

Legislative Council

Thursday, the 17th August, 1978

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

CLERK ASSISTANT OF THE LEGISLATIVE COUNCIL

Appointment

THE PRESIDENT (the Hon. Clive Griffiths): I am pleased to advise members that His Excellency the Governor in Executive Council has approved of my recommendation that Mr L. A. Hoft be appointed Clerk Assistant and Usher of the Black Rod to be effective as from the 1st August, 1978.

THE HON. G. C. MacKINNON (South-West—Leader of the House) [2.34 p.m.]: Mr President, may I take this opportunity on behalf of the House to extend our congratulations to Mr Hoft for his preferment to this very important position.

Members: Hear, hear!

LEAVE OF ABSENCE

On motion by the Hon. G. E. Masters, leave of absence for six consecutive sittings of the House granted to the Hon. I. G. Medcalf (Metropolitan—Attorney General) due to urgent private business overseas.

On motion by the Hon. R. F. Claughton, leave of absence for six consecutive sittings of the House granted to the Hon. Grace Vaughan (South-East Metropolitan) due to urgent private business overseas.

On motion by the Hon. G. E. Masters, leave of absence for six consecutive sittings of the House granted to the Hon. R. G. Pike (North Metropolitan) due to illness.

BILLS (7): THIRD READING

1. Water Boards Act Amendment Bill.

Bill read a third time, on motion by the Hon. G. E. Masters, and returned to the Assembly with amendments.

2. Security Agents Act Amendment Bill.

Bill read a third time, on motion by the Hon. G. C. MacKinnon (Leader of the House), and passed.

3. Stock (Brands and Movement) Act Amendment Bill.

4. Poisons Act Amendment Bill.

5. Small Claims Tribunals Act Amendment Bill.

Bills read a third time, on motions by the Hon. D. J. Wordsworth (Minister for Transport), and passed.

6. Limitation Act Amendment Bill.

7. Auction Sales Act Amendment Bill.

Bills read a third time, on motions by the Hon. G. C. MacKinnon (Leader of the House), and passed.

UNIVERSITY OF WESTERN AUSTRALIA ACT AMENDMENT BILL

Report

Report of Committee adopted.

PLANT DISEASES ACT AMENDMENT BILL

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Transport) [2.46 p.m.]: I move—

That the Bill be now read a second time. Legislation was enacted in 1946, at the request of the fruit-growing industry, to introduce fruit-fly baiting schemes. The purpose of these schemes was to protect fruit growers from losses due to fruit-fly infestation by adoption of uniform baiting programmes over large areas. Previously, indiscriminate baiting, particularly in town areas adjoining commercial fruit-growing properties had made control of fruit-fly outbreaks particularly difficult.

By 1966 over 50 schemes were in operation with a number in commercial fruit areas. However, since 1960, the emphasis on baiting schemes has moved from commercial fruit areas to country towns and now 24 out of 25 schemes currently operating have no direct relationship to commercial fruit growing. This is because availability of new chemicals has enabled commercial orchardists to better protect their livelihood from fruit fly attack. As a result the schemes are now concerned mainly with the control of fruit fly on fruit grown by urban householders. In these situations where there is high urban development it may not be practicable or economic to deal effectively with fruit fly in the absence of a baiting scheme.

Schemes are introduced where a fruit grower's association or municipality makes a request for a scheme to be established in a particular local government district or districts. The Minister can then approve a referendum amongst owners or occupiers of registered orchards including people with backyard fruit trees and provided at least 60 per cent of these people vote in favour, a scheme is introduced.

The Act provides also that the scheme shall run until a poll requested by not less than 10 per cent of the eligible voters decides that the scheme will be terminated. This is the only provision for terminating a scheme.

The amendments sought involve two changes in the existing legislation—

The appointment of a shire council officer as secretary of a fruit-fly baiting scheme committee; and

provisions for the Minister to direct that a scheme in abeyance, likely to go into abeyance or not operating effectively, be wound up.

Schemes are administered by committees and are independent of local shire councils although a council may, if it wishes, provide a committee with assistance. As the schemes are a community service and the need for them arises within the community, there is justification for them being represented at local government level.

In the past scheme autonomy has at times denied local government of knowledge of the scheme's affairs or finances. Shire representation will therefore provide an opportunity for local government to oversee the scheme's operation and ensure that the interests of ratepayers are not forgotten.

The Bill provides for the appointment and naming of a committee by the Minister which includes an officer nominated by the municipality to act as secretary. This proposal is supported by the Country Shire Councils' Association.

Baiting schemes have also at times suffered from a shortage of reliable labour and an unco-operative public attitude. One of the main problems facing committees, however, is a financial one arising from the difficulties of individual assessment as well as the collection and recovery of baiting charges.

A situation now exists where some 26 schemes have gone into long-term recess, but have not moved to be officially wound up as provided by the Act. It is desirable that the Act be amended to enable the Minister to direct that such schemes be wound up where no request is made for a formal poll and where, in the Minister's opinion, the scheme is unlikely to again commence operation. This is necessary to ensure that funds, plant, equipment, and materials are properly held or disposed of.

It is desirable also, that a poll be taken where it is ascertained that a scheme has not been operating effectively or seems likely to go into recess.

This is the most satisfactory way of determining the community's attitude to the continuation of a scheme.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. T. Leeson.

WHEAT MARKETING ACT AMENDMENT AND CONTINUANCE BILL

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Transport) [2.50 p.m.]: I move—

That the Bill be now read a second time.

This Bill provides for the continuance of the Wheat Marketing Act for a further five years.

The Wheat Marketing Act was enacted in 1947 to provide for the marketing, sale and disposal of wheat and to constitute a Western Australian Wheat Marketing Board should the need arise or should a breakdown in the Wheat Industry Stabilisation Acts of the States or the Commonwealth occur.

There never has been a need to proclaim the Act, but from time to time continuance Acts have been enacted to keep the legislation in existence.

The Wheat Marketing Act is currently due to expire on the 31st October, 1979, and although the Wheat Industry Stabilisation Scheme has prevented the need to bring the Act into operation, it seems wise to provide for the extension of the Wheat Marketing Act, 1947, for a further period.

A further amendment to the Act is also necessary at this time.

Section 7(3) of the principal Act contains a reference to the Chairman of Trustees of the Wheat Pool of Western Australia constituted under the Wheat Pool Act, 1932. This Act has been repealed by the Grain Marketing Act, 1975, and it is therefore necessary for an amendment to make reference to the Chairman of the Board of Directors of the Grain Pool of Western Australia established under the Grain Marketing Act, 1975.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. T. Leeson.

ACTS AMENDMENT (CONSTITUTION) BILL

Second Reading

THE HON. G. C. MACKINNON (South-West—Leader of the House) [2.51 p.m.]: I move—

That the Bill be now read a second time. Members will appreciate that this Bill is similar to the one which failed to receive the concurrence of an absolute majority in this House last year and, as a consequence, was not read a second time.

The Government's policy statement for 1977-1980 clearly spelt out the Government's intentions in regard to entrenching in the Constitution, provisions to protect the office of Governor and both Houses of Parliament.

A clear-cut mandate was sought and obtained from the electors.

That the Government has seen fit to reintroduce the Bill should be sufficient evidence of its sincere intentions in this regard and also of the importance the Government attaches to the principles contained in the proposed legislation.

The only variation to the wording of the previous Bill is that there has been included a six months' time limit on the period during which a referendum could be held. This has relativity with Commonwealth referendums.

This Bill proposes to set out clearly in our Constitution the fact that our Parliament consists of the Queen and the Legislative Council and the Legislative Assembly.

It is designed to achieve three main purposes— firstly, to emphasise the role of Her Majesty the Queen in the Parliament of Western Australia; secondly, to protect and preserve the existence of both Houses of the State Parliament and to ensure their continued role as an integral and essential part of the lawmaking process; and thirdly, to confirm by Statute the office of Governor, and that appointments to the office of Governor and the instructions with which the Governor must comply in performing his duties are both made and issued by the Queen personally as is the present case.

The Bill provides that any future Bill which would abolish either House of the Parliament, or which would reduce the numbers of the members of either House, or which would permit either House to be constituted by members not elected by the electors at large can become law only if such a Bill is passed by an absolute majority of both Houses of the Parliament and is approved of by all of the electors of the State voting at a referendum.

The same procedure would also apply to any Bill which would abolish or alter the office of Governor, abolish or alter the sole right of the Queen to issue instructions to the Governor as to the performance of his duties, or alter the requirement that every Bill must be presented to the Governor for assent before it may become law.

The Bill, in so far as it deals with the office, obligations, and powers of the Governor, makes no change in longstanding constitutional conventions and practices, but is intended to ensure that

those longstanding conventions and practices cannot in the future be altered without the consent of a majority of the electors of the State.

A reference to the Governor includes any other person properly appointed to administer the Government or exercise any powers or authorities during his temporary absence.

The Bill will do no more than its terms indicate. It will not affect the question of re-distribution of electoral boundaries *per se*, or the inter-relationship of the two Houses. Nor will it affect the powers of either House. No referendum is required should any change be contemplated in respect of such matters.

The Government believes that the time has come to ensure the continuation of the basic elements in our present system which has served the State well.

If any political party or group wants to change the basis of our Constitution then surely it is right and proper that the people should first be consulted and given an opportunity to consent to or reject the proposals.

The principles contained in this Bill are important for the people of the State who desire stability in Government and security for their basic institutions and accordingly the Constitution will serve the State and its citizens well in its amended form.

I commend the Bill to the House.

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

SECURITIES INDUSTRY ACT AMENDMENT BILL

Second Reading

Order of the day read for the resumption of the debate from the 15th August.

Debate adjourned, on motion by the Hon. W. R. Withers.

HEALTH ACT AMENDMENT BILL

Second Reading

Debate resumed from the 15th August.

THE HON. W. M. PIESSE (Lower Central) 12.57 p.m.: There are just two provisions in the Bill on which I would like to comment. The first deals with the proposed new section 330B. I support the remarks of my colleague, Mr Mick Gayfer, in relation to the cost of providing homes and facilities for doctors and dentists in country areas. What he had to say is absolutely true.

In some country areas it has been necessary for the shire to provide homes and facilities for professional people, and that has certainly added to the costs of the people living in those country areas. I am told that chemists are next on the list of those who seek this assistance from the public purse. So far I do not think the request from the chemists has been adhered to.

I know of no metropolitan local governing authority which provides homes or facilities for doctors or dental practitioners. During the time I was a member of my local shire council, there were several occasions when we, as a council putting forward the needs of our community, had to offer the inducement of houses and facilities in order to attract doctors or dentists to our area.

When we applied to the Medical Department or the Dental Health Services for assistance to obtain the services of a medical practitioner or a dental practitioner, we were told on several occasions that none of those professional people was available. We had to ask whether the State was processing enough of these professional people. Again, the reply was to quote statistical figures indicating that there were so many doctors and dentists per head of population in this State, and on that basis apparently there was no need for any additional practitioners.

The only option we had was to offer inducements by way of homes and facilities. The fact that we have so many doctors or dentists per head of population in this State is of little comfort to a family in Kuerin a member of which is involved in an accident, when the nearest doctor could be 50 or 60 miles away.

However, I am pleased to say that at this time, and due to the fact that much of the capital cost has been met by the council and thus the rate-payers, we do have the services of resident professionals in my area. When this Bill is passed, the efforts made to acquire those professional people will be validated.

The other part of the Bill on which I wish to comment is that relating to a perinatal and infant mortality committee. I have listened with interest to what other members have said about this matter. It is very disturbing when we look into our past history of infant mortality and we remember that it was about 1914 that a first real effort was made in Australia to reduce the incidence of infant mortality. I refer to the lifetime work of a man named Truby King, a New Zealander. He gave his whole life to the study of infant mortality in New Zealand and Australia in the hope that the rate would be lowered as a result of the work he carried out.

The greatest cause of infant mortality in those days was diarrhoea and vomiting—or commonly known as gastroenteritis. The concerted effort in those days resulted in the number of deaths of infants from this disease changing from 25 per 1 000 live births in 1914, to none at all from that disease in the years 1925, 1926 and 1927. That is a wonderful record.

These figures prove what can be achieved. It is a sad reflection that we appear to have slipped back a little in the prevention of infant mortality, though not in the prevention of gastroenteritis. However, I think as far as deaths are concerned our figures are very good.

On an examination of the statistical figures of neonatal and infant deaths from 1976, it is disturbing to note that, when one takes out the numbers of stillborn and neonatal deaths due to actual physical defects, one finds the causes of the greater number of deaths are due to anoxic conditions or "other" conditions.

The numbers listed include deaths from the phenomenon known as cot deaths. It seems to me that in this age, when men can walk and have walked on the moon, we should be able to get much closer to removing the horror and tragedy of cot deaths from our society. I hope this committee will be very effective in that area.

There is another side to infant mortality; birth is really a natural phenomenon. It is my belief, and the expressed belief of others much wiser than I, that there should be no interference with the natural environment of the foetus without very good reason for doing so. Yet it is well known that during childbirth scientific knowledge is applied often as a means of expediency, rather than because of a real need to interfere.

I have noted the composition of the committee. The six permanent members shall be medical practitioners. I have also noted that only one of these members shall have had not less than five years' practice outside the metropolitan area. It is my earnest hope that the acquiring of those five years' experience will be in the recent past. I feel this is very important, and suggest not more than, say, two years ago.

Of the four other members of this committee I have noticed that one shall be a midwifery nurse in clinical practice. I am sure she will make a valuable contribution to the work of the committee.

I feel that a second nurse—one experienced in infant nursing as is found at Princess Margaret Hospital or the King Edward special nursery—would be a very valuable addition to this committee. That area of information and monitoring

is rather important, and we should consider that aspect. This committee, like all committees, will be only as effective as the members on it.

Mention has been made of negligence, but it is my belief that this committee is not being set up to seek retribution. In any event, in the case of negligence I feel there can be no more severe disciplinarians than a doctor's own colleagues.

In this part of the Bill the important thing to society is the lowering of infant mortality, and I am glad the Government is taking definite action in order to try to lower the rate.

I support the Bill.

THE HON. D. J. WORDSWORTH (South—Minister for Transport) [3.05 p.m.]: I thank members for their general support of this legislation. A number of queries have been raised, and I shall endeavour to go through them for the benefit of members.

The first speaker on behalf of the Opposition, Miss Elliott, started off by mentioning the matter of prosecution of other than those who are working in the industry. This refers to food handlers. The query was raised as to why the bigger companies could not be sued or prosecuted in respect of salmonella infections and the like. The honourable member quoted Nestles as an instance.

Section 232A (3) of the Health Act gives local authorities the power to sue anyone, but I query whether it would be possible for a local authority to sue someone in Victoria.

The Hon. Lyla Elliott: I was not suggesting that it be sued under local government legislation.

The Hon. D. J. WORDSWORTH: The point was raised that Nestles had not at any time committed an offence within Western Australia. The company did find salmonella in one of its products; it withdrew the product, and the product was not sold in Western Australia. Prosecution could not have taken place—

The Hon. Lyla Elliott: Against the branch here.

The Hon. D. J. WORDSWORTH: That did not arise, because salmonella was not found here. Miss Elliott also raised the point as to why food handlers were not being prosecuted. She said they might be committed to gaol for six months.

The Hon. Lyla Elliott: I did not say that.

The Hon. D. J. WORDSWORTH: The honourable member asked why the big companies are not affected by this legislation—companies such as Nestles. The amendment we are placing into the legislation will not affect the handlers but the

retailers—the people she was referring to. The worker who works within a factory is very unlikely to be prosecuted.

I gather that fairly recently salmonella was found in some sausages in Western Australia. As it happened, that manufacturer had a very good plant, but nevertheless he went through the normal process when the infection was found. The works are closed down; the place is thoroughly disinfected; and the food handlers within the company are all tested to determine whether they are carriers of salmonella. They all go through the treatment to overcome the problem. Certainly they are not able to handle food while they are infectious, but they are not prosecuted. They are not the guilty party. The legislation is designed to enable retailers to be prosecuted, and if the honourable member reads the legislation accurately she will find that her fears are unfounded.

The Hon. Lyla Elliott: I do not think I said that.

The Hon. D. J. WORDSWORTH: Would the honourable member like me to read her speech?

The Hon. Lyla Elliott: No. I think you have misunderstood what I was getting at.

The Hon. R. F. Claughton: That would be very likely.

The Hon. D. J. WORDSWORTH: That would be unlikely.

The other point raised by Miss Elliott related to an overall health authority. Various political parties have the establishment of such an authority in their philosophy. The committee which is being set up could not do what the honourable member is suggesting, whether or not the proposal is acceptable. It is certainly not in a position to overlook the total field of health and hospital services.

The Hon. Lyla Elliott: I was not suggesting that, either.

The Hon. D. J. WORDSWORTH: I know Miss Elliott did, and I will quote directly from *Hansard* to prove it. The question of whether there is a need or a reason for an overall health authority is beyond the scope of the Bill. The committee will rationalise laboratory services. We have found in the past that we have had a spate of laboratory services being set up. We have the laboratory services at the Queen Elizabeth II Medical Centre, the university, and also the Public Health Laboratories. As it happens, there is a unifying committee known as the laboratory users' committee which is trying to co-ordinate the work of those three groups which were previously separate.

The committee proposed to be established under this Bill will endeavour to prevent the establishment of other unnecessary laboratory services involving duplication.

The Hon. Lyla Elliott also raised the matter of the Lockridge centre. She asked whether the delay in the building of the community health centre was due to lack of co-operation on the part of various departments. The reason the building was delayed is that while the local authority had control of the land, it was given to the local authority as 10 per cent of a subdivided area and was set aside for recreation. Perhaps members might wish to ask themselves whether they want to maintain that the 10 per cent of a subdivision which must be given to the local authority must be used for recreation.

The Hon. Lyla Elliott: I will tell you the full story in Committee.

The Hon. D. J. WORDSWORTH: Members must ask themselves whether they want this land to be used for other things, such as community health centres.

Another matter raised was that of committees which are similar to the mortality committee just referred to by the Hon. Win Piesse. Miss Elliott asked why the size of one is different from the size of the other. I understand the people associated with the particular area—for example, anaesthetists and related medical practitioners—were called together and asked to propose the type and size of committee they felt would be most desirable to review the deaths that occur from time to time. Each came up with a committee of a different size, and there is no real need for the two committees proposed to be established under this Bill to be of the same size. They are not football teams which are competing with each other. It happens that one committee is to be larger than the other, but I do not consider that to be any great disadvantage.

The matter of whether a nurse should be on the permanent committee was also raised. I carried out research into the point of having a permanent committee, and why there should be probationary and permanent members. The manner in which these committees work is that when a death is reported a basic committee of the smallest possible size, but covering all the different facets, makes an initial review of the situation. Having considered the matter, that committee might say it is one for specialists in various fields, and then the true research is carried out by the enlarged committee recommended by the first committee. Any person who is not a permanent member of the committee can

join it in any particular case, but the idea is to set up what could be called a quorum to consider the matter in the first place.

It is felt there is no need to put, say, a heart specialist on the quorum which will consider the matter in the first place if the death occurred in some other field. We are only setting up a quorum to make a quick study of the death, and then that committee will draw up a larger committee comprising people who have the experience necessary to investigate the matter at greater depth.

Miss Elliott also raised the matter of whether evidence given to the committee could be used in the case of a prosecution. Those who have considered the matter definitely feel that any evidence produced in this way should not be able to be used in a punitive role, otherwise doctors and others would be reluctant to give evidence freely to the committee. The object is to provide the necessary research to ascertain why deaths occur; I think the Hon. Win Piesse made that point. The committee can take action in other ways if it so desires; a complaint can be lodged with the Medical Board, which is not part of the AMA. It consists of seven members appointed by the Governor, six of whom are doctors. I understand the other member is a well known legal practitioner; currently it is Mr Phil Adams. Alternatively, the complainant is able to sue for damages if he so desires.

The Hon. Claude Stubbs raised the matter of prosecutions by health surveyors and quoted cases in which he himself was involved. This is a difficult situation, as he is no doubt aware. Section 358 of the Health Act states that a health surveyor may by virtue of his office take action, and Mr Stubbs suggested that perhaps he should be required to take action and that it should not be left to his own discretion because influence could perhaps be brought to bear on him, particularly from people within the shire.

I consider, and others consider also, that a health inspector should be able to warn people and that it should not be mandatory for him to take action. The only alternative to the use of the word "may" is to make it mandatory for him to take action. When one considers such things as parking offences, etc., it is not a bad idea that an officer should be able to give a warning, because often that does more good than a prosecution.

Mr Stubbs also suggested records should be kept of all offences. I gather an endeavour was made to do this at one stage, but the records were not able to be used effectively and were expensive to maintain. Finally it was decided it was easier to treat each offence on its own.

The Hon. Claude Stubbs made a very valuable contribution to the debate and obviously he has had a lot of experience in this field. The Hon. Mick Gayfer made the point about shires being able to raise a loan or to guarantee a loan. I believe if he reads the amendment he will find that situation is covered. Clause 32 on page 8 amends the principle Act for the purpose of providing for the needs of the inhabitants of the municipality so that a local authority may provide and maintain or grant financial or other assistance towards the provision and maintenance of land, buildings, or facilities.

The Hon. H. W. Gayfer: I said the Local Government Act will not allow local authorities to do this and I believe that this situation should be changed.

The Hon. D. J. WORDSWORTH: I understand that is why this amendment is in the Bill.

The Hon. H. W. Gayfer: To guarantee doctors.

The Hon. D. J. WORDSWORTH: That may have been done in the past, but I believe this amendment is in the Bill to remove any doubt that the guarantee can be made. The member is debating whether it can be done by amending the Local Government Act. It is claimed it can be done this way.

The Hon. N. E. Baxter: It should be covered by the Local Government Act so that people dealing with that Act know also.

The Hon. D. J. WORDSWORTH: I point out that it does not cover motorcars. As the Hon. Win Piesse pointed out, there is an added burden on country people having to contribute to their own health services. Governments should look very closely at this, and I believe it is not often appreciated. I know city people will quickly point out that we do not have to live in country areas. If one has a heart attack in this Chamber one will find there will be a team to come to one's aid with a fully equipped ambulance in a very short time. If someone suffered a heart attack in the country he would have to put up with the lack of such a service, and country people appreciate this, while at the same time having a fear of it.

I gather that section 223 of the Health Act allows for subsidies to be given by the Public Health Department where a local government offers to guarantee a wage. I think I have covered all the points raised and I thank members for their support of the Bill.

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. D. J. Wordsworth (Minister for Transport) in charge of the Bill.

Clauses 1 to 29 put and passed.

Clause 30: Part VIII B added—

The Hon. LYLA ELLIOTT: I support this clause but I cannot let the opportunity pass without commenting on the Minister's remarks on my contribution to the second reading debate. I realise it is difficult when a Minister is handling someone else's portfolio, and the Minister did misunderstand what I said in three or four places. This is one of those areas.

At no time did I suggest that a committee set up to advise the Minister on rationalising the laboratory services should be given the function of advising all the hospital and health services throughout the State. When commenting on a point the Minister made in his second reading speech when he indicated the committee was to advise him on the rationalisation of the laboratory services, I took the opportunity to point out that for some time the Labor Party has been advocating a Statewide hospital and health services commission.

Such a commission would advise on the rationalisation of all hospital and health services within the State. This would avoid duplication and waste which we always hear about but no-one seems to be able to prove. It would look also into any inadequacies in the services and attempt to overcome them. I was certainly not suggesting that the committee set up under this section should be doing this.

The Hon. D. J. Wordsworth: I apologise to the member but I was reading from a copy of her speech that was given to me.

The Hon. LYLA ELLIOTT: Obviously the Minister has been given an uncorrected copy of my speech. He will find the relevant part of my speech has been corrected.

Clause put and passed.

Clause 31 put and passed.

Clause 32: Section 330B added—

The Hon. LYLA ELLIOTT: Once again the Minister has either misunderstood what I said or has been given the incorrect information.

The Hon. G. C. MacKinnon: Perhaps you did not explain it adequately.

The Hon. LYLA ELLIOTT: If he reads my corrected speech he will understand that the position is not as he stated it to be at all. Earlier this year the State and Federal Governments made

available a grant of \$150 000 for the first stage of a community health centre in Lockridge. However, the people may not get that centre because of a lack of co-operation between Government departments. What the Minister stated is not correct and I want the record to be corrected because I was incensed about the treatment received by those who were planning the centre.

I repeat what I said during the second reading debate. Lockridge would have been well on its way to having a community health centre today had certain people in the Lands Department co-operated.

Following the allocation of the \$150 000 in the last financial year the Swan Shire Council applied to the Town Planning Board for permission to subdivide a certain area of land in Lockridge which had been set aside for recreation purposes. The shire wanted the land subdivided so that not only a community health centre could be established, but also a scout hall and a senior citizens' centre—three urgently needed facilities.

The Town Planning Board approved in principle the proposition regarding the three facilities, but instead of acting according to the request of the shire, it wrote to the Under-Secretary for Lands on the 17th April and requested the under-secretary to arrange for reclassification of the land. This is where the facts are not right in regard to the 10 per cent necessary for recreation referred to by the Minister.

Had the required portion of the land been excised there would have remained stacks of land for recreation. In its letter to the Under-Secretary for Lands the Town Planning Board stated that in view of the 10 per cent excess recreation land it approved of the shire's request, and asked the under-secretary to arrange for the reclassification of the land from "recreation" to "recreation and public facilities". It was requested that the land be revested in the Shire of Swan and the Public Health Department, to enable the shire to establish the scout hall and senior citizens' centre, and the Public Health Department to establish the community health centre.

On the 18th April—the next day—the Swan Shire wrote to the under-secretary and stated that as the matter was urgent would he please expedite it, because the shire had only until the end of the financial year to use the \$150 000. However, as I said in the earlier debate, the matter was blocked at that point purely because a certain person in the Lands Department decided that the land should still be used for recreation and not devoted to any other purpose, despite

the fact that the three facilities were urgently needed and, had the land been excised, there would have been plenty remaining for recreation.

I have been trying to get the record straight in the Press, but, on each occasion Mrs Craig replies to me, I am not given the right of reply in return. Consequently the whole matter has been confused in the Press because Mrs Craig has said that it is not her department's fault. She has said that the buildings could not be erected on the land because the land was not zoned for those purposes, and that the Crown Law Department had submitted an opinion to this effect.

The whole point of the matter was that the Crown Law Department's opinion confirmed the opinion of the Town Planning Board because the Town Planning Board had asked the Under-Secretary for Lands to have the land reclassified. This would have complied with the opinion of the Crown Law Department which virtually stated that the land could not be built on at the moment, but if it were reclassified for "recreation and public facilities" it would be all right.

This was the position, but the Lands Department is using as an excuse the fact that the land is not set aside for the purpose for which it is desired to be used when, in fact, had the department done what it was asked to do in the first place—and it still could do it—Lockridge would be well on the way to having its facilities.

I hope that sets the record straight.

Clause put and passed.

Clauses 33 to 36 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

CENSORSHIP OF FILMS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 8th August.

THE HON. F. E. MCKENZIE (East Metropolitan) [3.38 p.m.]: The Opposition supports the Bill, but I would like to make one or two comments on it.

The Minister indicated that the amendment to the Act is necessary because of a desire for uniformity of fees between the States. This was decided at an officers' meeting held in Adelaide in March last year. I agree that uniformity of fees is desirable in Australia. While the increase will be quite substantial, it is noted that no increases have been made since 1949.

It is also noted that already three States have passed legislation to provide uniformity.

Section 29 is to be amended and the amendment makes the schedule unnecessary and so that is to be repealed. Clause 8 provides regulation-making power to enable the fees to be prescribed from time to time. This will obviate the necessity to have the Act amended in order to alter the fees.

The legislation is very simple and, as explained previously, the Opposition supports it.

THE HON. G. W. BERRY (Lower North) [3.40 p.m.]: I rise to support the Bill. At the same time I would again like to mention a few matters relating to censorship. I want to raise a protest about the matter of censorship being in the hands of the Commonwealth Film Censor and bring to the notice of the House a few matters which have been brought to my attention by some of my constituents and which related to some films which were recently shown at Carnarvon.

The letter from my constituents says—

We the undersigned wish to protest most strongly on the program presented at the Carnarvon Drive In Cinema on the 14th-15th April, 1978.

Storm Boy 'G'

Twilight's Last Gleaming 'M'

Storm Boy is a well known novel and in the past has received very favourable notices as a motion picture, it is a childrens book and the film is obviously also directed towards primary school children mainly.

Twilight's Last Gleaming defeats description other than to say it would be an embarrassment to any adult mixed company and a sheer disgrace to show it to young children, this due to the totally unnecessary foul and obscene language used. I understand that the Drive Ins have their programs supplied complete and have no choice in what they get. If this is the case we think it is well beyond the time when something should be done to ensure that films presented are in the same or similar category in any one program.

I could not agree more. I saw those films at the drive-in theatre with my wife, and we were both embarrassed. It was not the kind of language which would be used in this House, and I sincerely hope it is not the kind of language which is used by members of this Chamber in their own homes. In fact, I do not think it is language which is commonly used.

In *The Readers Digest* of January, 1978, I came across an article which very aptly described the language which is used in films. The article is entitled "Let's Lower the Obscenity Level" and it was written by Mr John Pearce, who said—

Lately, I've been going to a lot of movies. And for reasons that escape me, movie makers appear to have come down en masse with a galloping case of dirty mouth.

For example, I just saw *Network*. Good movie. Four Academy Awards—good plot, good action, even a good point. But the first five minutes hit me with such a shower of obscenity that it distracted my attention. Why the obscene words? "It's realistic," said the woman with me. "That's the way people talk."

But is it? Oh, I know some people seem unable to communicate without what we call four-letter words. But a lot of us are not only bored with this kind of talk, but resent an overuse that degrades both language and manners. The fact is that obscenity is still a cheap device for getting attention, and a pathetic resort of the word-poor to express themselves.

The Hon. R. Thompson: Did you see the film?

The Hon. G. W. BERRY: No.

The Hon. R. Thompson: It was a good film.

The Hon. G. W. BERRY: Mr Pearce saw it and I am merely quoting his words. It must be the kind of language that appeals to the Hon. Ron Thompson.

The Hon. R. Thompson: The language was not obscene in the way that article describes it.

The Hon. G. W. BERRY: I am relating it to the language in the film "Twilight's Last Gleaming".

The Hon. R. F. Cloughton: That article would be an extract from another publication.

The Hon. G. W. BERRY: The Hon. Roy Cloughton can have a look at it afterwards. The last paragraph of the article reads—

We need our language, for without it we have neither precision nor nobility nor sweetness of expression. It is the finest tool we have for expressing tender sentiments, high hopes, humble prayers. When we debase it, we debase our means of describing our thoughts, of our world, and consequently debase our view of ourselves.

The Hon. R. H. C. Stubbs: Don't you think people should be their own censors?

The Hon. G. C. MacKinnon: No.

The Hon. G. W. BERRY: No, I do not.

The Hon. R. H. C. Stubbs: If they do not want it, they do not have to go.

The Hon. D. J. Wordsworth: You do not know what it is like until you get there.

The Hon. G. W. BERRY: How does one know what one will see when one goes to a picture theatre? I saw in the newspaper the other day a suggestion that we have a new classification "P" for perverted.

The Hon. R. F. Cloughton: Are we going to classify the patrons as they come in, too?

The Hon. G. W. BERRY: A film I saw recently was equal to if not worse than some of the material shown to members of Parliament when the Hon. Claude Stubbs was Chief Secretary.

The Hon. R. H. C. Stubbs: I did not lead you by the nose to show it to you. I said it was a matter of education.

Sitting suspended from 3.46 to 4.03 p.m.

The Hon. G. W. BERRY: Prior to the afternoon tea suspension I was referring to the type of films being shown at some drive-in theatres. I have here another letter to the editor which was published in *The Hedland Times* on the 13th April. It is headed, "Film disgusts", and it reads as follows—

Dear sir, Through you, may I express my absolute disgust at a film I saw on April 4 at the Hedland Drive-In.

That night, the television went off, and, without knowing what was showing, my wife and I decided to go to the drive-in. It was the most disgusting, obscene, and lewd exhibition that I have ever seen.

If the exhibitors of this trash only knew what damage they were doing to the minds of the viewers of this type of show, I am sure they would cease exhibiting.

If the same people think that underage people are not seeing these indecent films, they want to take a look around the cars while the films are being shown. They also want to see the youngsters in cars parked outside the drive-in fence.

Parents, if you wonder at any time where your children are, have a look around the drive-in pictures when an "R" certificate film is being shown.

If any person got any satisfaction out of that film on Tuesday, April 4, I can only say they have an absolute immature idea of what sex is all about.

Another letter was published in the *Northern Times* on the 27th April. It is headed, "Protest against programs", and it reads as follows—

Sir—This letter is in protest against the programs shown at the drive-in of this town, and in particular last Friday and Saturday night.

Why should a film, such as "Twilight Last Gleaming", be shown in conjunction with a children's film, and especially shown first. The language was disgusting and completely unnecessary.

Very rarely is anything shown here which is suitable for young children. Why does it have to be spoilt by having to sit through a film where a lot of adults use filthy language.

By the time "Storm Boy" arrived, most young children had gone to sleep.

Could someone also tell me why the people of this town accept so much R rated rubbish. —(Mrs) Leonie Wheeler, Carnarvon.

A letter headed, "Objection to support film", appeared in the *Northern Times* of the 4th May. This letter is objecting to the support film shown with "Storm Boy", and it reads as follows—

Sir,—We the undersigned, wholeheartedly support Anne Darzevich and Leonie Wheeler, in their objection to the supporting film being shown before Storm Boy at the drive-in recently. To say the least, it was singularly unsuitable for children.

If the proprietors have no say in which supporting films they are allocated, surely they can exercise the right to show the feature film in a case like this.

Taking a family out these days is no cheap affair and many families only make the effort for something special, which "Storm Boy" was, but to comfort youngsters with something like the above mentioned first is inexcusable.

Perhaps if enough people make enough noise, something may be done to see that a similar situation does not arise again.

Signed, Enga Smith, Bernard S. Smith, Claire Day, Allan Day, Susan Van Dongen, B. Simon, B. Smith, Yvonne Fahl, J. Lyall.

As a result of these letters, the *Northern Times* printed a reply from the manager of the drive-in theatre. As it is a long letter, I will quote only the relevant portions of it. These are as follows—

Firstly, let me say that I have been associated with large groups of young people over many years, and well recall a blanket collection from one of our audiences for the now world renowned Rolf Harris, who has my absolute admiration as an entertainer because he never to my knowledge resorted to the use of bad or obscene language to entertain millions of people. I myself find it unnecessary to resort to bad language to express myself, and appreciate the opinions and conduct of people who use our means of vocal communication without the abuse of the English or any other tongue.

Unfortunately, society appears to conform to the varying forms of behaviour and what seems abhorrent to one seems the norm to someone else.

The late Eddy Cantor, famous in his time for his clean style of comedy entertainment, once said, if you have to resort to dirt you know you're on the end of the line. I cannot recall Danny Kaye using anything but clean multilingual dialogue.

Whether we in the cinema industry like it or not, world trends control the supply and demand of most things and cinema is no exception, and therefore, we draw our supply from the market place to satisfy our customers (patrons) with the best available.

The market place has changed very dramatically over recent years and we who resisted the introduction of, what is referred to as sophisticated entertainment, were quickly reminded that we conform to demand or else.

In the last part of the letter it states—

Fortunately the cinema industry is witnessing a resurgence of the type of entertainment that has greater family appeal.

I can only hope that that resurgence makes itself felt before very long.

I think it was during the earlier part of this session of Parliament that the Hon. Des Dans presented a petition from residents who were concerned about the screening of "R" certificate films at drive-in theatres. I remember also, during the debate some years ago about the classification of "R" certificate films, we were told they would never be shown in drive-in theatres, and that they would be restricted to city or closed theatres.

The Hon. D. W. Cooley: Your party supported a proposition that there should be no daylight saving in this State so that drive-in theatres could show their films earlier.

The Hon. G. W. BERRY: I fail to see the connection.

The Hon. D. W. Cooley: Your party wanted drive-in films to start earlier.

The Hon. G. W. BERRY: What has that to do with the matter I am debating?

The Hon. D. W. Cooley: I thought you did not like drive-in theatres.

The PRESIDENT: Order!

The Hon. G. W. BERRY: Those remarks are quite irrelevant, and I will treat them as such. During a debate concerning the censorship of films, I quoted the findings of Lord Longford's inquiry. He said, "If you have enough pornography dished up to you, you soon accept it as the norm. You no longer question it." Today we are having this trash dished up to us not only in the theatres and the drive-in theatres but also on television and the radio. The more of this material that creeps in, the worse it will get.

In the first instance the "R" certificate films we saw were censored, but I am afraid the censors do not use their scissors any more. Some of the scenes shown in films today are more explicit than were the censored pieces which were shown to us by the then Chief Secretary (Mr Stubbs). It is high time we had a good look at what is being served up.

The Hon. W. R. Withers: Hear, hear!

The Hon. G. W. BERRY: I do not think it is in the interests of anyone to degrade our language as it is being degraded on the radio, in films, and on the television. It is high time society took a good look at what is going on.

The Hon. R. Thompson: They have been—haven't you found out yet?

The Hon. R. H. C. Stubbs: That is the only entertainment I get at my age!

The Hon. G. W. BERRY: I can see the message does not seem to be going home very well at the moment. However, I hope sincerely that members give this some consideration. When the then Chief Secretary was debating the subject of "R" certificate films he was very sincere in his endeavours to have them confined to closed theatres. It was a sorry day when they were permitted to be screened at drive-in theatres as this has led to the situation we have today.

I support the Bill.

THE HON. T. KNIGHT (South) [4.13 p.m.]: I rise also to support the Bill, and I would like to add a few comments to those of the previous speaker.

In regard to the film "Storm Boy", as stated by the management of the drive-in theatre, the distributors would not allow "Storm Boy" to be shown unless that particular supporting film was shown with it, and the supporting film had to be shown first. As there was so much publicity about "Storm Boy", and it was presented as a children's film, most exhibitors took the risk and showed the support film.

There is no way that the exhibitors of "R" certificate films can force people to attend drive-in theatres. On advertisements for these films, their classification is displayed prominently, and boards outside the theatres state clearly that "R" certificate films are being shown. So many times we find people complain after they have seen a film. Enough publicity has been given to the "R" classification, and people should be intelligent enough to know what it stands for. If these people watch such films, they should not complain to the management after they have subjected themselves to watching something they intended to watch in the first place.

The Hon. G. W. Berry: What about those who watch the films outside the theatre?

The Hon. T. KNIGHT: Those people are sneaking something for nothing, and they should not complain about what the exhibitors are doing.

We always hear complaints that no children's programmes are shown during the school holiday period. I know of many drive-in theatres where general exhibition films have been screened and time and time again we find that parents do not take their children to these films. There is no chance in the world of getting mum and dad to take the children to see general exhibition films. They are not interested in going along. The mothers and fathers want to see "R" certificate films or other adult films; they are not interested in films for general exhibition any more. No business enterprise in this day and age can survive without making a profit, and drive-in theatres cannot make a profit from showing general exhibition films.

The situation is that a noisy minority has raised its ugly head once again and the people who are in the majority, who go along to see these films, do nothing about it.

I believe the previous speakers, like myself, digressed from the subject matter of the Bill before the House, which relates to the fees to be paid to the censor for the censoring of films.

I support the increase in charges; I believe it is necessary, because it has been quite a few years since they were last increased. I support the Bill.

THE HON. R. F. CLAUGHTON (North Metropolitan) [4.16 p.m.]: Because of the comments made by Mr Berry, I feel obliged to put my own view on this matter. It was necessary recently for me to inquire into the matter of the exhibition of "R" certificate and other adult films, because of complaints which were made through the Australian Labor Party organisation.

The exhibitors of these films were able to demonstrate quite clearly that when they had shown films to satisfy the requests of the people who wanted what was termed "family entertainment-type" films, those people in fact did not go along to support them, and the exhibitors were showing them at a loss. The exhibitors showed these films at times when children predominantly would be able to attend, such as during Christmas and other school vacation periods. Suitable films for children were exhibited, often at some loss to the exhibitors. However, they did make the effort out of their feeling of awareness of their public responsibility.

However, when they produced the figures relating to the attendances at the different classifications of films, there was no doubt the public were demanding the "R" type classification. Mr Berry indicated in one of his quotes that the public taste in fact was swinging around; it will not be until the public tastes do change that the exhibitors will be in a position to show family films once more.

These people do not run their businesses for charity. In order for them to remain in business they must make a profit. So, as much as any of us may feel concerned that these types of films are being displayed, they are what the public demand and, unfortunately, that is what will continue to be shown.

It also seems there are some people in the community who deliberately attend these shows to experience some sort of titillation, so that they can protest and be outraged at what they have seen. If they do not like the films, they do not have to attend.

If there is a double feature such as "Storm Boy" and "Twilight's Last Gleaming" and the parents want their children to see "Storm Boy" they are quite at liberty to do so and take their family home at the conclusion of the first feature; they do not have to stay to see the second film.

The Hon. G. W. Berry: In the case I mentioned, "Twilight's Last Gleaming" was shown first.

The Hon. R. F. CLAUGHTON: Then they can attend only the second film.

Point of Order

The Hon. G. C. MacKINNON: Mr Deputy President, I wish to point out that this Bill has to do with very specific items which relate to the fees charged by the Censorship Board, and to some metric conversion. I sincerely hope either that the debate will be allowed to extend to the wide-ranging subject of censorship in general or that it will be rapidly brought back to the actual subject matter of the Bill before the House.

The DEPUTY PRESIDENT: Order! I would request members addressing themselves to the Bill to refer strictly to the subject matter before the House.

Debate Resumed

The Hon. R. F. CLAUGHTON: I entered the debate because these matters were raised, and I have completed my remarks. I support the Bill.

THE HON. G. C. MacKINNON (South-West—Leader of the House) [4.20 p.m.]: I thank members for their support of the Bill. I raised the point of order because I wanted to ensure I would have some opportunity to comment on the totally extraneous matters raised during this debate. I must admit that I disapprove of debate ranging over such a wide gamut of items which are not contained in the Bill.

I do not go to the pictures very often. Indeed, the only films I have seen of recent years have been "All the King's Men", and "One Flew Over the Cuckoo's Nest" neither of which would qualify as an "R" certificate film, yet both of which attracted capacity crowds. I understand that the general exhibition film "Star Wars" is the biggest gross earner of any film in the world today, so the arguments put forward by Mr Knight are obviously wrong. According to my information, the other big money earner is "Love Story", another general exhibition film.

The Hon. T. Knight: Have a look at the general run of films.

The Hon. G. C. MacKINNON: I am talking about the big money earners, and from the information available to me, they are both general exhibition films. However, this has nothing to do with the measure we are discussing. I must admit I am disappointed that the discussion should get off the subject matter of the Bill to such a degree

because if there is anything we pride ourselves on it is the fact that we talk to the various pieces of legislation which come before us.

The Hon. R. Thompson: Then why did you interject and agree with Mr Berry when he was getting off the Bill?

The Hon. G. C. MacKINNON: It is not for me to contradict the President; I would not be so presumptuous.

The PRESIDENT: Order! The President considered the speakers were speaking to the Bill.

The Hon. G. C. MacKINNON: Very well, Mr President, that being the case I will go along with the debate in general. It has been brought to my attention that many of the films shown at drive-in theatres today should not be shown; they are salacious in the extreme. If that is the only way film producers can make money, I think it should be stopped. Obviously, it is not the only way because the general exhibition films I mentioned are the two biggest money earners of all time.

The Hon. R. F. Cloughton: The cost of exhibiting "Star Wars" at country drive-in theatres probably would prevent the film from being shown.

The Hon. G. C. MacKINNON: I have seen one or two "R" certificate films; if we did not see them, does Mr Cloughton really think we would suffer?

The Hon. R. H. C. Stubbs: I believe the reaction to violence is worse.

The Hon. G. C. MacKINNON: If we are going to have such a wide-ranging debate, let us talk about violence. I should like to tell members of my personal experience with my sister's children. Up till recent times, they have lived in an area where they did not view any television. They came to Perth at an age when they could understand these things. Strangely enough, the sorts of shows that people consider are bad on television—the cowboys and Indians, cops and robbers, violence, murder and mayhem-type shows which are so much a part of television today—affected the children not at all. Children very quickly differentiate between what is fictional and what is fact.

At the time when they first came down from the goldfields, the major news items concerned the Biafran war and the problems in Ethiopia. The main international news items were based on showing film of young children starving to death, and of people dying in the civil strife which was being experienced at that time. Those news items affected the children terribly because they were fact, and they knew them to be fact.

The Hon. R. H. C. Stubbs: Just the same, recent articles support the view that violence on television and films has resulted in children committing violence.

The Hon. G. C. MacKINNON: That could well be. I am of the opinion—and it is only an opinion—that the sort of child who is affected by such scenes probably would finish up violent, anyway. However, no-one can prove that one way or the other.

The Hon. R. F. Claughton: I do not think research says that.

The Hon. G. C. MacKINNON: I do not think it shows one way or the other—

The Hon. R. F. Claughton: Very recently published studies indicate that children are affected by violence on television.

The Hon. G. C. MacKINNON: Many of those reports are quite flimsily based.

The Hon. R. Hetherington: You have not read them.

The Hon. G. C. MacKINNON: How does the honourable member know I have not?

The Hon. R. Hetherington: You do not seem to know. You are very dogmatic about things about which you know nothing.

The Hon. G. C. MacKINNON: I am not at all dogmatic.

The Hon. R. Hetherington: You just dismiss these reports. I would be very surprised if you have read them.

The Hon. G. C. MacKINNON: I read an awful lot of material, and I read quite a bit of research which I believe is poorly based.

The Hon. R. Hetherington: You have not shown any evidence that you have read the research to which Mr Claughton referred.

The Hon. G. C. MacKINNON: I am giving evidence that I do not implicitly believe all research which comes before me. From my personal experience, fictional violence affects the general run of well balanced children less than the standard news service, because the standard news service is for real, and there is a tremendous lot of violence on the news.

The Hon. R. H. C. Stubbs: Coming from the goldfields, they would be pretty straight children.

The Hon. G. C. MacKINNON: I repeat that none of us is really prepared to discuss these subjects at this time because they in no way relate to the legislation before us. The legislation deals with metric conversion and an increase in the fees paid for the censorship of films. 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.

NORTHERN DEVELOPMENTS PTY. LIMITED AGREEMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 10th August.

THE HON. R. T. LEESON (South-East) [4.37 p.m.]: This is a fairly simple Bill. It seeks to redefine land at Camballin, which was originally set aside for the growing of food for cattle in the area. Apparently the company has moved away from its original target area; therefore, this Bill seeks to legalise that.

As far as we, on this side of the House, are concerned, we cannot see anything wrong with the Bill. In 1973 I visited Camballin. I was very impressed with the area and what was being done there. At that time the venture was working very well. Since then there has been a slump in beef prices and I understand the company has been battling to some degree. However, we are pleased to see that prices are improving and hopefully it will become a viable proposition once again. I hope this particular enterprise benefits from the increased prices.

It is a desolate area. However, a river is situated in the region and the stock are able to be watered from it. This venture has developed into a large enterprise and I hope it continues to be successful.

THE HON. J. C. TOZER (North) [4.41 p.m.]: I rise to talk briefly on this topic and to support the second reading of the Bill. You may recall, Sir, that at about this time two years ago I spoke on another amending Bill relating to an irrigated agricultural project in the Kimberley. I am referring to the Irrigation (Dunham River) Agreement Act Amendment Bill. On that occasion also we were talking about a project in the Kimberley which could not be described as a success at that time. The theme I adopted in speaking about the Dunham River project was that it is essential that Governments encourage such projects as the one on the Dunham River and, of course, the Northern Developments Pty. Limited project on the Fitzroy River which is before us today.

The Camballin project is somewhat different from that on the Dunham River. In the latter case, the State had not invested a large amount

of money. However, in the case of the Camballin project a considerable amount of State funds has been expended and despite the fact that the project has been operating for the best part of 20 years, we cannot say it has been a success at this point in time. As Mr Leeson has indicated, it has had its ups and downs. I do not think he will mind me correcting him and saying that, in the first instance, it was developed as a rice growing project and the first parliamentary party which went to the Fitzroy River to see this project saw an outstanding crop of rice growing there.

Subsequently, the Australian Land and Cattle Company took over the project and grew crops of sorghum. At the time the parliamentary party to which Mr Leeson referred arrived in 1973, not only were excellent stands of sorghum covering some 5 000 acres, but also green chop and grain was being fed to cattle in feed lots. As a result, an improved quality of cattle was being produced in the area.

The Minister, in his second reading speech, outlined what this Bill was designed to achieve. It is certainly not my desire to go over the same ground once more. Mr Leeson referred to one of the four aspects; the section which related to the redefinition of the land. It does not surprise me that there is a need to redefine the land in an area with a terrain of this particular nature. Anyone who has looked at the parent Act of 1969 will have seen the maps associated with the 5 000 acres covered by this Bill.

I have had personal experience of the difficulties associated with redefining land in the Fitzroy Valley. In 1947 as a young student surveyor I took a party to the area to survey the Noonkanbah airstrip which is situated a little way up the river from the area we are talking about at Camballin.

The only surveyor who had been in the area before me, when I was there in 1947, was Alexander Forrest when he did the original Fitzroy River traverse in, I think, 1894. One has only to look at the map associated with the original Bill to see where, along Uralla Creek, there were probably 20 survey marks. Members can bet their lives that most of them have been washed away long since. That is exactly what I found in 1947 when I surveyed along the Fitzroy at Noonkanbah and the original lines had to be re-established by calculation.

It is inevitable that the actual cropping carried out by the operators on this project would, in fact, be outside the original land definition as set out in the parent Act.

I did refer to the fact that there had been Government expenditure at Camballin. However, before I move on to that there is a matter which worries me and perhaps whoever speaks to this Bill on behalf of the Government, and for the Minister for Lands, will be able to explain. The title of the amending Bill now before us is the Northern Developments Pty. Limited Agreement Act Amendment Bill, when in fact, the Northern Developments company has not been on the site for seven or eight years. To the best of my knowledge there is no such company. The company which operates the area now is the Australian Land and Cattle Company. The area was transferred to that company long ago. One wonders why the amending Bill should be brought down in the name of the original company and why opportunity is not taken also to amend the title of the Bill so that, in fact, we would have a Bill dealing with the Australian Land and Cattle Company rather than Northern Developments Pty. Limited.

Referring now to Government expenditure, in the annual report of the Public Works Department, 1977, at page 69 under the heading "Irrigation projects Camballin" we note that the total capital cost has been \$2 216 260 since way back in 1960. When the barrage was put across the river it cost about \$1 million. Of course, \$1 million in 1960 was a large sum of money to expend on a project; probably \$5 million at today's costs.

The report also shows there was a loss for the financial year 1976-77 of \$333 618. That figure includes interest and capital depreciation. In fact, during that year there was capital expenditure amounting to \$24 831 and any member who has been to the project recently will realise that expenditure has been occasioned by the repair and replacement of some of the original gates put there almost 20 years ago. We can see then that the capital and operating costs which the Government—the State of Western Australia—has provided have been somewhere in the vicinity of \$4 or \$5 million over a period of 20 years. On today's values, of course, we would probably be talking of a cost of about \$20 million.

It could safely be said that together the Northern Developments company and the Australian Land and Cattle Company have certainly spent more money than that. A considerable sum of money has been spent on the venture, as was the case on the Dunham River project without State funds. There is no doubt in my mind that Government money spent on a project like that, which

we see at Camballin, is in fact a very good investment. I think we can safely say we are building a portfolio of knowledge of what we can do, and what we cannot do as far as the Kimberley irrigation project or the Kimberley development is generally concerned.

As Mr Leeson pointed out, the Australian Land and Cattle Company and the irrigation project are essentially married to the beef cattle industry. That industry always has been, is at present, and I suggest will continue to be in the future, the basis on which the economy of the Kimberley will rest.

The concept we see at Camballin is, in fact, the idea of breeding cattle out on the open range in the various stations, and then to bring the cattle in and top them off on irrigated pastures and, of course feed-lotting. In addition to the crops grown in the irrigation area for feeding purposes, there is the prospect of growing crops for export. The importance of this marriage of irrigation and pastoral activities is tremendous from the Kimberley point of view. It provides the capability to diversify the products. There are current discussions on the containerisation of the beef export industry from Kimberley which, in itself, will open up new markets.

It gives reason for the hope that projects such as Camballin and, of course, the Ord and Dunham River projects—and no doubt others in the future—will produce a quality product. It will provide a greater number of markets available to the meat from the Kimberley than is available now. There is no doubt in my mind at all that, whether it is immediately or in the future, this will be an even more important region for our cattle industry. Instead of there being a short killing season over four or five months, it will stretch to eight or nine months. New markets, helped by the diversification which we will see, and helped by the fattening of cattle in the irrigation area, will emerge. I venture to say that within the next few years we will see Kimberley beef properly finished and slaughtered and sent to the Perth market. The containerisation about which Mr Wordsworth has been speaking in the Press of late, will help to achieve that end.

There is no doubt in my mind that the State must persist with this project in the Fitzroy Valley. It must persist with all such irrigation projects in the Kimberley and the north of Western Australia. Members must not forget that the Fitzroy Valley has a greater flow than has the Ord River. There is a greater availability of irrigable land on the Fitzroy than there is on

the Ord. Between them, these great and enormous valleys have a potential which will become an important source of food and fibre for Australia and for the world as time goes by.

The economy of the Kimberley now rests on the beef cattle industry and it will, in fact, continue to do so. It will be of tremendous importance to the area. This great concept which the Australian Land and Cattle Company has undertaken must succeed, and I believe it will. It has caused us some trauma on occasions. There have been occasions when production has been near to stopping, and then the industry has gone into top gear again.

When I was in Camballin recently I read a telegram stating that the whole of the area would be cultivated and brought into production forthwith. This action is another stage and may well be the final stepping stone to success.

I did mention in passing the problems of survey of these lands, and one of the reasons for the introduction of this Bill is to redefine the boundaries of the original 5 000-acre freehold allotment. Members must not forget that the flooding is something we may not always see. Part of the total concept is that the Fitzroy should be dammed at Diamond George and also on the Margaret and Leopold Rivers. That will stop the regular flooding of the valley. I have flown over this area when the river has been some 25 miles wide, but at some time in the future that will no longer occur. It will be the same as the Ord at the present time. In time the rivers will be controlled and will continue to flow the whole year round, which is a requirement for worthwhile and viable irrigation.

I will refer to a matter which is not contained in the Bill but which is in the parent Act. Section 9 of the parent Act spells out the responsibility of the State in respect of the project. I particularly refer to subsection (3) which refers to the obligation of the State to provide housing under the Commonwealth and State Housing Agreement for employees on the project. When I was in Camballin I did notice the deplorable condition of the State Housing Commission houses. This is not a matter I want to belabour in this Chamber because I have taken it up directly with the Minister for Housing. However, there is no doubt at all that the State would be remiss if it abrogated its responsibility, or wrote off its investment in the housing at Camballin.

Also I gained the distinct impression that the school has been permitted to run down because of the uncertainty of the future of the Australian Land and Cattle Company and Camballin itself.

I can recall Mr Thompson interjecting most vigorously when my colleague, Mr Withers, was speaking. Mr Thompson asked what future there was for the population of Looma. I ask members to understand that Looma is only six or seven miles from the centre of this irrigation area. There is no doubt at all that when this project is developed there will be employment opportunities for the population at Looma if that is what they want.

The Hon. H. W. Gayfer: What shape is the barrage dam in? Is it silting up?

The Hon. J. C. TOZER: The barrage dam is working quite admirably. It always has and that is why we saw an operating loss of \$330 000 during last year. The gates operate satisfactorily. They are closed during the time of limited flow, and hold the water back for irrigation purposes. At the time of flood the gates collapse. It is a project which has been copied directly from similar types of installation which we see on the Ganges in India and other such places where full utilisation has to be made of water resources. In fact, the barrage is working satisfactorily now.

The Hon. H. W. Gayfer: With the release of this land, will the barrage dam be able to cope with the extra load placed on it?

The Hon. J. C. TOZER: The barrage in itself was not designed to cope with a major irrigation project. It will cope with the 15 000 acres referred to in the Bill, but it is purely a means by which the water can be diverted into the 17-mile dam, and it certainly is capable of irrigating the 15 000 acres plus a great deal more. However, in the total project, the 50 000 acres or eventually the 300 000 acres to be irrigated cannot be achieved from this barrage without the three dams on the Fitzroy, the principal one being at Diamond Gorge, feeding water to it.

I support the Bill. I am glad the State has been prepared to make the relatively minor changes to the original Act in order to assure the future and to safeguard the investment made by the State and private enterprise at Camballin.

THE HON. W. R. WITHERS (North) [5.01 p.m.]: I thank Mr Leeson and my colleague, Mr Tozer, for the contributions they have made in this debate. Members will no doubt be aware that very few people in this State have as much knowledge of this project as Mr Tozer has, through his association with its development as Assistant Administrator in the Kimberley, later as Administrator in the Kimberley, and now as member for the North Province.

Mr Tozer has raised one query, and possibly other members have been wondering about it. He has asked why the amending Bill relates to Northern Developments Pty. Limited, when the company is the Australian Land and Cattle Company. This has been brought about by the purchase of Northern Developments Pty. Limited by Australian Land and Cattle Company. That was done in 1965; so, it means that Northern Developments Pty. Limited is now under the parent company, Australian Land and Cattle Company.

Reference was made by Mr Tozer to clause 9(3) of the agreement in the Act. I shall bring his comments to the notice of the Attorney General, the Minister for Housing, and the Minister for Education. I have nothing further to add, because the resume given by my colleague was a very good one.

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.

PARKS AND RESERVES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 10th August.

THE HON. R. T. LEESON (South-East) [5.06 p.m.]: It is somewhat unfortunate that a Bill of this nature has to come before the House. I think all members will agree that Kings Park is a place most, if not all, Western Australians admire and enjoy. I speak on behalf of country people, and in particular on behalf of the people in my electorate. When they visit Perth, one of the first places they go to is Kings Park. The views from there are equal to any in Australia. As a child I enjoyed visiting Kings Park when I came to Perth.

The Bill provides authority to the board to delegate powers to certain people for the purpose of policing more closely the activities which are occurring in that area. Some of these unfortunate activities have gone on for a number of years, and at last the board is to crack down on those people.

We on this side of the House are somewhat concerned about some of the powers to be delegated. Reference is made to vehicles, tents, and caravans which may be searched at random if an inspector considers it to be necessary. Turning to the Bill we find that clause 5 seeks to add a

new section, section 7A, which states that an authorised person shall not exercise the power delegated to him unless he has taken reasonable steps to communicate with the people concerned, and to outline what can and what cannot be done in the area. This is somewhat of a safeguard, provided the persons appointed stick closely to this important section of the legislation.

If powers of this nature are delegated, it can be very dangerous in some cases, as happened before. Undoubtedly, as the result of some of the unfortunate activities that are taking place in Kings Park, a Bill of this nature has to come before Parliament in order to tighten up the provisions of the legislation.

The Hon. G. W. Berry interjected.

The Hon. R. T. LEESON: That is the point I am making. It is a shame that a Bill of this nature has to be brought to Parliament for the purposes I have mentioned. I suppose that in this day and age the laws of this State have to be changed sometimes.

The Hon. G. W. Berry: Changed for a minority.

The Hon. R. T. LEESON: For a very small minority. It is for the reasons I have given that we support the Bill.

THE HON. I. G. PRATT (Lower West) [5.10 p.m.]: I thank Mr Leeson for his contribution and for the general support of the Opposition to the measure. I agree with him that it is unfortunate we do find people within our community who create the problems which make this sort of legislation necessary. It is one of the problems we have to live with.

The honourable member rightly referred to clause 5 which contains a safeguard in respect of the people who are to be given authority under the legislation. Under this amendment it is necessary for them, firstly, to establish their identity, tell the offenders that they are committing an offence, and discuss the matter with them before taking action.

As always, when authority is given to people to act on behalf of a board it is done in the hope that they will carry out their duties responsibly. It is always our hope that this method will work successfully and will overcome the problems we have encountered.

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.

House adjourned at 5.14 p.m.

QUESTIONS ON NOTICE

CONSUMER PROTECTION

Toys

205. The Hon. R. H. C. STUBBS, to the Minister for Transport representing the Minister for Health:

With reference to toxicity, flammability, construction and safety of toys—

(a) have any uniform safety standards been adopted throughout Australia; and

(b) if so, what are they?

The Hon. D. J. WORDSWORTH replied:

(a) No.

(b) Not applicable.

TRAFFIC

Off-road Vehicles: Control by Local Authorities

213. The Hon. R. F. CLAUGHTON, to the Attorney General representing the Minister for Local Government:

(1) Is the Minister aware of the proposal by the Wanneroo Shire Council to seek the help of private land owners in controlling the activity of trail bike and other off-road vehicle users?

(2) Would the Minister advise the legal position of private land owners who attempt to co-operate with the local authority in controlling this activity?

The Hon. G. C. MacKinnon (for the Hon. I. G. MEDCALF) replied:

(1) No.

(2) As this question seeks an expression of opinion on a matter of law, in my opinion it is inadmissible.

WATER SUPPLIES

Dams

214. The Hon. R. HETHERINGTON, to the Attorney General representing the Minister for Works and Water Supplies:

(1) Has the Mundaring Dam been "shandied" since 1969 or 1970 with large quantities of relatively fresh water (about 200 m.g./litre) from the Canning and/or Serpentine Dams?

(2) If this is the case, does it explain why the level of Canning Dam last year was very low, even allowing for low rainfall for the year?

- (3) If such dilution has taken place, would this not imply that the water flowing into Mundaring Dam from its own catchment be much more saline than the dam itself?
- (4) Should not comparisons of present and past levels of salinity in the dam take such dilutions into account?
- (5) What were the maximum and minimum salinity levels of the Helena and Darkin rivers in 1914?
- (6) If the salinity of either or both of these rivers has increased, would this be connected with the removal of vegetation in the catchment area such as clearing on private property or the widespread cutting of green firewood by the Wundowie Iron and Steel Company over the past 20 years?

The Hon. G. C. MacKinnon (for the Hon. I. G. MEDCALF) replied:

- (1) No. Only in the last two financial years was any significant amount received, namely 2 526 352 cubic metres and 4 004 119 cubic metres respectively. The inflow was directed from the dams to the south of Canning.
- (2) The low level in Canning Dam is due to the lack of rain and the high draw on this storage by metropolitan consumers.
- (3) No.
- (4) Yes. However, it is only of minor significance because in the long term the main controlling influences are the frequency of overflow and the concentrating effects of evaporation.
- (5) This information is not available.
- (6) In the long term the salinity of Mundaring reservoir has not deteriorated. However, if any permanent clearing on private land for agriculture has occurred it would have had a greater effect than selective cutting carried out under Forests Department control for the Wundowie project.

POLICE

Motor Vehicles

215. The Hon. D. K. DANS, to the Leader of the House representing the Minister for Police and Traffic:
 - (1) Will the Minister for Police give consideration to using bucket seats instead of bench seats when new police vehicles are ordered?

- (2) Will he also give consideration to tendering for police security vans with automatic transmissions?

The Hon. G. C. MacKinnon replied:

- (1) The Commissioner of Police advises that under the present system of supply of vehicles to the Police Department all cars and station sedans are being fitted with bucket and not the bench type seats. However, security vans and other heavy duty type vehicles are still fitted with bench type seats as they are not suited to the fitting of bucket seats.
- (2) The commissioner also advises that arrangements are being made to have all cars transferred from manual to automatic transmission as they become due for replacement.

ROAD

Brand Highway

216. The Hon. F. E. McKENZIE, to the Minister for Transport:

- (1) Will the Minister advise where the Brand Highway commences and finishes?
- (2) What is the total kilometreage of the highway?

The Hon. D. J. WORDSWORTH replied:

- (1) The Brand Highway commences at the Great Northern Highway near Muchea, 36.9 km from Midland Junction. The highway finishes at the traffic rotary in the town of Geraldton.
- (2) The total length of the highway is 368 kilometres.

INDUSTRIAL DEVELOPMENT

Raw Materials Processing

217. The Hon. R. F. CLAUGHTON, to the Attorney General representing the Minister for Industrial Development:

- (1) Is the Minister aware of the establishment by the Australian and Japanese Governments of a Joint Study Group to examine on a long-term basis the prospects for further raw materials processing in Australia?
- (2) Has the Minister participated in discussion with his Federal counterpart on this subject?
- (3) (a) If so, would he indicate the occasions on which discussion took place; and
(b) the topics discussed at these meetings?

The Hon. G. C. MacKinnon (for the Hon. J. G. MEDCALF) replied:

(1) Yes.

(2) No.

(3) Answered by (2).

However, it should not be implied that this is the limit of our activity in this area. As a State Government we have constant and very good liaison with Japanese Government and industry. The Minister's recent discussion with industry in Japan followed up a number of areas of potential interest in alumina, uranium, iron and salt.

The Government is continuously active in examining the prospects both in the short and longer term.

PRISONS AND POLICE LOCK-UPS

Inmates: Deaths of Aborigines and Caucasians

218. The Hon. LYLA ELLIOTT, to the Leader of the House representing the Minister for Police and Traffic:

Further to my question without notice on Wednesday, the 10th May, 1978, seeking information from the Minister for Police and Traffic concerning the number of deaths of Aborigines and non-Aborigines in police custody, and the reply of the Leader of the House that it would be conveyed to me by letter, and as I did not receive this information from the Minister but a letter informing me—

"files are kept by name only and there is no distinction between Aboriginal and white"

will the Minister now advise—

- (1) The total number of deaths of all persons in police custody over the past 12 months?
- (2) Where and when did the deaths occur?
- (3) The names of the persons and the cause of death?
- (4) The total number of deaths of persons in police custody over the past five years?
- (5) If records of prisoners refer to name only, how does the Press obtain the information that a person charged with an offence is of the Aboriginal race?

The Hon. G. C. MacKinnon replied:

(1) to (4) The information is not readily available. An endeavour will be made to collect the information requested but it will take several weeks to obtain from perusal of all Sudden Death files throughout the State, numbering some thousands.

(5) Persons of Aboriginal descent are usually represented by the Aboriginal Legal Aid Service and even if they were not it should be apparent to any member of the Press who are usually in attendance.

POLICE

Motor Vehicles

219. The Hon. D. K. DANS, to the Leader of the House representing the Minister for Police and Traffic:

Will the Minister for Police ensure that all police vehicles be supplied with first aid kits?

The Hon. G. C. MacKinnon replied:

No; however, the Commissioner of Police and the Chief Executive Officer, Road Traffic Authority, advise that first aid kits are available to traffic patrol vehicles in the metropolitan area. The high cost of issuing a separate kit to each police vehicle is not considered justified, particularly when the services of the St John Ambulance Association are readily available.

Traffic patrol vehicles in the country area are each issued with a first aid kit, and kits are on hand at police stations for general police use.

ROAD

Brand Highway

220. The Hon. F. E. McKENZIE, to the Minister for Transport:

- (1) What was the total construction cost of the Brand Highway?
- (2) What has been the cost each year on maintenance of the highway since its completion?
- (3) What other expenditure, if any, has been incurred annually on the highway?

The Hon. D. J. WORDSWORTH replied:

- (1) \$4.2 million.
- (2) 1975/76—\$215 455.
1976/77—\$218 499.
1977/78—\$373 183.

(3) 1975/76—Nil.

1976/77—\$288 000—widening and re-construction.

\$42 000—landscaping and erosion control.

1977/78—\$392 000—widening and re-construction.

221. *This question was postponed.*

NATIONAL TRADE FACILITATION COMMITTEE

State Participation

222. The Hon. R. F. CLAUGHTON, to the Attorney General representing the Minister for Industrial Development:

(1) Is the Minister aware of the formation by the Australian Government of a National Trade Facilitation Committee to examine how best to rationalise trade documentation and procedures in Australia and extend the system of standard aligned documents currently in use?

(2) (a) Has the State Government been requested to participate in the work of this committee; and

(b) if so, which departments and officers are involved?

The Hon. G. C. MacKinnon (for the Hon. I. G. MEDCALF) replied:

(1) Yes. I understand that this committee, which has only recently been formed, comprises representatives of the Commonwealth Departments of Trade and Resources, Primary Industry, Business and Consumer Affairs, Productivity, and Industry and Commerce, and is based in Canberra.

(2) (a) and (b) No. I understand however, that when the committee has completed its initial studies in Canberra, invitations will be extended to State Governments to assist the committee.

WA EGG MARKETING BOARD

Chairman and General Managers

223. The Hon. D. W. COOLEY, to the Minister for Transport representing the Minister for Agriculture:

Further to my question No. 201 of the 15th August, 1978, would the Minister advise of the circumstances relative to the respective managers' termination of employment, viz. dismissal or voluntary termination?

The Hon. D. J. WORDSWORTH replied:

The Act does not require officers of the board to inform me of their intentions to resign, or reasons for resignation.