. A. Lewis	Hon. R. G. Pike
Hon. P. H. Lockyer	Hon. I. G. Pratt
Hon. G. C. MacKinnon	Hon. P. H. Wells
Hon. G. E. Masters	Hon. W. R. Withers
Hon. I. G. Medcalf	Hon. D. J. Wordsworth
Hon. N. F. Moore	Hon. Margaret McAleer
	(Teller)

## Pairs

Ayes	Noes
Hon. D. K. Dans	Hon. R. J. L. Williams
Hon. J. M. Berinson	Hon. Neil McNeill

Amendment thus negatived.

Clause put and passed.

Clauses 43 to 48 put and passed.

Clause 49: Financial assistance from the Commonwealth—powers of Minister and Commission—

The Hon. F. E. McKENZIE: I move an amendment—

Page 28, line 8—Insert before the words "The Minister" the words "Subject to approval by Parliament".

As the clause stands, Commonwealth-State Housing Agreements will not need to come before Parliament. These agreements are signed only once every three years, so it would not be too onerous for Parliament to approve them.

Also, they are the key determinant of Government housing policy. I mentioned during the second reading debate it would be too easy for the State Government to gloss over any shortfall in funding from the Commonwealth if these agreements did not come before the Parliament. I do not think it would be asking too much of the Government to allow the Parliament to examine these agreements when they are approved.

The Hon. G. E. MASTERS: I am not really sure I can see any great advantage in the proposal of the Hon. F. E. McKenzie. My understanding is that negotiations take place between the State and the Commonwealth after which the Commonwealth decides the level of funding. In other words, it is a virtual *fait accompli*; once the

level of funding is arrived at, the State Government is committed to that funding.

Of course, it would be reasonable as far as I am concerned for the Minister of the day and the Government to be in a position to make a decision on the level of housing finance to be provided by the Commonwealth. However, my opinion is that there would be no real advantage in the amendment. The honourable member suggests the agreement should be debated in the Parliament. Quite frankly, once the agreement is made it becomes public knowledge, and I cannot see any point in the matter coming forward for our attention in this place.

The Hon. R. HETHERINGTON: I would have thought one of the advantages which would be gained would be that it would give the Government an opportunity to inform the Parliament of the nature of the agreement. Of course, we know the agreement would be ratified, because the Government has the numbers. However, these days, things that Governments do are made public through all sorts of media; they are far too infrequently made known to the Parliament.

It seems to me that when a major agreement is entered into, it is not too much to ask the Government to explain it to Parliament. After all, it is a Government responsibility to Parliament; we do still have a system of responsible Government. It is up to the Government to inform Parliament what is involved in the agreement. We should not have to read it in the Press, in a handout, or in a statement issued by the Premier's latest Press Secretary.

I would have thought one of the reasons Parliament was here was to have announcements made, and agreements explained, and to obtain ratification for such agreements. I cannot imagine any Parliament failing to ratify such an agreement, or to approve of it. However, at least the matter should be discussed and explained in the Parliament of this State. This is the place in which the Government should make such announcements; this is the place to which the Government is responsible.

It seems to me we would take a step towards the notion of responsible parliamentary Government and a tiny step away from the notion of complete dominance by the Executive if we agreed to the amendment.

I ask the Minister and the Government to think again and perhaps this time we will move away from presidential Government and pay at least lip service to parliamentary Government.

The Hon. F. E. McKENZIE: I am disappointed at the Government's attitude; I did not think it was asking too much of the Government to bring Commonwealth-State Housing Agreements before Parliament for approval. It is a very minor amendment which would give us an opportunity to scrutinise and debate the arrangements entered into. I was rather hoping it would be a matter of third time lucky with my amendment. The Minister may yet be prepared to accept my amendment which would enable the Parliament to scrutinise these agreements.

Amendment put and a division taken with the following result—

## Ayes 7

Hon. J. M. Brown	Hon. F. E. McKenzie
Hon. Lyla Elliott	Hon. H. W. Olney
Hon. R. Hetherington	Hon. Peter Dowding
Hon. R. T. Leeson	

(Teller)

## Noes 18

Hon. N. E. Baxter	Hon. Neil Oliver
Hon. H. W. Gayfer	Hon. P. G. Pandal
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Hon. A. A. Lewis	Hon. R. G. Pike
Hon. P. H. Lockyer	Hon. I. G. Pratt
Hon. G. C. MacKinnon	Hon. P. H. Wells
Hon. G. E. Masters	Hon. W. R. Withers
Hon. I. G. Medcalf	Hon. D. J. Wordsworth
Hon. N. F. Moore	Hon. Margaret McAleer

(Teller)

## Pairs

Ayes	Noes
Hon. D. K. Dans	Hon. R. J. L. Williams
Hon. J. M. Berinson	Hon. Neil McNeill

Amendment thus negatived.

Clause put and passed.

Clauses 50 to 59 put and passed.

Clause 60: Commission may provide specialized housing—

The Hon. NEIL OLIVER: Questions have been raised about the lack of welfare housing. I draw the attention of members to clause 60(1)(a) which reads as follows—

60. (1) For the purposes of this Act the Commission may—

(a) erect, acquire or take leases of, and furnish and equip specialized housing for the purpose of housing persons, including students and aged and infirm persons, whose housing requirements are not, in the opinion of the Commission otherwise adequately provided for under the provisions of this Act;

Clause put and passed.

Clauses 61 to 80 put and passed.

Schedule put and passed.

Title put and passed.

*Report*

Bill reported, without amendment, and the report adopted.

**BILLS (2): ASSEMBLY'S MESSAGES**

Messages from the Assembly received and read notifying that it had agreed to the amendments made by the Council to the following Bills—

1. Acts Amendment (Motor Vehicle Pools) Bill.
2. Door to Door (Sales) Amendment Bill.

**POLICE AMENDMENT BILL***Assembly's Message*

Message from the Assembly received and read notifying that it had agreed to the amendment made by the Council, subject to a further amendment.

**ACTS AMENDMENT (TRANSPORT) BILL***Second Reading*

Debate resumed from 5 November.

**THE HON. F. E. MCKENZIE** (East Metropolitan) [10.58 p.m.]: In his second reading speech, the Minister outlined the purpose of the Bill, which is to remove from the State Transport Co-ordination Act those functions that are to become the responsibility of the Commissioner of Transport and which will be written into the Transport Act.

Earlier tonight, we spoke on the Transport Amendment Bill relating to the functions being transferred as a result of the changes that have taken place because of Government policy. For that reason there is no point in further discussing the Bill.

The Opposition supports this measure. It is purely a machinery Bill which removes responsibility from the Director General of Transport to the Commissioner of Transport.

**THE HON. D. J. WORDSWORTH** (South—Minister for Lands) [11.01 p.m.]: I thank the Opposition for its support of 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. D. J. Wordsworth (Minister for Lands), and passed.

**ADJOURNMENT OF THE HOUSE**

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [11.02 p.m.]: I move—

That the House do now adjourn.

*Minister for Conservation and the Environment:  
Withholding of Information*

**THE HON. PETER DOWDING** (North) [11.03 p.m.]: At the risk of incurring the wrath of honourable members who disapprove of the use of the adjournment motion for the purpose of debate, I wish to oppose the adjourning of this House until it has had an opportunity of hearing from me.

Several members interjected.

The Hon. PETER DOWDING: I wish to comment on a matter of great seriousness, and I do not claim, as honourable members opposite have repeatedly reminded me, to be a long-standing member of this House.

The Hon. P. H. Lockyer: I can see that.

The Hon. PETER DOWDING: Nor do I claim—despite the fatuous interjection of the Hon. Philip Lockyer—to have the entire right to say what is proper and what is not proper. However, I have asked a number of questions of the Minister for Conservation and the Environment concerning the Government's decision in relation to the Environmental Protection Authority and its decision in respect of Mr Porter and his position on that authority.

As late as, perhaps, 5.15 p.m. this evening I asked the Minister a question which once again raised the issue of what the Government is doing about the EPA. The Minister declined to inform this House what are the proposals.

It is my submission that the Minister has treated this House with a measure of contempt. The view I take of the role of a Minister and his responsibility to Parliament is that if questions are being asked in Parliament as to ministerial decisions and ministerial actions, this Parliament is entitled to be told about those proposals before the public is told. In my view the Minister has a responsibility to inform this House at least at the same time that members of the public are informed. That is particularly so when there are a series of questions, persistent questions, over a period of time designed to find out what the Government is doing about a particular action.

I am horrified to note that the Minister was not the person—perhaps he is not in charge of his portfolio in fact but merely *de jure*—who this afternoon, before we sat, issued a Press statement to the public in which was outlined the Government's plans in relation to the EPA. The Press statement announced that the Government was intending to proceed with amendments to the Environmental Protection Act and that one of the plans was that the director would no longer be the Chairman or a member of the EPA and he would no longer have voting rights on the Conservation and Environment Council.

I regard it as an important role of a Minister to have responsibility to this House. When a Minister persistently ducks and dives and tries to evade questions which are properly put to him about the exercise of his ministerial responsibility, it is appalling that he should permit a situation where some other member of Cabinet who does not have responsibility for his particular portfolio goes off and advises the public on matters about which the Minister well knew we had been asking questions. Not only do I say it is discourteous of the Minister but also I say it is contemptuous of the role of this House.

Honourable members opposite might be prepared to put aside petty politics and put aside the suggestion that this is merely a stunt. The fact of the matter is that Parliament has a role and Ministers are responsible to Parliament. After a member of Parliament has sought information and the Minister even promised in some of his answers that Parliament would be told in due course, we were treated with contempt and we saw someone go off and tell the public all about it.

Further, when I asked the Minister a question this afternoon in reply to which he should, in my submission, have at least informed the Parliament that a decision had been taken and made public, he made no mention of it. It was left for members of this House to read about it in the Press. In my submission that is a contemptuous treatment of this House.

**THE HON. G. E. MASTERS** (West—Minister for Conservation and the Environment) [11.08 p.m.]: I intend to be very brief. I guess we are becoming used to the Hon. Peter Dowding grandstanding in this House and continually playing to the Press. This is something which is becoming normal practice for him. He looks up at the Press Gallery, and rushes out and makes Press statements on all sorts of things. We are getting used to this. When he talks about playing petty politics, let us be absolutely clear who really is

playing petty politics: It is the Hon. Peter Dowding.

The Hon. F. E. McKenzie: Why didn't you answer questions earlier in the day?

The Hon. G. E. MASTERS: The decision to make a Press statement was the result of many misinformed and incorrect statements over a period of time. The statement was to indicate that there would be a Bill introduced into Parliament to amend the Environmental Protection Act.

The Hon. Peter Dowding has spent the last three weeks quoting from newspaper reports, yet when he gets one today he starts grizzling and moaning about it. What is he trying to do? He is trying to make a mockery of this House. Is he trying to make fools of us or is he playing to the Press Gallery? We have a right to ask those questions. He should take notice of the comments made by the Hon. Norman Baxter who made him look a fool the other night.

I am sorry and disappointed he has taken this attitude. He knows the answer to his complaint; he has the facts.

**THE HON. R. HETHERINGTON** (East Metropolitan) [11.10 p.m.]: The only person who has brought this House into contempt tonight is the Minister.

The Hon. P. H. Lockyer: That is total nonsense.

The Hon. R. HETHERINGTON: I am sorry I was present in the House to hear that particular tirade. The other day I read the Premier had chided the Leader of the Opposition, because he suggested Parliament was being degraded and played down. Here is a prime example of contempt of Parliament and it is what people have been complaining about inside and outside Parliament for many years; that is, that the Government no longer behaves as a responsible Government, with Ministers making announcements in the proper place, which is Parliament.

I advise members who have been interjecting that they should listen to me, because I am not a new member. I have been here for at least one term. Indeed, I taught about the role of Parliament for 20 years before I came here. I have some idea of what I am talking about and the cheap gibes of some of the members behind me do not do them any credit.

The Hon. W. R. Withers: The members behind you happen to be your own members.

The Hon. Peter Dowding: He is facing the President.



The Hon. R. HETHERINGTON: I am glad members find this funny. I am glad they find it a matter of high levity. I am glad members are pleased that a Minister of the Crown can stand up in this House and try to evade his responsibilities to the House and the Parliament by a bitter personal attack. I would have made my comments gently, but if members want me to raise my voice I shall do so. It is the role of a Government to make announcements in Parliament and when a member asks a question here and the Minister knows the answer, but does not give it because the Premier has decided to make a Press release as he believes Parliament is not the correct place in which to announce ministerial decisions, we are downgrading Parliament. This Government and the Executive is showing its normal arrogance.

The Hon. P. H. Lockyer interjected.

The Hon. R. HETHERINGTON: I wish the member for Lower North Province would be quiet for once. All he does is illustrate his own ignorance by his continual and fatuous interjections.

As far as I am concerned the Minister stands condemned for having misled the House and because he failed to reveal to the Parliament in answer to questions, information which was in his possession.

The Hon. P. H. Lockyer: How did he mislead the House?

The Hon. R. HETHERINGTON: The Opposition will have to consider what further action it might take; but I want to place on record that I regard this contempt of the House and Parliament as very serious. I do not believe the Minister's personal attack on my friend, the Hon. Peter Dowding, can get him out from under the fact that he has not made an announcement in the proper place and that he belongs to a Cabinet which treats Parliament with contempt and then blames other people for its own shortcomings.

THE HON. A. A. LEWIS (Lower Central) [11.14 p.m.]: We should bring some sanity and light back into the debate. It seems both the Hon. Peter Dowding and the Hon. Robert Hetherington do not realise a Minister is not bound to answer any questions. Having heard most of Mr Dowding's questions on this subject, questions which were taken from uninformed Press statements—

The Hon. Peter Dowding: Which were true.

The Hon. R. Hetherington: It does not seem they are uninformed from the statements in the Press tonight, or is the Minister denying the announcement is correct?

The Hon. A. A. LEWIS: —and which will prove to be uninformed when the Bill comes forward, I can understand the position of the Minister. However, if the member wants to debate with me what certain members of the Press said and what is going to be done, I am quite prepared to do so when the Bill is introduced.

The one matter which has been forgotten by the two newish members is that the Minister is not bound to answer questions. It is a courtesy—

The Hon. Peter Dowding: Which he has not shown.

The Hon. A. A. LEWIS: That is the sort of interjection I am coming to expect from the member. It is a courtesy to members in this place which they receive because they are members of Parliament. There is no binding rule that a Minister has to answer a member's question. If the Opposition wants to continue an attack on the Minister in this vein—or, for that matter, on any Minister—we could go back to the time the Tonkin Government was in power or when the Whitlam Government was in office.

The Hon. Lyla Elliott: The Tonkin Government provided information.

The Hon. A. A. LEWIS: It was done seven, eight, nine, or 10 months later. It is very nice to hear the Hon. Lyla Elliott restored to her old form and it is good to see that she is out of hospital. However, she knows what I am saying is right—

The Hon. Lyla Elliott: I do not!

The Hon. A. A. LEWIS: —as do most of the older members in this House. It appears to me the form of questions may be altered if we continue to have a virtual cross-examination of Ministers by some members.

The Hon. R. Hetherington: If your Ministers cannot stand up to it, that is their problem.

The Hon. H. W. Olney interjected.

The PRESIDENT: Order! Will members cease their conversations and allow the member on his feet to proceed with his speech.

The Hon. A. A. LEWIS: I have plenty of time. My first appointment in the morning is at 7.30. I am prepared to stay here until then. The Hon. Howard Olney does not know my views on the adjournment debate, nor does he know what the House will say about it. This is the sort of insidious interjection which comes with assuming something will be done.

I am just trying to point out to members who are new in this place that a Minister is not bound to answer their questions.

The Hon. Peter Dowding: But he has a responsibility to the House.

The Hon. A. A. LEWIS: The form in which some members ask questions, especially questions without notice, would result in me asking them to place their questions on notice were I a Minister. I would have no truck with the rudeness displayed by some members at question time and the manner in which they attempt to cross-examine Ministers.

I am sorry the Hon. Robert Hetherington became so excited and made certain statements, because it shows that, after 20 years as a lecturer and three years in this place, he does not understand the form of the House. I am not worried about that because of the effect it will have on the member, but rather I am concerned for the students he taught.

**THE HON. F. E. McKENZIE** (East Metropolitan) [11.18 p.m.]: It is all very well for the Hon. Sandy Lewis to try to defend the Minister. However, it is not a matter of whether or not the Minister answers questions; rather it is the manner in which he answers them to which we object. The Minister should have informed us of the position today, but instead we read it in the newspaper.

The Hon. G. E. Masters: Read the question and answer.

The Hon. F. E. McKENZIE: Let us look at what the Minister said in this place on Wednesday, 5 November in response to a question asked by the Hon. Peter Dowding. The question reads as follows—

Why is it proposed that there be changes to the structure of the Environmental Protection Authority?

The Minister replied—

I am continually answering these questions. The sort of comments that are generally made indicate people are just guessing at what changes, if any, will be made.

That statement happened to be spot on. To continue—

Again I say that if any changes are proposed to the structure of the Environmental Protection Act or the operation of the Environmental Protection Authority, they will come before the member in a proper manner.

That they should come before the member "in a proper manner" is what the member spoke about tonight. However, the Minister gave a Press release in relation to this matter.

Several members interjected.

The Hon. F. E. McKENZIE: When the Minister was asked a question this afternoon he refused to answer it.

The Hon. G. E. Masters: I said I would not comment on the Press release.

Several members interjected.

The PRESIDENT: Order! The Minister and everyone else will cease their interjections.

The Hon. F. E. McKENZIE: The Hon. Peter Dowding asked another question on 5 November which reads—

Does the Minister not agree that the public is entitled to know whether changes are proposed? I ask specifically: Is it a fact that draft legislation presently exists to change the structure of the Environmental Protection Authority?

The Minister replied—

The Hon. Peter Dowding will find out in due course when and if a Bill making any amendments to the Environmental Protection Act will be introduced to this House.

The member obtained from this morning's newspaper a copy of the Minister's Press release and quoted it. The statement had been released to the Press when the Minister gave his answer. The Minister held the House in contempt.

The Hon. G. E. Masters: What you are saying is not true.

The Hon. F. E. McKENZIE: I have quoted the words of the Minister. We need to be informed in a manner that is better than what has occurred on this occasion, otherwise we do not know what role the Minister is fulfilling.

**THE HON. I. G. PRATT** (Lower West) [11.22 p.m.]: I do not feel we should adjourn until a few more comments have been made on this matter. In this House we have a set of procedures for the handling of business. We have the first reading and second reading of a Bill, and it is then adjourned by the Opposition.

The Hon. R. Hetherington: That is unless we introduce a Bill and it is adjourned by somebody else.

The Hon. I. G. PRATT: What I have stated is the usual situation. The Bill then remains on the notice paper until it is considered. That procedure is for a specific purpose; that is, to give the Opposition an opportunity to study the measure and the second reading speech and to decide on its attitude and approach to it. That is the correct manner in which to bring business before the House. No-one outside the Cabinet has a right to be privy to discussions within the Cabinet; no-one

has the right to question a Minister about discussions he has had in his party room. It is an absolute cheek for anyone to consider that he has such a right—no such right exists.

The Minister has acted correctly in this matter so far as his responsibility to the public is concerned. A Press release was issued, to inform the public, and that is as the position should be. What members will find in that release is a general statement. The details of what will happen will be found in the Bill and the

Government's explanations for those details will be found in the Minister's second reading speech which in the proper order of time will come before this House. By that course the Bill will be treated correctly.

The Minister has acted with complete propriety and I congratulate him for that.

Question put and passed.

*House adjourned at 11.24 p.m.*

## QUESTIONS ON NOTICE

### POLICE: SHAKER MORTON

#### *Letter: Investigation*

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

- (1) Have police inquiries been made regarding a complaint lodged with the Commissioner of Police in May 1980 regarding a letter published in the *Kimberley Echo*?
- (2) What are the results of the inquiries?
- (3) Will, or has any action been taken?
- (4) If so, what and why?
- (5) If no action has been taken, why not?

The Hon. G. E. MASTERS replied:

The Minister for Police and Traffic advises as follows—

- (1) Yes.
- (2) Inquiries not completed.
- (3) to (5) Answered by (2).

### ELECTORAL

#### *Kimberley*

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

- (1) Did the police this year call as witnesses, members of the Press in Port Hedland to give evidence of their observation in connection with charges under the Police Act?
- (2) Referring to question 231 of 16 September 1980, will the Minister accept that Wilson admitted to a journalist that he—Wilson—had breached section 95 (b) of the Electoral Act?
- (3) Since this appears to be the only breach of the Electoral Act in the Kimberley election, and one not committed by a Labor supporter, will the Minister say why it is concluded that no prosecution should be instituted?

The Hon. G. E. MASTERS replied:

The Minister for Police and Traffic advises as follows—

- (1) Yes.
- (2) No.

- (3) As indicated in his reply of 11 September 1980 in respect of a similar question, he advised that the investigating police officers considered that there was insufficient evidence upon which to base a charge. All the charges laid in respect of alleged malpractice in the Kimberley in recent elections were laid by the investigating officers on their own assessment of the existing evidence. The investigating officers were not influenced by any political persuasion.

### ELECTORAL: POSTAL VOTES

#### *Charges*

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

I refer to the arrest of persons charged with offences in relation to postal voting in the last Kimberley election—

- (1) Were such people arrested rather than proceeded against by way of summons?
- (2) If "Yes"—
  - (a) why; and
  - (b) what were the circumstances justifying that process?
- (3) Was Steven Hawke arrested in the early hours of the morning at Fitzroy Crossing?
- (4) If "Yes"—
  - (a) why; and
  - (b) why was the matter not dealt with during daylight hours?

The Hon. G. E. MASTERS replied:

The Minister for Police and Traffic advises as follows—

- (1) Yes.
- (2) (a) The decision to arrest was made by the officers conducting the inquiry taking into consideration the nature of the offences and the itinerant nature of some of those then associating with nomadic people particularly those not permanent State residents.

- (b) The officers' view is that arrest would in the circumstances ensure the appearance of the offenders before court and justified by section 564 of the Criminal Code.
- (3) Yes.
- (4) (a) Information received as to his movements indicated that his departure was imminent;
- (b) circumstances indicated that immediate action was necessary.

#### TRAFFIC: MOTOR VEHICLE INSURANCE TRUST

##### *Vehicles Registered in another State*

403. The Hon. PETER DOWDING, to the Minister representing the Minister for Local Government:

- (1) Is the Minister aware that a Western Australian injured in an accident in Western Australia with a car driven by a Western Australian, but registered in another State, cannot make a claim for damages for personal injury with the MVIT, but depending on the State of Registration must deal interstate?
- (2) Has the Minister taken any step, or does she have any proposal for a more equitable system in which the MVIT might accept responsibility for such damages on a knock-for-knock basis, or other adjustment basis with Eastern State insurers?

The Hon. I. G. MEDCALF replied:

The Minister for Local Government advises—

- (1) Yes.
- (2) I have not heard of any great difficulty having been caused by the existing arrangement nor can I understand why it would be considered inequitable. There is no proposal for any change.

#### POLICE

##### *Video Cameras*

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

- (1) Was a police video unit sent to, or in, the Kimberley this year?

(2) If "Yes"—

- (a) upon what dates was it in the Kimberley;
- (b) as to each date, where was it in the Kimberleys;
- (c) as to each place, what was its purpose;
- (d) how much video tape was exposed or used;
- (e) how much video tape has been retained with material taken in the Kimberley; and
- (f) will the Minister arrange for interested members to view it?

The Hon. G. E. MASTERS replied:

The Minister for Police and Traffic advises as follows—

- (1) Yes.
- (2) (a) to (f) In the absence of specific reasons which justify its release, details of police operations will not be made public.

#### ELECTORAL: POSTAL VOTES

##### *Investigations*

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

I refer to the inquiries into postal voting in the Kimberley election—

- (1) Were all persons who cast postal votes in or for that electorate questioned in the investigations?
- (2) If not, upon what criteria did the investigating officers question some such voters and not others?
- (3) Were any postal voters who were not Aboriginal, questioned about who had induced or persuaded them to apply for such vote?
- (4) If so—
  - (a) in what town or place did they reside; and
  - (b) how many in each town or place?

The Hon. G. E. MASTERS replied:

The Minister for Police and Traffic advises as follows—

- (1) No.

- (2) Signatures and handwriting differences, enrolment anomalies, and procedural anomalies observed by the police officers in the course of their investigation.
- (3) Yes.
- (4) (a) Derby;  
(b) one.

## EDUCATION: PRE-SCHOOL

### *Class Size Reduction*

411. The Hon. R. J. L. WILLIAMS, to the Minister representing the Minister for Education:

- (1) Is the Minister aware that instructions were issued on 6 October 1980 to teachers at pre-school centres under the heading of special conditions, from the Education Department, stating that children younger than those born in 1976, should not be enrolled until redistribution in class sizes from 36 to 25 if necessary, occurs, and younger children should be wait-listed only?
- (2) Is the Minister also aware of the great concern that these instructions have aroused in pre-school parent groups?
- (3) Will the Minister advise whether these instructions are strictly in conformity with Government policy, and if not, will he take the appropriate action?
- (4) Will the Minister reassure us that the reduction in class size from 36 to 25 will not be implemented where hardship or inconvenience will result to the parents of these community based pre-schools?

The Hon. D. J. WORDSWORTH replied:

I am advised as follows—

- (1) Pre-school groups of 36 were formed by the Kindergarten Union many years ago when there was a shortage of teachers. Retention of groups of this magnitude is educationally unwarranted, especially as there has been a significant decline in the size of junior primary and other primary classes in recent years. Reduction of pre-school groups to a maximum of 25 children is in accordance with Australian Pre-School Association standards.  
The 100 per cent salary assistance given to the non-departmental community based pre-schools is for

children one year below school age. No pre-school has authority to re-allocate this staff to groups of younger children without permission.

In established residential areas the number of five-year-olds is declining, but this is counter balanced in the newer, growing suburbs by increases in children of this age group. New centres, and staff for them, are required each year.

There are Government restrictions on the employment of additional staff beyond a set ceiling. It follows that positions created in the new areas must result in a decrease in staff in centres where enrolments of five-year-olds have declined. For this reason centres may not enrol younger children, to maintain centre numbers, as the staff time is needed elsewhere.

- (2) and (3) Parents who may have had an expectation of using salary support given for purposes other than intended may be disappointed. The policy is as I have explained in answer to part (1) of this question.
- (4) Special cases will be treated on their merits and this is already occurring.

## HOSPITAL

### *Broome*

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

In respect of Dr Peter Reid in Broome, upon what basis is he appointed, i.e.—

- (a) by contract, and if so, what are its terms;
- (b) for a fixed term, if so for what terms and from what date; and
- (c) how many hours per week is he required to attend to medical duties?

The Hon. D. J. WORDSWORTH replied:

- (a) Was appointed to his present position on 3 August, 1964 as a ministerial appointee for an unspecified period;
- (b) answered by (a) above;

- (c) no specific hours of duty are prescribed; however, the needs of the community are paramount when hours of duty are being considered.

## PRISON

### Wiluna

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

Since the Government has been asked to spend a considerable amount of money on penal facilities at Wiluna, and since much of the social problem there is related to reasons for and the consumption of liquor, will the Minister give some consideration to assisting the Wiluna Aboriginal community to acquire the hotel at Wiluna so that they may apply to close it, or for a restricted licence, and thereby obtain the means to seek to control their own problem?

The Hon. G. E. MASTERS replied:

The Chief Secretary advises as follows—

The Chief Secretary is well aware of the problems affecting certain members of the Aboriginal community at Wiluna which are the direct result of heavy and excessive drinking.

However, the proposal that the hotel should be purchased on behalf of that community is in no way a guarantee that it would afford an answer to the situation. Some two years ago, the Commonwealth Government gave long and considered attention to the proposal that the hotel should be purchased, but finally decided not to proceed. After discussion with the community, it was felt that the responsibility associated with ownership would have been likely to increase the social pressures on the Aboriginal people and made their position even more difficult. The Chief Secretary supports this view.

In addition, any restrictions on drinking would require amendments to the Liquor Act as the publican is not lawfully in a position to regulate hours. Amendments of this nature would restrict *bona fide*

users of the hotel, which is the only one now in existence in a vast area immediately east of Meekatharra.

## HEALTH: MEDICAL PRACTITIONERS

### North-west Towns

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

How many medical officers are employed in each of the following towns, and what is the salary and other benefits of each—

- (a) Wyndham;
- (b) Kununurra;
- (c) Halls Creek;
- (d) Derby;
- (e) Broome;
- (f) Fitzroy Crossing;
- (g) Hedland;
- (h) Karratha;
- (i) Roebourne; and
- (j) Wickham?

The Hon. D. J. WORDSWORTH replied:

(a) Wyndham .....	3
(b) Kununurra .....	2
(c) Halls Creek .....	1
(d) Derby .....	11
(e) Broome .....	3
(f) Fitzroy Crossing .....	1
(g) Port Hedland .....	13
(h) Karratha .....	0
(i) Roebourne .....	1
(j) Wickham .....	1

Salary applicable is dependent on the individual officer's overall experience and length of service, and is assessed on the following nine-point incremental scale—

Level 1	\$
1st year	29 095
2nd year	30 736
3rd year	32 507
4th year	34 753
Level 2	
1st year	37 900
2nd year	39 060
3rd year	40 504
4th year	41 353
Level 3	42 664

Payment of district allowance is based on an officer's physical location and is currently as follows—

	\$
Broome	1 672 per annum
Carnarvon	798 per annum
Derby	1 672 per annum
Exmouth	1 672 per annum
Kununurra	2 050 per annum
Meekatharra	841 per annum
Port Hedland	1 813 per annum
Roebourne	1 672 per annum
Wyndham	2 050 per annum

Doctors employed in the Northwest Medical Service also attract the following benefits—

- (1) subsidised rental—\$31.50 per week;
- (2) six weeks' annual leave;
- (3) long service leave every seven years;
- (4) a gratuity of one month's salary for every completed year of service after three years;
- (5) provision of a motor vehicle with operating costs borne by the hospital;
- (6) free power and water;
- (7) cumulative sick leave entitlements;
- (8) generally Public Service conditions apply at all centres.

## ABORIGINES

### *Employment under NEASA*

415. The Hon. PETER DOWDING, to the Minister representing the Minister for Labour and Industry:

- (1) How many Aboriginal young people have been employed by the State Government under the NEASA scheme since its inception in the Pilbara and the Kimberley?
- (2) In which department was each so employed, and in which town?
- (3) How many of those were offered continued employment at the completion of their NEASA term, and with which department, and in which town?
- (4) How many are still employed outside of the NEASA scheme?

The Hon. G. E. MASTERS replied:

- (1) to (4) The Minister has informed me that the detailed information sought by the member is not recorded on a regional basis.

However, a total of 221 Aborigines have been placed in State Government departments and authorities with 79 actually completing their period of training. Of this number, 66 have

continued in employment; 72 are currently in training.

Trainees are supernumerary staff and their placement is arranged by departments and authorities liaising individually with the Commonwealth Department of Employment and Youth Affairs.

During the period of training, costs are reimbursed by the Commonwealth Government. Continuation of employment after the expiration of Commonwealth funding is dependent on the availability of State funds, there being a vacancy on the departmental establishment and the trainee conforming to usual employment requirements.

## TRAFFIC: MOTOR VEHICLES

### *Roebourne-Wickham*

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

- (1) Are there vehicle inspection facilities existent in Roebourne which could be used by the Road Traffic Authority vehicle inspection unit?
- (2) Will the RTA use these facilities for vehicle inspections for the Roebourne-Wickham area on a regular basis?
- (3) If "Yes", on what basis?
- (4) If "No" to (2), why not?

The Hon. G. E. MASTERS replied:

- (1) Originally full vehicle inspection facilities were provided at Roebourne Police Station. Due to lack of demand these were returned to Perth and only a concrete pad remains.
- (2) No.
- (3) Answered by (2).
- (4) If sufficient demand exists and a suitable applicant is available an authorised inspection station will be established early in 1981.

## PUBLIC WORKS DEPARTMENT

### *Employees: Retrenchments*

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

- (1) Is it a fact that eight PWD employees have been laid off work at Wyndham?
- (2) If so, why?



- (3) Is the Minister aware that there is no chance of these men getting other work?
- (4) Does the Government make any proposal to ameliorate the hardship these men will experience?

The Hon. G. E. MASTERS replied:

- (1) Eight Public Works Department employees have been given three weeks' notice to terminate on 14 November, 1980.
- (2) Major work on Wyndham Jetty and container terminal has been completed.
- (3) No. I am advised there is a chance of other work, which is indicated by the fact that an additional four employees left on their own account.
- (4) Efforts are being made to relocate these men in alternative Government employment.

#### ELECTORAL: POSTAL VOTES

##### *Complaints*

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

Now that the complaints made to the Electoral Department about alleged malpractices in postal voting have been found to be completely without foundation, in fact or in law, will the Minister—

- (a) say who made the complaint or complaints; and
- (b) say what was the substance of the complaints?

The Hon. G. E. MASTERS replied:

- (a) No.

The member bases his questions on the false premise that the electoral charges were without foundation. There is a great deal of evidence of postal voting malpractices in the Kimberley.

- (b) The answer to this question is the same as that given to a similar question—709(2)—on 10 September, 1980, asked in the Legislative Assembly.

#### ABORIGINES

##### *Reserves*

419. The Hon. PETER DOWDING, to the Minister representing the Minister for Community Welfare:

- (1) Does the Minister recognise the right of Aboriginal communities to control entry permits on to Aboriginal reserves?
- (2) Is he prepared to issue delegated power to persons of the relevant Aboriginal communities to issue entry permits in his name?

The Hon. D. J. WORDSWORTH replied:

- (1) The matter of entry onto Aboriginal reserves is regulated by section 29(b) of the Aboriginal Affairs Planning Authority Act 1972-73 and regulation 8 of the regulations to that Act to which I direct the attention of the member.
- (2) The regulation gives to Aboriginal communities the opportunity to express a view through the Aboriginal Lands Trust which consults with communities in its consideration of reserve entry applications. This recognises the right of communities to put forward a viewpoint, but the Minister is required by the Act and regulations to exercise the final responsibility.

#### ABORIGINES

##### *Spokespersons*

420. The Hon. PETER DOWDING, to the Minister representing the Minister for Industrial Development and Commerce:

I refer to the answer to question 395 of 6 November 1980—

- (a) Since the basis of the lecture was to inform Australians of the particular attribute or characteristic of Japanese to think and act collectively; and
- (b) since this is a characteristic of Aboriginal communities, will the Minister seek the attention of all relevant Ministers to this matter so that in negotiations with Aboriginal communities, Ministers and their departments do not seek out responses on important issues from "spokespersons" or other individuals?

The Hon. I. G. MEDCALF replied:

- (a) and (b) As advised in the answer to question 395, all Ministers will be provided with a copy of the abstract of the lecture.

I feel confident that all Ministers will be able to draw their own conclusions following their reading of the document.

#### INDUSTRIAL DEVELOPMENT

##### *Townsites Development Committee*

- 421. The Hon. PETER DOWDING, to the Minister representing the Minister for Resources Development:

Will the Minister approve—

- (a) the attendance at meetings of; and
- (b) the supply of minutes to;

the local members of Parliament, of the Townsites Development Committee?

The Hon. I. G. MEDCALF replied:

- (a) and (b) No, I do not believe it is appropriate.

#### CONSERVATION AND THE ENVIRONMENT

##### *EPA: Independence*

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

- (1) Has the Minister seen a report in the *Daily News* of Thursday, 6 November 1980, that the environment legislation protects the independence of the three members of the EPA by placing them beyond ministerial control?
- (2) Is it Government policy to take away such protection?

The Hon. G. E. MASTERS replied:

- (1) Yes.
- (2) I will not comment on media speculation.

#### QUESTIONS WITHOUT NOTICE

##### ABORIGINES

##### *Aboriginal Communities Act*

- 132. The Hon. PETER DOWDING, to the Attorney General:

Has fresh consideration been given to the introduction of the provisions of the Aboriginal Communities Act to communities requesting this in—

- (a) the Pilbara; and
- (b) the central reserves area and Warburton?

The Hon. I. G. MEDCALF replied:

- (a) and (b) The Warburton area has been under consideration. In fact, Mr Syddall recently inspected the entire area in company with an officer of the Department of Aboriginal Affairs. No further action has been taken in relation to the Pilbara communities.

##### ABORIGINES

##### *Aboriginal Communities Act*

- 133. The Hon. PETER DOWDING, to the Attorney General:

I would like to ask a supplementary question as follows—

- (a) Is the Attorney General aware that the members of the Jigalong Community have expressed interest in having the provisions of the Aboriginal Communities Act apply to them;
- (b) will he give this matter sympathetic consideration?

The Hon. I. G. MEDCALF replied:

- (a) and (b) I am not aware specifically of the interest of the Jigalong Community, although it is possible that that community may have made an application to the Crown Law Department. However, I am well aware that many communities are interested in having the provisions of this Act extended to them. Necessarily we must be fairly selective at this particular stage having just, one might say, emerged from the experimental era of this Act.

**CONSERVATION AND THE ENVIRONMENT***EPA: Chairman*

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

I refer to a report on page 2 of tonight's edition of the *Daily News* headed "Government MPs angry over EPA moves". Is it a fact that today the Minister discussed with members of his own party a proposal to move Mr Colin Porter from a key position in the EPA?

The Hon. G. E. MASTERS replied:

I have not read the report the member referred to. I am not prepared, of course, to discuss with the member, in this place or in any other place for that matter, discussions I have had with members of my party.

**CONSERVATION AND THE ENVIRONMENT***Environmental Protection Act: Amendment*

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

In the light of the fact that the Premier in another place has given more information to Parliament about proposed amendments to the Environmental Protection Act than has the Minister—

- (a) Is the Premier or the Minister in charge of this portfolio;
- (b) if the Premier is not, why is the Minister not prepared to give more information to the House about proposed changes to the Environmental Protection Act?

The Hon. G. E. MASTERS replied:

- (a) and (b) Cabinet and Government members work as a very good team. If the Premier chooses to make a statement in another place, he does so after consultation with me and with my full support. If the member wants more detail, I suggest that he read *Hansard*.

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