

It is my view that with the forced selling of shares we could see quite a lowering of the value of these shares to the detriment of those persons who have invested genuinely in these companies. The fact that someone is interested in buying these shares with a view to a takeover should indicate to the directors of the companies that they should make better use of the capital which they have built up. I wonder whether they should, indeed, own their expensive premises in the Terrace. I understand some business has been directed to outer areas by those companies, but I can see no reason that they could not run their businesses just as well and just as efficiently from rented premises.

The position is that the directors have come to us, in Parliament, in an effort to prevent a takeover of their companies and their assets. I appreciate that the original Act provides for a limitation on the number of shares a person can hold, and I go along with that principle. I also appreciate the fact that we are merely filling in a loophole. However, I draw the attention of members in this place, and the directors of the companies, to the points I have raised.

Question put and passed.

Bill read a second time.

**THE WEST AUSTRALIAN TRUSTEE
EXECUTOR AND AGENCY
COMPANY LIMITED ACT
AMENDMENT BILL**

Second Reading

Debate resumed from the 16th November.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [3.23 p.m.]: The Opposition also supports this amending Bill.

Question put and passed.

Bill read a second time.

ADJOURNMENT OF THE HOUSE

THE HON. N. McNEILL (Lower West—Minister for Justice) [3.24 p.m.]: I move—

That the House do now adjourn.

*The Hon. T. O. Perry: Complimentary
Remarks on Retirement*

THE HON. T. O. PERRY (Lower Central) [3.25 p.m.]: Mr President, in all probability this is my last day in this Chamber. I would like to take advantage of the opportunity to thank you for the assistance I have received from you as a Minister in the Government, as the leader of the Government, and as the President of this House.

To the Ministers of the Government, to the members of the Government, and to the members of the Opposition I express my sincere thanks for the happy association I have had with them.

To the Clerks of Parliament, the *Hansard* reporters, and all members of the staff I also express my sincere thanks. The happy

times I have had in this Parliament will live long in my memory. I hope my relationship with all those associated with this Parliament will not end with my termination as a member. Thank you most sincerely.

Question put and passed.

House adjourned at 3.26 p.m.

Legislative Assembly

Wednesday, the 17th November, 1976

The **SPEAKER** (Mr Hutchinson) took the Chair at 2.15 p.m., and read prayers.

QUESTIONS ON NOTICE

Postponement

THE SPEAKER (Mr Hutchinson): I want to advise members that questions will be taken at a later stage of this sitting and that, because of the short sitting today, there will be no official break for afternoon tea. However, tea will be available.

BILLS (3): MESSAGES

Appropriations

Messages from the Governor received and read recommending appropriations for the purposes of the following Bills—

1. Albany Woollen Mills Ltd. Agreement Bill.
2. Iron Ore (Tallering Peak) Agreement Act Amendment Bill.
3. Alumina Refinery (Pinjarra) Agreement Act Amendment Bill.

PUBLIC ACCOUNTS COMMITTEE

Report

MR CLARKO (Karrinyup) [2.18 p.m.]: I present the 13th report of the Public Accounts Committee and move—

That the report be received.

Mr **BERTRAM**: I formally second the motion.

Question put and passed.

MR CLARKO (Karrinyup) [2.19 p.m.]: I move—

That the report be printed.

Mr **BERTRAM**: I second the motion.

Question put and passed.

*The Public Accounts Committee
report was tabled (see paper No. 555).*

APPROPRIATION BILL (CONSOLIDATED REVENUE FUND)

Second Reading: Budget Debate

Debate resumed from the 10th November.

MR SKIDMORE (Swan) [2.20 p.m.] : In rising to speak in the debate on this Bill there are many issues on which I could take the Government to task—its inability to control inflation, its inability to create employment for workers, and its keen desire at all times to stir up the work force in the community by the type of legislation it introduces into this House. However, it is not my desire to say any more than I have said on those questions although I could bring many more such questions to the attention of the House.

I should like to talk about one of those age-old problems we have had in our community for centuries; that is, the hypocritical attitude that is adopted by Governments of all political colours—including ourselves—against those people who are less fortunate than us apparently because they happen to have so much black pigment in their skin. I refer of course to our Australians. I deliberately used the word "Australians" as distinct from Aborigines because the common vernacular seems to regard them as some sort of strange people merely because they happen to be Aborigines.

I wish to try to set the record right with regard to all that has been said about those Aborigines who have become my prime responsibility in the Swan electorate. I am indebted to the Minister for Community Welfare for providing me with an up-to-date report, which was commissioned by the department, on Aboriginal homelessness in the Guildford area and in the Swan electorate. The report was presented as late as August, 1976.

So many words have been said about the Aborigines in the Swan Valley that we should bear in mind that this report is factual; and some parts of the report should at least be recorded in *Hansard* to put the record right so far as these poor, unfortunate human beings are concerned.

The report contains a table relating to the number of camps in the Swan Valley. It is a great pity that we have not yet determined whether it is possible for these facts and figures to be inserted. However, I shall quote from the report briefly. Page 4 contains a table indicating the number of camps as at the 16th April, 1976. It is as follows—

| Camp | Number | Per cent |
|---------------------------|--------|----------|
| 1. Widgee Road | 35 | 27.1 |
| 2. Bishop Road | 21 | 16.3 |
| 3. Upper Swan Bridge | 21 | 16.3 |
| 4. Guildford Bridge | 24 | 18.6 |
| 5. Vineyards | 21 | 16.3 |
| 6. Residence Unknown | 7 | 5.4 |

Known to the department, there are some 129 Aborigines in the Swan Valley. However, it is within my knowledge that that figure cannot be taken as factual. There would probably be another 100 itinerant Aborigines who, at various times, reside in the valley and add to the problems of the Aborigines who reside there and who, by tribal custom and heritage when they first came to this land of theirs, have the right to live in those areas unfettered by the difficulties which have been placed upon them by many of us, including myself, over many years. I take the blame equally for this.

An endeavour must be made to find an answer to their problems, and that is my purpose of fostering continually any effort that is made to return dignity to these people. It is easy for us to sit in our offices and do nothing about this matter; and it is easy for some people to heap scorn on my head and allege at public meetings that I am a nigger lover. Issues have been raised at public meetings to indicate that I have been inciting the Aborigines to take action. I deny that categorically. We now have a situation in the Swan Valley which is reaching boiling point, and this should not be tolerated in the year 1976.

I refer to page 22 of the report I have mentioned, where the following appears—

Aborigines have been employed on the Swan-Valley Vineyards since at least the 1890's (see Hammond, 1936). Half a dozen informants at various camps have themselves been involved in such seasonal work for the past twenty years or more. Traditionally Aboriginal itinerant workers have come from such areas as Moora, Northam and Quairading and other such agricultural areas to the north and east of Perth. Generally these workers were employed on other sorts of casual or seasonal agricultural work

The difficulty is that seasonal occupations are disappearing by virtue of the change in the valley from being predominantly a vineyard area to an area with passive farming pursuits in that people take up a small area of land, allow the vines to wither and die, and convert the land to farming purposes.

In the Swan Valley there are many properties that are used for the purpose of supporting the decadent sport of horse-racing, which does not seem to have contributed a great deal to the economy of this country.

I refer to the recommendations contained in the report. I give a great deal of praise to the people who undertook the survey, and to the Government department that has at least revealed some concern for these people and some understanding of the problems that beset them. It may be that some members of the

Liberal Party fail to appreciate that some of their own Liberal members have undertaken to provide at least some relief to the Aborigines in the Swan Valley who, after all, are Australians just like the members in this Chamber. The report states—

Recommendations

It is recommended that this Department, through the Special Aboriginal Project take the initiative, in conjunction with such community organisations as the "Swannee Nyoongars" and develop concerted programmes to ameliorate the conditions in the Swan Valley area.

I hope that one day I will be able to table the documents contained in this annual report.

Page 25 of the report sets out the difficulties associated with the people whom we hope to help. It states—

There is a need to develop a range of resources which the campers could utilize, from special-purpose establishments for the accommodation and rehabilitation of the homeless alcoholics, to camping/caravan parks for the itinerants, to secure camping areas for the permanent types of campers. There is also a need to develop back-up services for the campers, such as "homemaking" services for those who wish to "improve" their standards and gain access to private or S.H.C. housing, and housing services such as that currently being developed by the Special Project to help people find and secure accommodation.

It is not passing strange to find that whilst this Government has set up such a project and expressed some tremendously far-reaching views which make people think about the plight of these unfortunate Aborigines, some people who have an affinity with the area concerned through the redistribution of electoral boundaries—I do not like to use the term but I must—have shown a hatred of the Aborigines.

Mr Nanovich: Who has done that?

Mr SKIDMORE: I shall tell the honourable member and I could repeat it outside the House. I refer to what took place at a meeting I attended in West Swan. I have no hesitation in saying what I said after that meeting. I have tried to explain what happened to my efforts to do something about the plight of the Aborigines, and the member for Toodyay is well aware of that. However, if he does not know that then his ears are well and truly plugged up with cotton wool. In this regard I can hold my head up high. I will not be involved in a crossfire with the member for Toodyay whose bigoted attitude towards these people has been well known for many years.

Several members interjected.

Mr SKIDMORE: The troubles and problems which have arisen in that area become evident when we take into account the bigoted attitude exhibited by the member for Toodyay.

Mr Nanovich: Why do you not keep your nose out of matters not related to your electorate?

Mr SKIDMORE: I am referring to the plight of the Aborigines in the Swan Valley.

Mr Nanovich: You are being hypocritical by interfering.

Mr Grayden: The member for Swan is putting himself in the category of the member for Ascot—indulging in character assassination.

Mr SKIDMORE: It is indeed a pity but not amazing. I wish to advise the House of what is happening to the people as a result of bigotry on the part of some members of Parliament. It is an indication of the bigotry which has existed in this country for over a century.

Mr Nanovich: Were those people in your electorate?

Mr SKIDMORE: These people are grateful to many of us because of our efforts to do something.

Mr Nanovich: Were they in your electorate, prior to going to Saunders Street?

Mr SKIDMORE: I am not aware of when they arrived in my electorate, or when they went to Saunders Street, but in answer to the interjection I can assure the member that three people were evicted from State Housing Commission homes in Saunders Street at my request on the grounds of antisocial behaviour. So do not let us cloud the issue. I am not involved in this issue because it happens to be popular.

I will now return to the question of the public meeting with regard to Saunders Street. It was attended by some 15 to 20 Australians—and in order to differentiate I will have to say they were white Australians—and some 30 to 40 black Australians. The leader of the particular clan was Robert Bropho who was prepared to admit publicly that he was a failure. I have been looking into the question of Aborigines and dealing with them for some 25 years, and that was the first occasion I have known an Aboriginal to admit publicly that he was a failure.

Mr Sibson: That is nothing new.

Mr SKIDMORE: He felt he was not able to live up to the standard expected of him in the community. I felt he demonstrated a certain amount of dignity, having made that statement. It was wonderful to witness that man making such a statement. However, as I have said, I felt he emanated some dignity and he was worthy of some help.

The people who attended the meeting were sympathetic to the cause; that the Aborigines were living in conditions which naturally would have brought down the wrath of the Swan Shire Council. The people were living in tents and humpies, which is the normal type of home for them. Of course, the Swan Shire Council acted quite rightly within its by-laws.

At the end of the meeting many people stated that they wanted to do something, but not many really knew what to do. Most of the people seemed to be scared to approach the various departments because they did not know how to go about it. I offered my services to them as a go-between—which I did in good faith because I believed I should offer some help, not necessarily as the member for Swan, but as a custodian of the morale and social standing of all the people in the Swan electorate.

I undertook to present a deputation of Aborigines to the Swan Shire so that they could explain their position with regard to sanitation and other facilities.

Mr Nanovich: Was that a deputation to the shire council, or to the shire clerk?

Mr SKIDMORE: It was to the shire. My letter will reveal what I had to say. However, my time is limited. This is a very detailed question and I would appreciate being allowed to proceed with my speech. I would be happy to make the information available to the member opposite.

The SPEAKER: Order, the member for Swan.

Mr SKIDMORE: I arranged a deputation to the shire to allow Mr Bropho and Mr and Mrs Kickett to put forward their point of view regarding their settlement in Saunders Street. The four lots involved were of 10 acres each, and each had a clear title vested in the Australian Aboriginal Lands Trust. Having identified the land, the Aborigines felt that at long last they had their feet on a piece of land which rightfully was theirs. That is something which I, and others, should not deny them—their right to land and their right to live on that land.

I agreed to take the deputation to the shire with the proviso that they agreed to maintain the same standards of social behaviour as everyone else. Mr Bropho and Mrs Kickett illustrated to the shire their genuineness and I felt that at long last we were able to get them together to talk. I told the Aborigines that I would not be a mouthpiece for them, and that they had to do their own talking and thinking. It took me several hours to convince them, but once they started to talk the floodgates opened and they were most vocal in expressing the problems associated with their heritage, their morale, their cultural development, and many other matters, over many years.

The next point which arose out of the meeting was the fact that I was requested to approach the Housing Commission with a view to arranging a meeting between the State Housing Commission and the shire in an effort to find a way to overcome the problem of bad sanitation, and bad washing and cooking facilities which existed at Saunders Street.

I spoke to Mr McKenna, the General Manager of the State Housing Commission, for 1½ hours. I must express my sincere thanks to him for being so understanding with regard to the question of housing for Aborigines. I felt that at long last I had found an ally who would endeavour to do what he believed to be right. He said that if I could arrange a deputation to the Swan Shire he would undertake to attend, or to have his deputy attend and put forward a proposal in an effort to overcome the initial complaint from the residents in and near the area of Saunders Street which arose out of the petition circulated and presented to the shire with regard to ablution facilities.

I arranged for the deputation, and the Deputy General Manager of the State Housing Commission (Mr Ray Healy) attended with myself and councillors of the Swan Shire. The meeting was also attended by the Swan Shire Clerk, and the president of the shire, Mr Len Marshall. We discussed the matter for some two hours, and questions were asked about the development of the area. It was suggested that if the State Housing Commission could put forward firm proposals, the shire would be in a position to look into the matter.

Some few days later I received a copy of a letter which had been forwarded to the shire indicating that the State Housing Commission was prepared to do something for the Aborigines. I intend to quote from the letter a little later. The letter advised that the State Housing Commission saw a solution to the problem. I thought it was quite a reasonable solution. It was indicated that an ablution block would be constructed containing toilets, showers, bathing facilities, and washing facilities. That would allow the Aborigines to have the use of those facilities and overcome the problem which had infringed the by-laws of the shire.

Having reached that stage, I thought we were heading for a somewhat better understanding, but that is where the matter foundered. One of the requirements of the State Housing Commission—which I do not think is insurmountable—was that the Aborigines would be allowed to remain on the land for the time being on the understanding that those services could be provided before the houses were erected. There are some problems associated with this proposal, but I believe they can be overcome with a little reasoning and tolerance.

So we would have a transition from a camp dweller to a house dweller. This house dweller would live in a house; not a house owned by the Housing Commission or by John Citizen, but one owned, as I understand it, by the Aborigines themselves. I understand at the present time the Association of Fringe Dwellers is endeavouring to prepare articles for the purpose of incorporation. So here we have a situation where the Aborigines will have their own homes. While I know that I, and others like me, will be kicked in the teeth time and time again by the Aborigines, I am prepared to accept that as part of my obligation for what I have done to them in the past, and as part of my burden.

I believe we will have failures, and we will have failures in Saunders Street. We may not make eight families happy, and we may not make eight families behave themselves in the manner we would like. However, a certain dignity will flow on to the Aboriginal community arising out of this effort to help them. It is their land, the houses will be their homes, and control can be exercised in the same way it has been exercised for centuries—by the tribal leaders. You and I, Mr Speaker, would not tolerate such a rigid moral code as that imposed by the tribal leaders. Any member who reads a history of the Aboriginal race will realise they have a very high moral standard, although the standard suffered pollution from the time the white people landed here many centuries ago. This fact is self-evident to everyone and I do not intend to recount it here. Their moral code is indicated right throughout their dream-time stories. Those people who do not behave and who are not prepared to accept the standards imposed will be asked to move on. They will not be asked to move on by us—the people in power—but by their own people.

Mr Nanovich: No way.

Mr SKIDMORE: That is a classic example of the intolerance to which I have referred. The member for Toodyay well knows that for a long time we have had this problem. Some people have started to do something about it and they are criticised for their actions. I have already admitted that in some instances it will fail.

Mr Nanovich: I agree it is going to fail.

Mr SKIDMORE: Knowing the problems, there will be some failures.

Mr Nanovich: I know there is a problem, and I know we must do something about it.

Mr SKIDMORE: The member for Toodyay did not have a clue about how to solve the problem, other than to say to the Aborigines, "Go onto somebody else's doorstep as long as it is not on mine. Send the Aborigines to Santa Maria, Kununurra, Warburton Range, or some

other part of the State. I do not want them." That is the attitude of the member for Toodyay.

Several members interjected.

The SPEAKER: Order!

Mr SKIDMORE: It staggers me that such an attitude should be expressed by so-called human beings.

Mr Nanovich: I am a human being, but you are not.

Mr Jamieson: One could wonder.

Mr SKIDMORE: I believe that a small chink has been driven into the armour of the bureaucracy; we have people who are conscious of their responsibilities.

Several members interjected.

The SPEAKER: Order!

Mr SKIDMORE: I have indicated that the present Federal Minister for Aboriginal Affairs is very concerned about it. I have written to him and I have spoken to him on many occasions about this matter. The Minister has been very helpful; he has made departmental officers available to me so that I may better understand the problem. The Aborigines in the Guildford area have a great degree of pride in the formation of an association known as the Swansee Noongar Association.

I have some papers here, and they are an indication of the worth of these people. I would like to recount some of the background of this scheme.

Many Aborigines were wandering aimlessly around without any idea of where they should go or what they should say. They did not seem to have a tribal leader. However, a person did take over the responsibilities of these people, a black Australian for whom I have a great admiration—Mr Alan Kickett. This gentleman undertook to see these Aborigines along the road to some sort of success story.

Originally the Aborigines were camped on land owned by the State Housing Commission in Widgee Road. Because of the development in that area, they had to move on and they are now camped in an area adjacent to Bennett Brook. This is tribal land which the Aborigines have lived on for centuries, and quite rightly, they believe they should have some chance to say it is theirs—of course they were here long before us. All they are asking is that we give them a little block so that they may take their place in society.

Mr Nanovich: Now could I ask a question?

Mr SKIDMORE: Yes.

Mr Nanovich: How many meetings have you been to? You have only met with the shire president. At the first three meetings I attended, I was the only member of Parliament there. All the rest

apologised. They said they knew what had to be done but circumstances prevented them from being at the meeting.

The SPEAKER: Order!

Mr SKIDMORE: I listened to the question, Mr Speaker, because I felt the member for Toodyay might have done the decent thing and asked his question at an appropriate time. I was speaking about the Swanee Noongar Association and the manner in which it hoped to develop the area. The association has been formed, and it is now prepared to make a start. The concept envisaged by the association will need Government assistance, because if the plan is to succeed the laws of the land will have to be altered. We must make allowances for the type of development proposed.

A series of camps in the area now owned by the State Housing Commission is proposed. The campsites will have ablution blocks which will be portable. There will be one or perhaps two of these ablution blocks in the area which it is hoped to develop up to community standards accepted by all of us.

In the first instance a portable type of camp will be set up—there will be no degree of permanency about the erections. It will be possible to shift these erections from place to place. I must say here it is a great pity that I do not have time to indulge in a wordy description of the camp. Alongside a tent it is planned to erect what we would describe by European standards as a primitive-type shelter but which is, however, satisfactory to the Aborigines. The shelters can be moved from place to place also.

The next stage of development would be the building of a community centre and this will be one further step along the road to success. Again the community centre will be a building such as we would not normally envisage for a community but it is in line with the wishes of the Aborigines. They have thought of this proposal and they have promoted the thinking.

I must give thanks to the many university students who saw fit to visit these people and to help them draw up plans to meet the obligations of town planning, local authorities, and others. It was the students who put these schemes and plans down on paper for the Aborigines.

Mr P. V. Jones: Has the Shire of Swan seen these? Has it indicated what it thinks of that particular design?

Mr SKIDMORE: To the best of my knowledge, the shire has not approved the plans. I was hoping that by the time I spoke to the debate I would have some knowledge of the shire's response, but it has not yet been forthcoming. However, I am hopeful of the reply.

As I say, it will be necessary to change the laws. We must be as tolerant of black Australians as we are of white Australians, and I am thinking about the many garages, patios, etc., which are erected without permits. It is quite usual for local authorities to issue permits for such buildings after they have been erected.

In this instance, the dwellings used by the Aborigines will not conform to the by-laws of the local authority. We can do one of two things: We may simply shut our eyes and be tolerant, accepting the fact that these people are living in far better conditions than those they experience when sleeping in a drunken stupor under bushes, bridges, alongside railway lines and adjacent to the Stirling Square, or in the entrance to the church of St. Matthew's, where they cause great distress to worshippers. This is not an unreasonable request; the law should be bent or ignored to enable these people to live in better conditions. However, if it is necessary to make it lawful, Governments should so act. We have a chance to lead the way in relation to the treatment of Aborigines.

I suggest that if any member gets the opportunity while travelling by road to the Eastern States, he should leave the main bitumen highways and travel through Broken Hill to Wilcannia, where he will see in operation an Aboriginal development scheme which in the three short years I have observed it, has restored dignity to these people. I have seen a rapid change in the living standards of these people; they have moved from a situation of frequenting hotels and bars, lying in gutters and being drunken bums and no-hopers, treating everybody with absolute disdain, to a position where their dignity has been restored to them. Those members who were fortunate enough to see the television programme relating to this development must have been impressed.

True, it is only a small scheme; but out of little acorns mighty oak trees grow. We have a similar problem in the Swan Valley, and these people should be shown a great degree of tolerance.

Let me move on now to the third stage, after they get their community going, and have proved their worth. This is known as "site plan stage 3" which provides for the land to be subdivided and normal services installed. Homes will be erected on the site, I hope, by money provided from Federal Government funds allocated specifically to the Australian Aboriginal Lands Trust. Those people do not wish to be accused of receiving State Housing Commission money allocated by white Australians. I do not say I would worry about that, but the Aborigines want to feel it is their money which is being spent on a development which is their right and heritage. In this way, they will

be able to retain their dignity, and will have a better understanding of establishing such a community.

Mr Shalders: Firstly, do you think that possibly, a Government could be criticised for allowing Aborigines to become second-class citizens, and secondly, if we allow Aborigines to live in this substandard type of accommodation, could not the same argument also be applied to the poorer white communities?

Mr SKIDMORE: I concede the point raised by the honourable member; probably, a Government would be criticised for accepting such a development and assisting in its construction. However, I would hope that a Government would have the guts to go ahead with this project and show to the people of Western Australia it was sincere in its efforts to help these people. If the scheme is a success, and assists these downgraded, hopeless Aboriginal people, perhaps a similar development may assist the downgraded, hopeless white Australian. However, perhaps the white Australian would not accept this type of accommodation.

The honourable member who interjected should accompany me one night on a tour of the areas where these people spend their nights. He would be shocked at the derelicts sleeping in the Bennett Street area, living on wine and methylated spirits, and at the people living behind the Brisbane and Wunderlich premises in East Perth. I am sure he would agree that these poor derelicts should be provided with adequate shelter.

We should not forget that the Australian Government has accepted the welfare of the Aboriginal people as a primary responsibility. I have spoken to the Minister for Aboriginal Affairs (Mr Viner) who, like Mr McKenna, Mr Healy and the present Minister for Housing, gave me every co-operation and help. I believe that in Mr Viner we have a farsighted Minister who has accepted a very thorny social problem and who will be criticised for his actions. In fact, already he is being criticised by his own people for his endeavours to assist the Aborigines.

However, he has the courage to stand firm and show the qualities of leadership which have not been shown for many years in this country in the portfolio of Aboriginal Affairs. Along with many others in Western Australia who have shown leadership qualities in this area, the Federal Minister has come out with a sincere desire to help the Aborigines. We have in the Federal Minister a man who is not going to be pushed aside lightly and be beggared and besieged by bigoted attitudes. I say quite categorically that when I refer to bigoted attitudes in relation to Aboriginal affairs, I am not referring to any particular shire in Western Australia. However,

so many of these attitudes have been displayed in the past that I am afraid these moneys may not be diverted as a result of approaches to the authorities to establish such dwellings.

I have endeavoured to touch upon this problem very briefly. I apologise to the member for Toodyay for having attacked him in the way I did; it was not quite right. However, this issue is very dear to my heart. I realise it is an issue which is easy to avoid; one does not have to become involved. In fact, one Minister said to me in the corridors recently, "Why do you worry about it, Jack—there is not a vote in it?" When I attended the West Swan Progress Association meeting in company with the member for Toodyay, a member of the association reminded me that there was an election due and that I should be very careful not to antagonise the voters. My answer was, "If I as a member of Parliament were to lose my seat by your vote, I would walk out of Parliament with my head held high. However, I doubt whether you could."

The West Swan Progress Association has a problem in establishing its community. Raids are made upon their land and their fruits and vines by people. However, I do not support the contention that all these raids have been perpetrated by the Saunders Street Aborigines. Neither do I say they are not involved, because I have definite knowledge that some have been involved. But surely to goodness we should not condemn all these people merely because of the actions of a few. We should not say that because a truck, a drum of fuel, or half a dozen chickens were stolen, they must have been taken by Aborigines.

Mr Jamieson: Or watermelons.

Mr SKIDMORE: Yes; they are a great delicacy to the Aborigines, and I like them myself. We must stop this attitude of tarring them all with the same brush. I felt I should put the record straight.

The SPEAKER: The honourable member has five minutes remaining.

Mr SKIDMORE: There are people who are concerned with this issue, notwithstanding the antagonism it has raised. But to those people in the Swan Valley who have said, "We are not going to have these Aborigines living in Saunders Street", I make the unqualified statement that the Aborigines will live in Saunders Street in peace with their neighbours, trying to make their community work, and this will be achieved with the help of the Federal Minister, who has more guts than the people who kick the Aborigines.

I should like to finish by reading from a speech that was given by the Minister at the opening of the Aboriginal display at the Environment Exhibition in Melbourne on the 8th October, 1976. If we listen to this we will see the great problem.

We will be able to read into it in a very small way the problems of these people and their manner of thinking. Mr Viner said—

Paradoxical though it may seem to us, the traditional Aboriginal's love of his land is partly attributable to his need to kill animals and gather plants in order to survive: the source of his life becomes something sacred to him. His land is his world, where all his people's actual and mythical history took place, and it thus lies at the root of his art and religion also.

At times I believe some people feel that the Aboriginal does not have a religion, that he is like me—not blessed with the insight or wish to accept such facts. But he has a religion. The Minister continued—

It is his homeland and his shrine and much more besides.

When the first settlers came to drive Aboriginals from their land, they had no idea of the sacred relationship which existed between the two. But this relationship formed the basis of the Aboriginal's will to live. The era of dispossession and dispersal broke many spirits and began the cultural breakdown which is the unhappy legacy of most of today's Aboriginals. In recent years mining operations have threatened to repeat the same sad story for the remaining Aboriginals leading a traditional lifestyle. Much harm has been done, but with new legislation—

This is important, Mr Speaker. I continue—

—and, I feel, a new spirit in the hearts of mining companies, it may be possible to prevent further tragedy.

With those remarks I conclude my address on this matter.

I was going to mention one other matter, but I will let it go because of the time I have taken. If any member wishes to have a look at the documentation or ask any questions about the Aboriginal problem, I would appreciate it. It is a problem but I believe we can solve it if we have the courage of our convictions. My undying word to all who accuse me of all sorts of things is that whilst I am a member of this House I am going to do those things which I see as right without fear that I may lose or win votes. If my remaining in this place is dependent upon my bowing to the wishes of people in the hope of winning their votes, I have no right to be here.

MR O'CONNOR (Mt. Lawley—Minister for Transport) [3.05 p.m.]: In speaking in this debate I wish to rectify some errors and to comment on some criticisms made by members of the Opposition during the debate. I am sorry that the Leader of the Opposition is not in the Chamber because part of what I intend to say refers to him.

Mr Taylor: He is just outside the Chamber.

Mr O'CONNOR: He has not been out of the Chamber for long but I mention this because I would not like to be making some comments about the Leader of the Opposition when he is not here. During the debate the Leader of the Opposition, supported by the Deputy Leader of the Opposition, made some comments in connection with Westrail freight rates along the lines that those rates rose by 17.5 per cent to a total increase of 64.5 per cent during the term of this Government. This is quite inaccurate.

Mr Davies: Did you not have that corrected by some Dorothy Dixers?

Mr O'CONNOR: Yes, and I am just bringing it up here to mention it before members.

Mr H. D. Evans: I tend to acknowledge that myself.

Mr O'CONNOR: I think it is right that the matter should be clarified and that I should notify members what the position actually was; and I am glad the Deputy Leader of the Opposition has acknowledged this.

The figures quoted by the Leader of the Opposition and the Deputy Leader of the Opposition were 84 per cent higher than the actual freight rate increases. In fact, in 1974-75 the increase was 17.5 per cent, in 1975-76 it was 17½ per cent, and there was no increase in 1976-77. That makes a total of a 35 per cent increase for the three-year period rather than 64.5 per cent as stated.

During the term of the previous Government, in October, 1973, an increase of 15 per cent was imposed. But those are the only increases in rail freights that have been imposed during the last 10 years. I think these things should be rectified in this House.

Mr Jamieson: We will rectify them as the Premier did when we found he was a millionaire earlier and we will admit to our mistakes and I hope you would do the same.

Mr O'CONNOR: If the Leader of the Opposition knows of any ways in which I have made mistakes, please let me know and I will try to rectify them. I am mentioning this only because I wanted to put the record straight.

Mr Jamieson: We will put the record straight. Your figures are not quite right even now.

Mr O'CONNOR: I got these figures from the department. The Leader of the Opposition does not need to get upset because figures he quoted are wrong.

Mr Jamieson: I am not getting upset. I gave 40 sets of figures and this one is wrong. Other figures quoted by the Minister for Labour and Industry, on reflection, are not correct but we will deal with that later.

Mr O'CONNOR: I have made the point. I want to make some comments about the remarks made by the member for Avon regarding the transport system in Western Australia. I thought he went overboard in his efforts to denigrate the transport system in Western Australia and I want to put this right as far as I am concerned. He said that every week there are curtailments of services; he was referring to the Metropolitan Transport Trust.

If the member had studied the annual report of the MTT he would see that the mileage run by buses in Western Australia has increased annually. Whilst unused services are curtailed the mileage is put into other areas which are more useful.

Mr McIver: Therefore, they are decreasing.

Mr O'CONNOR: The mileage has increased and if the member goes through the report he will see this is the case.

Mr McIver: That is only one facet of transport.

Mr O'CONNOR: I have only just started speaking; I have plenty of time to deal with the member's remarks, but that is the first point. I make it again: the mileage has not decreased but increased as far as the transport system and the MTT are concerned. It is plain good business for the MTT or any other organisation to put the mileage from curtailed services into other services.

Mr P. V. Jones: Good management.

Mr O'CONNOR: This is right. The member referred to the nonallocation of finance in this very important transport industry of Western Australia. That was a very naïve statement because he could not have looked at the allocations in this year's report for new buses and so on.

Mr T. H. Jones: What about a few new railcars?

Mr O'CONNOR: These have been on order for some time, as the honourable member should know.

Mr T. H. Jones: I know, but it is an eleventh hour effort.

Mr McIver: Suburban railcars have been on order.

Mr O'CONNOR: I shall deal with these points as I go along. The member said that there has been no allocation of funds in connection with the bus programme. This year in the capital works bus programme there has been the completion of 65 Mercedes Benz buses at a cost of \$718 000. The air cooling of buses cost \$22 000.

Mr T. H. Jones: Any Government could do that.

Mr McIver: I think you had better read *Hansard* again.

Mr O'CONNOR: There were 37 buses costing \$2.470 million and 22 chassis costing \$748 000. That makes a total of \$3.958

million in that area alone. We then have bus transfer depots—\$222 000; the Gonnells bus depot \$120 000; head office extensions \$30 000; other works \$142 000; and two-way radios \$100 000. That makes a total of \$4.573 million.

The member referred in *Hansard* to the nonallocation of finance to a very important transport industry. I think the figures I have given indicate what the position really is. In Western Australia we have the best buses in Australia, the best system in Australia and the best drivers in Australia. The other States are very interested in adopting the procedures that we have.

The member also made comment regarding the Royal Show traffic and the failure there. There was a failure but it was not because of the system but because of an individual. A guard missed the train and the train had to be pulled up. I think it is a pity that the member denigrated the system when it was the fault of an individual.

Mr McIver: If you would give an assurance there would be plenty of services.

Mr O'CONNOR: If an employee does not perform his duty or he has a heart attack the service cannot be given, and the honourable member knows this.

Mr McIver: That was not the only thing.

Mr O'CONNOR: The individual involved was not a member of the administrative staff criticised by the honourable member. I know that the incident should not have occurred and it is a pity it did. But it is also a pity that the honourable member used it to denigrate the system.

Mr T. H. Jones: You are defending yourself a lot lately.

Mr O'CONNOR: I have nothing to defend.

Several members interjected.

Mr O'CONNOR: I know on which side the honourable member places himself.

Mr Bertram: Yes, the right side.

Mr O'CONNOR: Let some of the fellows of members opposite go outside and defend themselves against me—and I am not referring to physical defence. Most of them would not have the courage to do so as members opposite well know.

Several members interjected.

The SPEAKER: Order!

Mr O'CONNOR: When this particular incident occurred, buses were brought in, but some inconvenience still occurred.

The member for Avon said he intended to visit New South Wales to study its transport system. That system is the greatest disaster in Australia.

Mr Bertram: With a Liberal Government it would be a disaster.

Mr T. H. Jones: That is why they got rid of their Liberal Government.

Mr O'CONNOR: If the honourable member would listen to some of the bus drivers he would know what they think of the present Government.

Several members interjected.

Mr O'CONNOR: I would not know who it was, but if the honourable member cares to look at some of the documents—

Several members interjected.

The SPEAKER: Order!

Mr O'CONNOR: It is very difficult to make a speech in this House because of the interjections by others who are not prepared to listen to anyone but themselves!

Mr T. H. Jones: My, you really are upset.

Several members interjected.

The SPEAKER: Order!

Mr H. D. Evans: Would you like a handkerchief?

Mr O'CONNOR: The Deputy Leader of the Opposition will need one when I have finished.

Mr T. H. Jones: Have a go at me too. I am ready for you.

Mr O'CONNOR: We have received comments from bus drivers in the Eastern States indicating the problems which have arisen there since the Labor Government took office. Despite the fact that bus fares were reduced there has been no increase in patronage—only in the loss which will be approximately \$340 million in the transport system in New South Wales. Yet the member for Avon intends to study their system. Good heavens! I believe that if Labor were in office here it would achieve the same results as the Labor Government has achieved in New South Wales.

We have the best bus system in Australia and probably as good a transport system as that existing anywhere else in the world, but the honourable member intends to study a broken-down system which has such a great loss.

Mr McIver: Knowledge costs nothing to carry.

Mr O'CONNOR: I was concerned about the derogatory remarks made about the administrative staff of the WAGR. The remarks really do not warrant a reply, but in fairness to the staff I believe I should make some comments. Western Australia has the best and most efficient staff running the most efficient system in Australia and I have figures to prove this. The people criticised by the honourable member—those in the WAGR—this year showed an operating profit of about \$11 million.

Mr T. H. Jones: It is Westrail.

Mr O'CONNOR: All right, Westrail. I knew members opposite would have to pick me up on some small error.

Mr T. H. Jones: Why are you replying today when not everyone has made a contribution? I wanted to have something to say about police. Why take this opportunity to reply?

Mr O'CONNOR: Whatever the member for Collie said would not be of any consequence so I would not have to worry about it.

Mr Bertram: The member for Collie is outstanding.

Mr T. H. Jones: I will tell you something, and you know what it is. Would your blokes face up to it? You know what I am talking about. He knows.

Mr Blaikie: Not another allegation!

Mr O'CONNOR: I mentioned that the railways in Western Australia had a net loss this year of approximately \$3 million, which is one of the best figures ever achieved; but the member for Avon intends to visit New South Wales, where the loss is expected to be \$340 million, to see how the position here can be improved.

I believe the honourable member's remarks were degrading to an efficient and dedicated staff of Westrail, a staff which helped to achieve such good results. The year 1975-76 is the second year running in which Westrail had a turnover of more than \$100 million and it has topped the 1974-75 figure by 22 per cent.

Mr McIver: It is still top heavy.

Mr O'CONNOR: Does this indicate an inefficient organisation handicapped by administration? Of course not. It indicates a very efficient organisation.

Mr Bertram: With a very good commissioner.

Mr O'CONNOR: The best we have ever had.

Mr Bertram: Hear, hear! Appointed by the Tonkin Government.

Mr O'CONNOR: I give the commissioner credit for the results achieved.

Mr McIver: Why not read my remarks in their full context?

Mr O'CONNOR: Does the honourable member read in full context everything I say? I have referred to the points he made.

Mr McIver: They were selective.

Mr O'CONNOR: The net \$3 million loss was achieved despite the fact that costs have spiralled. Expenditure rose by only 12 per cent. This indicates what a good job the staff has done by reducing the loss from \$11.6 million to \$3 million during the year and it indicates the type of staff we have, and certainly does not demonstrate we have an inefficient organisation handicapped by its administrative officers.

Mr Bertram: What about the increases in rail charges during the year?

Mr O'CONNOR: I want to quote some other figures concerning the comments the honourable member made that very little

money was given to the transport system in Western Australia. It would do him good to have a look at the increase which has gone into transport in Western Australia in recent years. In 1972-73 the figure was \$90 518 000.

Mr T. H. Jones: That was under a good Federal Government.

Mr O'CONNOR: Members opposite should wait to see how the situation improves as the years go by. In 1973-74 the amount increased by about \$5 million to \$95 188 000; in 1974-75 it increased a further \$17 million to \$112 118 000; and in 1975-76 it increased to \$131 722 000, an increase from 1972-73 to 1975-76 from \$90 million to \$131 million. Despite this, the honourable member says we are not allocating money to a very important transport industry. I think the figures alone indicate the correct position and there is no need for me to comment further on that particular point.

Regarding the MTT, I spoke to its chairman concerning the remarks of the honourable member, and asked him whether the member for Avon had been to the MTT. He indicated that as far as he knew the honourable member had not been to the MTT and certainly had not called on the chairman to ascertain the position. I would have thought that had the member for Avon wanted to know the details he would contact the chairman. It is easy to criticise without ascertaining the facts and figures.

The fact is that the patronage on the MTT this year has increased by 750 000, which indicates that a good and efficient service is being provided. In fact it is probably the only one in Australia which had an increase in patronage in that time.

The honourable member went on to say that pensioners go from point to point in two hours and pay 20c. They do not. If they go from point to point in two hours they pay 10c. After what the honourable member mentioned. The House should be acquainted with the facts so that the honourable member's remarks as recorded in *Hansard* are not misconstrued as being the facts. The MTT is a leader in the bus field in Australia. It was the first to introduce a "clipper service" in Australia, and a very good one too.

Mr Bertram: Another Tonkin Government suggestion.

Mr O'CONNOR: Suggested by whom?

Mr Bertram: The Tonkin Government.

Mr O'CONNOR: The honourable member is quite wrong. The Perth MTT has the best buses in Australia—the Mercedes buses. Members have seen them here and they provide a clean, efficient type of operation. They have air cooling, the drivers are very good, and the cleaning facilities are tremendous. These buses alone indicate the type of service we provide.

The Labor Minister for Transport in South Australia (Mr Virgo) visited Western Australia and was so impressed with the type of buses and operation in Western Australia that he is having a Mercedes bus body built in Perth to Perth specifications for the Adelaide MTT. Does this indicate we have an inefficient service? Would the Labor Party Minister from South Australia take such action if our service were so inefficient?

South Australia is giving consideration to the idea of introducing a cooling system and the Tasmanian Government also has sent representatives over here to look at our system.

Mr T. H. Jones: Why have you sent John Knox overseas if you know all this?

Mr O'CONNOR: We can learn a little. Industrially, the MTT has not lost one day in seven years, which shows great co-operation between the management and the staff. I give credit to the unions in that area and to the management for the way it has conducted itself. So it is amazing to hear of a member of the Opposition going to New South Wales where the loss on the transport system and the industrial situation are the worst in Australia.

In addition, we probably have the best grain wagons in Australia and the best fuel wagons, which are built at the Midland workshops. We have made approaches to the Commonwealth for electrification of the railway system.

Mr T. H. Jones: What about the railway gauge? Tell the whole story.

Mr O'CONNOR: We made approaches to the Commonwealth for electrification. We have not had a great deal of satisfaction from any of the Governments in connection with this matter and we are endeavouring to proceed ourselves to improve the system and put in the right type of equipment.

Mr T. H. Jones: Overdue.

Mr O'CONNOR: While I am on my feet I want to make brief mention of the split in the Opposition in the Parliament of Western Australia. It has a gap down the centre as wide as the Grand Canyon. I know it is there and most members of the House know it is there, and it will be interesting to see the battle for leadership when the Labor Party goes back into Opposition next year.

Several members interjected.

The SPEAKER: Order!

Mr O'CONNOR: I can understand the split because of the manner in which members of the Opposition have conducted themselves in the last year or two.

Mr Skidmore: You have the best imagination of anybody I have ever met.

Mr O'CONNOR: We have had allegations in connection with prostitution ruled right out. We had allegations in connection with the Santa Maria land where statements had to be withdrawn; and we have had other allegations on which I will not comment. There is an idea that when one throws mud some of it sticks. That is right. No matter how inaccurate a statement may be some of it sticks. I am talking about the allegations against Ministers, and I would be happy to hear the member for Collie on it. This split down the centre and the haggling for leadership are so obvious to us in Parliament.

Mr Bertram: Tell us more about it.

Mr O'CONNOR: It is quite obvious that Opposition members are making efforts to keep the Leader of the Opposition in obscurity—to keep him away from the public so that he cannot be seen, because the more he is seen the more votes he loses.

Several members interjected.

Mr Jamieson: I made a complaint to the Premier's publicity department to cut it out.

Mr O'CONNOR: We can imagine how many votes he would lose on television.

Mr Jamieson: Any time with you on any subject.

Mr O'CONNOR: The Leader of the Opposition says, "Any time with you on any subject"; yet when he was asked to go on television the other night on law and order—

Mr Jamieson: I have never been asked.

Point of Order

Mr JAMIESON: I ask the Minister to withdraw this remark because I have never been asked and therefore it must be an untruth.

Several members interjected.

The SPEAKER: Order! Is the Leader of the Opposition asking for a withdrawal?

Mr JAMIESON: Yes. The statement was that I had refused to go on television. I have never been asked to go on television on this matter by anybody. Therefore I could not have refused. The allegation is that I refused to go on with the Minister.

The SPEAKER: Did the Minister say the words to which the Leader of the Opposition objects?

Mr O'CONNOR: I said he had refused to go on television with me. I did not get the time to say on what issue.

Several members interjected.

The SPEAKER: Order!

Mr T. H. Jones: You said "law and order".

The SPEAKER: Order!

Mr O'CONNOR: I did say "law and order", Mr Speaker.

The SPEAKER: Order! The situation in regard to members seeking a withdrawal is a legitimate one in this House. At the very beginning of my Speakership in this place I tried to explain to members that they should be as restrained as possible in seeking withdrawal of matters which did not really warrant it. However, in this instance the Leader of the Opposition has heard so much and he has asked for a withdrawal of that amount. I ask the Minister to withdraw it.

Mr O'CONNOR: Mr Speaker, I withdraw it.

Withdrawal of Remark

Mr O'CONNOR: I go on to say—

The SPEAKER: Is there another point of order to be raised?

Mr O'CONNOR: Yes. I ask for a withdrawal from the member for Collie.

The SPEAKER: I heard the member for Collie mention something about lies and I ask him to withdraw. The member for Collie.

Mr T. H. Jones: Mr Speaker, I withdraw.

Debate Resumed

Mr O'CONNOR: I was advised by a television company that a week or two back the Leader of the Opposition was asked to go on television with me on law and order in a one-hour show.

Mr T. H. Jones: He was not asked. That is a lie.

Several members interjected.

Mr O'CONNOR: I am just saying I was advised.

Withdrawal of Remark

Mr O'CONNOR: I ask the member for Collie to withdraw that comment.

The SPEAKER: The member for Collie has been asked to withdraw the offending comment.

Mr T. H. Jones: The reference I made was not incorrect. It was a lie.

The SPEAKER: The member will resume his seat. If the member said it was a lie, he must withdraw the remark.

Mr T. H. Jones: Under the circumstances, I withdraw it.

The SPEAKER: The Minister for Transport.

Debate Resumed

Mr O'CONNOR: I was advised by a television company that the Leader of the Opposition was asked to participate and refused. If I am wrong I regret it and I apologise.

Several members interjected.

The SPEAKER: Order!

Mr O'CONNOR: I carry on with the comments: I was making regarding the split in the Labor Party in this State and the fact that members of the Opposition do not want to expose their leader any more than they have to. It is interesting to note the importation of foreigners into Western Australia recently in an effort to cover up an area in which the Leader of the Opposition is falling down.

Mr Jamieson: Nonsense!

Mr O'CONNOR: First of all—

Mr Bertram: Who are the foreigners?

Mr Jamieson: The same as your Premier went to South Australia repeatedly to try to unload Dunstan.

Mr O'CONNOR: They attempted to cover up by bringing foreigners into Western Australia—Mr Dunstan and Mr Wran—in an effort to fill the gap.

Several members interjected.

The SPEAKER: Order!

Mr O'CONNOR: In an effort to fill the gap in the Opposition's ranks—

Mr A. R. Tonkin interjected.

Mr O'CONNOR: —some members—

Mr Jamieson interjected.

The SPEAKER: Order! I ask members to restrain the concerted interjections. The Minister, like other members, is entitled to be heard in this place provided he keeps within the Standing Orders.

Mr O'CONNOR: The Leader of the Opposition stated he would be bringing more over. He certainly needs them, I can say that.

Several members interjected.

Mr A. R. Tonkin: He is an honest member of this House.

Mr O'CONNOR: I thought the Leader of the Opposition had taken up the role of a photographic model. We saw that a gorilla had his photograph taken with him the other day—

Mr Bryce: He is honest and he is straight.

Several members interjected.

The SPEAKER: Order!

Mr O'CONNOR: In the latest one we have—

Mr T. H. Jones: Gutter politics.

Mr O'CONNOR: —the Leader of the Opposition has his mouth open and his eyes shut and is being spoon fed by the Premier of New South Wales. This is the sort of thing we will probably see between now and the election in an effort to keep the Leader of the Opposition away from exposure to the public.

Mr A. R. Tonkin: He is exposed there; what are you talking about?

Mr O'CONNOR: I hope we see a lot more of this—

Mr Barnett: Your problem is that you are too exposed.

Mr H. D. Evans: Why don't you try science fiction?

Mr O'CONNOR: —because we know it is an effort to try to close a gap that exists within the Labor Party in this State. It is a wide gap that cannot be mended before the election, and I am sure we will continue to see members opposite vying for leadership when they come back as the Opposition again next year.

Several members interjected.

The SPEAKER: Order!

MR J. T. TONKIN (Melville) [3.31 p.m.]: This is, I would think, the last speech I am destined to make in this place on the general Estimates, and I propose to take advantage of the opportunity to debunk quite a number of claims made by the present Government.

Mr T. H. Jones: This will be good stuff.

Mr Bryce: Honest stuff.

Mr J. T. TONKIN: Naturally, most of what I will say will have reference to the Premier himself as the Leader of the Government.

I read with some amusement the claims of the number of promises the Government says it has successfully discharged. One particular promise was that the Liberal policies concentrate on better management and better results. Ordinarily people would not regard that as a promise, but the Government does; it goes further and says it is a promise it has kept. When the Treasurer was dealing with the Estimates he claimed he was able to show such a satisfactory cash position resulting in a surplus because of his careful management; and no doubt he would parade that as proof that that particular promise has been successfully carried out.

In 1958 the present Premier said this—

It is very frightening to contemplate where the increases in respect of water rates, local authority rates and land tax will end. It is getting to a situation where ordinary home ownership is becoming a luxury which the home owner will not be able to afford much longer.

I say that is precisely the situation today. Scarcely a month goes past without my being approached by somebody living in a home unit, or some pensioner, saying that because of the increase in water rates and electricity charges he or she has not enough money to pay those bills; and the person concerned suggests it might be possible to have a system introduced under which he or she can pay the amount of electricity charges due in monthly periods instead of having to find all the money within a few days of the account being rendered. There is no doubt whatever that

because of the very steep increases in taxes and charges many people have found themselves in this situation.

There were very definite promises made with regard to taxes and charges, and these were contained in the policy which was to be implemented within three years. Under the heading "Curbing rates, taxes and charges" we find the following—

We are concerned about the upward trend of rates, taxes and Government charges.

We will review all taxes and charges to see what streamlining is possible to reduce irritation to the public.

That was in 1971, and that is the promise that was made, word for word. Is it claimed it has been successfully kept? I propose to show, with the authority of the Auditor-General and of the Commissioner of State Taxation, that it is not careful management which has enabled the Treasurer to show a surplus; rather it is excessive taxation.

Mr Bertram: Brutal taxation.

Mr J. T. TONKIN: Excessive taxation is the reason that for the first time in the history of the State two departures were made with regard to accounting in the Treasury—

Mr A. R. Tonkin: Cooking the books!

Mr J. T. TONKIN:—in order to cover up the amount of money received. If one refers to the sixth annual report of the Commissioner of State Taxation, at page 7 one finds this record—

During 1975-76 total taxation collections amounted to \$196 444 894 compared with \$153 342 369 for the 1974/75 financial year. The increase over the previous year was mainly the result of—

- (a) Increased Land Tax collections . . .
- (b) Increased Stamp Duty collections . . .
- (c) Increased Pay-roll Tax collections . . .

What the Commissioner of State Taxation did not take into consideration was the built-in taxation system which the present Treasurer has devised to impose taxation on the Fremantle Port Authority, the Metropolitan Water Supply, Sewerage and Drainage Board, and the State Energy Commission. To show the extent to which this taxation applies, I point out very definitely that the Treasurer receives from the amount spent on fluoridation by the Water Supply Board, 3 per cent by way of tax.

Imagine that! The department adopts a policy of fluoridating the water supply, and because it does this the Treasurer imposes a tax upon the people for the amount they pay for that fluoridation. If we look at the report of the Metropolitan Water Board we find the figures indicating the cost of management.

The Treasurer each year imposes 3 per cent upon the cost of managing the Water Board. Not only must ratepayers, by way of rates and charges for excess water, meet the cost of management of the board, but they must also pay an additional 3.1 per cent to enable the board to pay to the Treasurer the tax on what it costs the board to manage the organisation.

This in-built taxation system has resulted in the Government's receiving a substantial amount of income over and above what it budgeted for.

Because the Treasurer had this money, he wanted to cover it up.

Mr Bertram: That is right—and some more as well.

Mr J. T. TONKIN: I quote from page 34 of the Auditor-General's report where he deals with the suspense account. He said—

With the view to establishing a more stable basis for charging the Consolidated Revenue Fund with the cost of salaries in future years, it was decided to introduce the procedure of charging salary votes of the Fund with salaries accrued due but not paid as at June 30. The accrued amount charged for the year, \$7 993 401, held in the above account at June 30, 1976 was cleared by payment of salaries in July, 1976.

At the commencement of his report the Auditor-General made this statement—

All moneys received by the Treasurer are paid into and disbursed from the Public Account.

That was the situation up till this Government came into office. However, last year that system was departed from.

Mr Bertram: After 147 years.

Mr J. T. TONKIN: If we turn to page 117 of the Auditor-General's report, we see a section dealing with the Treasury Department. For some reason or other—and my decision is that the reason was to cover up this sum of money—

Mr Bertram: That is right.

Mr J. T. TONKIN:—cash resources at the Treasury were shown for 1975-76 as being \$104.434 million over the previous year; partly accounted for—and only partly accounted for—by a general increase in trust funds. Taxation raised \$12.819 million more than the Treasurer expected.

Mr Bertram: With more to come and unpaid.

Mr J. T. TONKIN: These were the figures given by a Treasurer who was concerned about the upward trend in rates and taxes, and who promised a review of all charges so that they could be curbed. He now has the audacity to claim that the financial position he

achieved was the result of careful management. I say very definitely it is the result of excessive taxation and unprecedented increases in rates, taxes, and charges.

With regard to the decision not to take into Consolidated Revenue the amount earned from short-term investments, the Auditor-General had a look at this.

Mr Bertram: I should think he would.

Mr J. T. TONKIN: The remark he made was to the effect that it was a satisfactory method of dealing with the situation provided that it was continued in that way. The same statement applied to putting into the suspense account the amount which would not have been due until next financial year for salaries and wages. It will be interesting to see whether that procedure, which was an innovation this year, will be followed in future years.

To give some further idea of these taxes and charges separately, I draw attention to the annual report of the Metropolitan Water Supply, Sewerage and Drainage Board. On page 41 of this report we find set out the rates for water and excess water since 1907. I do not propose to weary the House by going back to 1907, but I do want to draw a comparison between the rates during the period we were in office—and remember these rates caused the present Premier to talk about the need for curbing taxes and charges—and the rates during the term of this Government which promised to review taxes and charges and to remove the irritation which the people were experiencing because of the taxes and charges under my Government.

On page 41 of the report we see the following—

| Rates in \$ on annual valuation | | | |
|---------------------------------|-------|----------|----------|
| | Water | Sewerage | Drainage |
| 1971-72 | 6.2c | 6.6c | 1.5c |

The rates for water, sewerage, and drainage, remained unchanged during the whole of the period of my Government. Despite the fact that the rate had remained unchanged, in 1974 the present Premier talked about these high rates of taxes and charges which he was going to curb. Let us see how he did it.

In the years 1974-75 and 1975-76, the rate for water for other than residential properties went up from 6.2c to 7c; the rate for sewerage went from 6.6c to 8.3c; and the rate for drainage remained the same.

When we consider the figures for 1975-76, we find that the rate for water increased to 9c, as against the 6.2c which obtained during the three-year period of my Government; the rate for sewerage went from 6.6c to 11c; and the rate for drainage—which we had maintained for three years—went from 1.5c to 2c. That is the basic rate.

Let us have a look at the charge for water. If we take the year 1971-72, in return for water rate or minimum fee worked out at 28c a thousand gallons it was the same for 1972-73 and 1973-74. When we come to 1974-75 it is shown at a price per kilolitre, I have done a little arithmetic to obtain a comparison and the figure shown here is 6.15c for the quantity given, but if we take it on the basis of a thousand gallons it works out at a figure which is almost double what it was before.

This is from a Government that was making such a noise about the upward trend in rates and taxes which had remained static for three years. The Government was concerned about the upward trend and it was going to have a review with the idea of removing the irritation, and it can be seen what has happened. The Government has the temerity to go before the people and claim it has been able to keep X number of promises out of Y number that were made, avoiding completely the very important items.

One wonders why with all this money which the Government was at pains to sock away, it had to take away from the pensioners a concession which the previous Government gave them and which would not have cost this Government more than \$700 000 or \$800 000 a year. That was the amount involved; for a sum of \$700 000 or \$800 000 a year it could have maintained free travel for pensioners. But no, despite this embarrassing increase in taxation of more than \$12 million the Government still took away this concession from the pensioners. One wonders what possible justification there could be.

If we have another look at the inequality which exists with regard to taxes and charges we can arrive at a basis for a very simple comparison. The Fuel and Energy Commission levied a fixed charge on every user; irrespective of the amount of consumption the charge is the same.

I have here a pensioner's quarterly account; the amount charged for the current used was \$11.18 to which the department has added its \$2.04. I have another account here for a consumer where the cost of the current consumed for the quarter was \$66.87 to which is added the fixed charge of \$2.04. Now, Mr Speaker, I put it to you: If we are considering the desirability of equality in taxation—and that should be a basic and fundamental requirement—how could we justify putting up the fixed charge which applies to everybody when it applies so unequally as between all consumers?

Just imagine levying a pensioner whose consumption costs \$11.18 plus \$2.04 and levying a person who consumes \$66.87 of current with the same charge of \$2.04. It is completely indefensible but it is typical of the type of taxation which is being

imposed by a Government which promised the people it was setting out to curb these taxes and charges because of its concern for them.

I venture to say that if this in-built taxation system continues—that is, 3 per cent of the gross revenue of the Fuel and Energy Commission, the Fremantle Port Authority and the Metropolitan Water Supply, Sewerage and Drainage Board—the Government will continue to have very substantially increased taxation and it will be a very definite burden on the people.

The Metropolitan Water Board realises this and in its report it has made mention of its concern for the fact that it has to raise a very substantial amount over and above the costs of running the organisation in order to provide capital funds. But what does the Government do? It imposes a 3 per cent tax upon that extra amount which the users have to pay by way of taxation. So not only have we a situation where the Metropolitan Water Board has to raise its taxes and charges in order to get a substantial surplus to enable it to finance capital works but also the Government comes along and wants 3 per cent of that extra amount which is raised for capital expenditure.

Is this system to go on unchecked? If it does we not only have direct taxes and charges which are being levied but we also have these substantial increases which result from the growth.

I quote from page 8 of the annual report of the Metropolitan Water Supply, Sewerage and Drainage Board for 1976. Under the name of G. Samuel, the chairman of the board, the following statement appears—

The amount spent on the Capital Works Programme for the year was again greater than in previous years. This increase is necessary if works are to keep pace not only with development but with the National backlog sewerage programme and inflation.

However expanding capital expenditure brings with it the need for increased revenue income to service greater operating costs and capital charges on loan funds.

It certainly is not possible for the Board to absorb these increases in costs.

The next sentence bears out what I have been saying. It continues—

The effect on rates and charges has been substantial and without subsidy the Board's levies on its ratepayers and consumers must continue to increase.

One of the reasons is this imposition of 3 per cent on the gross revenue—the gross revenue being designed to provide a certain sum for capital expenditure. Is the Treasury entitled to tax again the people who pay these increased taxes and

charges in order to provide additional revenue? To that extent the report of the taxation commissioner about the increase in taxation is not complete. To the amount of increased taxation which he mentions must be added the taxation which the Government gets because of this 3 per cent levy. I have calculated that every department which has to pay this 3 per cent must levy 3.1 per cent on the charges that it makes so that it will not lose on the deal. So this in-built taxation system which is so inequitable is the real reason for this surplus of revenue which the Premier attempted to claim was due to careful management.

Mr Speaker, cast your mind back to a situation to which I have already referred where water rates had remained static for three years and where the then Leader of the Opposition came forward and complained about the upward trend of charges and undertook to have a review for the purpose of removing the irritation. Let us look at the history of what has happened since that time. Then to have the temerity to talk about promises which had been kept, I think is the limit.

The only other matter to which I wish to refer is compulsory land resumption for Government requirements. My views on compulsory resumption are recorded in *Hansard* and can be found if one goes back a number of years. I introduced legislation to provide that if a Government compulsorily resumed land for certain purposes and found that it did not need the land for those purposes, it was under an obligation to offer it back to the person from whom it was resumed at the price at which it was resumed. A change of Government altered that. That did not suit the Liberal-National Country Party Government, so it altered that law.

Mr Speaker, because of inflation it becomes almost impossible for people who are dispossessed of their homes to re-establish themselves if they are paid only the usual basis of calculation of valuation. I believe the time has passed for that to continue and that it should be an obligation on any Government, if it compulsorily resumes land in the public interest, to ensure that the owner is paid a replacement value. If he is deprived of his home, the place where he lives, or if he is on a farm and has been making a reasonable livelihood and is told to get out and go elsewhere, to pay him a valuation at which properties are bought at a previous sale does not meet the situation.

Mr O'Neill: There is a 10 per cent addition for compulsory acquisition.

Mr J. T. TONKIN: Ten per cent does not go anywhere near the situation.

Mr O'Neill: I am just making the point that it is there.

Mr J. T. TONKIN: I think most definitely that it ought to be the policy of any Government to enable a person whom the Government compulsorily displaces from his home or the place where he has been earning a livelihood to be re-established in the same kind of home or the same kind of business.

Mr Thompson: That makes a hollow ring when one considers what your Government did with respect to people displaced by the transmission—

Mr J. T. TONKIN: General statements such as that cut no ice with me. If the member gives days, dates, and particulars I will listen to him. I am familiar with the making of general statements without any evidence.

Mr Thompson: From that side they are very prevalent.

Mr Jamieson: There were very few displaced by that; there were some inconvenienced.

Mr Thompson: We are speaking about values.

Mr J. T. TONKIN: This reminds me of a statement made by Benjamin Disraeli who was born in 1804. He said, "For you to be conscious that you are ignorant of the facts is a great step to knowledge." I suggest to the member for Kalamunda that he have second thoughts about what he said.

The SPEAKER: The member has four minutes.

Mr J. T. TONKIN: If it is all right for companies such as BHP to adopt new accountancy procedures and get away with it—

The SPEAKER: I am sorry; the member has nine minutes.

Mr J. T. TONKIN: I was going to dispute it when the time came.

Mr O'Neil: We would have supported that dispute with the Speaker's ruling!

Mr J. T. TONKIN: If it is all right for BHP, without any sanctions from anywhere, on its own initiative and decision, to say that it is going to adopt a new method of accounting and will take into consideration the replacement value of its assets and charge accordingly, and then ask for an increase in the cost of its product, surely it is right for an individual who is going to be compulsorily deprived of his home or any other property to say that he wants replacement value.

If we look carefully at the procedure of BHP we will see it is now asking for an increase in the price of steel and is taking into consideration the cost of the replacement of materials which have been used before it has to meet the expenditure. So the purchasers of this steel have to pay in advance because the company decides that

this method of accounting is more appropriate in this period of inflation. To date the company has successfully been able to obtain increased prices for its product and this has caused other companies to give consideration to the same procedure.

If it is all right for BHP to do that sort of thing, surely we cannot deny the unfortunate people who will be dispossessed of their homes the right to have full replacement value. What satisfaction is it to the individual to receive a sum of money which falls far short of what is necessary to provide similar comforts to those he enjoyed during his lifetime, simply because this step is being taken in the public interest? I would not agree to that.

If we are doing things in the public interest, it should not be at the expense of the individual; it should be at the expense of the general public, and it is time we faced up to this basic question of doing what is right and proper.

I can recall a case in which the Main Roads Department compulsorily resumed a property south of the river, and it subsequently changed its mind on where it would establish the road. In the meantime the person who had to get out of his house had a second house built, but the department came along and resumed it. All that was paid was the valuation which the land resumption section of the Public Works Department had put upon the property. There was no consideration at all as to whether it was possible for the person concerned, who was being pushed about in the public interest, to become established satisfactorily in the area where he wanted to live—not just anywhere. The Government should not take a person out of Dalkeith, for example, and say, "We will give you enough money to build a house on the Nullarbor Plain."

My view is that if a person is compulsorily dispossessed of his property then the sum which ought to be paid to him is a sum which is adequate to enable him to acquire a house in a similar locality, of similar size, and with similar amenities, so that he will not be disadvantaged. Irrespective of the Government in power, I think that question should be faced up to immediately.

While we are approaching a period when many more promises will be made—and they will be made from both sides of the House—the people are entitled to say to the Government, "Here are the main promises that you have made. Why did you not do something about them?" It would be idle for the Government to say with regard to taxes, charges, and rates that it found it impossible to have them reviewed and reduced, when the Government comes up with a figure which is so greatly in excess of the amount it expected to receive from taxes, charges, and rates; and has to resort to new accounting practices in the Treasury in order to cover up the situation.

To my way of thinking that is no satisfaction to the ratepayers who were entitled to expect that some check would be applied to increases in taxes and charges. It is upon that point that the Government will stand on the defensive.

It is no reply to this question at all for the Government which was then the Opposition to say—because it clearly had evidence before it when this undertaking was made, and it was made for a very specific purpose—that it was not aware of the inflationary trend in the community. Despite that it gave this very definite, unequivocal undertaking. I trust the people of Western Australia will remember it.

Debate adjourned, on motion by Mrs Craig.

MEMBER FOR ASCOT: ALLEGATIONS AGAINST A MINISTER OR MINISTERS

Select Committee: Report

MR THOMPSON (Kalamunda) [4.15 p.m.]: I present the report of the Select Committee appointed to inquire into and report upon the allegations made against a Government Minister or Ministers. I move—

That the report be received.

Mr LAURANCE: I second the motion.

Question put and passed.

The report was tabled (see paper No. 556).

QUESTIONS (19): ON NOTICE

1. HOSPITAL LAUNDRY AND LINEN SERVICE

Accounts: Tabling

Dr DADOUR, to the Minister representing the Minister for Health:

Will the Minister please table—

- (1) The balance sheet of the Hospital Laundry and Linen Service as at 30th June, 1975?
- (2) The profit and loss account or operating account—
 - (a) for the year ended 30th June, 1975; and
 - (b) for the year ended 30th June, 1976?

Mr RIDGE replied:

As requested, I now table—

- (1) The balance sheet as at 30th June, 1975 for the Hospital Laundry and Linen Service.
- (2) The operating statements for the 12 months ended—
 - (a) 30th June, 1975;
 - (b) 30th June, 1976.

It will be seen that these statements show the figures for the month of June in each

year and the progressive total which relates to the full financial year.

The documents were tabled (see paper No. 557).

2. INDUSTRIAL DEVELOPMENT

Kwinana Light Industrial Area

Mr TAYLOR, to the Minister for Industrial Development:

With respect to that area of land lying to the north and east of the axis of Rockingham and Mandurah Roads, Kwinana:

- (1) Have plans been prepared for a light industrial area?
- (2) If "Yes"—
 - (a) what is the total area;
 - (b) how many lots are included?
- (3) What is the approximate total land holdings of his department—
 - (a) in the area suggested above;
 - (b) in the area bounded by Mandurah, Office and Patterson Roads;
 - (c) within the Kwinana Beach area?
- (4) Approximately when was the plan mentioned in (1) above drawn up?

Mr MENSAROS replied:

- (1) The question appears to refer to the land adjoining the junction of Mandurah and Rockingham Roads on the eastern side. This land was subdivided in 1968 as a small industry area. There are no firm plans for further subdivisions in the locality.
- (2) (a) 15.438 5 hectares
(b) 36.
- (3) (a) The subdivision referred to is owned by the Industrial Lands Development Authority. 15 lots comprising 6.218 8 hectares are unsold.
(b) 13.693 5 hectares, owned by the Industrial Lands Development Authority.
(c) The Department of Industrial Development controls about 17.811 2 hectares. A further 2.934 8 hectares is owned by the Industrial Lands Development Authority.
- (4) See answer to (1).

3. **TRAFFIC***Drunken Driving: Tests*

Mr McIVER, to the Minister for Traffic:

(1) Since 1st July, 1976, how many motorists have—

- (a) been subjected to the preliminary test for alcohol;
- (b) been subjected to the breathalyzer test for alcohol;
- (c) been subjected to a blood test for alcohol?

(2) Arising from (1), how many motorists—

- (a) when tested by the preliminary test did not give an indication from such preliminary test of sufficient evidence to justify any further tests;
- (b) subjected to the breathalyzer test did not give a reading to the required level to sustain a charge being preferred for such offence related to driving a motor vehicle when affected by alcohol;
- (c) subjected to a blood alcohol test the results of which did not give a reading sufficient to proceed with a charge of driving a motor vehicle when affected by alcohol?

(3) How many motorists have been subjected to testing by way of the—

- (a) preliminary test;
- (b) breathalyzer;
- (c) blood sample, and the results have shown no trace of alcohol?

Mr Grayden (for Mr O'CONNOR) replied:

(1) (a) 28 566

(b) 2 428

(c) 359.

(2) (a) 1 743

(b) 554

(c) 28.

(3) (a) not known

(b) 1

(c) 7.

4. **TRAFFIC***Motor Vehicles: Speedometer Testing*

Mr McIVER, to the Minister for Traffic:

In regard to the testing of a motorist's speedometer, what are the "other recognised means" as stated by him in part (2) of question 10 of 10th November?

Mr Grayden (for Mr O'CONNOR) replied:

Bench instrument tests or by travelling over a measured distance and time checked by a stop-watch. The yellow marks laid down for our air patrol provide a means for this method.

5. **TRAFFIC***Drunken Driving: Patrols outside Hotels*

Mr McIVER, to the Minister for Traffic:

(1) Is it a fact that road patrol personnel either by themselves or in a pair or pairs wait in hotel parking areas or areas in close proximity to hotels to make observations and then radio to other police personnel away from the hotel premises the identity or vehicle number of a vehicle considered worthy of intercepting as the driver may have consumed liquor?

(2) Is it a fact that such personnel are known within the road patrol branch as "cockatoos"?

(3) If "Yes" to (1) why is such a procedure adopted?

Mr Grayden (for Mr O'CONNOR) replied:

(1) Yes, providing driver behaviour supports the belief.

(2) No.

(3) As a means of enforcing the drink driving laws.

6. **TRAFFIC***Motor Vehicles: Work Orders*

Mr McIVER, to the Minister for Traffic:

Having regard to his answers to my questions of 3rd and 10th November relevant to work orders placed on motor vehicles, will he—

(a) confirm that approximately 12 months ago a large quantity of "work orders" believed to be between 20 000 and 30 000 were destroyed;

(b) that these work orders which had been placed on cars had never been followed up to ensure that the work so ordered had been effected;

(c) if the answer to (1) and/or (2) is in the affirmative, would he advise what is the use of placing work orders on vehicles if they are not subsequently presented for checking and are not being properly "followed up"?

Mr Grayden (for Mr O'CONNOR) replied:

- (a) Yes. These were an accumulation over several years;
- (b) yes;
- (c) follow-up action is carried out and is largely successful. In other cases licences are not renewed or the owner cannot be located. Even if no follow up action were taken, the use of work orders results in a large number of vehicles receiving attention.

7.

TRAFFIC

Right-of-way at Intersections

Mr McIVER, to the Minister for Traffic:

Relevant to part (1) of his answer to question 12 of 10th November:

- (1) Who believes the diagrams represent a true interpretation of the regulation?
- (2) Are there any qualified legal practitioner/s within the structure of the Road Traffic Authority who are practising practitioner/s?
- (3) In a matter of such vital importance to the motoring public is he prepared to accept the opinion of other than practising legal practitioners in regard to a clear opinion of this situation?

Mr O'CONNOR replied:

- (1) A senior officer of the Road Traffic Authority who edited the booklet in the first place.
- (2) No.
- (3) I will accept the advice of my officers who, as previously stated, will see if any action is necessary.

8.

TRAFFIC

Pedestrian Pelican Crossing: Spencer Road, Thornlie

Mr BATEMAN, to the Minister for Transport:

- (1) Does his department intend to put a pelican crossing across Spencer Road, Thornlie, to assist both adults and children attending the Thornlie shopping complex on one side and the Thornlie High School and Junior Primary School on the other?
- (2) If "Yes" when will this work begin?
- (3) If "No" why not?

Mr O'CONNOR replied:

- (1) and (2) No.
- (3) It is considered that the appropriate pedestrian safety measure for this area is the provision of median refuge islands.

9.

SCHOOL OF MINES

Computer

Mr T. D. EVANS, to the Treasurer:

- (1) Does the W.A. School of Mines at Kalgoorlie have direct access to the computer maintained at the Treasury Department, Perth?
- (2) If the answer to (1) is other than in the affirmative, would introduction of such access to enable valid modes of estimation of the true value of ore-in-place from samples obtained in the course of development and stoping within the Eastern Goldfields area, in cases where the concentration of the metal sought is very low but where from place to place very high concentrations occur, be practical and economic?
- (3) If the answer to (2) is other than in the affirmative, would he please explain why?

Sir CHARLES COURT replied:

- (1) to (3) No, but as a branch of the Western Australian Institute of Technology, the School of Mines has direct access to the regional computing facilities available to the institute.

In addition, the school has a small computer on site.

10.

MINING

Ore Mineralisation: Tomich Publication

Mr T. D. EVANS, to the Minister for Mines:

If his department has in its possession or is able to obtain a copy of a paper entitled "Aspects of the Oroya Shoot and related ore bodies in Kalgoorlie" by S.A. Tomich (Proc.Aust. IMM No. 190, 1959) which is said to have described neglected aspects of ore mineralisation in the Kalgoorlie field, would he please table a copy of the paper or make a copy available to me?

Mr MENSAROS replied:

The report "The Oroya Shoot and its Relationship to other flatly plunging ore pipes at Kalgoorlie" by S. A. Tomich (Proc. The Aust. IMM—No. 190, 1959) is tabled herewith.

The paper was tabled (see paper No. 558).

11. **TRAFFIC***Motor Vehicles: Yellow Stickers*

Mr DAVIES, to the Minister for Traffic:

Under what conditions are yellow stickers placed on motor vehicles?

Mr O'CONNOR replied:

Where an officer of the Road Traffic Authority or a patrolman is of the opinion that in order to comply with the Vehicle Standards Regulations a vehicle inspected by him requires repair, adjustment or re-conditioning or the supply, fitting or removal of any equipment or any other attention.

12. **MANJIMUP SCHOOL***Dental Therapy Clinic*

Mr H. D. EVANS, to the Minister representing the Minister for Health:

- (1) When is it expected that a start will be made on the construction of a dental clinic at Manjimup Primary School?
- (2) When is this clinic expected to be completed ready for operation?

Mr RIDGE replied:

- (1) Tenders closed 16th November, 1976.
- (2) 1st June, 1977.

13. **CAPE RANGE NATIONAL PARK***Management Plan*

Mr LAURANCE, to the Minister for Conservation and the Environment:

- (1) Does the National Parks Authority have a management plan for the Cape Range National Park?
- (2) Will he make a copy of the management plan available?
- (3) Is he aware that windmills in the park have been shut off or dismantled, thus denying wildlife a traditional source of water?
- (4) Is there any truth in the rumour that beaches inside the park boundaries are to be closed to fishermen?
- (5) As the new National Parks Authority legislation allows for local committees of management, will he expedite the formation of such a local committee at Exmouth to advise on the management of the Cape Range National Park in an effort to overcome what appears to be a breakdown in communications between the National Parks Authority and local residents?

Mr P. V. JONES replied:

- (1) A draft management plan is being prepared.
- (2) Management plans for National Parks encompass the complete spectrum of management criteria and reflect the anticipated park management objectives for several years ahead. Because of this the draft management plan for the Cape Range National Park has not been finalised, as any management plan must include the recent recommendations by the Environmental Protection Authority relating to the park, and which were endorsed by Cabinet in February 1976. This decision provided for an extension of the park boundaries, with power to lease and which must take account of the traditional uses for which the additional areas have been used for many years. Discussions relating to the management of the park will be held with the local government authority in due course, and I am prepared to discuss it with the member at a mutually convenient time.
- (3) The survey of natural sources of water in Cape Range National Park has shown that these are adequate for the wildlife. The windmills at Mangrove Bore and Tantabiddi Well have been maintained to supply water to visitors to the National Park. Broken down windmill wells having non-potable water have been dismantled.
- (4) No.
- (5) Various matters pertaining to the management of Cape Range National Park are listed on the agenda for the next meeting of the National Parks Authority.

14.

HEALTH*Patients North of 26th Parallel: Transport*

Mr DAVIES, to the Minister representing the Minister for Health:

- (1) When a person living north of the 26th parallel is referred to Perth for medical treatment, can the Minister advise if there is any particular type of transport that must be used?
- (2) Is the person afforded any option if there are alternatives available?

Mr RIDGE replied:

- (1) If the patient transfer is of an emergency nature, or if the nature of the illness would be aggravated by slow travel, transport is by air.

In other circumstances, the least costly form of transport is used. This is usually bus. Return transport may be different to the mode used on the south bound trip.

I think the question as answered relates particularly to the Pilbara area. Bearing in mind that there is no scheduled passenger service from Kimberley, patients would travel by air on all occasions.

- (2) Generally, no but special circumstances are considered.

15. ENERGY

Coal: Conversion to Hydrocarbons

Mr MAY, to the Minister for Fuel and Energy:

- (1) Will he advise if the Fuel and Power Commission in March 1974 requested the then chairman to inquire into the desirability of forming a working committee to look into the latest developments in obtaining liquid and gaseous hydrocarbons from coal?

- (2) Was a committee appointed?

- (3) If not, what were the reasons for not appointing a working committee?

Mr MENSAROS replied:

- (1) Yes.

- (2) and (3) A working party was set up to investigate the potential for coal gasification to supply Perth and the south-west areas of the State and held its first meeting in June, 1974. It completed a report titled "Coal Gasification Viability in WA", February 1975 which—with your permission Mr Speaker—I table.

The answer given to Question 39 of 10th November referred to the current situation.

The paper was tabled (see paper No. 559).

16. TRAFFIC

Albany Office: Additional Space

Mr WATT, to the Minister for Police:

Following his visit to Albany last Saturday and his inspection of the possibly inadequate conditions under which the Road Traffic Authority's officers are working, will he advise—

- (a) If he accepts the need as urgent for additional office, storage and parking space?

- (b) If he will commence negotiations to acquire the guest house property adjacent to the police station on the eastern side; and

- (c) If he will keep me informed of the result of any negotiations undertaken?

Mr O'CONNOR replied:

- (a) There is a need for improved accommodation and it will be considered as funds become available and more urgent needs are satisfied.

- (b) I will have the appropriate department look at this possibility.

- (c) Yes.

17.

HOUSING

Country Centres: Programme

Mr TAYLOR, to the Minister for Housing:

How many residences is it proposed to construct this financial year in each of the following local authority areas:—

- (a) Albany;
- (b) Mt. Barker;
- (c) Katanning;
- (d) Narrogin;
- (e) Brookton;
- (f) York;
- (g) Lake Grace;
- (h) Kondinin;
- (i) Corrigin;
- (j) Kojonup?

Mr P. V. JONES replied:

It is anticipated that the State Housing Commission construction programme for non-metropolitan areas will be announced in the coming week, following which the member will be notified by correspondence.

18. STATE HOUSING COMMISSION

Building Blocks at Kwinana

Mr TAYLOR, to the Minister for Housing:

- (1) With respect to the Shire of Kwinana, how many lots, owned by the State Housing Commission, are immediately available for selection and upon prompt payment immediately available upon which to commence construction to—

- (a) applicants who are within the Commission's criteria of eligibility for assistance;

- (b) applicants who are outside the Commission's criteria?

- (2) What services are available to these lots?

- (3) What are—
 (a) the minimum price;
 (b) the maximum price; and
 (c) the average price,
 of single lots?
- (4) How many such lots have been sold in each month this year?
- (5) If known, how many homes have been commenced and/or completed upon the lots mentioned in (4)?

Mr P. V. JONES replied:

- (1) (a) and (b) The Commission's requirements of eligibility for purchasing land are as follows:—
- (i) Applicant may own one lot in metropolitan area;
 - (ii) Must be over 18 years of age;
 - (iii) Must complete a house within four years of allocation.
- No income requirements are set on this scheme.
 There are sixty-six lots available for selection in this area.
- (2) The lots are fully serviced including sewer, power, water, etc.
- (3) (a) \$4 500 minimum.
 (b) \$5 500 maximum.
 (c) \$5 000 average.
- (4) Sixty-one lots have been sold during this year under this scheme as follows:—

| | sites |
|-----------------|-------|
| January | 2 |
| February | 6 |
| March | 3 |
| April | 4 |
| May | 8 |
| June | 6 |
| July | 10 |
| August | 8 |
| September | 5 |
| October | 9 |

- (5) Approximately thirty-five sites have homes commenced or completed to date.

19. MOTOR VEHICLES

Sale to Underage Persons

Mr CARR, to the Minister for Consumer Affairs:

- (1) Do any restrictions apply to prevent the sale of a car or motor bike to a person who is not old enough to hold a driver's licence?
- (2) If "Yes" to (1), will he please provide details?
- (3) If "No" to (1) will he consider taking action to make such a practice illegal?

Mr GRAYDEN replied:

- (1) Not as far as holding a driver's licence is concerned but there may be some restrictions where Hire Purchase agreements are involved.
- (2) Not applicable.
- (3) No.

QUESTIONS (8): WITHOUT NOTICE

1. PREMIER MOTORS

Compliance Plate Requirement

Mr BRYCE, to the Minister for Police:

Was he correctly reported in the media when he stated that the decision to waive the compliance plate requirement for Premier Motors followed a recommendation from the former head of the Department of Motor Vehicles (Mr Athol Monck)?

Mr O'CONNOR replied:

As I have had no notice of the question I ask that it be placed on the notice paper.

2. MINISTERS OF THE CROWN

Access to Confidential Information

Mr A. R. TONKIN, to the Premier:

Is it the policy of the Government to allow Ministers of the Crown to be permitted to gain access to confidential information not related to their ministerial responsibility, but in respect of which they have a financial interest?

Sir CHARLES COURT replied:

In view of the very sinister implication that he places within his question—

Mr A. R. Tonkin: I asked about the policy.

Sir CHARLES COURT: —I ask that the question be placed on the notice paper. I am surprised the question has not been disallowed, anyhow.

Mr Bryce: It is a question of policy.

3. PREMIER MOTORS

Compliance Plate Requirement

Mr BARNETT, to the Minister for Police:

Following his ministerial decision to waive the safety compliance plate requirement for Premier Motors, is it a fact, as stated in the *Daily News* of today, that he received a discount when he acquired a Fiat vehicle from that firm?

Mr O'CONNOR replied:

If the honourable member likes to put the question on the notice paper, I will answer it. I think there are insinuations which are quite inaccurate, but I will answer the question if he places it on the notice paper.

4.

PREMIER

Hamersley Holdings Shares

Mr CARR, to the Premier:

- (1) Did he accept shares in Hamersley Holdings on a preferred basis after receiving an offer in writing from that company?
- (2) Has he stated on public record that he would refuse to receive shares on a preferred basis?

Sir CHARLES COURT replied:

I could, of course, with good conscience and with good reason, ask the honourable member to place the question on the notice paper. The answer is as follows—

(1) No, I did not receive them on a preferred basis.

(2) Yes.

Does that please the honourable member?

5.

MEMBER FOR ASCOT: ALLEGATIONS AGAINST A MINISTER OR MINISTERS

Inquiry by Royal Commission: Objection

Mr B. T. BURKE, to the Premier:

In view of the fact that the Select Committee has now reported to this Parliament and that its report seems to indicate it is unable to proceed, would the Premier please now outline why he objects to the establishment of a Royal Commission?

Sir CHARLES COURT replied:

The Parliament, as well as the Government, will need to consider the report received. When that has been done, the Government and the Parliament can make up their minds as to what they seek to do. As I understand it, the report has been tabled only this afternoon. I certainly do not know its contents, and when I do, like all other members, I will start to make up my mind what we will do about it.

6. MEMBERS OF PARLIAMENT

Financial and Business Interests: Declaration

Mr BRYCE, to the Premier:

Does the Government still adhere to its policy and its decision to oppose the need for legislation in

Western Australia requiring members of Parliament publicly to declare their financial and business interests?

Sir CHARLES COURT replied:

In answer to the honourable member I remind him that the Government initiated some action to arrive at a code—hopefully Australia-wide but, if not, certainly within this State—so that it would be clearly set out what members of Parliament had to do. If the member would listen to me instead of nodding to his colleague indicating what question to ask next, he will hear my reply. We initiated some action in the hope of arriving at a code so that members of Parliament would know what they had to do not only to satisfy the Parliament, but also the public. That is still Government policy.

It so happens that it is an historic fact that certain members of the Labor Party walked out of that study in a peremptory way, and demanded that unless the legislation proposed by the member for Morley was to be adopted in toto they would not be a party to the proposal. Negotiations cannot be carried out on that basis.

The Government, not having the benefit of the co-operation of the ALP initiated by its former leader, will have to work out a system and make its own submission to the Parliament.

It is still our desire that there should be a code clearly setting out—preferably on an Australia-wide basis—what should be done so that all members of Parliament will know not only what they should declare about their interests, but also to overcome the vexed question which arises when a member of Parliament gets involved in an office of profit under the Crown, as evidenced by a recent case.

We want the situation spelt out as quickly as possible.

7. MEMBER FOR MT. HAWTHORN

Participation in Debates: Prevention

Mr BERTRAM, to the Premier:

Has the Premier not on at least two occasions in the last few days been instrumental in preventing me, as the member for Mt. Hawthorn, from participating in crucial debates of grave concern to the people of Mt. Hawthorn without giving to this House any reason for doing so?

Is it his intention to continue to preclude the spokesman for the 18 000 electors of Mt. Hawthorn from being heard in this Assembly?

Sir CHARLES COURT replied:

In answer to the honourable member, I find his question quite perplexing. First of all, I have no power to stop the honourable member speaking—and sometimes I wish I had.

I would also remind him that the House is under the control of the presiding officer, the Standing Orders, and the will of Parliament—not the will of the Premier.

8. PREMIER

Hamersley Holdings Shares

Mr B. T. BURKE, to the Premier:

Did the Premier, when he was Minister for Industrial Development, receive a written communication from Hamersley Holdings requesting he provide details of the number of shares he thought proper in the flotation of a new mining company?

If, "Yes", under what terms did the Premier reply?

Sir CHARLES COURT replied:

If the honourable member desires to continue—along with his colleagues—this Perry Mason-type of cross-examination, I suppose that is in the hands of the Speaker.

So far as the particular letter is concerned, whilst my memory is fairly good, I would not be able to say I could remember receiving the letter.

There may be such a letter, and if there is I would have no compunction in making it available; no compunction at all.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 6)

Second Reading

Debate resumed from the 9th November.

MR B. T. BURKE (Balga) [4.35 p.m.]: The Opposition supports this legislation.

Mr Rushton: I thank the Opposition for its support of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr Rushton (Minister for Local Government), and transmitted to the Council.

LAND AT MAYLANDS FORESHORE

Reasoning: Motion

Debate resumed, from the 3rd November, on the following motion by Mr Harman—

Whereas an area of land adjacent to the foreshore on the Maylands Peninsula from near Bath Street to Peninsula Road was proclaimed for Parks and Recreation in the Region Scheme in 1963, it is now the opinion of this House that the decision should be set aside to the extent that Lots 561 to 563 inclusive be rezoned so that a reasonable and adequate portion adjoining the Swan River remain reserved for Parks and Recreation and the remainder adjoining Hardey Road revert to its former classification.

MR RUSHTON (Dale—Minister for Urban Development and Town Planning) [4.37 p.m.]: When the member for Maylands introduced this motion, and put forward his views, he stated that the circumstances were rather unusual. In replying to the motion I indicate at the outset that I find the motion itself to be rather unusual.

On the day preceding the introduction of the motion, I think it was, it was indicated to us that the Labor Party had a policy of protecting our ocean foreshores. That proposition was put to us by the member for Morley as a great step forward in the policy of the Labor Party. The remarks of the member for Maylands seem to cut across that projection.

It is suggested that we should change the classification of the Swan River reserve for the purpose of allowing people to either build, or rebuild, their homes on that reserve. That proposition is totally inconsistent with the policy put forward by the colleague of the member for Maylands, and I find it to be most unusual.

It is also unusual for the member to bring forward a motion such as that now before us when, if he was sincere, he could have introduced legislation to make it possible for the House to decide the situation he outlined. However, he did not go that far.

Mr Harman: Have you authority to do that?

MR RUSHTON: The honourable member can always seek leave of the House. This is not within my authority. I am suggesting he would be acting contrary to his own party's protestations on policy if he did so. It was very interesting to hear that.

In the course of his remarks the member for Maylands said we must be sensitive to the issues concerning little

people. Of course one must be conscious of this factor at all times, and this is certainly a responsibility of Ministers. We are servants of the people; therefore in everything we do we must be conscious at all times of the way things relate to people. No matter whether they are big or small, fat or thin, or what colour they are, all people are equal as regards receiving consideration. I indicate to the honourable member that this is something of which we are all conscious and for which we must have regard.

But the honourable member has raised an issue which is really a value judgment as to when we should allow an individual to change a planning proposal which is in the public interest. We had the public interest put forward by the member for Morley in regard to changing the ocean front by one kilometre. The next day we had the member for Maylands wanting to change the river front in the interests of an individual. That is something the House needs to evaluate in deciding how to treat this motion.

A number of the statements made by the member for Maylands were inaccurate. He referred to the fact that the MRPA regional scheme was announced. We all know that is not quite how it happened. In fact, back in 1956 these lots became a reservation for public purposes as proposed under MRPA Regional Interim Development Order No. 1 of 1956, and many of us remember the processes which took place.

There was the Stephenson and Hepburn report of 1955 which indicated this purpose. Then in 1956 there were legislative preliminaries which gave extra emphasis to what takes place in regional planning. Then we come forward to the stage where the regional plan itself—a statutory plan—was advertised over a period of three months and was laid before both Houses of the Parliament.

So I think it is somewhat misleading to say the plan was announced. I have related what happened. In fact, it was given considerable ventilation. I think 162 objections to the scheme were received, which indicates that people were indeed interested in what took place.

The honourable member made one reference from which he no doubt got the result he was after. He said these people were duped. Nothing could be further from the truth, in the sense that they had the opportunity to know what the reservations were. It is common practice that easements for zoning are not created on titles, and it is clearly understood that when one is purchasing a property one will check the zoning.

Mr Harman: By whom is it understood?

Mr RUSHTON: By everybody.

Mr Harman: Was it understood by the solicitors?

Mr RUSHTON: The case put forward was that a request was made of a solicitor to do a certain thing, and the submission was that the solicitor did not check the zoning. I would not know whether the solicitor had been requested to check whether a building programme could be undertaken or whether there was a requirement for open space. This must be taken into consideration. I am suggesting that to blame the MRPA for it is another thing. In this case the MRPA could not be held responsible for misleading people, which is the suggestion made by the honourable member.

Mr Harman: I said they were duped by the system, not by the MRPA.

Mr RUSHTON: There is a responsibility on the individual or his agents. It is not for me to find out who was responsible. It is up to the individual to check the zoning of the land. This zoning was put forward in 1963.

The honourable member made the statement that nowhere was there any evidence of zoning. Either this is a naive approach to planning and what goes with it or the honourable member is deliberately making a misleading statement. I would like to believe he was naive on this occasion and did not understand the circumstances.

The member for Maylands has made representations to me in this House for changes to take place in this instance. People whose political philosophies are different from his made representations before he made his representations.

Another point made by the honourable member was that representations had been made over the years. I forget the year in which the representations began. From memory, the honourable member said representations had been made during the time his own party was in office, and I find from the records that representations were made to the MRPA from 1974, when the present Government came to office.

Mr Harman: What date in 1974? You did not come into Government until April.

Mr RUSHTON: The schedule given to me shows that in respect of Lot No. 561 the MRPA received a letter on the 16th April, 1976, to which it replied on the 2nd June, 1976. In respect of Lot No. 562 application was made on the 2nd October, 1974, to which a reply was sent in October, 1974; another application was made on the 25th March, 1976, which was replied to on the 27th April, 1976. In respect of Lot No. 563, application was made on the 5th March, 1976, and a reply was sent on the 24th April, 1976. These are the dates on the file.

The honourable member told the House continuous representations had been made over the years, and I gained the impression that he, himself, had made representations during the time his own party was in office. They must have been verbal

representations because the report given to me is that in fact the MRPA did not receive those representations.

Mr Harman: That would not be correct.

Mr RUSHTON: So another misleading indication was given to the House in relation to representations by the honourable member. I can only assume he was referring to verbal representations to the Minister of his own party, from which he received no satisfaction.

Mr Harman: They were not to the Minister. I made approaches to the MRPA.

Mr RUSHTON: Verbally?

Mr Harman: Yes.

Mr RUSHTON: I do not think the MRPA works very well on verbal approaches. I accept that as the honourable member's response, but the file certainly does not show any written representations at that time.

I have indicated the time at which these written requests were made. The honourable member referred to Tranby-on-Swan and I suggest that the event of the Tranby-on-Swan development might have sparked the interest of people who believed they should receive further consideration in relation to their properties.

During our time in Opposition, we received all sorts of submissions that the then Labor Government had acted improperly in relation to the development of Tranby-on-Swan. As a result of my queries at that time, I found that the alignment of Swan Drive was changed, and I was not able to ascertain that anything other than reasonable and proper conduct had occurred in relation to that matter. I am suggesting to the honourable member that if he sees anything sinister in what occurred then, he is at liberty to view the file in my office. If he can indicate to me that some malpractice took place at the time his Government was in office—because that is the time the event occurred—he is free to do so. I gather from his remarks he is not suggesting that anything improper took place.

While in Opposition we received many representations from nearby residents because the development was regarded as something different from the usual. I indicate to the honourable member that the MRPA negotiated with the developers as well as with the City of Stirling which was involved. The member asked the reason for the amendments, and the answer to his query is that adjustments were made as a result of the negotiations. The regional reserve right along that part of the river was given to the authority, and I am given to understand that further developments will require other reserves to be put aside so that there will be more reserves in that area as and when further development takes place.

The lots about which the honourable member has inquired were required for the retention of the reserve along Hardey

Road. Generally speaking, where there is a clearly definable boundary, the planners take this into account; otherwise they work in with the topography of the area. This was the answer given to me in relation to the land used for Tranby-on-Swan.

As the member would know, there are cliffs a little further north, and the perimeter of the reserve is often decided by such a break in the terrain. As far as I can see there appears to be nothing unusual in what took place. Actions were taken with good intent, but as I say, if the member thinks differently, I would be only too happy, on the member's request, to personally follow through on this matter. If the member would like to read the documents on the file, he is welcome to study them in my office.

The motion before us refers to a value judgment. I have here with me plans which show that forward plans were made to create a reserve pattern for this area by means of long-term planning. The planners of 1955 and 1963, the Houses of Parliament, as well as the community at the time, indicated that they wished to retain public access to the river.

Mr Harman: We are quite happy to have the foreshore area of that land set aside for parks and recreation. All the people are asking for is that the roadside of that area be allowed to develop for residential purposes.

Mr RUSHTON: I understand the honourable member's comment, and I have just suggested that the concept of holding these reserves was put forward as a strategy a long while ago. If members study the detail of the reserve, as the honourable member suggested we should do when he introduced the motion, we see that it varies in width. Some parts of the reserve are wider than others, and in some odd circumstances we find problems have arisen. Although I have sympathy for the people concerned as individuals, we must be aware that the same problem arises from time to time. If we make a decision for humane reasons in one case, we will find that everyone else demands the same treatment.

I would like to repeat that this was a value judgment. While I do not have the right to adjudicate on the matter because the Parliament gave this authority to the MRPA, I would ask the House not to accept the motion before us for valid reasons. Firstly, we can see the inconsistency between the policy of the Labor Party and its thinking in regard to the preservation of ocean and river fronts for the people. The second reason is that many of the submissions made by the honourable member were incorrect. The applications were not written applications to the MRPA.

Mr Harman: I discussed it with—

Mr RUSHTON: With individuals?

Mr Harman: No, with the Secretary of the MRPA. He undertook to raise these matters.

Mr RUSHTON: If one seeks to change the classification of a reserve, one must make a very positive application. We have traversed the issue and it comes down to a matter of value judgment.

Mr Harman: What were the other misleading things I said?

Mr RUSHTON: I will turn back here to a list of them. One was the dates on which the honourable member made representations to the MRPA. The honourable member claimed also that the people had at least been duped, and I refute that.

Mr Harman: Duped by the system.

Mr RUSHTON: One could say that about everything that happens. I am not going to name people, but one group of people involved has a wide knowledge of planning procedures, and the other person involved took the matter to a local legal firm. I suggest that it is certainly not the responsibility of the planners, and it is not a case of the system having let down the clients.

Mr Harman: You would agree there was no indication on the title?

Mr RUSHTON: No, and there could be no indication. There are a number of matters which do not appear on titles, and we all accept those.

In conclusion, I would like to say that I delayed deliberately answering this motion to give members the opportunity to consider the points put forward by the honourable member. I do not find that in the public interest, in the general interest, we can afford to change a planning concept that was approved by this House in 1963. I ask members to vote against the motion.

MR HARMAN (Maylands) (4.59 p.m.): I would like to thank the Minister for replying to this motion. I realise, as indicated to the House previously, the Minister had committed himself already to the MRPA zoning in that particular area. So it is quite natural that the Minister should maintain the decision he had made previously.

Perhaps I should again read the motion to the House. It is as follows—

Whereas an area of land adjacent to the foreshore on the Maylands Peninsula from near Bath Street to Peninsula Road was proclaimed for Parks and Recreation in the Region Scheme in 1963, it is now the opinion of this House that the decision should be set aside to the extent that Lots 561 to 563 inclusive be rezoned so that a reasonable and adequate portion adjoining the Swan River remain reserved for Parks and Recreation and the remainder adjoining Hardey Road revert to its former classification.

In moving that motion I am not in conflict with any policy of the Australian Labor Party. All I am asking is that an area of land adjacent to the Swan River be set aside for parks and recreation, and I am asking the House to express an opinion that the three families who own the blocks of land in question should have the opportunity to develop the roadside part of the land so that they may lead a full life in that location.

I simply want the House to express that opinion. I know the Minister has committed himself to the zoning plan, and I do not criticise him for that. However, I remind members of this fact: If people in my electorate have a problem in respect of which they have endeavoured, through the channels available to them, to obtain some sort of remedy but have been unsuccessful, then as their member of Parliament it is my duty to bring the matter to this court, this Parliament, to see if it will provide some help to them.

If this Parliament expresses an opinion, that opinion would have some weight with the MRPA. That does not mean the MRPA has to take notice of the decision of Parliament, but I feel sure that body would have some cognizance of decisions made in this place.

I would like all members to think about the position. We have had ample opportunity to study the map on the easel in the front of the Chamber, and we can see there is a considerable amount of land on the Maylands peninsula set aside for parks and recreation.

Mr Rushton: To carry it to a ridiculous extreme, why should not members bring every issue to the House? Are you advocating that members bring every little issue relating to town planning decisions and appeals to this House?

Mr HARMAN: No; appeals should go to the Minister first. These people have exhausted every other avenue available to them, and their final avenue is the member of Parliament who represents them in this place. Having seen the results of all their efforts, the only avenue available to me is to bring the matter to Parliament, because the Parliament represents the people of Western Australia; numbered among whom are the three families concerned at the Maylands peninsula, as, indeed, are all the other families in Western Australia.

I see no conflict at all in my doing my duty as the member for the area and asking the Parliament to make a determination on the issue.

Here we have three families. In two cases the land was acquired many years ago, and the intention was that the son and the daughter would have the opportunity to build on it. In the third case, as I have already explained to the House, the person purchased the block of land in 1966 by going to a reputable firm of

solicitors and asking them to check the title and to make arrangements for the purchase. He purchased the block in good faith, and at the time he believed he could build a house on it. However, he has now found that is not the situation at all, and that the arca was zoned in 1963 for parks and recreation.

I believe there is a case for members to consider, and that members should be sympathetic towards the position in which these people find themselves. I ask only that members think about this case. I know we make decisions on many issues in this place which involve large numbers of people. However, from time to time we find we must make decisions concerning only a small number of people in Western Australia, and this is one such case. I ask members to be sympathetic towards the problems besetting these three families.

I think the Minister tried to introduce into the debate some question of politics; he claimed that something happened between 1971 and 1974. I have not approached this question with any sort of political intent. I am here because I happen to be the member for the area, and the people involved live in my electorate. I feel this is the only possible way I have of obtaining some sort of remedy for their situation. I am not really concerned about the remarks made by the Minister. I agree it is a question of a value judgment and, as the Minister pointed out, there certainly are no criteria on which we can base that sort of judgment.

When we look at the plan on the wall of the Chamber, we can see that as the parks and recreation reserve winds its way around the river it has varying widths; in some parts, it is very narrow while in other parts it is quite wide. One can see as it travels around the Maylands peninsula that all the foreshore area is protected by the parks and recreation reserve. The large area of land contained in the old Maylands aerodrome this year has been made an "A"-class reserve which will be developed in the years to come for the enjoyment of the people in the area.

All we are asking now is that the roadside portion of this reserve be changed in its zoning so that the people can build their residences on those blocks. I would hope that when the expression of the House is made, members will consider the plight of these three Western Australian families. They wish to live the rest of their lives in this nice area; they have purchased land there and for many years have had the expectation and hope that they would be able to build their residences on the land, and live out their lives on their properties. I ask the House to support my motion.

Question put and negatived.

Motion defeated.

LIQUOR ACT AMENDMENT BILL

Council's Amendments

Amendments made by the Council now considered.

In Committee

The Deputy Chairman of Committees (Mr Crane) in the Chair; Mr O'Neil (Minister for Works) in charge of the Bill.

The amendments made by the Council were as follows—

No. 1.

Clause 11, page 6, lines 25 to 30—Delete paragraph (a).

No. 2.

Clause 11, page 6, line 39—Insert before the word "imposes" the words "is well managed and".

No. 3.

Clause 11, page 7, lines 1 to 4—Delete subparagraph (iii).

No. 4.

Clause 14, page 8, after line 14—Insert a new paragraph to stand as paragraph (d) as follows—

(d) by adding after paragraph (a) the following paragraph—

(aa) the liquor to be supplied pursuant to the permit is obtained by, or made available to, the permit holder by a body or organisation (not being a manufacturer or producer of liquor) of which the sole or a principal object is the promotion of one or more types or varieties of Australian produced liquor;

No. 5.

Clause 15, page 8, lines 15 to 17—Delete all words in the clause and substitute the following—

Section 51 of the principal Act is amended—

(a) by adding at the end of paragraph (b) of subsection (2) the passage "and when so displayed shall be of such size and specifications as is prescribed by regulations made under the provisions of section 177" ; and

(b) by deleting the word "entertain" in line one of subsection (5) and substituting the word "hear".

No. 6.

New Clause.

Page 4, line 4—Insert after clause 6 a new clause to stand as clause 7 as follows—

Section 24
amended.

7. Section 24 of the principal Act is amended by deleting the passage "beer, in sealed containers, in quantities not exceeding 1.5 litres to any one person" in lines 6 to 8 of paragraph (a) of subsection (2) and substituting the words "liquor in sealed containers".

Mr O'NEIL: I noted the other day that on receipt of a Legislative Council message requesting amendments to legislation the Premier moved that all the amendments be agreed to. I do not propose to move quite along those lines, but I suggest it would facilitate the business of the Committee if I suggested that we agree with Legislative Council amendments Nos. 1 to 5.

I shall explain the purport of those amendments. I think most members would have studied them and perhaps there will be no problem in regard to their acceptance.

Amendments Nos. 1, 2 and 3 are all related to clause 11 of the Bill and in fact fulfil an undertaking I gave in respect of proposals made by various members during the debate previously in this Chamber. They are those which would enable voluntary organisations to hold functions in premises other than licensed premises in the metropolitan area as well as in the country.

Members might recall that provision was made for voluntary organisations to hold meetings and functions in licensed clubs where no hotel licensed premises of a suitable nature were available. A question was raised as to why this should not happen in the metropolitan area and the answer was given that there are many hotels which would be suitable. I think the member for Mundaring said that in certain parts of his electorate, whilst it is in the metropolitan area, these conditions perhaps would not obtain.

However, another factor intruded which now makes it more sensible if we adopt the proposals of the Legislative Council because we have now deleted that strange line which passed through various parts of the country. So I believe that this is satisfactory.

The question was also raised as to whether these organisations which desire to hold functions should in fact have been in existence for a recognised period. The purpose of the proposal was so that we would not have a situation whereby during the week somebody decides to form a club of some nature for the purpose of holding a function at which liquor would be obtainable and then has a licence granted under the provisions of the proposed Act.

There was a question as to whether the period which appeared in the Bill was too long. I think it was two years. However, a much more acceptable compromise has been reached in another place to the effect that as long as it is considered the association is bona fide and well managed the term requirement is omitted. I think that is a better solution than the one we came to so I can see no objections to amendments Nos. 1, 2 and 3, which are all related to the same subject. I recommend that the Committee adopt them.

I do not think the matter contained in amendment No. 4 was raised in debate in this Chamber; I do not recall it anyway. But the Leader of the Opposition in the Legislative Council moved an amendment which makes it possible for certain wine tasting functions to be held, especially in respect of Australian-produced liquor.

This amendment of the Council is also acceptable. The Minister for Justice has indicated his acceptance of the principle; the matter has been studied; and an appropriate amendment was prepared, and it was then accepted by another place.

It will be noted that in this amendment made by the Council the express purpose is to cover bona fide wine-tasting functions where the liquor is supplied by the Wine Information Bureau or a comparable body. Members should note that the amendment uses the terms "obtained" or "made available" as distinct from "purchased". This amendment has come about as a result of a compromise on a principle which both parties supported.

Referring to amendment No. 5 made by the Council, this again was inserted by agreement, and it was moved by the Leader of the Opposition in another place. This is a requirement which simply states that where premises or property are the subject of a provisional licence, then such premises or property ought to be identified by means of a placard or sign. I think that is a fair amendment. It is important that people who desire to buy a residence adjacent to an area in respect of which a provisional licence has been issued ought to know the position. There is certainly no objection to this amendment made by the Council.

I move—

That amendments Nos. 1 to 5 made by the Council be agreed to.

Mr SKIDMORE: I thank the Minister for his lucid explanation of the Council's amendments. Speaking as a person who fought valiantly in support of these proposals whilst the Bill was in the Assembly, I am pleased to see them before us.

I see a great deal of merit in the Council's amendments, particularly the one which does away with the long period of time which must elapse after the formation of an association before it can obtain a function permit. There could be a

change of name by an association and that would create a new and lawful association, which previously had been managed very well for many years. However, that association would not be able to obtain a function permit. I agree with the Council's amendments.

Regarding the amendment to provide for the display of a placard or sign indicating premises in respect of which a provisional licence has been issued, if that procedure had been followed in the Lockridge-Walter Road area we might not have had so many angry householders or ratepayers complaining about the proposal to erect a tavern. They would have understood the situation. I support the amendments made by the Council.

Question put and passed; the Council's amendments agreed to.

Mr O'NEIL: We now come to the most controversial issue in the Bill before us. I refer to Council's amendment No. 6 which inserts a new clause. It will be recalled that originally the Bill made no provision for alteration to the procedure governing the sale of liquor in containers on Sundays. However, it did contain certain restrictions as to the hours on which licensed premises were permitted to trade on Sundays. A problem arose over a line that was prescribed within a certain radius of the City of Perth, and that line happened to pass through the town of Collie, but certainly not through any hotel.

By the deletion of clause 7, at my suggestion, the problems related to an inner and outer trading zone disappeared, and again the amendments in that particular provision made no reference to an alteration in the selling of liquor in containers on Sundays, but several attempts were made in this Chamber to alter those provisions.

The Legislative Council has seen fit to propose a new clause which, in fact, again attempts to amend section 24 in one respect only; that is, in regard to the type and quantum of liquor which may be sold in any hotel on a Sunday during the legitimate trading hours. The proposal is that liquor in containers in any quantum and of any type may be sold freely in hotels anywhere in the State on Sundays.

Members will appreciate that the present provision is that no more than two bottles of beer may be sold to any one person during Sunday trading.

As I have said on so many occasions, Liquor Bills are those upon which members may vote according to the way they see fit, and all I can do at this stage is express my personal opposition to any extension regarding the sale of liquor in containers during legal Sunday trading hours. Therefore if people agree with me they should oppose this particular amendment. I move—

That amendment No. 6 made by the Council be not agreed to.

Mr SKIDMORE: The Minister and I have come to a parting of the ways on this matter. Most members would be aware of the valiant efforts made by me and others in an endeavour to have lifted the stupid restriction on type and quantity of liquor which may be sold on a Sunday. The situation has become quite farcical.

I acknowledge and appreciate that the Minister at all times has stated quite categorically that personally he is opposed to the principle contained in the amendment. On behalf of many associations I have submitted the point of view that the restriction should be lifted, but this was not done. However, in another place wiser counsel has prevailed and hence the amendment before us. The restriction was an abysmal failure because people were able to circumvent the law legally, and therefore it was a stupid law and it should be removed as is proposed under the amendment. In this way our law will be made sensible and it will become obvious that at least some legislators in another place and here have amended the law so that we may enjoy civilised drinking on a Sunday.

Mr T. H. JONES: I support the amendment which has been presented to us by another place. As the member for Swan has said it is in line with an amendment he moved in this place previously.

The DEPUTY CHAIRMAN (Mr Crane): Order! There is too much chatter in the Chamber which makes it difficult for *Hansard* to record the debate.

Mr T. H. JONES: We cannot close our eyes to the situation which exists. It is a known fact throughout Western Australia that if one desires to purchase more than two bottles of beer on a Sunday all one needs to do is to go from bar to bar, or from hotel to hotel. The present situation in Western Australia is a joke, and the sooner we accept our responsibilities the better the law will be.

Mr P. V. Jones: Why does it have to be in containers on a Sunday at all?

Mr T. H. JONES: I do not know whether or not the Minister drinks alcohol, but it quite often happens that friends drop in on a hot Sunday when one does not have a drink in the house.

Mr Sibson: That is bad management.

Mr T. H. JONES: I will make my contribution, and the member for Bunbury can make his contribution later.

Mr P. V. Jones: The amendment is designed only for people who drop in on hot Sundays?

Mr T. H. JONES: Not only on hot Sundays. The Minister would be aware that in Narrogin one can go to three or four bars in the hotel and buy two bottles in each bar. The present situation is absolutely stupid. People violate the law every Sunday.

Mr Watt: The law is only violated when more than two bottles are sold.

Mr T. H. JONES: The member for Albany can make his own contribution. I have made my position clear. I support the amendment.

Mr O'NEIL: I would simply like to suggest that this debate has already taken place some time ago. I do not think there are any points which have not been canvassed or forcibly expressed.

In view of the hour, and the reason we desire to adjourn fairly soon, might I suggest to the Committee we simply put the matter to the vote.

If that is not acceptable I will have to take the alternative of reporting progress. I think most members of the Committee have already expressed themselves very freely on the issue, so perhaps wiser counsel might prevail and we might go to a vote and adjourn reasonably close to the time we set.

Progress

Progress reported and leave given to sit again, on motion by Mr Bertram.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR O'NEIL (East Melville—Minister for Works) [5.30 p.m.]: I move—

That the House at its rising adjourn until 11.00 a.m. tomorrow (Thursday).
Question put and passed.

House adjourned at 5.31 p.m.

Legislative Council

Thursday, the 18th November, 1976

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 2.30 p.m., and read prayers.

QUESTIONS ON NOTICE

Postponement

THE PRESIDENT (the Hon. A. F. Griffith): I advise that questions will be taken at a later stage of the sitting.

AUSTRALIAN BROADCASTING COMMISSION

Symphony Orchestras: Motion

THE HON. R. F. CLAUGHTON (North Metropolitan) [2.35 p.m.]: I move—

That this House views with concern the proposal that Australian Symphony Orchestras should be reduced and, in particular, the Western Australian Symphony Orchestra, and further urges the West Australian Government to make representation to the Australian Government requesting

that it take such action as is necessary in order to at least maintain the present levels of activity of the Australian Broadcasting Commission in this State.

Members of this House would be under no illusion that the continuance of the Western Australian Symphony Orchestra is under threat, as are many of the programmes that are produced within this State for television and radio. I would like first to refer to some of the comments in two reports which make it quite plain that this threat has been stated and, because of the financial restrictions on the Australian Broadcasting Commission, is something which is highly likely to occur.

The Western Australian Symphony Orchestra has 57 permanent players and has an established strength of 65 players. It is the symphony orchestra in Australia which enjoys the highest percentage of attendance of any mainland orchestra. Its attendance records indicate it plays to 9.9 per cent of the State's population, which is a very significant proportion and for this State at least it demonstrates that the charge of elitism in its audiences would be difficult to sustain. Most of the concerts conducted by the orchestra are sold out in advance and the current concert has been extended by one night, this Friday, the 19th November.

In the IAC report which was tabled in Parliament this year reference was made to the orchestra on a number of occasions and I would like to quote these for the information of members. On page 19 of the report the commission sets out what it considers to be the historical reasons for the establishment of the orchestra. I quote—

These orchestras appear to have been originally established for three reasons:

to provide classical music for broadcasting of a higher technical quality than was then possible with recordings;

to meet a need for public performances prior to the general availability of high fidelity equipment in homes for musical reproductions (both from broadcasts and recordings); and

to foster the expansion and quality of local musical talent.

Then, in partial justification for the abandonment of some of the orchestras of the Australian Broadcasting Commission, the report goes on to state—

As recordings made in special studios now provide music of a higher technical quality than that available from most public performances, as the community's access to such music has been expanded by electronic developments and as the costs of maintaining