

Legislative Council

Tuesday, the 7th August, 1973

The DEPUTY PRESIDENT (The Hon. N. E. Baxter) took the Chair at 4.30 p.m., and read prayers.

BILLS (24): ASSENT

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

1. Fatal Accidents Act Amendment Bill.
2. Legal Contribution Trust Act Amendment Bill.
3. Sale of Land Act Amendment Bill.
4. Hospitals Act Amendment Bill.
5. Scientology Act Repeal Bill.
6. Acts Amendment (Road Safety and Traffic) Bill.
7. Judges' Salaries and Pensions Act Amendment Bill.
8. Education Act Amendment Bill.
9. Education Act Amendment Bill (No. 3).
10. Superannuation and Family Benefits Act Amendment Bill.
11. Public Service Act Amendment Bill (No. 2).
12. Pre-School Education Bill.
13. Metric Conversion Act Amendment Bill.
14. Murdoch University Bill.
15. Local Government Act Amendment Bill (No. 2).
16. Land Tax Assessment Act Amendment Bill.
17. Western Australian Marine Act Amendment Bill.
18. Railway (Coogee-Kwinana Railway) Discontinuance Bill.
19. Seed Marketing Act Amendment Bill.
20. Land Agents Act Amendment Bill.
21. Marine Navigational Aids Bill.
22. Margarine Act Amendment Bill.
23. Evaporites (Lake MacLeod) Agreement Act Amendment Bill.
24. Town Planning and Development Act Amendment Bill.

QUESTION WITHOUT NOTICE

SITTINGS OF THE HOUSE

Days and Hours

The Hon. A. F. GRIFFITH, to the Leader of the House:

Under the signature of the Deputy President I saw a communication to the effect that the Legislative Assembly would sit in accordance

with certain specified hours. I do not know what the communication had to do with the Legislative Council except that the Deputy President saw fit to advise me of it, for which I am grateful.

I understand there has now been a change of pattern in the other place on the question of sitting hours. Would the Leader of the House indicate to the Chamber his intentions in relation to sitting hours in this House?

I wish to know whether we will follow a general pattern of sitting hours or whether the Leader of the House will ask us to sit in accordance with the amount of legislation which is before us. For instance, only four Bills are listed on today's notice paper and, with this small quantity, I cannot see us sitting for the rest of the week. Perhaps I may be wrong.

Would the Minister be good enough to give us some clarification on this point?

The Hon. J. DOLAN replied:

I thank the Leader of the Opposition for asking the question because it gives me an opportunity to advise the House of the Government's intentions. The commencing times will be as formerly; that is, 4.30 p.m. on Tuesdays and Wednesdays, and 2.30 p.m. on Thursdays. At least for the first three weeks or so, it is not our intention to sit after tea on Thursdays.

The Hon. A. F. Griffith: In other words you do not intend to change any of the sitting hours?

The Hon. J. DOLAN: That is right, our customary sitting hours.

The Hon. A. F. Griffith: You do not intend to change the Standing Orders?

The Hon. J. DOLAN: No change whatsoever.

The Hon. A. F. Griffith: Thank you.

The Hon. J. DOLAN: Of course, as is customary, as we draw towards the end of the session, we will probably need to alter the commencing times. However, I will give members sufficient notice of any alterations.

Members may also like to know that the Government intends that Parliament shall be in recess for two weeks after Thursday, the 23rd August; it will resume on Tuesday, the 11th September. It is also proposed, of course, to

adjourn for Show Week; that is, after Thursday, the 20th September, to Tuesday, the 2nd October.

The Hon. A. F. Griffith: Perhaps the Leader of the House will tell us the reason for the adjournment between the 23rd August and the 11th September?

The Hon. J. DOLAN: The first week relates to the school holidays, and the second week relates to the Constitutional Convention to be held in the Eastern States. I understand six members of the Assembly and six members of the Council will attend that conference.

QUESTIONS (3): ON NOTICE

1. ROAD MAINTENANCE TAX

Receipts and Expenditure

The Hon. V. J. FERRY, to the Leader of the House:

(1) Will the Minister please advise details of funds derived from the Road Maintenance (Contribution) Act for the year ended the 30th June, 1973, in the following headings—

(a) (i) total amounts collected from each category of contributor (i.e. interstate hauliers, primary producers, hauliers associated with mining, timber, etc.); and

(ii) total funds collected for the year;

(b) amounts and percentages of funds spent in—

(i) the metropolitan area;

(ii) country areas; and

(iii) special grants?

(2) What is the balance of unexpended funds as at the 30th June, 1973?

(3) Will he please supply a list of all local authorities and recipients of any special grants, and amounts received by each of them, from Road Maintenance Charges distributions for the year ended the 30th June, 1973, in the following headings—

(a) Metropolitan Local Authorities;

(b) Country Local Authorities; and

(c) Main Roads Department expenditure of funds derived from this source in—

(i) the metropolitan area; and

(ii) country areas?

The Hon. J. DOLAN replied:

(1)

		\$
(a) (i) From Interstate Hauliers	....	113,725
From Primary Producers	....	55,572
From others	....	3,188,000

It is not possible to segregate the last item according to the types of goods carried.

(ii) The total amount collected during the year ended 30th June, 1973, was \$3,359,297.

		\$	%
(b) (i) Metropolitan Area (Perth Statistical Division)	....	272,576	8.2
(ii) Country Areas	....	*3,052,621	91.8
		3,325,204	100.0

(iii) Special Grants

* Includes \$90,000 expended by Forests Department.

(2) The fund was overdrawn by \$170,652 at 30th June, 1973.

(3)

DISTRIBUTION OF ROAD MAINTENANCE (CONTRIBUTION) ACT FUNDS

Year ended 30th June, 1973

	Pro-gramme Allocation	Special Grant	Total
	\$	\$	\$
Metropolitan Local Authorities (Perth Statistical Division)			
Shire of—			
Armadale-Kelmscott	900		900
Kalamunda	1,800		1,800
Kwinana	1,100		1,100
Mundaring	350		350
Serpentine-Jarrahdale	2,900		2,900
Wanneroo	3,500		3,500
	\$10,550		\$10,550

Country Local Authorities <i>Albany Division</i>			
Shire of—			
Albany	10,631		10,631
Broomehill	3,700		3,700
Cranbrook	13,209		13,209
Denmark	7,600		7,600
Gnowangerup	20,700		20,700
Katanning	10,256		10,256
Kent	15,000		15,000
Kojonup	13,500		13,500
Plantagenet	17,000		17,000
Ravensthorpe	14,900		14,900
Tambellup	4,225		4,225
	\$130,721		\$130,721

<i>Bunbury Division</i>			
Shire of—			
Augusta-Margaret River	9,600		9,600
Boyan Brook	11,450		11,450
Bridgetown-Greenbushes	7,950		7,950
Busselton	7,550		7,550
Capel	4,050		4,050
Collie	3,838		3,838
Dardanup	4,000		4,000
Donnybrook-Balingup	6,650		6,650
Shire of—			
Harvey	9,800		9,800
Mandurah	2,911		2,911
Manjimup	21,200		21,200
Murray	9,600		9,600
Nannup	11,250		11,250
Waroona	4,197		4,197
West Arthur	9,350		9,350
	\$123,306		\$123,306

**DISTRIBUTION OF ROAD MAINTENANCE
(CONTRIBUTION) ACT FUNDS—continued**
Year ended 30th June, 1973

	Pro- gramme Allocation	Special Grant	Total
	\$	\$	\$
<i>Geraldton Division</i>			
Shire of—			
Chapman Valley	7,000		7,000
Cue	2,500		2,500
Geraldton Town Council	35		35
Greenough	3,700		3,700
Irwin	2,000		2,000
Meekatharra	10,000		10,000
Mingenew	2,900		2,900
Morawa	7,300		7,300
Mt. Magnet	3,070		3,070
Mullewa	4,500		4,500
Murchison	5,000		5,000
Northampton	8,970		8,970
Sandstone	3,000		3,000
Yalgoo	6,855		6,855
	\$67,440		\$67,440

<i>Kalgoorlie Division</i>			
Shire of—			
Boulder	7,200		7,200
Coolgardie	2,300		2,300
Dundas	6,300		6,300
Esperance	24,800		24,800
Laverton	8,200		8,200
Leonora	16,200		16,200
Menzies	5,400		5,400
Wiluna	34,614		34,614
	\$105,014		\$105,014

<i>Moora Division</i>			
Shire of—			
Carnamah	6,500		6,500
Chitterling	2,900		2,900
Coorow	6,946		6,946
Dalwalllau	18,093		18,093
Dandaragan	9,900		9,900
Gingin	5,403		5,400
Moora	8,176		8,176
Perenjori	16,547		16,547
Three Springs	6,500		6,500
Victoria Plains	7,486		7,486
	\$89,538		\$89,538

<i>Narrogin Division</i>			
Shire of—			
Beverley	5,600		5,600
Boddington	2,500		2,500
Brookton	4,600		4,600
Corrigin	8,800		8,800
Cuballing	4,800		4,800
Dumbleyung	7,100		7,100
Kondinin	12,223		12,223
Kulla	16,000		16,000
Lake Grace	20,200		20,200
Narrogin	6,400		6,400
Pingelly	4,600		4,600
Wagin	7,600		7,600
Wandering	2,700		2,700
Wickepin	7,400		7,400
Williams	3,700		3,700
Woodanilling	4,300		4,300
	\$118,523		\$118,523

**DISTRIBUTION OF ROAD MAINTENANCE
(CONTRIBUTION) ACT FUNDS—continued**
Year ended 30th June, 1973

	Pro- gramme Allocation	Special Grant	Total
	\$	\$	\$
<i>Country Local Authorities—continued</i>			
<i>Northam Division</i>			
Shire of—			
Bruce Rock	9,304		9,304
Cunderdin	5,700		5,700
Dowerin	6,409		6,400
Goomalling	4,500		4,500
Kellerberrin	6,900		6,900
Koorda	8,700		8,700
Merredin	10,600		10,600
Mt. Marshall	11,300		11,300
Mukinbudin	6,200		6,200
Narembeen	11,300		11,300
Northam	6,877		6,877
Nungaria	3,800		3,800
Quairading	7,200		7,200
Tammin	3,683		3,683
Toodyay	6,652		6,652
Trayning	5,300		5,300
Westonia	5,900		5,900
Wongan-Ballidu	9,100		9,100
Wyalkatchem	6,400		6,400
Yilgarn	12,410		12,410
York	6,000		6,000
	\$154,226		\$154,226

<i>Carnarvon Division</i>			
Shire of—			
Carnarvon	6,974		6,974
Exmouth	1,700		1,700
Shark Bay	2,000		2,000
Upper Gascoyne	5,000		5,000
	\$15,674		\$15,674

<i>Pilbara Division</i>			
Shire of—			
East Pilbara	23,166		23,166
Port Hedland	5,160		5,160
Roebourne	1,300		1,300
West Pilbara	7,000		7,000
	\$36,566		\$36,566

<i>Kimberley Division</i>			
Shire of—			
Broome	2,500		2,500
Halls Creek	7,600		7,600
West Kimberley	7,600		7,600
Wyndham-East Kimberley	12,039		12,039
	\$29,739		\$29,739

SUMMARY

	Pro- gramme Allocation	Special Grant	Total
	\$	\$	\$
(a) Metropolitan Local Authorities	10,550		10,550
(b) Country Local Authorities	869,837		869,837
(c) Main Roads Department			
(i) Metropolitan	262,026		262,026
(ii) Country Areas	*2,092,791		*2,092,791
	\$3,235,204		\$3,235,204

* Excludes \$90,000 expended by Forests Department in Country Areas.

2. HOME-MAKERS

Appointment and Training

The Hon. W. R. WITHERS, to the Minister for Community Welfare:

- (1) How many full-time permanent home-makers are employed in each centre of:—
 - (a) Wyndham;
 - (b) Kununurra;
 - (c) Halls Creek;
 - (d) Fitzroy Crossing;
 - (e) Derby;
 - (f) Broome;
 - (g) Port Hedland;
 - (h) South Hedland;
 - (i) Roebourne;
 - (j) Wickham;
 - (k) Marble Bar;
 - (l) Nullagine;
 - (m) Onslow;
 - (n) Carnarvon;
 - (o) Kalgoorlie;
 - (p) Bunbury; and
 - (q) Perth?
- (2) How many of these home-makers have received departmental or institutional training for instructions in—
 - (a) hygiene;
 - (b) dietary;
 - (c) budgetary;
 - (d) social behaviour;
 - (e) cooking; and
 - (f) household mechanics?
- (3) What training classes are being established for the training of home-makers in these subjects?
- (4) How many full-time fully trained home-makers will be employed by January, 1974, in the towns mentioned in (1)?

The Hon. R. THOMPSON replied:

- (1) Home-makers are employed in the centres nominated as set out below:
 - (a) Wyndham—7
 - (b) Kununurra—4
 - (c) Halls Creek—none
 - (d) Fitzroy Crossing—none
 - (e) Derby—4
 - (f) Broome—3
 - (g) Port Hedland—5
 - (h) South Hedland—3
 - (i) Roebourne—2
 - (j) Wickham—none
 - (k) Marble Bar—1
 - (l) Nullagine—none
 - (m) Onslow—1
 - (n) Carnarvon—4

(o) Kalgoorlie—1

(p) Bunbury—5

(q) Perth—32.

All home-makers are employed on a part-time basis for a maximum of fifteen hours weekly.

- (2) Training—
 - (a) hygiene;
 - (b) diet;
 - (c) budgeting;
 - (d) social behaviour;
 - (e) cooking;
 - (f) household mechanics.

All home-makers in Perth have received training in each of the subjects mentioned above, apart from (f) household mechanics. Home-makers in Perth receive ongoing training in the form of fortnightly lectures and discussions.

Home-makers in all country centres mentioned above have received a two-day introductory course, in which sessions on various aspects of social behaviour were included, in addition to other topics. Country home-makers have not yet received lectures on home economics.

- (3) Training Classes being established—

Regular training sessions on a local level are being planned for country home-makers, and these will be instituted over the next three months. Tapes are being recorded in Perth for distribution to the country centres, and these will cover nutrition, meal planning, budgeting, shopping, health and hygiene, cookery, economy, sewing, child development, aboriginal culture and community resources and workshop sessions on the techniques involved in communicating the skills to clients. Lectures will also be given by local professionals.

Divisional conferences are also being held on a regular basis, involving all home-makers from the Kimberley, Pilbara, Murchison, Goldfields, Central and Southern Divisions.

- (4) By January, 1974 it is envisaged that all home-makers at present in the service (155 part-time) will be trained in the subjects mentioned in question (2).

It is anticipated that the numbers presently employed in the towns under question will be located as follows in January, 1974.

- (a) Wyndham—7
- (b) Kununurra—4

- (c) Halls Creek—1
- (d) Fitzroy Crossing—none
- (e) Derby—4
- (f) Broome—3
- (g) Port Hedland—5
- (h) South Hedland—3
- (i) Roebourne—6
- (j) Wickham—none
- (k) Marble Bar—1
- (l) Nullagine—none
- (m) Onslow—1
- (n) Carnarvon—4
- (o) Kalgoorlie—2
- (p) Bunbury—5
- (q) Perth—32.

In addition funds for a further 58 home-makers (part-time) have been requested in the current budget (1973-74). Should monies be made available they will be recruited and located throughout the State depending on the needs at that time.

3. ABORIGINES

Housing: Standards

The Hon. W. R. WITHERS, to the Minister for Community Welfare:

- (1) In what year is it planned to complete housing for all Aborigines away from Aboriginal reserves?
- (2) Is the State Housing Commission planning to use internal wall lining made from flat iron in homes occupied by Aborigines within the metropolitan area?
- (3) Will the Commission build homes in the metropolitan area which will have baths, plus showers, for non-aboriginal tenants, and will contain only showers for Aboriginal occupancy?

The Hon. R. THOMPSON replied:

- (1) to (3) From the 1st July, 1972, the State Housing Commission assumed the functional responsibility for housing the Aboriginal people of Western Australia, but was not given responsibility for housing on, or management of Aboriginal Reserves. That rests with the Community Welfare Department. With some small contribution from the State by way of interest free Grant from Loan Fund, the finance for Aboriginal Housing is being provided by the Australian Government.

Even before the devolution of responsibility for housing, it was apparent too little was known about the number of Aboriginal families requiring housing, their circumstances and social standards, the locations in which they

preferred to be housed and their housing aspirations. The State Housing Commission has now completed a series of field surveys covering the whole State to obtain information on these aspects and other related matters such as manual skills, employment potential, and employment opportunity. Although all the information so obtained has not yet been fully collated and analysed, some interim results have been available on which the Commission has formulated certain courses of action which the Government has endorsed for the provision of housing for Aboriginal families.

During this period there have been consultations with other Authorities involved—in particular the Department of Community Welfare, the Community Health Services and Aboriginal Affairs Planning Authority. Also in conformity with the policy of the Australian and Western Australian Governments there have been discussions with representative Aboriginal Organisations as to the housing aspirations of Aboriginal peoples, and the design criteria which they might favour.

At this stage the available information suggests there are about 30,000 Aborigines in Western Australia of whom only about 5,000 are now housed in what might be considered satisfactory conditions. The remainder are yet to be housed in suitable conditions in locations preferably of their own choosing and in a form compatible with their social aspirations. About half would be seeking housing in an urban situation and the rest some form of non-urban group housing.

Quite obviously the time scale over which this can be accomplished is dependent on a number of factors including funds available, decisions of the Aboriginal people, and availability of materials and work force for building construction. It is presently estimated that not less than five years will be required to get on top of the problem.

Since the Constitutional Referendum of 1967, the Australian Community has accepted that Aboriginal people are citizens with equal rights to non-Aboriginals, and are entitled to similar consideration in the satisfaction of their social aspirations, including housing. Within that framework the policies of the Australian and Western Australian Governments recognise the Aboriginal people are entitled to make their own choices as to where they live, in

what form—whether urban or non-urban—and within normal constraints as to what type of dwelling unit. In this regard the Aboriginal people have to this point expressed a choice, for urban housing, of conventional exterior design scattered in the existing Caucasian communities.

That there is some urgency in the situation is exemplified by the financial assistance of non-repayable free of interest Grants by the Australian Government. In July of 1972 the State was advised it could programme on the basis of a Grant of \$1,245,000 for housing. Following the Budget, advice was received in October that the amount would be raised to \$2,500,000. Again in January, 1973 further advice was to hand of a lift to \$4,000,000. On each occasion, assurances were sought that the State would be able to expend these sums by 30th June, 1973. Increases of this magnitude at short notice do impose a major problem in mounting construction programmes. Together with the urgency of the overall problem, there has been no opportunity for a leisurely approach to possible solutions and a search for any compromise, even if the latter could be in harmony with the policy of equal rights and opportunities to all citizens.

The pressing urgency of the problem of Aboriginal housing, the sizeable increase in available funds, and the rapid movement from the circumstances prevailing only twelve months ago, mean that the housing criteria operative to that time cannot be maintained with any degree of rigidity. No longer can the housing authority wait until an Aboriginal family has reached the previously accepted standards of domestic and social behaviour commensurate with the norms prevailing in the communities wherein they were to be housed.

Aboriginal families must be housed more quickly and must be helped to reach the standards required for early integration into non-Aboriginal urban communities. This assistance can be given, and is being provided, by a number of Government and other agencies, including the Housing Commission.

Such assistance comes from the Department of Community Welfare home-maker service, the Community Health service, Aboriginal organisations, and other voluntary bodies. The Housing Commission

supervision service will be concerned with aspects of property care, including care and maintenance of grounds.

As part of this approach the Western Australian Government has endorsed the Housing Commission's intention to vary the design criteria for housing for Aboriginal families. No further units—transitional or standard—are to be built in designs which are readily identifiable as Aboriginal housing, and all construction for urban Aborigines will be in conventional external design. Recognising that the discarding of transitional design for new housing, and the speed required for the housing programme, will bring problems for families not yet ready for traditional housing, new interior specifications have been introduced.

These internal changes are being introduced to stand up to rougher treatment and to be more easily cleaned, than conventional plasterboard or asbestos internal lining. The alternative presently being specified is a fluted metal lining with paint finish. As to fixtures and fittings, those which are susceptible to damage are being specified in alternative material or, where appropriate, omitted. Baths would come in the latter category.

It must be emphasized there are a number of Aboriginal families who can, now or in the very near future, attain the normal standards of a Caucasian urban community. It is not intended that all Aboriginal housing will be built to modified specification. The proportion and location of modified and standard housing for each year's programme will be determined in the light of information gathered from field surveys. The placement of individual families will be made on the usual inspection information supplemented where necessary by reports from other appropriate agencies.

The internal design modifications which comply with the Model Building By-laws are being implemented in such a way as to allow conversion to conventional specification as domestic and social standards of Aboriginal families move closer to those of the urban community in which they are living. Ultimately one would envisage the conversion of virtually all modified houses.

In this way the Housing Commission is providing a practical solution to assist Aboriginal families

satisfy the social aspirations which are the inherent right of all citizens in the State.

The Hon. W. R. Withers: Will flat iron be used in the metropolitan area, as asked in the question, because it is not mentioned in the answer?

The Hon. R. THOMPSON: Yes, that is stated in the reply.

TRAFFIC ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 24th May.

THE HON. V. J. FERRY (South-West) [5.07 p.m.]: As some months have passed since the Bill was introduced in this House I think it may be advisable to recapitulate briefly the purpose of the legislation. It will be recalled that the measure was introduced in this House in the last day or so of the first period of this session of Parliament and to refresh the memories of members I will give another brief outline of the intention of the legislation.

The purpose of the legislation is to replace road funds which no longer would be available under the Road Maintenance (Contribution) Act if that Statute were repealed. It is proposed, by this Bill, to amend the third schedule of the Act to provide a scale of fees for commercial vehicles. When he introduced the second reading of the Bill the Minister said—

Should the Bill be passed through all stages and assented to, it will not be proclaimed until the Road Maintenance (Contribution) Act has been repealed.

I mention that particularly because the Bill is an amendment to the Traffic Act and is, in fact, complementary to the Road Maintenance (Contribution) Act Repeal Bill which is the next Order of the Day on today's notice paper. In his second reading speech the Minister found it necessary to link the two measures. Therefore, for the same reason, during the course of my remarks I will find it necessary to speak to both Bills associating the one with the other because, in fact, one is dependent on the other.

Obviously, therefore, much that I will have to say on this Bill will have application to the Road Maintenance (Contribution) Act Repeal Bill when it is debated at a later stage. This will save me the trouble of repeating myself when Order of the Day No. 2 is brought forward.

Firstly I think we need to remind ourselves how the road maintenance tax originated. It will be recalled that Western Australia in 1966 was the last mainland State to introduce this tax on heavy haulage vehicles. It was found necessary to impose the tax in this State at that

time because we had to fall into line with similar taxing measures imposed by other States and we also had to comply with the thinking of the Grants Commission as to what Western Australia should contribute in taxes when compared with other States. Therefore it will be seen that we were forced to introduce this taxing measure for road purposes. It was with great reluctance that the Government of the day found it necessary to fall into line with what had been done, in principle, in the Eastern States of the Commonwealth. This State did not follow the same rules as were laid down by some of the other States inasmuch as when the Western Australian Road Maintenance (Contribution) Act was proclaimed vehicles of eight tons and under were exempt under the provisions of the Statute whereas in some of the other States vehicles of four tons and under were exempt which meant that those vehicles with a capacity of over four tons were obliged to pay the tax. One of the reasons for exempting owners of vehicles of eight tons or less in this State was that with this provision it would be easier to collect the taxes when administering the legislation, because a lesser number of vehicles would have to be supervised. It also meant that this would allow more funds to be used on roads instead of their being absorbed by administration costs. Of course all members know that the administration costs were not met from the taxes collected under this legislation. Every cent collected under the Road Maintenance (Contribution) Act had to be spent on roads and this, in fact, was done.

Further, a decision was given by the High Court that, in its opinion, road damage was caused mainly by heavy vehicles; the lighter vehicles did not contribute to road damage to the same extent. Therefore under that ruling it was decreed that the vehicles that caused the major damage to roads should in fact meet the cost of maintenance. That was another reason that vehicles of eight tons or under were exempted under the Western Australian legislation.

In addition the Act exempted a number of commercial vehicle owners, particularly those engaged in agricultural activities. Such vehicles included farm and light commercial vehicles.

I think I should continue in this vein for the time being to expound the position a little more fully and perhaps more concisely and say that the Eastern States' legislation evolved following a close study of litigation before the High Court from which emerged certain clear factors we had to observe in order to conform to constitutional requirements.

The constitutional requirements were, firstly, that the charge should not exceed an amount which can be considered fair

recompense for the actual use made of the highway having regard not only for the wear and tear to which every use of it contributes, but also for the costs of maintenance and upkeep. Secondly, the whole of the proceeds must go to road maintenance; that is a very important facet of this legislation—every cent should in fact be spent on the roads. Thirdly, the charge must be universal between vehicles in the category mentioned—that is, those over eight tons in this case—and there must be no discrimination of treatment between one road user and another.

The charge itself—at that stage one-third of a penny per ton-mile—was levied on the tare weight plus 40 per cent. of the maximum carrying capacity of the vehicle. This formula was adopted by all States imposing the charge following the findings of a detailed research conducted by the Victorian Country Roads Board and presented in evidence to the High Court of Australia.

It recognised that a vehicle may frequently travel on roads while less than fully laden, or while empty, and as well as simplifying assessment it brings the charge well below that which could be assessed as compensation towards maintaining Western Australian roads.

Therefore, the charge is payable at all times whether the vehicle is fully or partly laden; or whether it is carrying any load at a particular time. I give that resume to refresh our minds as to what the two Bills are all about—and I now refer to the Bill before us and the Bill listed as No. 2 on the notice paper.

In answer to a question I asked of the Leader of the House today I was pleased to receive certain details in regard to collections and disbursements of funds derived from the Road Maintenance (Contribution) Act. It is well to have a look at these figures. I refer to the summary which indicates to me that in the programme allocation of funds for the year ended the 30th June, 1973, out of a total disbursement of \$3,325,204 the metropolitan local authorities have received \$10,550, the country local authorities have received \$869,837, while in the metropolitan area the Main Roads Department has used \$262,026, and in the country areas \$2,092,791.

It is particularly interesting to me to show what was spent in country areas between country local authorities and what was spent by the Main Roads Department in its activities, including \$90,000 which was expended by the Forests Department in country areas. The combined figure spent in the country areas of this State was just short of \$3,000,000 out of a total of nearly \$3,250,000.

This demonstrates to me that this particular method of raising funds for use on roads is advantageous to those using roads in country situations. It is well known that

transport costs are indeed very high where the roadway or the paving—if there is any paving—is in bad shape. The cost of wear and tear and the maintenance on vehicles, and so on, is indeed very high.

Therefore it is advantageous to the transport system to ensure that funds raised by this method, or any other method, should in fact be spent where they are most needed.

I do not propose to read all the statistics given to me in the reply to my question today, but I would like to mention, by taking random samples, the allocations made from this source of revenue to the various country shires throughout the State.

I would commence by saying that, in the last financial year, under this system the Shire of Albany received \$10,631; the Shire of Cranbrook received \$13,209; the Shire of Gnowangerup received \$20,700; the Shire of Plantagenet received \$17,000; the Shire of Augusta-Margaret River was allocated \$9,600; Bridgetown-Greenbushes was allocated \$7,950; Busselton, \$7,550; Harvey received \$9,800; Manjimup was allocated \$21,200; Meekatharra received \$10,000; Esperance, \$24,800; Wiluna, \$34,614; the Shire of Carnamah was allocated \$6,500; that of Dalwallinu, \$18,093; Carnarvon received \$6,974; East Pilbara, \$23,106; Port Hedland received \$5,160; Roebourne, \$1,300; Halls Creek was allocated \$7,600; and finally, Wyndham-East Kimberley received \$12,039.

I have quoted these figures to illustrate that the beneficiaries from these funds are, in fact, districts throughout the whole of Western Australia, and the need is assessed and the amount of funds allocated in the wisdom and judgment of those charged with the responsibility to ensure that the funds are spent to the best advantage. The point I am making is that these funds are expended on the roads.

It is well known that in his policy speech early in 1971, prior to the last State election, the Premier gave an undertaking that if elected to Government he would bring forward legislation to abolish the Road Maintenance (Contribution) Act. I believe the Premier's desire to do this was genuine; I do not doubt his sincerity in his saying he sought to achieve this objective. He promised to do a certain thing, but I believe the promise was rashly conceived and badly based.

I feel at that stage Mr. Tonkin cashed in on the popular thinking of the time. He cashed in on popular pressure groups to gain a political advantage. I would say the Premier did that without, I suggest, thoroughly researching the consequences and the effect his intention would have on State finances; particularly in regard to funds which would or would

not be available for the purpose of maintaining our transport system. Accordingly I say that the promise he made was in fact a rash one.

I feel sure members will recall that in 1971 we did consider legislation in this Chamber which sought to abolish the Road Maintenance (Contribution) Act. This House, however, saw fit to reject the legislation and the Bill was defeated.

I might add that during the election campaign, and in his policy speech of early 1971, Mr. Tonkin made no reference—at least not to my knowledge—as to what he would bring in as a substitute method for raising funds to replace any loss that may occur as a result of the abolition of the road maintenance tax.

It will be recalled that in November, 1971, we had a Bill before us similar to the one we are now discussing. A Bill was introduced into this Chamber to increase the license fees on commercial vehicles and the funds raised in this manner—if the legislation were successful—were to take the place of any losses incurred from road maintenance tax contributions.

I remind the House again that there was no mention of this in the Premier's policy speech. So we have a situation similar to that with which we were confronted in this Chamber in 1971. We have before us two Bills of a like nature. The measure we are discussing at the moment is very little different from the other; in principle I suggest it is the same as the other, though there are variations; but to generalise I would say it is 10 per cent. more palatable than the Bill that was rejected by this House in 1971.

I recall the reasons for the previous legislation having been rejected nearly two years ago. It was rejected because members of this House considered the measure was placing upon the community that used the roads an even greater burden than did the existing system. We felt it was not an equitable substitution for that which we already had available to us.

To support my contention of the ill-based thoughts of the Government on this occasion, I would like to refer to *Hansard* Vol. 1 of Thursday, the 12th August, 1971, at page 717. At this time the legislation in question was being debated in another place and Mr. Tonkin was talking about the new scale of fees. I now quote from the bottom of page 717 which reads as follows:

Mr. O'Connor: Does this mean the road maintenance tax will still apply until that time?

Mr. J. T. TONKIN: Yes; so that there will be no loss of revenue. The department could not reasonably be called upon to face the loss of revenue which would result from the immediate abolition of a tax with nothing at all to replace it. Therefore, in order

to ensure no loss of revenue, and so that the same level of expenditure can be maintained, I was advised, after careful consideration by the department, the Treasury, and the Police Department that they would require this time.

I think that supports my contention that at the time of the last general election Mr. Tonkin was ill-advised to make the statement he did without having carried out sufficient research. It seems to me that the Treasury Department in its wisdom has backed up what I believe to be the actual situation.

To further illustrate the confusion in the mind of the Government in this matter I would also like to quote from *Hansard* No. 192 of the new series, dated the 25th November, 1971. On page 452 we find the following—

Mr. O'CONNOR: The Premier said unequivocally he would abolish the road maintenance tax.

Mr. J. T. Tonkin: The road maintenance tax, yes.

Mr. O'CONNOR: In other words, if this legislation does not go through the Premier will still proclaim the Road Maintenance (Contribution) Act Repeal Bill.

Mr. J. T. Tonkin: Of course.

I quote again from page 453 as follows—

Mr. O'CONNOR: Prior to the election the Premier said unequivocally he would abolish road tax and he could comfortably meet his election promises without increasing taxes. I am pleased to hear that because I thought he would need those taxes to meet his election promises. He went on to say this Bill was urgently needed for road construction and maintenance. I agree with that because we need every penny we can get. I believe what the Premier said at election time and what he now says indicate just how shallow this Government is. I believe road maintenance tax, as it was, should stay. I believe it is more fair and equitable than what is now before us. I believe it should stay and that the Bill before us should not have been introduced.

I am glad to hear the Premier say that if this Bill does not pass through both Houses of this Parliament he will keep his election promise and abolish road maintenance tax.

Mr. J. T. Tonkin: I did not say that. I said road maintenance tax will stay.

Mr. O'CONNOR: The Premier did nothing of the kind, but what he says does not surprise me.

Mr. J. T. Tonkin: You asked me the question: What will happen to road maintenance tax if this Bill is not passed? I said: It will stay.

Mr. O'CONNOR: When the Premier reads *Hansard* he will see what he said.

Mr. J. T. Tonkin: We need not wait for that because if there is any doubt in your mind I will clear it up now. If this Bill does not pass the Road Maintenance (Contribution) Act will not be abolished and that tax will stay.

Sir David Brand: You did not say that.

Mr. J. T. Tonkin: I am saying it now.

From those remarks it seems that the Premier—wittingly or unwittingly—made a complete about-face.

I would like to make one more very brief quotation from *Hansard* and refer to a question asked in the Legislative Assembly on Wednesday, the 23rd May, 1973. The subject of the question was road maintenance tax, and it was asked of the Premier by Mr. O'Connor. The question was as follows—

- (1) Has he indicated he intended to implement a charge to replace road maintenance charge prior to 12th August, 1971?
- (2) If so, will he give details?

The Premier replied—

- (1) I may, or may not have done. There is no way in which I can be sure. Possibly, I did not.
- (2) See answer to (1).

I think that reply was a classic! What the Premier said is so much waffling. Obviously, he does not really understand the situation when he replies to a parliamentary question in that manner. I suggest that the Premier communicates with himself by rumour on this matter.

I am at a loss to understand the reasoning of the Government and the background to this legislation. The intention of the Bill is to introduce a new scale of fees for commercial vehicles. I would like to substantiate what I believe to be an undesirable situation by quoting some necessary statistics. I have in my possession some figures which resulted from a survey carried out for vehicles registered in the shire of Kellerberrin. The figures are quite interesting. They show that the scale of fees under the proposed legislation will mean increases in most cases. I do not intend to give the registration numbers of the vehicles to which I will refer because I do not think that would be fair.

The registration fee for a vehicle with an aggregate all-up weight of 12,710 kilograms is \$174 but under the new scale the fee will go up to \$346; an increase of \$172. The fee for another vehicle with an all-up weight of 10,045 kilograms is at present \$61, but that will be increased to \$80; an increase of \$19. The present fee for a vehicle with an all-up weight of 11,481

kilograms is \$71, and the proposed fee will be \$96; an increase of \$25. The last mentioned vehicle attracts a farm concession but the increase shows that even the farming community will be disadvantaged in spite of the proposed concessions under this legislation. Another example shows an existing fee of \$152 for a vehicle with a capacity of 11,747 kilograms, and that registration fee will be increased to \$307; a difference of \$155. That is an increase of just over 100 per cent. A further example shows a license fee of \$250 for a vehicle with an aggregate capacity of 14,884 kilograms, but that fee will rise to \$439; an increase of \$189.

So much for the individual cases. It is interesting to read the summary of the survey carried out in the Kellerberrin shire. The summary shows that the increase, over the samples used, was \$1,757, or 44 per cent. The increases will affect both those who pay the full license fee and the farmers who receive some concessional benefits.

The vehicles which are already subject to road maintenance tax contributions—those with a capacity of more than eight tons—will be the hardest hit and could face an increase of 174 per cent. Is it any wonder that I criticise this legislation? The Government is endeavouring to alleviate the problem, but I would venture to say that part of the problem associated with this revenue-raising tax is of the Government's own making because of its election promises and subsequent handling of the tax. The Government is now endeavouring to introduce an even more unsatisfactory system.

Road maintenance tax is accepted as being a pay-as-you-earn tax. If a vehicle is not being used and earning money for its owner then it is not liable for the road maintenance tax. However, if a vehicle is carrying goods and earning money for its owner then, naturally, it is subject to road maintenance tax.

The proposal now before us, to do away with road maintenance tax and increase the license fees on commercial vehicles, will mean that the license fee will have to be found before the vehicle can operate. Whatever the fee might be—\$300 or \$750, according to the size and type of vehicle—it will have to be found immediately. However, under the present system a lesser license fee is paid and as the vehicle earns money for its owner the road maintenance contributions are paid. That is a more equitable system than the one proposed by the Government.

One might ask what is the attitude of the country shires throughout Western Australia regarding this matter. The country shires are very close to the people who use the roads and they are responsible for the roads within their areas. I will refer to an article which appeared in *The*

West Australian on the 3rd May, 1971, under the headline, "Many country shires want road charge retained". The article, in part, was as follows—

Nearly half W.A.'s country shires are opposed to the Government's proposal to abolish the road maintenance charge.

That news item is some two years old and its validity could be questioned because there could have been some change of heart among local authorities in the intervening period. However, I want to assure members of the House that this is not so.

I have with me a letter from Mr. A. E. White, the secretary of the Country Shire Councils' Association of W.A. It is dated the 21st June, 1973, and addressed to me. The first paragraph reads as follows—

Referring to your recent telephone conversations with me, I advise that the Executive of the Association has resolved that the present proposals to increase the fees for commercial vehicles, in order to allow for the repeal of the Road Maintenance Contribution Act, should be opposed as quite unsatisfactory.

It can be seen that the Country Shire Councils' Association of Western Australia unequivocally opposes this legislation for the reasons I have endeavoured to put before the House today. Furthermore, in association with some of my colleagues I have had discussions with representatives of the Farmers' Union of Western Australia. Those to whom we have spoken were on a committee which was studying this very matter. The chairman of the committee was Mr. John Walsh of the Farmers' Union. The official view of the Farmers' Union, expressed to us only a matter of days ago, was that despite the difficulties associated with road maintenance contributions that system was preferable to the introduction of legislation as proposed in the Bill before us. The representatives of the Farmers' Union were quite emphatic that the proposals contained in the legislation which is now before us were unacceptable to them.

I think it is worth recalling that the Farmers' Union has been most vigorous in its endeavours to abolish road maintenance tax because of the difficulties associated with its collection. I think we all recognise the fact that the Farmers' Union has been most vigorous in its protestations but its representatives have formed the opinion that there does not appear to be an acceptable alternative.

Members will realise that I have no favour with the legislation now before the House, and I oppose it. I believe that when the Liberal Party becomes the Government in this State it will thoroughly review the situation regarding the provision of adequate finance for the road system

in this State. At the moment it is very difficult to get an accurate picture of what is actually required to meet the needs of this vast State of Western Australia.

I repeat: I believe the Liberal Party will strenuously carry out a review of the needs of this State with the object of introducing a more acceptable system of raising finance. The problem is still being studied by many people and we hope they will be able to come up with an acceptable solution.

The legislation now before us is quite unacceptable and I believe it would be irresponsible for anyone to adopt an attitude other than the one I have adopted. I cannot support the legislation.

Debate adjourned, on motion by The Hon. D. K. Dans.

WEIGHTS AND MEASURES ACT AMENDMENT BILL

In Committee

The Deputy Chairman of Committees (The Hon. R. F. Claughton) in the Chair; The Hon. R. Thompson (Minister for Police) in charge of the Bill.

Clauses 1 to 12 put and passed.

Title—

The Hon. F. D. WILLMOTT: I take this opportunity to make a short explanation. It will be recalled that this Bill was delayed, by agreement between ourselves and the Government, for the purpose of giving the people concerned with it—that is, the Master Bakers Association—an opportunity to look at the legislation and the regulation proposed under it. That has been done, and I have been given a copy of the regulation. I was in communication with the Secretary of the Master Bakers Association this morning and was informed that the association is perfectly satisfied and considers there should be no further delay with the Bill.

The Hon. R. THOMPSON: It will be recalled that when this Bill was last debated on the 15th May I gave an undertaking that I would attempt to obtain a copy of the proposed regulation, which has now been circulated to all members and others concerned. I am pleased that the Bill has been accepted by the Chamber. I think it is reasonable. I am one who, in the past, has always wanted to know what was contained in regulations as they affect legislation. Amicable agreement was reached in this case and I thank members for their support.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

House adjourned at 5.50 p.m.