

Legislative Council

Thursday, 6 May 1982

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 2.30 p.m., and read prayers.

CONSERVATION AND THE ENVIRONMENT

Millstream: Petition

On motions by the Hon. Peter Dowding, the following petition bearing the signatures of 63 persons was received, read, and ordered to lie upon the Table of the House—

To the Honourable, the President and Honourable members of the Legislative Council in Parliament assembled—

We the undersigned residents of the North West of Western Australia pray that the Government of Western Australia acknowledge:

1. the environmental damage that has been caused to Millstream by excessive pumping for neighbouring towns water supply;
2. the exceptional beauty of this recreation area and its importance to both tourists and residents in the North West.

We the petitioners therefore pray that your Honourable House will give earnest consideration to:

1. ensuring that steps are taken immediately to avoid further environmental decline at Millstream;
2. initiating an independent public inquiry into the water resources of the North West and the current and projected supply of water to the North West towns;
3. ensuring adequate water supply to keep in step with the development and population expansion of the Kimberley and the North West.

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

(See paper No. 189.)

LOTTERIES (CONTROL) AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. J. M. Berinson, read a first time.

Second Reading

THE HON. J. M. BERINSON (North-East Metropolitan) [2.37 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to allow bingo to be played on licensed club premises. It is virtually identical with the Bill which was passed last year in the Legislative Assembly, but rejected in this House on the casting vote of the President.

During the debate on the earlier measure the then Chief Secretary said—

... we now accept the Bill presented by the Leader of the Opposition as an extension of the recommendations of the liquor inquiry ...

... it appears to the Government and its advisors to be drafted in good form and will effect the objective without distorting the structure of the Act ...

Very briefly, the history of this matter is that bingo was legalised in 1972 by the Tonkin Labor Government as a fund-raising measure for charitable and social organisations. The ban on the playing of the game on licensed premises was neither proposed nor intended by the Government of the day, but was imposed by the members of the Legislative Council.

Following the Government committee of inquiry into the Liquor Act—which recommended this measure—the Government brought forward all the recommendations of that committee except this one. Those other recommendations have now—with some minor amendments—become law. This recommendation apparently was rejected by the Government parties' caucus for reasons which have never been explained, although one can assume that some of the reasons advanced by some Government members in the Legislative Council debate on this matter last year were again advanced in their party room.

The Association of Licensed Clubs of WA Inc. and its members are strongly in favour of this measure and indeed, I am advised, recently wrote to the Premier asking him to implement just such a measure. It is not surprising that they feel this way because quite apart from the lack of logic or equity in support of the current prohibition, these clubs in Western Australia suffer from very many more restrictions on their operations than their counterparts in any other State. With the decline in liquor consumption in licensed premises generally, and the greater competition in liquor retailing of all sorts, the sale of liquor by licensed clubs has become a marginal proposition at best and the profits therefrom no longer are as

available to support the other—and most important—facilities of clubs. In many cases the licence is kept up simply as an amenity to members.

However, the facilities that are provided by these clubs make a tremendous difference to the communities in which they operate—a difference invariably for the better. In addition, many clubs which have licences spend the better part of their time and income training youth, whether in sporting or more general community activities. Like any other social or community group, they need the opportunity to raise funds. They have often committed themselves fully to providing clubrooms, sporting grounds, or other facilities, and to force them, as the current prohibition does, to hire separate and often inferior facilities does no-one any good. Nor does it help the smaller, non-licensed community organisations. It is well to remember that nothing stops licensed clubs including, for example, league football clubs, from conducting bingo games, provided they obtain a permit. They are prohibited from doing so only on their licensed premises.

The legislation can hardly be opposed on the grounds of some generalised opposition to gambling. Gambling is legally permitted on racehorses, pacers, dogs, in connection with lotteries, and indeed, in relation to bingo. Government agencies—the Lotteries Commission and the TAB—annually spend tens of thousands of dollars of community money advertising their particular forms of gambling and encouraging people to participate. TAB agencies now operate right in the middle of licensed hotel premises.

The Government officially acknowledges and tolerates the existence of illegal gambling casinos, which turn over millions of dollars each year and which benefit only a handful of individuals, some of whose identities are known and some whose identities remain a closely guarded secret.

By contrast, all this Bill seeks to do is to extend the range of premises on which an already legal activity may be carried out, and to improve the physical surroundings in which those who like to play bingo may do so, to the advantage of a valuable section of society, and for no-one's personal gain.

The Bill itself is relatively simple. It seeks to alter section 18 of the Lotteries (Control) Act by inserting two new subsections which will give the Lotteries Commission the right to grant to the holder of a club licence or to the nominee of a club a permit to conduct bingo on licensed premises, subject to conditions. These conditions are—

that the proceeds be applied only for the benefit of the club; and

that the participants in the game may be only members of the club and their guests, to a maximum of three guests per member.

The commission also may impose whatever other terms and conditions it sees fit.

The adoption of this legislation will meet a clear community demand without any ill-effects. There is obvious community support for this proposition, and I urge the House to follow the lead of the Legislative Assembly and enact this Bill into law.

THE HON. R. G. PIKE (North Metropolitan—Chief Secretary) [2.43 p.m.]: I indicate to the House that the Government has decided that members will have a free vote on this Bill. That applies, of course, to Ministers and to back-benchers. Having said that, I indicate that the rest of my remarks are a matter of my individual opinion, and not that of the Government.

I indicate my support for the Bill. I thought it proper, therefore, to bring to the attention of the House correspondence which was sent to me by the Association of Licensed Clubs of Western Australia (Inc.), which reads as follows—

I refer to our telephone conversation of today's date during which we discussed the request made by this Association of the Western Australian Government for legislation legalising the playing of "Bingo" in Licensed Clubs in W.A.

Details supporting our request have previously been made available to all Members of Parliament.

The crux of our argument in favour of "Bingo" has been the plight of the club industry and the inability of clubs to raise revenue from other than subscriptions and bar profits.

Whilst we have argued in favour of "Bingo" as opposed to the introduction of poker machines, "Bingo" being more acceptable socially and morally, this Association has not spelt out its policy on Poker Machines.

The policy of this Association, as defined by the various Zones which make up our organisation, is, based on a majority decision, rejection of the use of such machines, they being seen to destroy the "club" atmosphere currently enjoyed by West Australian citizens. They are perceived to be the means by which clubs become entertainment

centres, geared, in the main, to provision of entertainment, food and drink.

Whilst, patently, the presently elected State Executive is unable to speak for future members, it is the resolve of the existing Executive to keep poker machines out of clubs.

As proof of the goodwill of the Association, it should be stated that we are aware of the existence of the Australian Club Development Association, and the interests of Mr Ted Vibert, the executive director of that Association.

I inform the House that the gentleman named in the letter is currently on a fraud charge before the courts in New South Wales. The letter continues—

Further, this Association has never been involved in that organisation, nor does it intend to. We are also aware of the problems associated with border clubs in Queensland and Victoria, and the possible extension of those problems to South Australia, should Victoria bring in legislation in favour of poker machines. That problem cannot occur in W.A. because of our isolation.

It is my pleasure to confirm, as stated in our telephone conversation, the wish of the State Executive of this Association to work together with you to resolve the problems facing the club industry in W.A.

As stated in our Petition to the Premier, all that this Association has been attempting to do is to obtain a degree of dialogue with the Government, so that we may place before our elected representatives, a true picture of the many problems we are facing, and, to indicate ways by which we believe those problems may be overcome.

Debate adjourned, on motion by the Hon. Fred McKenzie.

PARLIAMENTARY COMMISSIONER AMENDMENT BILL

Second Reading

Debate resumed from 4 May.

THE HON. J. M. BERINSON (North-East Metropolitan) [2.47 p.m.]: This Bill has three objectives. It is to provide, in the first place, for the statutory office of a deputy parliamentary commissioner. In the second place, it proposes to exclude certain judges and other court officials from the commissioner's jurisdiction. Thirdly, it updates the list of statutory authorities subject to the commissioner's jurisdiction by renaming some

authorities already in the schedule, and adding a number of others.

The Opposition agrees with all three of these proposals; and I intend to comment only on the third of them; that is, the variation to the schedule of instrumentalities which are subject to the Ombudsman's investigation.

Clause 10 of the Bill has the effect of making about 20 additions to the schedule. It is not possible to be too precise on that figure, because some apparent additions effect only a change in the heading under which some authorities are listed. Nonetheless, there is certainly a significant increase in the range of bodies coming within the authority of the Ombudsman's office.

I confess that I have never really understood why the jurisdiction of the Ombudsman was originally specified by listing the statutory authorities that were to be subject to his investigation.

I would have thought a preferable system would be to include all statutory authorities within the Ombudsman's jurisdiction, subject to specified exceptions. That is the method which was adopted by this House when it established the Standing Committee on Government Agencies a couple of weeks ago and that system has a great deal to commend it, as our earlier Select Committee found.

However, given the system we have, the question is: How were the authorities now to be added, selected? In his second reading speech, the Minister states only that the additions were arrived at after discussions with relevant Ministers. It would have been more reassuring if the Minister was able to tell us that the list had been arrived at after consultation with the Ombudsman, because the Ombudsman has expressed concern on this question in each of his last two reports. At page 9 of his 1981 report, he says this—

No amendments to the Parliamentary Commissioner Act or Rules of Parliament have been made since the last Annual Report. This is a matter which concerns and disappoints me, because I made written submissions about amendments to the Act's Schedule (wherein are listed the statutory bodies and instrumentalities subject to my jurisdiction) in May 1980 and to other parts of the Act in November 1980.

The submissions referred to by the Ombudsman presumably were made to the Attorney General and they have since been treated as confidential. I doubt—and I have put this directly to the Ombudsman—that that is a proper approach by

him in this very particular case. After all, the Ombudsman is the Parliamentary—I stress the word “Parliamentary”—Commissioner. The special nature of his office is shown in the fact that his annual report does not go to the Government or to a Minister of the Government, as is almost invariably the case with other annual reports; it goes directly to the President and the Speaker.

In these circumstances, any recommendation by the Ombudsman for amendments to the schedule should, in my opinion, be made to the Parliament and included in detail in the annual report to the parliamentary Presiding Officers, if that is necessary.

To clarify the position with this Bill, I accordingly ask the Attorney General, firstly, whether consultation took place with the Ombudsman in respect of the additions to the schedule now proposed. Secondly and most importantly, I ask whether the present additions include all the statutory authorities recommended for inclusion by the Ombudsman. If not, which authorities recommended by him have been omitted from the new, proposed schedule?

With those comments, I leave my remarks on the Bill, repeating that all three major aspects of it have the support of the Opposition.

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [2.54 p.m.]: I thank the Opposition for its indication of support for the Bill. It is an important one and it has been a number of years in the gestation process. Very adequate consultation has taken place throughout with the Parliamentary Commissioner—he has been referred to as the “Ombudsman”, but his correct title is the Parliamentary Commissioner for Administrative Investigations—and that is the reason it has taken so long for this Bill to come before the House.

Some of the statutory authorities referred to have simply undergone a change of name with the passage of time and others have been added to the schedule. The Parliamentary Commissioner did, in fact, make a number of representations over the years in relation to this matter and, as the honourable member has pointed out, the Parliamentary Commissioner has referred to this once or twice in his annual reports. In fact, two Parliamentary Commissioners have made representations—the former one and the present one—and their ideas have not always coincided.

The Hon. J. M. Berinson: Are you operating on the premise of third time lucky?

The Hon. I. G. MEDCALF: Therefore, it seems appropriate that those ideas should be

examined by the Government, and that is exactly what has happened.

If I may, I shall give an illustration. The Taxi Control Board was recommended for inclusion in the schedule by the former Parliamentary Commissioner. When an examination was made of the number of areas in which that board was affected, it was found to be so miniscule that it was decided it was not really necessary to include the board in the schedule, and discussions were held with the former Parliamentary Commissioner to that effect.

Indeed, correspondence passed between the Parliamentary Commissioner and either my office or the Premier’s Department—I cannot recollect which. However, certainly correspondence was entered into in relation to that particular body and in regard to a number of other bodies which have been suggested for inclusion from time to time.

Bearing in mind this has occurred over a period of approximately four, five, or six years, it is not possible for me to recollect now all the different bodies which have been mentioned in correspondence by the two Parliamentary Commissioners and the replies which have been passed back by the Government. Therefore, I am not really able at this particular time to provide the details requested by the honourable member. However, I shall certainly examine the matter, because he has raised a question which is worthy of consideration and some thought should be given as to whether this might be done in a different way. I can assure the honourable member consultation took place with the Parliamentary Commissioner throughout this whole process.

I am unable to say whether every single body which has been added to this list has, in fact, been the subject of correspondence, although I believe that to be the case, because it has occurred over a long period and the matter has been referred backwards and forwards between Ministers and the Parliamentary Commissioner. Therefore, I maintain adequate consultation has occurred.

The best undertaking I can give now is that I shall inquire again into the matter. I shall examine the question as to whether the Parliamentary Commissioner ought to have more direct access in these matters to the President and the Speaker, because it is undoubtedly the case that he is answerable to them in terms of his annual report to Parliament. He is a parliamentary officer and we would want the situation to remain that way. It may well be an anomaly that part of the correspondence of the

Parliamentary Commissioner goes through the Government, but one has to confess it is the Government which has ultimate responsibility for introducing the legislation. We may well have to think about devising an alternative procedure if legislation were to be put before the House by the President and the Speaker, and further thought would have to be given to that aspect of the matter.

Cost is another matter for consideration and ultimately the cost of the office of the Parliamentary Commissioner—by that I mean his entourage, staff, and so on—must be a charge on Consolidated Revenue, and hence the Government has the final responsibility for ensuring the Parliamentary Commissioner's duties are kept within some reasonable bounds and not allowed to expand to such a degree that perhaps some areas of his work may be unnecessary or his operations become entirely uneconomic as far as the public are concerned.

For those reasons I believe the Government always will have to maintain some overseeing role, certainly in relation to the technicalities. I would readily concede, and the Government already has conceded, that such matters as the responsibility of the Parliamentary Commissioner in terms of his report, and his conduct under the rules of Parliament, are matters for this Parliament's control. Indeed, we have been zealous when from time to time we have collaborated with you, Mr President, and the Speaker, in relation to the rules of Parliament which have been promulgated by you, Mr President, and the Speaker, and put forward to the House. That process, of course, has been followed while preserving the Parliamentary Commissioner's position as an official of the Parliament—he is not a public servant.

Of course, whenever a person has a position such as that of the Parliamentary Commissioner, an overlap is bound to occur in some situations. This happens even with members of our judiciary who find that in certain situations they still must conform with requirements in relation to expenses, and so on, with which members of the Public Service must comply. Of course, these are things upon which we as members of Parliament must insist to ensure that somebody has an overall control of costs.

The Hon. Joe Berinson made one further point, and asked how it came to be that these various bodies were listed in a schedule. He suggested it would have been better for them not to be listed in a schedule, but only the exceptions be listed. It was felt that the course of listing those bodies over which the Parliamentary Commissioner had

authority he thought would be a little odd or strange—perhaps not as good as it might be.

This legislation really owes its origin to the former Labor Premier, the Hon. John Tonkin, who put it forward. He was extremely wedded to it, and if one wants to read a really good speech, one should read the speech of the Hon. John Tonkin when he introduced this legislation in 1971 in the Legislative Assembly. I personally congratulated him on the address he gave to the Assembly on that occasion, and I believe it is worth recording that he devised the general form of this legislation. Perhaps the Hon. Joe Berinson might bear that in mind. Of course, as time passes—after 11 years in this case—we might think something could be done differently or better. In any case, I thank the honourable member for his 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. I. G. Medcalf (Leader of the House), and passed.

ACTS AMENDMENT (COUNTRY WATER AND SEWERAGE) BILL

Second Reading

Debate resumed from 4 May.

THE HON. J. M. BERINSON (North-East Metropolitan) [3.07 p.m.]: This Bill has the general support of the Opposition. It covers about five separate objectives, and I propose briefly to discuss two of them.

One of the Bill's purposes is to correct anomalies which have arisen as a result of overlapping jurisdictions of different water supply authorities. We have three such authorities—the Metropolitan Water Board, country water boards, and the country areas water supply authority—and it is clear enough that anomalies as they arise should be overcome by appropriate administrative adjustments. We support that part of the Bill which functions in this way, and all that I would want to add to that is the comment that this very situation adds weight to the view of the Opposition that we should in fact have a single water authority throughout the State.

A second aspect of the Bill to which I now turn is that which legalises the practice of discing in respect of country water supplies. This is in line

with measures to the same effect in the metropolitan area as earlier introduced, and it leads the Opposition to again call as we did on that previous occasion for a system of final accounts before discing is implemented. Our previous discussion on the desirability of a final notice is recent enough as to make it unnecessary to repeat all those arguments, but the need for some such system of final notices remains as valid now as it was when we raised it earlier, and certainly it is as valid in respect of the country water districts as it is in respect of the metropolitan area.

The three other major aspects of this Bill deal with a requirement for developers to contribute where developments take place in country towns; a provision for the Minister to create different classifications of land use for purposes of rating; and a new system for the payment of rates by three-monthly or six-monthly instalments.

The Opposition has no objection to any of those three proposals and I have nothing further to add in respect of them.

THE HON. G. E. MASTERS (West—Minister for Labour and Industry) [3.11 p.m.]: I thank the Opposition for its general support and note its reservations. I do not think it is necessary to debate one aspect of the Bill today because, as the Hon. Joe Berinson said, it was debated at length last year when we discussed discing and limitation of supplies of water to consumers. As he said, the arguments on both sides remain valid and therefore there is no need to repeat them today.

Where people are prepared to pay their bills, they should not subsidise those who pay late or withhold payment. The Bill is important, as far as developers are concerned, because of the necessity to set up a fund which is readily available for the department to use for development purposes.

Those are perhaps the most important aspects of the legislation. I thank members for their support.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. I. G. Pratt) in the Chair; the Hon. G. E. Masters (Minister for Labour and Industry) in charge of the Bill.

Clause 1: Short Title—

The Hon. D. J. WORDSWORTH: I would like to draw to the attention of the Chamber one of two small problems which have occurred in country areas with the extension of sewerage

mains. Many of our country towns were unfortunately built on the flat rather than the slopes and while this may have been suitable when the towns were planned in the early part of the century, when it comes to putting in septic tanks all sorts of difficulties occur with drainage.

It is obvious that the towns were designed with a view to catching water in rain water tanks or in dams; so, due to the poor drainage of the soil, many of our towns seem to end up in great swamps as soon as septic tanks are installed. Therefore it becomes necessary to sewer the areas.

The town of Jerramungup was persuaded to develop a sewerage scheme. The Government indicated it would provide financial help because of the smallness of the town. The scheme had been in operation barely 18 months when the town was revalued and the people were told that they no longer would enjoy any subsidy because of its size. Needless to say, the size had not changed at all. The income from rates may have changed, but the size of the town had not changed. Suddenly those people found themselves paying far higher rates than they had agreed to pay when the town was sewered.

In the town of Esperance, an area cannot be developed because of the lack of sewerage. In that area of Esperance, the water level is only four feet below the surface and this has meant that high density housing cannot be built in the area. The local hotel had a pipeline to take its sewerage out to sea, and the outlet was at one of the popular bathing beaches, but at least with the advent of sewerage that problem was overcome. However, difficulties were caused for pensioners who lived in that part of the town because it was necessary to sewer extensively into other areas which were quite adequately catered for by septic tanks.

Nothing hurts the heart more than one's own hip pocket. Although I have adequate area for septic tanks on my property, I am rated something like \$600 a year for a service I do not use. This scheme would not have passed my house except that a subdivision was made on the hill behind and there is a requirement for sewerage in the area. The main travels not far from my house and I have to foot the bill of \$600 a year.

The Hon. G. E. Masters: You have an increase in value.

The Hon. D. J. WORDSWORTH: I do not think the increase is so much in value. However, one finds that the rates paid by people in the country areas far exceed those paid in the city. Those are some of the problems associated with the country sewerage scheme. I raised the matter

of Jerramungup because it has not been resolved and I hope the Minister will consider the matter further.

Clause put and passed.

Clauses 2 to 16 put and passed.

Clause 17: Section 80 repealed and substituted—

The Hon. J. M. BERINSON: This clause has the effect of amending section 80 of the principal Act. Putting together the preamble of section 80 and subsection (1) (c) we note that "a person who is liable to pay money due for water rates or for water supplied by measure shall, subject to paragraph (b) of this subsection, if he does not pay the money in full within the period or by the date when payment is due, be liable to pay such penalties as are prescribed."

The reference to paragraph (b) relates to the obligation to pay the amount due by instalment to the extent and in the manner provided for in the by-laws. What is being said by proposed new section 80(1)(c) is that delays in payment, except where consistent with the provisions for payment by instalment, shall give rise to such penalties as are prescribed.

I understand that when this matter was being considered elsewhere, the problem was raised that it seemed to preclude the flexibility which the present board now has, and certainly a flexibility which it has exercised frequently, to make arrangements for part-payment and periodical payments, where these are justified by genuine hardship, without the imposition of a penalty at all. On the face of it the proposed new subsection seems to give rise to a situation where the flexibility may no longer be open to the board. Accordingly, I ask the Minister whether his attention has been drawn to this aspect, and whether he has any advice which may help to clarify the situation.

The Hon. G. E. MASTERS: The honourable member is quite correct. This matter was brought up in another place, and the responsible Minister in that place promised that he would look into it to see what was going on. I have read the *Hansard* debate, and the legal advice I have is that the fears of the Hon. J. M. Berinson are not necessary. I refer the honourable member to proposed new section 80(1)(b), which reads as follows—

may pay the amount due by instalments to the extent and in the manner provided for in the by-laws, but a person who chooses—

I draw the member's attention to those words. To continue—

—to pay by instalments an amount due may be required also to pay such additional charges as are prescribed; and

Where a person decides for some reason that he wishes to negotiate with the authority concerned to pay his rates by instalment—in other words, where he chooses to take that course of action probably for the reason that he cannot afford anything else—he may be relieved of the extra payments. The following paragraph simply applies, as I understand it, to those people who do not approach the board to say they are having difficulties in paying their account and who do not make arrangements. I am advised that the fears expressed in another place and the fears expressed by the honourable member will not be realised.

The Hon. J. M. BERINSON: I raise this by way of question and not argument. My impression is that the instalments referred to in proposed section 80(1)(b) are the three-monthly and six-monthly instalments.

The Hon. G. E. Masters: Yes.

The Hon. J. M. BERINSON: These instalments are a departure from the collection system as now provided by the Act. The type of periodical payments to which I am referring may not fall into that three-monthly or six-monthly category. For example, smaller amounts may be paid off monthly or over longer periods than those specified in the Bill. That is the point of concern.

The Hon. G. E. MASTERS: I understand the honourable member's question. The Minister in another place said that he would look at this matter again, but that the intent of MWB is that such matters will be taken into consideration. I agree that the words used are "due by instalments to the extent and in the manner provided for in the by-laws". The Government intends that where an arrangement is made to pay off a sum owing, there will be no additional charges.

Clause put and passed.

Clauses 18 to 34 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. G. E. Masters (Minister for Labour and Industry), and passed.

STAMP AMENDMENT BILL (No. 2)*Second Reading*

Debate resumed from 5 May.

THE HON. J. M. BERINSON (North-East Metropolitan) [3.26 p.m.]: In his second reading speech the Minister explained the first purpose of the Bill in the following terms—

... it is to rectify a recent problem relating to the collection of interest when the services of a finance broker are used to negotiate a loan.

This amendment has been made necessary in the past by the extraordinary and erratic behaviour of interest rates in recent years. In principle the provision is acceptable and the Opposition supports it.

Similarly, the Opposition supports the second objective of the Bill, which is to ensure that local government superannuation funds became liable for stamp duty. The problem at which this amendment is directed is of recent origin. It arises, as the Attorney General indicated, from a recent successful appeal to the Supreme Court by the City of Perth superannuation fund. The result of that appeal was to leave that fund with an anomalous advantage as compared with other funds serving identical purposes. In this respect also there is no reason that this anomaly should continue, and the Opposition supports the move to retain a uniformity of approach in that respect.

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [3.29 p.m.]: I thank the Opposition for its indication of support for this Bill. As the honourable member said, the very high rates of interest have occasioned the necessity for the first part of this Bill, and indeed, the Government has had a difficult task in trying to keep some kind of ceiling on rates of interest. I may say that we are the only State Government in Australia that maintains any kind of ceiling. No other State Government—except for the Victorian Government which has a ceiling of 48 per cent—has a ceiling. At least we have endeavoured to maintain some kind of statutory control.

It is often said that interest rates will be determined entirely by the laws of supply and demand. While not disputing that economic law, or proposition, my own experience leads me to the belief that any constraints that can be placed upon interest rates by Government are in the interests of the public at large and in particular those people who have to borrow money without much security, and hence pay the highest rates. For that reason, the Government has kept a fairly tight rein on the interest rate position. It has

been under some pressure to increase rates in relation to both the Stamp Act and the Money Lenders Act, but the Government has resisted staunchly. We appreciate that the laws of supply and demand will force further adjustments. However, the experience the Government has had so far leads us to believe that if there is a reasonable statutory constraint without preventing money from becoming available, this will have some effect on assisting people who have to borrow. I thank the Hon. Joe Berinson for his 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. I. G. Medcalf (Leader of the House), and passed.

QUESTIONS

Questions were taken at this stage.

House adjourned at 3.51 p.m.

QUESTIONS ON NOTICE**TRANSPORT: BUSES***Ticket Validating Machines*

257. The Hon. FRED McKENZIE, to the Minister representing the Minister for Transport:

Referring to the Metropolitan Transport Trust Annual Report 1981, wherein figures show that bus patronage rose by 1.6 per cent and rail patronage fell by 9 per cent, will the Minister advise—

- (1) Since patrons purchasing or validating tickets on buses are not counted as rail passengers when transferring to rail and *vice versa*—
 - (a) how is the patronage on each determined; and
 - (b) what is the accuracy of determination?
- (2) Published figures—*The West Australian* of 21 April 1982, page 9—state that rail patrons were “about 600 000 down” on the previous year”. Will the Minister advise—

- (a) has rail and bus patronage risen about one half per cent;
- (b) what number of patrons transferred at Midland and the new \$750 000 Kelmscott terminals; and
- (c) what total capital, at today's prices, including those leased, has been expended, by MTT since 1974?

The Hon. G. E. MASTERS replied:

- (1) (a) Patronage for bus and rail is determined by ticket sales plus estimated transfers; transfers are estimated as a percentage of ticket sales, this percentage being established by previous passenger surveys;
- (b) this is the most accurate method of passenger counting available to the MTT at this time.
- (2) (a) Yes;
- (b) information is not available on the number of passengers transferring at Midland and Kelmscott;
- (c) \$33.6 million—actual dollars.

GOVERNMENT DEPARTMENTS AND INSTRUMENTALITIES

Boards, Commissions, and Trusts: Membership

258. The Hon. R. T. LEESON, to the Leader of the House:

With reference to question 541 of Tuesday, 29 September 1981, and a question without notice on Tuesday, 10 November 1981, will the Leader advise as to whether and when I can expect an answer to this question?

The Hon. I. G. MEDCALF replied:

There have been difficulties in collating this information.

I can assure the member that the details requested will be provided at the earliest possible date.

WATER RESOURCES: DAM

Collie

259. The Hon. W. M. PIESSE, to the Minister representing the Minister for Works:

With reference to my question 103 of 6 April 1982 regarding investigation for a possible siting of a new dam in the Collie area—

- (1) Is the data available yet?
- (2) If not, will it be available during this session of Parliament?

The Hon. G. E. MASTERS replied:

- (1) Yes—10 holes have been drilled totalling 418 metres of drilling and 58 pressure tests have been carried out.
- (2) The driller's logs and a plan showing the location of the bores will be tabled before the end of this session.

260. *This question was postponed.*

STATE EMERGENCY SERVICE

Chapman Valley Shire

261. The Hon. TOM McNEIL, to the Minister representing the Deputy Premier:

- (1) Is the Deputy Premier aware that the Shire of Chapman Valley has been unable to find a volunteer to act as co-ordinator to the West Australian State Emergency Service, one of the limiting factors being that no police or Government agencies are located within the shire?
- (2) Is the Chief Operations Officer of the State Emergency Service correct in his claim that the shire is now responsible for the provision of State Emergency Service services within the Chapman Valley Shire?
- (3) What effort has the Western Australian State Emergency Service executive made to appoint a co-ordinator for the area?
- (4) Does the chief operations officer have authority to make the statement contained in his letter—

I should now like to detail the full implications of your decision not to proceed with State Emergency Service activities within your local shire boundaries. It is assumed that because you have not appointed either a councillor, or other appropriate persons, to be responsible for the requirements of the State Emergency Service in your area that your shire council is now accountable for all such responsibilities. Please confirm that council does not wish, in the future, to be supported by the State Emergency Service at either local, regional, State or Commonwealth level. Please advise in writing your

withdrawal from any future support from the State Emergency Service in the volunteer or operational sense?

- (5) Is it correct that the failure to appoint a co-ordinator means that all State Emergency Services will be withheld from residents of Chapman Valley in the event of an emergency?

The Hon. I. G. MEDCALF replied:

- (1) to (5) The Deputy Premier advises that he is investigating this matter further and will provide a detailed reply to the member.

He assures members that if anyone within Western Australia—or even from outside the State—made a request in a state of emergency, we would be using whatever we had available to respond to that request. Everyone in Western Australia, including Chapman Valley people would receive whatever service was practicable during a time of emergency.

SETTLEMENT AGENCIES

Examinations

262. The Hon. N. E. BAXTER, to the Chief Secretary:

- (1) What examinations are required to be passed for the conferring of a certificate in settlement agency procedures as required under—

(a) paragraph (1) (a) of clause 1 of schedule 1 of the Act; and

(b) regulation 6 of the settlement agents regulations published in the *Government Gazette* on Friday 19 March 1982?

- (2) On what basis did the Technical Education Division of the Education Department of WA draft the examination curriculum?

The Hon. R. G. PIKE replied:

- (1) (a) and (b) The following subjects must be passed to obtain a certificate in settlement agency procedures—

Communications I
Legal Principals
Real Estate Accounting
Introductory Property Law
Law of Contract
Law of Real Property

Settlement Agency
Procedures I
Settlement Agency
Procedures II.

- (2) After close consultation with the settlement agents supervisory board.

FUEL AND ENERGY: GAS

North-West Shelf: Pipeline

263. The Hon. FRED McKENZIE, to the Minister representing the Minister for Fuel and Energy:

Referring to the North-West Shelf gas pipeline, and *The Western Mail* of 23-26 April 1982, pages 10 and 11, and *The West Australian* of 9 April 1982, page 18, under the heading "Stamp Law Change Rushed", wherein the statements indicated that Alcoa would underwrite half the pipeline cost, and that interest rates could exceed 17.75 per cent, will the Minister advise—

- (1) Will the interest payments amount to about \$70 million per year on this half?

(2) If not, what will they be?

(3) Will payment be made—

(a) direct to Alcoa;

(b) by way of concessional fuel prices;

(c) how much will the public purse have to contribute to Alcoa's return on investment; and

(d) will Alcoa make about 25 per cent on their investment?

(4) If not, what is the figure?

The Hon. I. G. MEDCALF replied:

- (1) to (4) The Premier announced the following at the second reading of the Stamp Amendment Bill—

This is a measure to correct an anomaly in the Stamp Act which has been highlighted by recent overseas loan raising activities on behalf of the State Energy Commission.

The anomaly has been highlighted in the current negotiations for an overseas loan for the Dampier-Perth natural gas pipeline where, because of a floating interest rate facility, the potential exists for the declared rate to be exceeded. The lenders are, therefore, reluctant to

negotiate in Perth because of the existing stamp duty provisions.

Clearly this problem will continue to arise, not only in respect of future borrowings of the State Energy Commission, but also in any other approaches to overseas markets such as provided for in the Borrowings for Authorities Act.

To overcome the problem, the Bill proposes that the Treasurer be empowered to designate the Crown instrumentalities with whom credit transactions are to be exempt from stamp duty. There is no loss of revenue to the State. It means simply that transactions can be negotiated with greater flexibility between the parties.

The changes to the Stamp Amendment Bill have nothing to do with the Alcoa-State Energy Commission gas sales contract currently being negotiated.

As stated previously by me, Alcoa of Australia has signed a memorandum of understanding to purchase about half the quantity of gas allocated to the South West market. The contract price of gas to Alcoa will reflect its share of the cost of constructing the Dampier-Perth pipeline.

METAL TRADES INDUSTRY

Non-destructive Testing

264. The Hon. FRED McKENZIE, to the Minister for Labour and Industry:

With reference to a news release issued on 27 April 1982 by the Hon. N. A. Brown, QC, MP, Minister for Employment and Youth Affairs, Canberra, in conjunction with the Western Australian Minister, the Hon. Gordon Masters, could the Minister provide me with the following information—

- (1) How many non-destructive testing companies are involved in the training scheme?
- (2) What, specifically, are the job guarantees given to the 24 unemployed trainees undertaking the training scheme?
- (3) Have the same guarantees been given to the remaining 24 trainees?

- (4) Do these guarantees extend past the two-year training period?
- (5) Will these trainees be accredited through the qualifying scheme of the Australian Institute of Non-Destructive Testing?
- (6) If "Yes" to (5)—
 - (a) what discussions with the AINDT have been held;
 - (b) will the AINDT syllabii be adhered to in the training scheme;
 - (c) will the pre-requisites, required for applicants to sit AINDT examinations, be adhered to; and
 - (d) who will be required to pay the required application and examination fees?
- (7) Has the Australian Institute of Non-Destructive Testing been approached for advice on the purchase of equipment required for the training scheme?
- (8) What assistance has been given to those persons within the non-destructive testing industry, who are not covered by this training scheme, to allow them sufficient formal training to enable them to achieve similar accreditation?
- (9) What guarantees have been given that persons undergoing this training scheme will not simply displace existing employees within the non-destructive testing industry who have been unable to achieve accreditation because of the lack of formal training?
- (10) Following the closure of AIS, the mothballing of Alcoa's Wagerup Refinery, and the deferral of Woodside's North-West Shelf work, do the job guarantees given to the persons undertaking this programme still exist in Western Australia, or will these trainees be required to travel interstate or overseas in order to maintain a continuity of work in non-destructive testing?

The Hon. G. E. MASTERS replied:

- (1) Three.

- (2) The State manpower planning committee, after an approach by industry representatives, has identified a shortage of persons with these skills. A training programme is being implemented in conjunction with the Australian Institute of Non-destructive Testing and the Federal and State Governments under the Commonwealth skills in demand programme.
- Trainees will be provided with employment and training over a two-year period under normal industrial award conditions. The two-year period is a requirement of the AINDT to meet the accreditation criteria.
- (3) The remaining trainees are already in employment and will be required to complete the technical college component of the course over 12 months period. Their employment is also subject to the same industrial award conditions.
- (4) No.
- (5) Yes.
- (6) (a) Representatives of the AINDT are members of the management committee which is implementing the programmes;
- (b) yes;
- (c) yes;
- (d) the only fee payable is an examination fee and the Commonwealth Government will pay half of the fee in respect of the trainees recruited from the unemployed; in respect of all trainees, industry will pay half the cost of the fee on successful completion of the exams.
- (7) Yes.
- (8) The equipment provided to the technical education division as a result of the implementation of this programme will be available for the on-going training of persons within the industry.
- (9) There is a shortage of skilled persons in the industry and the object of the programme is to overcome the shortage as well as upgrade existing employees.
- (10) The State manpower planning committee's analysis relates to Western Australia and the job guarantees are for the duration of the programme.

RAILWAYS: LOCOMOTIVES

Cost

265. The Hon. FRED McKENZIE, to the Minister representing the Minister for Transport:

Referring to question 159 of Tuesday, 20 April 1982, wherein Westrail indicated it had "no information on the investment and depreciation allowances available to the investors participation in the leasing firm", will the Minister advise—

- (1) Who was instrumental in the recommendation to Cabinet for approval to leverage lease \$17.79 million of locomotives?
- (2) Were they aware, and did they point out, that this \$17.79 million will cost, over 20 years, \$59.6 million?
- (3) Did they advise that the true interest rate being paid by the public purse was 30 per cent?
- (4) Since the Westrail borrowing rate is 15.4 per cent, can an explanation be given as to—
- (a) why; and
- (b) who gets the difference?
- (5) What is the Westrail interest rate used?

The Hon. G. E. MASTERS replied:

- (1) and (2) There is no requirement to submit leveraged lease arrangements to Cabinet.
- (3) to (5) The effective interest rate is roundly 12 per cent.

RAILWAYS

Koolyanobbing-Kwinana

266. The Hon. FRED McKENZIE, to the Minister representing the Minister for Transport:

Referring to question 161 of Tuesday, 20 April 1982, relating to the Koolyanobbing-Kwinana railway, will the Minister advise—

- (1) Of the approximately 510 000 sleepers which were not suitable for reuse and were sold—
- (a) to whom were they sold;
- (b) what number and price was involved in each batch sold;

- (c) what was the total money received;
- (d) were any tests done to estimate the remaining life of the sleepers;
- (e) what were the results of the tests;
- (f) what is the present price of a similar new sleeper; and
- (g) what is the outstanding interest and depreciation yet to be paid on these 510 000 sleepers—
 - (i) to the Commonwealth; and
 - (ii) to the State?
- (2) Of the 230 kilometres of rail—115 kilometres of track—removed but not accounted for—
 - (a) was any sold;
 - (b) to whom; and
 - (c) what price was received?
- (3) What is the outstanding interest and depreciation yet to be paid on—
 - (a) this 230 kilometres of rail; and
 - (b) its associated points and fastenings—
 - (i) to the Commonwealth; and
 - (ii) to the State?

The Hon. G. E. MASTERS replied:

- (1) to (3) The detailed information requested is being gathered and will be sent to the honourable member as soon as practicable.

BREAD

Bakeries

267. The Hon. J. M. BERINSON, to the Minister for Labour and Industry:

As at the last date for which figures are available—

- (1) How many plant bakeries were there in the metropolitan and non-metropolitan areas respectively?
- (2) How many hot bread shops were there in the metropolitan and non-metropolitan areas respectively?
- (3) How many persons were employed in each of the 4 groups of businesses referred to in (1) and (2)?

The Hon. G. E. MASTERS replied:

- (1) Bakeries, as opposed to plant bakeries, cannot be separately identified in departmental records.

The total number of bakeries is—
 metropolitan area—24
 non-metropolitan area—81.

- (2) Hot bread shops are identified as such by the title given to them by the individual occupiers.

All factories manufacturing bread are registered as bakehouses. The number of hot bread shops separately identified from premises quoted in (1) and not included in (1) is—

metropolitan area—67
 non-metropolitan area—15.

- (3) The figures available for the number of persons employed are—

metropolitan bakeries—831
 non metropolitan bakeries—401.

These figures include office and other staff. To continue—

metropolitan hot bread shops—334
 non-metropolitan hot bread shops—41.

These figures are bakehouse employees only and do not include shop staff.

268. *This question was postponed.*

ABORIGINAL AFFAIRS PLANNING AUTHORITY

Expenditure

269. The Hon. PETER DOWDING, to the Minister representing the Minister for Community Welfare:

I refer the Minister to Appendix No. 5, page 18 of the Aboriginal Affairs Planning Authority annual report, 30 June 1981, and ask—

- (1) For each of the Commonwealth finance grant items for 1980-1981, headed—
 - (a) training;
 - (b) social support;
 - (c) community management and services; and
 - (d) employment;

will the Minister detail expenditure categories?

(2) For each expenditure category in (1), what was the actual expenditure, and what were the corresponding proposed expenditures for 1981-1982?

The Hon. R. G. PIKE replied:

(1) and (2)

Expenditure Categories for Commonwealth Finance Grant Items	1980-81 Expenditure \$	1981-82 Proposed Expenditure \$
(a) Training		
(i) Department of Agriculture Aboriginal Trainees Programme Pastoral Advisor	171 350	182 000
	43 600	58 300
(ii) Agricultural Protection Board Aboriginal Trainees Programme	242 500	242 500
(iii) Education Department Pandulmurrurra Special Aboriginal Agricultural School	321 000	321 000
(iv) Department for Community Welfare Group worker Aid Training Programme	66 000	56 000
Hostel Assistant Training Programme	31 346	50 100
ARCWTS Co-ordinator	9 654	29 200
Agency Training Co-ordinator	31 000	28 300
(v) Community and Child Health Services Health Assistants Training Programme	30 000	30 000
(vi) State Energy Commission Training Programme		26 000
	<u>\$946 450</u>	<u>\$1 023 400</u>
(b) Social Support		
(i) Department for Community Welfare Welfare Aides	217 000	274 000
Subsidy to Homemaker Service	284 000	284 000
Aboriginal Accommodation Service	68 000	68 000
Oombulgurri Launch	5 000	
(ii) Aboriginal Lands Trust	36 200	49 000
(iii) Western Australian Museum	7 500	
	<u>\$617 700</u>	<u>\$675 000</u>
(c) Community Management and Services		
(i) State Energy Commission Maintenance Support Services	411 000	413 000
	<u>\$411 000</u>	<u>\$413 000</u>
(d) Employment		
(i) Office of Regional Administration and the North West Broome Millet Project, Kununurra Broome Horticultural Training Programme	49 000	
	77 000	86 900
	<u>\$126 000</u>	<u>\$86 900</u>

270. This question was postponed.

ABORIGINAL ADVANCEMENT PROGRAMME

Funding and Expenditure

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

- (1) What funding, as part of the Commonwealth Government's Aboriginal advancement programme, did the Minister's department receive for 1980-1981?
- (2) What were the categories of expenditure associated with the above funds?

(3) For each category in (2), what was the actual expenditure in 1980-81, and what were the corresponding proposed expenditures for 1981-1982?

The Hon. G. E. MASTERS replied:

- (1) \$221 500.
- (2)

Aboriginal training scheme	Kununurra	\$60 000
Aboriginal training scheme	Ord River	\$74 500
Aboriginal training scheme	Fox River	\$44 000
Aboriginal Pastoral Adviser		\$43 000
- (3) \$65 287
- \$63 209
- \$35 176
- \$44 530.
- Proposed expenditure 1981-82—
- \$62 000
- \$70 000
- \$50 000
- \$58 300.

ABORIGINAL ADVANCEMENT PROGRAMME

Funding and Expenditure

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

- (1) What funding, as part of the Commonwealth Government's Aboriginal advancement programme, did the Agricultural Protection Board receive for 1980-1981?
- (2) What were the categories of expenditure associated with the above funds?
- (3) For each category in (2), what was the actual expenditure in 1980-1981, and what were the corresponding proposed expenditures for 1981-1982?

The Hon. G. E. MASTERS replied:

- (1) \$245 658.
- (2) Department of Aboriginal Affairs—special works project for Aborigines scheme \$215 931.
Department of Employment and Youth Affairs—national employment strategy for Aborigines \$29 727.
- (3) Special works project for Aborigines—

Aborigines—	
actual expenditure	1980-81
	\$211 040
Proposed expenditure	1981-82
	\$242 500
National employment strategy for Aborigines	Actual expenditure
	1980-81
	\$27 648
Proposed expenditure	1981-82
	\$45 000.

ABORIGINAL ADVANCEMENT PROGRAMME

Funding and Expenditure

273. The Hon. PETER DOWDING, to the Minister representing the Minister for Community Welfare:

- (1) What funding, as part of the Commonwealth Government's Aboriginal advancement programme, did the Minister's department receive for 1980-1981?
- (2) What were the categories of expenditure associated with the above funds?
- (3) For each category in (2), what was the actual expenditure in 1980-1981, and what were the corresponding proposed expenditures for 1981-1982?

The Hon. R. G. PIKE replied:

- (1) \$740 000*.
- (2) and (3)

CATEGORY	1980-81		1981-82	
		\$	Est.	\$
Welfare Aides	223	318	276	000
Homemaker Services	284	000	284	000
Aboriginal Accommodation Service	66	618	74	000
Group Worker Training	65	330	54	000
Senior Assistants Training	28	904	53	200
CSTC (Community Services Training Centre) Co-ordinator	27	102	28	300
ARCWTS (Aboriginal Residential Community Workers Training Scheme) Training Co-ordinator	9	462	30	000
	704	734**	799	500*

*Source: Treasury Printed Estimates

**Includes \$1 818 carryover from 1979-80.

274. *This question was postponed.*

ABORIGINAL ADVANCEMENT PROGRAMME

Funding and Expenditure

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

- (1) What funding, as part of the Commonwealth Government's Aboriginal advancement programme, did the Public Health Department receive for 1980-1981?
- (2) What were the categories of expenditure associated with the above funds?
- (3) For each category in (2), what was the actual expenditure in 1980-1981, and what were the corresponding proposed expenditures for 1981-1982?

The Hon. R. G. PIKE replied:

- (1) \$6 250 840.
- (2) Salaries \$4 972 694
Contingencies \$1 278 146.
- (3) 1980-81
Salaries \$4 972 694
Contingencies \$1 278 146
Total \$6 250 840
1981-82
Salaries \$4 966 200
Contingencies \$1 536 000
Total \$6 502 200.

ABORIGINES

Local Government and Town Planning: Funding and Expenditure

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

- (1) Does either the Local Government Department or Town Planning Departments receive any Commonwealth funding specifically for expenditure on Aboriginal programmes?
- (2) If "Yes", what amount of funding was obtained for 1980-1981?
- (3) What were the specific categories under which the funds were expended by the relevant State departments during 1980-1981?
- (4) For each category in (3), what was the actual expenditure figure?

The Hon. R. G. PIKE replied:

- (1) No.
- (2) to (4) Answered by (1).

ABORIGINES: HEALTH PROGRAMMES

Responsibility

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

- (1) Will the Minister detail the extent to which the State Government has supported development or expansion of Aboriginal responsibility in relation to Aboriginal health programmes?
- (2) What specific funding support has been offered by the State Government, over the past two years, to Aboriginal organisations providing health services run and controlled by Aborigines for Aborigines?

The Hon. R. G. PIKE replied:

- (1) Yes. The Public Health Department employs Aborigines as health workers, enrolled nurses, State registered nurses, clerical officers and has appointed an aboriginal health co-ordinator as well as an assistant nurse supervisor. There is continuing liaison and consultation with Aboriginal leaders and communities at the local level and with Aboriginal organisations at a more central headquarters level. Proposals for a more formal consultative process are being developed.
- (2) Nil.

ABORIGINAL ADVANCEMENT PROGRAMME

Funding and Expenditure

278. The Hon. PETER DOWDING, to the Minister representing the Minister for Education:

- (1) What funding, as part of the Commonwealth Government's Aboriginal advancement programme, did the Minister's department receive for 1980-1981?
- (2) What were the categories of expenditure associated with the above funds?
- (3) For each category in (2), what was the actual expenditure in 1980-1981, and what were the corresponding expenditures for 1981-1982?

The Hon. R. G. PIKE replied:

(1) to (3)

	1980-81		1981-82	
	Original allocation	Actual expenditure	Original allocation	Actual expenditure
Early Childhood	695 500	694 896	689 700	N/A
Schools	1 357 500	1 380 209	1 460 300	N/A
Pundulmurra	321 000	321 000	321 000	N/A
Adult Access	161 000	160 915	171 000	N/A
TOTAL	2 535 000	2 557 020	2 642 000	N/A

As the 1981-82 financial year is still in progress, I am unable to provide the member with final expenditure details.

QUESTIONS WITHOUT NOTICE

HOUSING

Homebuyers' Assistance Fund

62. The Hon. J. M. BROWN, to the Chief Secretary:

- (1) Is it proposed to make assistance under the provisions of the homebuyers' assistance fund retrospective?

- (2) If "Yes" to (1), to what date will it be made retrospective?
- (3) If "No" to (1), why has the Government been advertising this measure as an initiative to assist first homebuyers since early in the year in terms suggesting that it was already operative?

The Hon. R. G. PIKE replied:

- (1) No.
- (2) Not applicable.
- (3) The reference to the homebuyers' assistance fund in the advertisement stated that an initiative was being prepared.

TOWN PLANNING: MRPA

Wungong Gorge

63. The Hon. I. G. PRATT, to the Minister representing the Minister for Local Government:

- (1) Is the Minister aware of a letter sent by the MRPA to Mr P. A. and Mrs D. W. Watts, PO Box 157, Armadale, dated 7 September 1981, regarding MPRA amendment 328-33, Wungong Gorge and Environs?
- (2) If the answer to (1) is "Yes", did the letter contain the words "His Excellency the Governor has been pleased to approve the amendment as notified by the Authority"?
- (3) If the answer to (2) is "Yes", was this letter intended to convey the impression that the matter had been finalised?
- (4) Was there any mention in the letter of the requirement that this amendment be laid on the table in both Houses of Parliament?
- (5) If the answer to (4) is "No", why was this not indicated in the letter?
- (6) Is this a standard form of letter issued on each occasion of an amendment to the metropolitan region plan to every person concerned?
- (7) If the answer to (6) is "Yes," does the authority have any record of any previous instance when landowners have taken this advice to indicate that the amendment has been legally finalised?

The Hon. R. G. PIKE replied:

- (1) Yes.

- (2) The actual wording is, "As notified in the *Government Gazette* on September 4, 1981, His Excellency the Governor has been pleased to approve of the Amendment as notified by the Authority."
- (3) No.
- (4) No.
- (5) Because a copy of the "Report on the Submissions" as tabled in Parliament was forwarded to Mr Watts, together

with the authority's letter of 7 September 1981, and the final paragraph on page ii of the report states, "The modified Amendment is now presented for the formal consideration of the Governor, for tabling in Parliament as required by section 33 of the Metropolitan Region Town Planning Scheme Act."

- (6) No.
- (7) Answered by (6).

