

Legislative Council

Wednesday, 21 October 1981

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

QUESTIONS

Questions were taken at this stage

DAIRYING: PRODUCTS AND MARKET MILK

Inquiry by Joint Select Committee: First Meeting

THE HON. NEIL McNEILL (Lower West) [5.12 p.m.]: I seek leave of the House to move a motion without notice in relation to the Dairy Products and Market Milk Joint Select Committee.

Leave granted.

The Hon. NEIL McNEILL: As members will be aware, at a previous sitting a resolution was agreed to establishing a Joint Select Committee for the purpose I have just stated. Standing Order No. 383 requires that the message, when conveyed to the Legislative Assembly, shall nominate the time and place of the first meeting. That being so, I move, without notice—

That the Legislative Assembly be advised that the first meeting of the Joint Select Committee will be held in the Select Committee Room at Parliament House on Thursday, 22 October, at 10.15 a.m.

Question put and passed.

CLOSING DAYS OF SESSION: SECOND PART

Standing Orders Suspension

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [5.14 p.m.]: I move—

That during the remainder of the current session so much of the Standing Orders be suspended as is necessary to enable Bills to be passed through all stages at any one sitting, and all Messages from the Legislative Assembly to be taken into consideration forthwith.

The purpose of moving this motion and the one to follow is to provide the machinery which will enable the House to deal with legislation through the various stages without undue delay during the remainder of this session, should such action become necessary. This procedure is adopted in each session, and is not designed to curtail debate

but to ensure the orderly progress of business to come before the House in the latter days of the session.

In this regard, I again emphasise that adequate consideration will be given to accommodate members wishing to contribute to the debate on any particular measure. This can be achieved by a spirit of co-operation on both sides of the Chamber; something which, I am pleased to say, has prevailed over the years.

I make mention also at this stage that, as circumstances become evident towards the end of the session, it may become desirable to align our commencing times for the daily sittings with those of the Legislative Assembly. That will enable the official transmission of the business between the two Houses, and eliminate possible loss of time.

In such an event I have in mind sitting at 2.30 p.m. on Wednesdays and 11.00 a.m. on Thursdays, but only at such times as it is deemed necessary to do so.

In case any member has in mind asking me the question as to when this session is likely to end, I can only say that we may have a clearer indication in a few weeks' time when a more accurate assessment can be made of the remaining business before Parliament.

I commend the motion to the House.

THE HON. LYLA ELLIOTT (North-East Metropolitan) [5.16 p.m.]: I have not consulted my colleagues on this, but I am not very happy with this motion and I am inclined to oppose it. Towards the latter stages of every session motions similar to this are moved. It usually occurs when Parliament has a week or so to sit before the end of the session and the Government has a great deal of legislation it wishes to rush through in that time.

I have been very opposed to the way in which the Government has done this, particularly when it has waited until the end of the session to debate some very important Bills. The Government has expected members to debate matters of great interest to the people of Western Australia in a short period of time, without having a proper chance to look at them.

Along with other members of my party, I thought this motion indicated the Government intended to draw the session to a close very soon and that is why I sought information by way of a question without notice a few minutes ago. If that is not the intention of the Government, I should like to know the motive behind this motion. Why should the Opposition be expected to debate legislation—any legislation is important, but some measures are more important than others—at one

sitting? Surely we should be able to observe the normal procedures and be given a chance to adjourn Bills to enable us to examine them properly.

On those grounds, I shall oppose the motion, unless we are given very good reasons for it.

THE HON. W. R. WITHERS (North) [5.18 p.m.]: If I were still a member of the parliamentary branch of my party, I would have gone along with the motion, not only because it came from the party, but also because I would not have considered to any great extent the comments which have been made by the Hon. Lyla Elliott. By that I mean the implications would not have been brought home to me to such an extent as they have been now. I do not mean I would have disregarded the position, but probably I would not have given it as much thought.

Whilst the Minister and the Hon. Lyla Elliott were speaking, it came to me that I would not be doing the right thing by my constituents if I agreed with this motion, because how the devil am I to be able to know what is in a Bill and do the research on it in the same way as members opposite must, if I have not had the advantage of listening to the debates in the party room before a Bill is presented to Parliament?

I am virtually in the same position as the Opposition, although I am a Liberal member and still project Liberal philosophies in this House. There is no way in the world I could do the right thing by my constituents, were I to vote for this motion. There is inadequate time to carry out research on a Bill in one day. It is just not possible.

I believe, particularly in a House of Review such as this, legislation needs to be researched with constituents and it is necessary at times to consult experts in the particular field concerned, before one can speak on a measure. All of us cannot have all the necessary experience to speak with expertise on every piece of legislation which comes before us.

I understand the dilemma in which the Government finds itself towards the end of the session and I understand also that some people would probably vote against the second reading of a Bill if they believed they had insufficient time to research it after this motion was passed.

However, some members here are under party pressure to vote in a certain way to get a Bill through. Therefore, there is too much doubt in my mind about the position to allow me to vote for the motion.

THE HON. F. E. MCKENZIE (East Metropolitan) [5.20 p.m.]: The Hon. Lyla Elliott

has raised a very important point and it is true that the Opposition has not, as a group, discussed the ramifications involved in the motion.

When I first came into the House over four years ago a motion similar to the one we are debating now was moved. I was quite puzzled by it, because some very heavy legislation was before the House. In the course of debate I protested at the method adopted by the Government to rush through legislation, particularly in view of the fact that some of the Bills were of major importance. This sort of procedure had been adopted over the years and I assumed it was a convention which had been accepted for a long time. However, it is a very bad convention; the Hon. Lyla Elliott has raised the matter, and opposition has been expressed to the motion. Therefore, I feel it would be remiss of me if I did not voice a protest also.

I realise problems are experienced at this time of the year by some members who have arranged to go overseas or who have other commitments. Nevertheless, legislation is an important facet of people's lives and we ought not to take it too lightly. I have seen this sort of trend develop particularly at the end of a session and it is not fair to members who want to research legislation and consider the ramifications of it.

If a motion such as this were moved by a Government of any political colour I would oppose it. Certainly if a Labor Government moved such a motion, I would oppose it in the party room if we intended to bring down important legislation which needed a great deal of study.

For those reasons, I intend to oppose the motion, bearing in mind that we should not rush important legislation through the House. It is quite impossible to consider in one day the implications of legislation, irrespective of its importance.

THE HON. R. HETHERINGTON (East Metropolitan) [5.23 p.m.]: I know this sort of motion is moved every year and it is usually taken by the Opposition to be an indication the session is about to draw to a close. It seems to me the motion is a little early this year and it tends to indicate we are about to go through the normal "legislation by attrition" where we grind through late sessions which sometimes stretch into all-night sittings in order to pass important legislation. That is a practice of which I have never approved. It means one has to become rather better than one might otherwise be at picking up fine points at 2.00 a.m.

I suppose I am fortunate in that I seem to get a second wind after midnight, but I am not too good at 11.30 p.m. I do not enjoy this time of year and it would be better if it were avoided.

I am just wondering about the timing of the motion, because it appears to me some important legislation which is now in the other place will be debated here in the near future and I would hate to think there was any intention on the part of the Government that, for example, the workers' compensation legislation should be hurried through this Chamber by the process of attrition. That would be highly undesirable, particularly bearing in mind this is a House of Review and we on this side have a person who is peculiarly well fitted to review such legislation. I certainly hope he will have time to do this and that he will have the opportunity to move such amendments as may improve the legislation when it is dealt with here, because I am quite sure that will be necessary.

I remember the first year I was here I wanted to protest against a motion similar to this, but I was told it was always passed and I might as well save my breath, so I did that. Perhaps I have a little more freedom this year and I join with my colleagues and say we have not been very happy about this motion when it has been introduced in any year since 1977, when I arrived in the House, and perhaps the time has come to make some protest.

THE HON. P. H. WELLS (North Metropolitan) [5.25 p.m.]: I rise to support the motion. I would have had some support and sympathy for the views expressed by the Hon. Lyla Elliott had it not been for the experience I have had since entering this House of the way in which the present Leader handles the business. Indeed, any person who wants to speak to legislation is accommodated.

Frequently Bills are supported by both sides of the House and it is clear from reading *Hansard* that on such occasions there is little debate, because consensus is reached. In legislation of that nature there is no reason that we should not take advantage of a motion such as this which will speed up the proceedings.

In the case of Bills which require a little more time and greater consideration by members, I am certain the Leader of the House, in his wisdom, would take into consideration any expression by members that they wanted a longer period to look at the legislation. I find it is necessary to carry out a certain amount of research to understand the legislation which passes through the House and I have been justly satisfied the Leader of the House meets those needs.

THE HON. PETER DOWDING (North) [5.27 p.m.]: I join the opposition to the motion and ask the Leader of the House to reconsider it. A number of points have to be made. The first is that, because of the way in which the electoral system works, there are only nine Opposition members in the upper House. Therefore, if there is to be a proper debate in which the Opposition considers the legislation, the work must be spread between a relatively small number of members. Bearing in mind the particular interests of some members and the areas of experience they have, the burden tends to fall more heavily on some shoulders than on others.

When we are dealing with legislation which involves important and complex matters, it is impossible to research it adequately within the ordinary time limits, and extra time is sought from the Leader. Frequently that is granted. I cannot say it is not invariably granted, because it may be. It is certainly granted sometimes when we need to consider important points.

Of course, some very minor pieces of legislation to which there is no objection are dealt with from time to time, but even they need to be checked and it would impose an unreasonable burden on members of this House were they to be passed in one day.

There is a second important matter which should be considered and the Hon. Bill Withers touched on it briefly; that is, the facilities provided for members of Parliament in this State are probably the worst facilities given any members of Parliament, with the exception of the Opposition members in Queensland.

We do not have adequate access to research officers or staff and we each have one poorly paid secretary in our electorate offices. Country members who have their electorate offices in their electorates do not have an office in the city and they do not have staff available to them in Parliament House.

As a whole, the Opposition does not have anything like the number of staff available to it as does the most junior Minister. Whilst I appreciate these luxuries come slowly and whilst I have heard *ad nauseam* about the limitations and restrictions imposed by Premiers of all political parties on facilities available to members of Parliament, the fact is the business of Government and Parliament has become more complex. Electors demand more from their members of Parliament than hitherto, bearing in mind the improvement in communications provided by telex facilities in most sections of the community. There is a greater demand for an

immediate response from members of Parliament and it is impossible to manage adequately without additional facilities.

The Hon. W. R. Withers: Where did you get the telex facilities from?

The Hon. PETER DOWDING: I say that we do not have them. The Government members, of course, do. The point I make is that Opposition members are at a great disadvantage as they are the ones who have to give careful consideration to legislation and it is in the interests of the public that legislation should be carefully considered. There is no point in sitting otherwise, is there?

The Hon. R. J. L. Williams: How about the back-benchers?

The Hon. PETER DOWDING: Mr Williams' contribution!

The PRESIDENT: Order!

The Hon. PETER DOWDING: We have pointed out on a number of occasions to Ministers on that side of the House that there have been inadequacies.

The PRESIDENT: Order! One hour having elapsed after the time fixed for the meeting of the House, leave of the House will be necessary to enable the present debate to continue.

Leave granted.

The Hon. PETER DOWDING: It is an integral part of the democratic process—however much that may be, but certainly it is a rubber stamp in this place—that legislation is reviewed by the Opposition and debated. As has been indicated already, we have on a number of occasions pointed out to the Minister inadequacies in respect of legislation that has in fact passed the lower House; in other words, it has received scrutiny there and we have been in the position of having to point out inadequacies to the Minister. On some of those occasions I am pleased to say the Minister has taken the Bill away and done something about it. I can think of two examples immediately where, despite the Minister for Conservation and the Environment's repeated protestations that there was nothing wrong with his legislation, he ultimately went away and came back with it in an amended form. It is not practical for difficult, serious, or complex legislation to be given consideration in one day.

Insufficient notice is given of legislation. The time for giving it ought not run from the moment the Bill is introduced in the other place. We have enough business in this House from time to time to occupy our attention. The notice should be the period before our examination of the legislation occurs. I point out to the House, perhaps not in

the brash terms that I did in the early days of my being a member, but—

Several members interjected.

The Hon. P. H. Lockyer: Do not patronise us. We are awake up to you.

The Hon. R. Hetherington: You are easy to patronise.

The Hon. PETER DOWDING: It perhaps behoves me to say that there has been comment that the work load of this House at times has not been as arduous as the work load in the other place. There is no indication that we are being put in a position where there just is not enough time in a week to deal with the business of the day. I certainly abhor late sittings. The quality, if not the quantity, of debate is somewhat affected after 9.30 p.m. or thereabouts; but, nevertheless, if there is some substantial reason that this motion needs to be moved, I would expect the Minister to tell us.

He has not told us and has not been able to give us any indication that the session is drawing to a close. We have not been told that time must be set aside for difficult debates. I see no objection, if there is some problem in respect of time, to consideration being given by both sides of the House to time limits in an attempt to reach unanimity. Although that is not traditional in this place, there is a limit in the other place on the time for which each member may speak during a debate. I commend to the Leader of the House that it may be a subject which he should take up with our leader to see if some unanimity can be reached.

The Hon. Neil Oliver: I do not support that because everybody would be taking full time.

The Hon. PETER DOWDING: If the member wishes to think that would occur, that is his prerogative. I, unlike some members, do not want to be dogmatic about the solution to the time question. I am floating a suggestion.

The Hon. P. H. Lockyer: You really are patronising us.

The Hon. PETER DOWDING: As I said, that is not difficult, Mr Lockyer.

The Hon. P. H. Lockyer: We can see through him like a pane of glass.

The Hon. PETER DOWDING: It is not 9.30 yet and the quality of Mr Lockyer's interjections seems to be slipping.

The Hon. R. Hetherington: It would from 5.30.

The Hon. PETER DOWDING: I suggest however that there may be some better solutions which would be fairer in appearance and would in

a general way give a better opportunity for the Opposition to debate these measures. If this motion is going to be rammed through, it is most unfortunate and would be an expression of the dominance of numbers which does not allow the House the free debate that one would hope would occur. I urge the Leader to give further consideration to this motion and perhaps discuss it with the person who stands in the stead of our leader so that there can be some unanimity before this move. I do not believe that the debates in this House achieve benefits for either side, and it would be better to have something discussed on both sides and an agreement thereby reached, which should be the usual way before this motion is moved.

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [5.36 p.m.]: I assure members opposite that what is being moved today is entirely normal and usual. It is normal at about this time of year for motions such as these to be before the House. I can assure the Hon. Lyla Elliott also that it is not customary to do this about a week before the House rises. That may have happened once or twice. I have not read all the *Hansard* to see exactly when this was done, but in recent years it has been normal to do it about this time. This goes back to the time of the Labor Government between 1971 and 1974. I assure the Hon. Fred McKenzie that much the same kind—

The Hon. Lyla Elliott: Not in October.

The Hon. I. G. MEDCALF: —of thing happened.

The Hon. F. E. McKenzie: That is what worries me. I am not saying it is right. It should not have been done then either.

The Hon. I. G. MEDCALF: The reason is perfectly plain and is because about this time of the year, when nobody can tell when the session will end, it is necessary to impose some kind of machinery provision so that arrangements can be made where necessary to bring forward all legislation. I have said this is an annual event. We must keep in line with the Legislative Assembly. Members might not think that is very desirable but, nevertheless, we should do it. In the Legislative Assembly these motions were moved about a week ago and we must keep in line because of the need for the Houses to coincide. Therefore it is a routine measure.

The Hon. Lyla Elliott: It is time it was not a routine measure. I think it is unnecessary.

The Hon. I. G. MEDCALF: What I mean by that is that it is done as a machinery provision and is not done with any intention of preventing

members from debating any Bills. I have already given that assurance, but I can give it again. There is no intention whatsoever to prevent any member from having the adequate time he or she requires in order to debate any matter. I have already demonstrated on previous occasions that I am particularly anxious to ensure that all members have whatever time they need to debate particular matters. If they want more time it is granted to them.

The Hon. F. E. McKenzie: That is not the point. We need more time to research it. That is the important thing, to research before debating matters.

The Hon. I. G. MEDCALF: Nobody is going to hasten anything unnecessarily; I can give that assurance. As far as I am concerned, we will deal with matters in a normal manner, but we do need these motions on the books at this stage because we do not know when something is going to come from the Legislative Assembly which requires urgent attention.

The Hon. Peter Dowding: In 1978 it was moved about a week before the end of session and the Minister, Mr MacKinnon, told the House when he moved the motion that it was expected to end in a week. That is a quite different situation, isn't it?

The Hon. I. G. MEDCALF: That was only what happened in 1978. It does not always happen like that.

The Hon. Peter Dowding: You would understand why we would not object to that.

The Hon. I. G. MEDCALF: No. I remind the member also that last year members of the Legislative Council had to take some fairly strong action to force the members of the Legislative Assembly to curtail their session because we had a committee which was about to embark on some important tasks in another State, and to accommodate all the members of our Council on that committee we had to take fairly strong action, so the boot is sometimes on the other foot.

The Hon. Peter Dowding: It is not at the moment.

The Hon. I. G. MEDCALF: The same consideration as has been given in the past wherever possible will be given to members to have time to research Bills and ample time for debate. I give an assurance on that basis and ask members to support this motion.

The Hon. Lyla Elliott: It will be interesting to see what sort of legislation gets through.

Question put and passed.

NEW BUSINESS: TIME LIMIT*Suspension of Standing Order No. 117*

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [5.41 p.m.]: I move—

That during the remainder of this session, Standing Order 117 (limit of time for commencing new business) be suspended.

Question put and passed.

BILLS (2): THIRD READING

1. Acts Amendment (Land Use Planning) Bill.

Bill read a third time, on motion by the Hon. I. G. Medcalf (Leader of the House), and returned to the Assembly with amendments.

2. Acts Amendment (Mining) Bill.

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

TRANSPORT AMENDMENT BILL (No. 3)*Second Reading*

Debate resumed from 13 October.

THE HON. F. E. MCKENZIE (East Metropolitan) [5.43 p.m.]: The Opposition does not intend to oppose this Bill. It provides for the transference of responsibility for taxis in country areas from the Road Traffic Authority to the Commissioner of Transport. In the Minister's second reading speech he referred to the setting up of the Taxi Control Board and the legislation pertaining to it. The Minister for Transport at that time said, *inter alia*, "It is also contended that the board will extend its activities to country areas in the not-too-distant future". That was in 1963. We are very distant from then, some 18 years. Nevertheless, the need now appears, and one can only assume that from what the Minister said, because it is not spelt out very clearly in his second reading speech. He said the administrative funding of the board is at present under review as is the P. L. J. Carly report on the metropolitan taxi industry. That sort of implication is contained in two or three places in the second reading speech.

I would like to quote again from the Minister's second reading speech, as follows—

Nevertheless, it is considered that the Transport Commission, under the Commissioner of Transport, who is also the chairman of the Taxi Control Board, would be the suitable authority to administer

control over the country taxis because of the commissioner's present role in connection with taxis and for the reasons that . . .

One may be wrong in assuming that this has nothing to do with the Carly report. However, on examining the Carly report and considering the complaints that I, and no doubt other members, have heard regarding taxis, I have reason to believe that the owner-drivers in the taxi industry have not read the report. I do not know whether the Carly report is available to the people in the taxi industry, but I would certainly suggest to those who read *Hansard* that they obtain a copy of the report and study it in detail.

One of the major points that has been brought to my attention is that taxi drivers are unhappy about the multiple ownership of taxis. Up to 10 taxis can be owned by a family. I refer to a husband and wife team, because the Act prohibits a person owning more than five taxis. If one reads the Carly report it will be seen that it is possible to own as many as 14 taxis.

The PRESIDENT: Order! There is far too much audible conversation in the House, and I ask honourable members to refrain from it.

The Hon. F. E. MCKENZIE: Before it is too late might I suggest that owner-drivers and people employed in the taxi industry, generally, study the Carly report in full. I do not wish to offer any criticism of the report, but it is quite clear that there will be a change in the role of taxis in the future if the report is adopted by the Government.

The other facet of the Bill relates to responsibility being taken from the Road Traffic Authority and placed in the hands of the Commissioner of Transport, and this will, to some extent have an effect on local authorities. It does take away part of the role of local authorities, and we fully appreciate that. I am not certain whether it is a long-term proposition. This, however, is not sufficient ground on which to oppose the Bill and I have no doubt that consideration has been given by local authorities to this Bill. In this regard the Minister made the following comments in his second reading speech—

. . . the correct determination, which does not exist at the present time, of a fare rate structure for country taxis which takes into account differing regional characteristics; and

the development of a dialogue and liaison with country taxi operators, which they do not have at the present time, as their only contact is with a local constable or officer in charge of a station who would normally have little experience of their real problems.

Members may not realise that, under the present Road Traffic Act, local authorities can have a say in the fixing of fares in a particular area. This provision is contained in section 111 of the Road Traffic Act, which is about to be deleted. If one looks at section 111(3) of the Road Traffic Act, it can be seen that it reads as follows—

A local authority may, with the approval of the Governor, make by-laws regulating the fares for and the driving and operation of taxi-cars in its district and imposing penalties not exceeding two hundred dollars for any breach thereof.

It is true this power can be removed from local authorities and this is outlined in section 111(4), which reads as follows—

Where there is any inconsistency between the regulations and any by-law made or preserved pursuant to this section, the regulations shall prevail and the by-laws shall, to the extent of the inconsistency, be of no effect.

So by-laws can be overruled by the provisions of section 111 of the Road Traffic Act. Nevertheless, I do not know to what extent local authorities in country areas utilise this provision, but it certainly will not be available to them in the future. I do not know whether that in itself is a good thing because in future the Commissioner of Transport will have that responsibility and as his office is in the city he may not be fully aware of the situation in country areas. I suppose it is fair to say that he would be briefed to some extent, but the Bill is certainly taking something away from local authorities.

The local constable or officer in charge of a country police station would have more experience of the real problems of taxi drivers in his area than would the Commissioner of Transport. In raising this point, I do not think it is accurate to say that the local constable or officer in charge of the station has insufficient experience in this field, as the Commissioner of Transport is likely to have even less.

Further on in his second reading speech the Minister said—

It is considered also that the fundamental obstacle to any future change in the role of country taxis is the fact that control is at present being exercised by an authority that does not possess any definite policy in relation to its operational development.

I agree with that because it is true and is one of the reasons the Opposition supports the Bill. A change in the role of country taxis appears to be imminent; however, the Minister failed to

mention, in his second reading speech, that changes are about to take place. Further on the Minister said—

Already, recent research in relation to metropolitan taxi operation indicates that there could well be a changing role for the taxi in the future.

This is apparent if any part of the Carly report is adopted by the Government. Perhaps the Minister might like to make some comment on the possibility of changes in the future role of taxis both in the metropolitan area and in the country. There will be some substantial changes if the Carly report is adopted.

Whilst I am referring to the Carly report I would like to refer to what Mr Carly said about the country situation. He made a suggestion outside the terms of reference. His suggestion was headed "Country Parallel" and reads as follows—

That in the event of transfer of country taxi car control to the Transport Commission, consideration be given to the setting up of an advisory body in each region on the (modified) lines of the Advisory Council and to the use of the urban machinery of Registrar and Tribunal.

One wonders why this point in time has been chosen to transfer control of country taxi-cars to the Transport Commission. Would it not have been better to carry out the changeover and set up the suggested new advisory body if it is intended, in the long term, to implement that suggestion?

Other parts of the Bill relate to approval by the local authority in respect of taxi-car licences. The Minister said—

Under the proposed amendment, the Commissioner of Transport may not issue a taxi-car licence without obtaining the local council's approval, but he may transfer a licence without first obtaining council approval.

On both those accounts under the old legislation approval of the local authority is necessary, whereas it is proposed the Commissioner of Transport must obtain approval from the local authority before he issues a taxi car licence, but he does not need that approval to issue a transfer of licence. There is no argument about that, but I point out that this change is taking place and that local authorities do at least maintain control over the number of taxis in their areas.

This is a fairly minor piece of legislation which may, in the long term, result in some drastic changes in the taxi-car industry. We support the Bill.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.57 p.m.]: I thank the Opposition for its support of this legislation. As has been pointed out, this Bill is of a minor nature. It is difficult to know whether the Commissioner of Transport is in a better position than the local authority to know the taxi situation in a country area. I think the local authority has local knowledge which far exceeds that of the commissioner; on the other hand, the local authority does not have the knowledge of how the transport business operates, but at least the commissioner has knowledge of the whole industry.

It was pointed out also that the local constable would have a considerable knowledge of the industry in his area, but once again he would not be aware of the overall situation. So the idea of transferring this control to the commissioner is that the owners of taxis in country areas will have the benefit of their industry being controlled by a commission which has considerable expertise and can lay down a uniform policy throughout the State.

Mr McKenzie asked about the changes alluded to in the second reading. Rather than refer to the control of the taxi industry it was intended to draw attention to the changing role of the MTT as it reduced its number of services. Considering the reduction in the number of services provided by the MTT, the role of taxis is increasing. It has been suggested in various reports that mini-buses or taxis operate a service around metropolitan bus routes at times when there is insufficient traffic to justify the running of a bus. I believe that is the intent of the second reading speech.

I thank members for their support of the Bill.

Question put and passed.

Bill read a second time.

Sitting suspended from 6.01 to 7.30 p.m.

In Committee, etc.

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

ROAD TRAFFIC AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from 13 October.

THE HON. F. E. MCKENZIE (East Metropolitan) [7.33 p.m.]: This amending Bill removes from the Road Traffic Act those provisions relating to the control and operation of taxis in country areas. Because of changes that have taken place, which were mentioned in the

previous debate, the Opposition does not oppose this Bill.

The Hon. D. J. Wordsworth: I thank the Opposition for supporting this consequential legislation.

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.

METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from 14 October.

THE HON. F. E. MCKENZIE (East Metropolitan) [7.36 p.m.]: We are opposed to this Bill. I make it clear from the outset that we are not opposed to the proposition that the supply of water to a property should be reduced; we are opposed to the Bill because it includes a proposition to charge a fee to cover the cost of restricting water supplies and disconnecting and then reconnecting water supplies. That in itself would not be opposed if it were not for the fact that we are aware the board ceased some time ago to send out final notices. That is one of the major reasons for our opposing the Bill.

The second proposition to which we object is that the Bill validates the action of the board over a period of time whereby some 10 362 people have had their water supply restricted. The amount of money the board has obtained as a result of that action is \$218 000.

The Opposition has an entirely different view from that expressed by the Minister who introduced the Bill in this place and who said the Government was sure its actions were lawful and there was no need to worry about their legality. The Minister said—

It is doubted whether behind these motives there was genuine concern for ratepayers; perhaps political point-scoring was the real purpose.

If the latter is not the case, it seems by this questioning of the propriety of the board's current procedures that opponents of the board's actions would prefer the full disconnection of water services rather than the more humane approach taken in restricting supply only.

It was never the Opposition's aim to score political points, as members of the Government would well know.

For many years final notices were sent out by the board, as far back as 1910, and certainly as long ago as I can remember. This was done when people failed to acknowledge the first account. I do not understand what has happened to bring about the change.

In this day and age when we have computers the task of sending out accounts and following up on moneys owing is much more simplified and certainly less labour-intensive than in the past. Consequently, people have been caught with their pants down, so to speak. Many people were expecting final notices but did not receive them. All that happened was that their water supply was cut off. Following that there was so much outcry from the community that the board used a disc to restrict the water supply.

The Hon. G. C. MacKinnon: Who started that? Was it Mr Jamieson?

The Hon. F. E. McKENZIE: It was not Mr Jamieson. I first experienced the use of these discs in 1978 and I am sure it was a Liberal Government which introduced them. By the look of a member who is nodding at the Hon. Graham MacKinnon, I think it may have been Mr MacKinnon who introduced the use of the discs. I would say by the glint in his eye that is so.

The aim of all this was to have people pay their accounts. Nonetheless, people whose supply was restricted were able to get only enough water perhaps to flush the toilet or to get a drink from a tap. It is certainly difficult to understand why the board refuses to send out final notices. It would cost only the price of a stamp.

The Hon. G. E. Masters: It would be a bit more than that. There are the handling and stationery costs.

The Hon. F. E. McKENZIE: Someone mentioned a figure of \$1 million which the board would lose, but the Minister finally cut this figure down to \$250 000. We do not know from where he obtained the figure. We could argue figures all night. I could say it would involve 24c for the stamp, 6c for the envelope, and a bit for the administrative work. However, the board has a computer system and surely the aim of these systems is to reduce costs.

The Hon. A. A. Lewis: It has to be fed information.

The Hon. F. E. McKENZIE: When one considers other Government instrumentalities one wonders what will happen in the future. The

Minister for Fuel and Energy has said the State Energy Commission is likely to cease sending out final notices. I hope that is wrong. If people do not pay accounts sent out by business firms those firms send out final notices. Eventually, if an account is not paid, a person might end up in a Local Court.

How many members of Parliament have been remiss in not paying their telephone accounts on time? I say quite unashamedly that I have received a reminder to pay an overdue telephone account.

The Hon. G. C. MacKinnon: The Metropolitan Water Board sends out final notices.

The Hon. F. E. McKENZIE: The board sends out a first and final notice. As the debate progresses I will decide whether there is a satisfactory indication from the Government that it will include a provision in this Bill to force the board to send out final notices. If this does not happen it is my intention during the Committee stage to move an amendment to facilitate this action. I apologise for the late notice of my amendment, but it is a simple one and should not cause concern to the Government. It is not a difficult amendment like the one we debated last night when dealing with another matter. I trust that it will be accepted.

Mr Masters argued about the cost of sending out final notices. The State Energy Commission previously sent out accounts to consumers every three months—four a year. The commission decided it would send accounts every two months. What was the saving by sending out six accounts to a customer each year, instead of four? The State Energy Commission is another Government department. Perhaps the Water Board could consider sending out its accounts twice a year instead of once a year.

We must not lose sight of the fact that water and sewerage rates are a very heavy burden on a person's income.

The Hon. A. A. Lewis: Aren't you allowed to pay it twice a year now?

The Hon. F. E. McKENZIE: Consumers receive one account each year, but if they so desire they can pay it in two equal instalments. I believe they pay the money in advance. Can the member inform me whether consumers who pay their accounts in two instalments pay them 12 months in advance or 12 months late?

The Hon. A. A. Lewis: You have to have the money.

The Hon. F. E. McKENZIE: Members should consider the mercenary attitude the Water Board

adopts. Of all the rates and charges the Government imposes, water and sewerage rates have increased the most. The biggest increase in any Government charge has been the increase in water and sewerage rates.

The Hon. N. E. Baxter: Are you talking about water charges or water rates? There is a big difference.

The Hon. F. E. McKENZIE: If the member so desires both can be referred to, but I refer particularly to sewerage rates. In country areas people may not be required to pay sewerage rates. For city people the flat water rate is not a great impost, although certainly the excess water rate is. However the sewerage rate is the largest.

The Hon. I. G. Pratt: Local authorities get their share of personal income, don't they?

The Hon. F. E. McKENZIE: That is quite correct, and local authorities have assumed many responsibilities from the State Government. That is something we must not forget. Local authorities carry out more work now than they did previously. As an example, I refer to social welfare officers, about whom I will speak when the Budget is debated. Money has been provided for them, but shires are required to pay a certain proportion of their wages and in many instances it is 50 per cent. In addition, the shires must provide motor vehicles and offices for the officers. It is all very well to say that local authorities receive a share of personal income tax receipts, which is a good idea. In addition, I do not argue that certain responsibilities should not be handed to local authorities, but in doing so appropriate funds must be provided for local authorities to carry out new functions.

The people who suffer most from the imposition of water and sewerage rates are those on low incomes. They do not pay those rates on time, not because they do not want to pay them, but because of the many commitments they have, particularly at the time of the year the water rates are sent out. At that time low income earners find it difficult to meet their commitments until the last minute of the time period in which they are required to pay. If they received a reminder that their water account has not been paid, and that the water supply is about to be restricted, they would arrange their affairs to give the water rate the highest priority—the account with the greatest urgency would be paid first. In that way a final notice or a reminder would be effective for consumers who have certain income restraints.

The bulk of the 10 362 people involved in the cutting off or restricting of water supplies no doubt in the main were people on low incomes.

The Hon. G. C. MacKinnon: If you had a bet on that you would lose your money.

The Hon. F. E. McKENZIE: I wonder whether the member would be able to say how I would lose my money?

The Hon. G. C. MacKinnon: You would, because those people weren't on low incomes.

The Hon. F. E. McKENZIE: I say I am right.

The Hon. G. C. MacKinnon: I will tell you.

The Hon. F. E. McKENZIE: I ask the member to supply me with the evidence. Many people in the area I represent, who have told me their water supply may be cut off or restricted, happen to be low income earners. Perhaps the reason for that is the area I represent; therefore I have a particular slant on the matter. I assure the member that a number of people were distraught at the time the Government intended to take certain action against those who had not paid their water rates.

If a water supply is cut off the consumer is required to pay a fee for that disconnection, and a fee for the reconnection of the service when his account is paid. I believe the charge for disconnection and reconnection is in the order of \$25. Surely in the interest of public relations the Water Board should engage in the course of action which I have suggested; that is, to send out a final notice—a reminder.

The board has the power to cut off the service it provides, and can do so simply. Probably in business houses a service cannot be cut off simply or payment received easily, apart from knocking down a wall to cut off the service, or through court action seizing certain goods which would be quite a long process. I will listen anxiously for the Government to say whether it agrees to the proposition that a second final notice ought to be sent out.

I will make a brief comment in relation to another aspect of the matter. In the case of industrial and commercial users—I do not know whether all Government members realise this fact—water supplies are not restricted. Why do we have a regulation applying to domestic consumers which does not apply to industrial and commercial users? Why does it not apply overall? I will not comment in regard to the legality or otherwise of the board's practice of restricting or cutting off water supplies because, as I have indicated, the Opposition has a view different from that of the Government. It is pleasing to see the Government is taking action to validate the practice, although I do not say we agree with the retrospectivity provided in the legislation because retrospective legislation is not all that good.

The Hon. G. E. Masters: Are you saying you are not opposed to the restriction of water supplies?

The Hon. F. E. McKENZIE: We are not opposed to the restriction of supply, provided consumers are given ample opportunity to pay their accounts. We do not believe one notice is enough. I could stand here all night and give members reasons for first accounts going astray. As an example, letters are lost in many ways, and often wrong addresses are used. Government departments make mistakes. I can give an example of a letter going astray. Recently I engaged a new cleaner for my electorate office.

The Hon. A. A. Lewis: Is that to clean your sign outside?

The Hon. F. E. McKENZIE: That sign is never cleaned, it is golden to me.

The Hon. A. A. Lewis: It might have to be.

The Hon. F. E. McKENZIE: I will have a television crew come out to watch the member clean the sign. I am sure we can get a story done on that.

The Hon. A. A. Lewis: I will take a paint brush out.

The Hon. F. E. McKENZIE: I am sure Mr Lewis would not do that. Last night he said some nice things about me.

The Hon. A. A. Lewis: You can return them.

The Hon. F. E. McKENZIE: In regard to this cleaner, after I sent out the first payment for his services—I believed I had the correct address—he chased me for his money. Eventually we determined that the letter went to a residence which did not exist—it went to a vacant block of land.

The Hon. A. A. Lewis: How many cleaners do you have?

The Hon. F. E. McKENZIE: I have only one, and he comes twice a week. From the example I have given it can be seen that mistakes occur with postage. I do not want to stand here all night to give further examples because I am sure by the time I have finished giving those examples members would be bored. I just want to indicate to the Government the reasons for our opposition to the Bill. We hope the Government will give some indication that second final notices will be sent out, because we do not see any reason for their not being sent out.

If the Government can give us an assurance that second final notices will be sent out, it will not be necessary for the Opposition to move an amendment to that effect during the Committee

stage. If my proposed amendment has not been circulated I will ensure that it is.

THE HON. R. G. PIKE (North Metropolitan) [7.55 p.m.]: I must express some surprise at the comments made by the Hon. Fred McKenzie. Because he represents a socialist party that purports to stand for a socialist and egalitarian society, his comments in part contradict the fairness that the Government is demonstrating by way of the Bill before the House. Having said that, I will explain further. When we talk about a Liberal-Country Party coalition Government, we talk about a humanitarian Government.

The Hon. F. E. McKenzie: You are better than me!

The Hon. R. G. PIKE: I make the point that those who pay their water bills on time and particularly those who pay them early, actually pay for those who do not pay their water bills on time, or at all. The legislation is structured so that the payment of water rates is made normally within the first three months of the 12-month period of service to which the payment applies. I inform the House that what happens is this: In regard to domestic consumers—I am sure the Hon. Graham MacKinnon will elaborate on this point—those who can afford to pay are always those last to pay.

If I recollect correctly, there are at least two Labor Governments in other States of Australia. The Whitlam Labor Government introduced the first and final notice system in regard to telephone accounts sent by Telecom, although it was not known by that name at that time. To be fair to telephone subscribers—

The Hon. F. E. McKenzie: Telecom sends out final notices, but it also sends out reminders. The SEC does the same thing. It is stupid to say that such accounts are first and final notices, as they are titled, because to all intents and purposes they are not.

The Hon. R. G. PIKE: The member had his opportunity to make a speech. I want to make an important point. If we estimate the cost of the money the Water Board uses, bearing in mind the board borrows money at market rates, and we take into account that the board has rates as its major, if not only, source of income, we must accept that if the board does not receive payment of the accounts it sends out it must pay for the money it has borrowed. We all know money is a commodity for which payment must be made.

The Hon. F. E. McKenzie: Hasn't that always been the case?

The Hon. R. G. PIKE: The point I make is that Liberal-Country Party Governments have the

reputation both in this State and in others, and in the Commonwealth sphere, of being the best economic managers. In order to be the best economic managers, I remind the member that we must take into account the structure of the cost of water accounts. They are not made up only of postage and other similar costs.

The Hon. F. E. McKenzie interjected.

The Hon. R. G. PIKE: The cost is made up not of just interest payments. The totality of the account is a direct charge on the cost of running the Water Board, and I remind the member that it is a monopoly. I go on to remind him that when we deal with normal business houses, certainly this is my experience—we are required to pay a certain amount—over and above the purchase price of a commodity to cover the cost of the money involved and the cost of producing the account; for example, service stations charge \$2 or \$3 a month.

On one hand, the Opposition accuses the Government of being less than efficient and less than competent administratively, and on the other hand it attempts to have two bob each way, as Oppositions traditionally do. That is how the Opposition has acted this evening with regard to this charge; it is opposition without responsibility. Other parties in other States in this country have done exactly the same thing. If the members of the Opposition were sitting on the Government side they would change their colours because this is an economic and competent way in which to handle accounts.

The Hon. F. E. McKenzie: That is a general statement.

The Hon. R. G. PIKE: A further point, as I understand it, and I ask the Minister to contradict me if I am wrong—but I am right—is that the Water Board in this State has always displayed a very humanitarian approach to the people who have problems in paying their accounts. It does not act with the heavy hand of bureaucracy as has been alleged by the Opposition. I refute and condemn that allegation.

The Hon. F. E. McKenzie: Was it the case years ago?

The Hon. R. G. PIKE: The other point we are debating this evening is somewhat obscured by the twofold comments made by Mr McKenzie. This Government, in its humanitarian approach when handling a situation where people cannot pay, does not cut off the water. If it did there would be dire circumstances for the people concerned.

The Hon. F. E. McKenzie: You used to do it.

The Hon. R. G. PIKE: Those people have a restricted flow of water so that for the purposes of hygiene, at least some sort of service is maintained. However, what do we have? We have the Labor Party parading out this sudden discovery and making a loud noise saying that this action is not legal.

Let us consider what the Labor Party is saying: Its members are saying that the Government, in an inhumanitarian approach, is restricting the flow of water, to be fair to the consumer, rather than cutting it off. They are saying that it is not legal; whereas the Government is being very humanitarian and is continuing a service to the customers of the Water Board, which is a Government instrumentality.

Mr McKenzie should get his facts right or at least be consistent in what he is saying. What he has said tonight has been inconsistent and he should support the argument that it is proper and reasonable to have a restriction of water and that we are seeking to legalise this matter and put it beyond any doubt.

I remind the honourable member that those people who pay, pay for those who do not. If we proceeded with the point of view which has been presented by the Opposition, and hopefully it will not be supported, it is obvious there are members in this community who can pay for their water supply and will pay on the latest day for payment.

The Perth City Council recently used the power given to it by an amendment to the Local Government Act in order to charge 10 per cent interest on accounts which are not paid by a certain date.

The Hon. F. E. McKenzie: That is a different matter.

The Hon. R. G. PIKE: It is a different because it concerns local government rates instead of water rates.

The Hon. F. E. McKenzie: If you put a fee on it, it is not the same.

The Hon. R. G. PIKE: I ask the member to please listen to my point of view. If he cannot understand it I hope the other members of the House can. I have made the point that the PCC charges 10 per cent interest to people who have the money to pay but are hanging on for a period of time and are paying at the death knock.

The Hon. J. M. Berinson: Do you support that system?

The Hon. R. G. PIKE: Those people who pay their accounts early are paying for those who do not.

The Hon. J. M. Berinson: You think that is a good system?

The Hon. R. G. PIKE: If the members of the Labor Party were fair and did as they purport to do and gave some support to their so-called egalitarian beliefs, they would do a turnabout and recognise the logic of the case that the Minister has put and, hopefully, support the Bill.

THE HON. W. R. WITHERS (North) [8.05 p.m.]: I do not like to see a kindly man such as Mr McKenzie become angry, as he is with the Government, when in fact I am sure that if it were pointed out to him that the Government is a thinking Government and is kindly and egalitarian he would not be angry.

The Hon. H. W. Olney: That is a new image!

The Hon. J. M. Berinson: Since when?

The Hon. W. R. WITHERS: The analogies used by Mr McKenzie were not quite right although they were plausible and I am sure were presented with sincerity.

The Hon. F. E. McKenzie: The Government was very kind to you when it cut up the country!

The Hon. W. R. WITHERS: It was terrible but we will not discuss that tonight. We must stay with this particular Bill, which is dealing with water and sewerage.

One of the analogies used by Mr McKenzie referred to a businessman sending out final accounts. He suggested the Water Board should do likewise. However, I would like to point out to Mr McKenzie that when a businessman sends out a final account, he has already passed the stage where he has stopped providing goods and services. The Government is not doing that at all, it is doing better than the average businessman.

The second analogy was that Mr McKenzie suggested that the Government, in trying to save money by not sending out final notices, was contradicting a practice carried out by the SEC which increased the frequency of notices. Once again the Government, through the SEC, has done this in consideration of its customers; the reason being that the high price of fuel, wages, and employment, has increased the cost of electricity, and is a large imposition on consumers.

The Hon. F. E. McKenzie: The same applies to water.

The Hon. W. R. WITHERS: It is nowhere near as high as the cost of electricity. So if the SEC sent out an account for the whole year, low-income families would not be able to pay. Therefore, the Government has increased the

frequency of accounts in order to make it easier for people to pay.

The Hon. J. M. Berinson: Even the SEC did not claim it is more interested in cash flow.

The Hon. W. R. WITHERS: Exactly, on the accounting side—that is the case.

The Hon. J. M. Berinson: You are saying that they are doing the consumer a favour? That is a funny approach.

The Hon. W. R. WITHERS: I think it is quite a normal, businesslike approach. If cash flow is improved, customers are paying regularly and that means it is a little easier for them to pay; so it works two ways.

The Hon. J. M. Berinson: I have heard some amazing arguments but I give you the prize.

The Hon. W. R. WITHERS: I have had both an account and cash business and I can assure the honourable member that if it is easier for one's customers to pay their bills, one has a higher cash flow.

The Hon. J. M. Berinson: Of course that is true but since when does the customer benefit from being deprived of his credit? I am not an accountant.

The Hon. W. R. WITHERS: Every customer is deprived of his credit if he does not pay his bill.

The Hon. J. M. Berinson: You are depriving the customer of his credit with the SEC, one month earlier. How does that help the consumer?

The Hon. W. R. WITHERS: He has not been deprived of his credit one month earlier. I believe Mr Berinson has studied well at university but he lacks some business experience.

The Hon. D. J. Wordsworth: Don't you believe it!

Several members interjected.

The Hon. J. M. Berinson: I will tell you what sort of charge I prefer to pay on.

The Hon. W. R. WITHERS: I wished to point out to Mr McKenzie that there were two analogies which were not quite correct. I should like also to reiterate what Mr Pike said: Any Government department, like most businesses, is very kindly towards people who make approaches when they temporarily cannot pay their accounts. I have been in that situation at some time during my lifetime and any Government department or business which has received such a request has considered it kindly. I support the Bill.

THE HON. G. C. MacKINNON (South-West) [8.11 p.m.]: Like Mr McKenzie, I do not like this Bill, but for an entirely different reason. I do not like the fact that it is brought here to validate

something which was considered very carefully with probably the most humanitarian and kindest thought possible.

This legislation has been brought forward finally and reluctantly as a last measure for a method to try to get people to pay perfectly legitimate accounts for a perfectly basic necessity: water.

If by some wide stroke of imagination members think I am talking about myself, then they are quite right. It was I who obtained the best possible advice from the most considerate people.

The Hon. F. E. McKenzie: What about Mr Jamieson?

The Hon. G. C. MacKINNON: The matter would have been put to Mr Jamieson if the shoe were on the other foot. The matter was researched properly and was checked and rechecked. It was checked by the department on two occasions and when it came back to me I checked with the Crown Law Department to ensure that all action which could be taken was perfectly correct.

I know of no case which has been taken to court as a result of an objection. Perhaps the Minister could tell us if there has been a case. There has not and that is the reason that there should be no need for validation.

The Hon. F. E. McKenzie: No-one could afford to challenge it.

The Hon. G. C. MacKINNON: This action does not need validation. It has not been challenged and it was not challenged after quite serious consideration, for obvious reasons.

Many members in this House who run their own businesses would understand the need for final accounts. Everyone knows that water rates are like death, they are absolutely inevitable. Mr Pike was spot on when he said that sections of the community are aware of the need for accounts such as water rates and the dire necessity of water and they should have the money to pay for them. The average person in business pays his bills late. I do not know how Mr Pike runs his books.

I work on an overdraft and I do not see why I should pay the 12½ per cent when someone else can, so in my position, I pay late.

The Hon. F. E. McKenzie: Do you ask for extra time to pay?

The Hon. G. C. MacKINNON: Of course I do not, I do not need to.

Conditions have changed since the first year we introduced this legislation. They have changed, mainly as a result of debates such as this, not only in Western Australia but in other parts of Australia, where efforts have been made for

water, electricity, and the like to be considered on a non-party political basis. Boards have been set up for that purpose. We discussed that when we talked about Mr Pike's committee.

Despite that fact—the late David Brand pointed out that the Water Board was to operate, as far as possible, free of political interference—it has suffered from never-ending political interference. It has done nothing else since the interference started, it has increased and the board has not been allowed to proceed in the way it should have.

We are not dealing with the cost-of-living increase alone. We are dealing with the end product used in the water supply; that is, concrete pipes, steel, and all those other things which absorb the cost of living on the way up. No water board could operate without an increase of 50 per cent over and above the standard cost-of-living increase. Members can check figures on that. I do not care where they go to check their figures; but they will find that is the way it ought to be. Of course the Metropolitan Water Board is run down.

I heard Mr Berinson using the words "cash flow". That is a very critical item for an organisation with a large work force. The annual bill necessary to operate against the depleted cash flow is quite fearsome.

The first year in which this procedure was introduced was 1979. The increase in revenue to the MWB, on a month-by-month comparison with previous years, was not calculated in thousands of dollars but in millions of dollars—several millions of dollars. That money did not come predominantly from poor people. It came from a wide cross-section of the people; and in a rich community like ours, it came predominantly from those who were not poor people.

The cost of sending out the accounts has been enunciated already by the current Minister (the Hon. Andrew Mensaros). I do not know of any person in this Parliament who is as meticulous in his detailed working as that Minister. That applied in his period as a member and in his period as a Minister, as well as in his behaviour as a person. If he says it would cost over \$1 million to send final notices, member can bet their bottom socks that figure is absolutely accurate.

I have heard that some foolish people restrict their own supply deliberately by fitting funny little filters onto the taps in order to filter out the fluoride—the pure water people! They put themselves in the same situation quite deliberately.

I have great admiration for Mr McKenzie, but he has never spoken more illogically than he did

this evening. Mr Pike had a tremendous lot of substance in what he said about political point scoring, and so on.

Honourable members may recall, as I do, a member of the Labor Party, who is now a pretty senior member, who produced a bottle of very cloudy, mucky water in another place. He said that was the sort of water supplied by the Metropolitan Water Board. The president of the workers' union concerned came to me quite distressed, because it was the workers of the MWB who checked the water at its various points to make absolutely certain that water of that quality never passed through the pipes.

That water was obviously taken out of the initial mixing tank, which looks like pigs' wallow. The water comes out of the ground and the various chemical components are mixed into it. Finally the impurities in the water settle out. The sample shown in another place had been dipped out of that tank secretly; and the workmen were quite upset and incensed that anyone would suggest that they would allow water like that to pass their system of inspection. Why was that done? Political point scoring! I agree with Mr McKenzie that that sort of behaviour led to a drop in the morale in the water service.

I have heard criticism levelled by people who have subsequently become Ministers of the Crown, but at the next Budget time they have been a party to putting up the fees that they criticised six months before. They have not had the decency to say, "Look, I now understand the situation".

Those members who currently have to cost letters—the lawyers, for example—would know the cost of servicing even the simplest of letters.

The Hon. A. A. Lewis: Do not let the Water Board get that expensive.

The Hon. G. C. MacKINNON: I am not talking about the profit the lawyers place on top of the letters, but I am talking about the plain cost to a solicitor of writing the simplest of letters. I would be surprised if, today, it was much under \$10. Perhaps one of the members can tell us the exact figure. Consulting firms advise them of the cost on a regular basis. The total cost involves the postage stamp, the envelope, the typewriting, the typist's time, and the mechanics of sending out the letter. It runs into an awful lot of money. When one has the sort of clientele that the MWB has, \$1 million would not do much.

Members should bear in mind that successive advisers to the Government, to whom Mr Withers referred as being decent human beings, have looked at different methods of coping with the

problem of non-payment. Very frequently, there is a large component of deliberation in non-payment. People say, "I don't need to pay this month. I can save the overdraft rate for the month". The people who are not paying are not the desperately poor people.

Mr Withers was perfectly right when he said the board puts out literature saying, "If you are in trouble, come and talk to us. You can pay off the account in instalments". However, we are talking about the people who try deliberately to avoid paying the account.

If this procedure is not to be adopted, how else can the MWB enforce payment? Should it adopt the course that the SEC follows—cut the power off? Should it do what the telephone people do—cut the telephone off? Should it do what the business people do—cut off the service, whatever it may be? No, the MWB allows the household enough water to operate.

This matter of making the Metropolitan Water Board into a political football and scoring political points is not the sole prerogative of the Opposition. I deplore the fact that members of the Government do the same thing. Indeed, I deplore the fact that members of the Cabinet have been guilty of it. They have said, "I tried to reduce the cost of your water for you". Of course, nothing will reduce the cost of water unless the cost of living itself is reduced totally. People demand water of as good a quality as it is possible to have; and the fact is that in a very difficult situation, the MWB provides the best water it can.

The Metropolitan Water Board does a good job; but I am not too sure how it maintains any semblance of morale in the face of the constant barrage of criticism it faces. The staff of the Water Board are good people; and as Mr Withers said, they are considerate, humane people—humanitarian people—who do the best job they can for the people of this State. They try to run the Water Board as much like a business as they can.

I have seen reports in the newspaper calling for investigations of the water supply. I have here the results of a few investigations. They are the results of investigations into the Metropolitan Water Board and water boards in general throughout Australia. The biggest section of the library in my office upstairs is composed of reports on water in one form or another throughout Australia. A fair number of the reports relate to the Western Australian Water Board. Top line people have been brought from the United Kingdom to carry out investigations into the MWB. Each one has recommended that

the board should be left alone to run a business instead of trying to make it, as Mr McKenzie is trying, into a branch of social welfare, or trying to make it into a miraculous body that can produce water out of a cloudless sky.

The Hon. F. E. McKenzie: I am not saying that at all.

The Hon. G. C. MacKINNON: Of course Mr McKenzie is. Let us be realistic. Every time one turns the tap on—

The Hon. F. E. McKenzie: We are being realistic.

The Hon. G. C. MacKINNON: —one knows the water will have to be paid for. Surely we ought to be looking at social welfare aspects if people cannot afford to pay for their water.

The Hon. F. E. McKenzie: I am not talking about that. I am talking about a final notice.

The Hon. G. C. MacKINNON: The Metropolitan Water Board ought to be allowed to run an efficient business and produce the cheapest possible water. If it is able to maintain an efficient service and the people cannot afford that service, let us concentrate on social welfare for those people and make sure that some method of helping them is provided.

The Hon. F. E. McKenzie: That is another matter. I will support that, too.

The Hon. G. C. MacKINNON: Do not support it by making the MWB find some complicated, costly method that will lower the morale of the staff.

The Hon. J. M. Berinson: What is complicated about a final notice?

The Hon. G. C. MacKINNON: These people take pride in their job. Mr McKenzie knows what they are like. He represents many of them. Most of them are good unionists, and most of them would probably vote for his side of politics. At least he should give them something of which they can be proud.

The Hon. F. E. McKenzie: The union has been the most critical of the hierarchy of the board.

The Hon. G. C. MacKINNON: Mr McKenzie knows how that is. The union came to me, and the men were most critical of Mr McKenzie's leader.

The Hon. F. E. McKenzie: Who said that?

The Hon. G. C. MacKINNON: I will not give names. Mr McKenzie knows how vindictive his people can be with talk of scabs and the like.

The Hon. F. E. McKenzie: Wild statements.

The Hon. G. C. MacKINNON: Mr McKenzie should have listened to some of the speeches Mr Cooley used to make.

The Hon. R. G. Pike: The present, past, or next week's leader?

The Hon. G. C. MacKINNON: Present. He was making a claim for himself. As the shadow Minister for water resources, he was making mileage—as Mr McKenzie would say, making political points. He did pretty well for himself. He built himself into the leader of the party. By gee, that is a good effort, because the time was when the Labor Party was a force in the country. Maybe it will be again, one day.

There is no doubt that the present Leader of the Opposition made a lot of enemies among the work force of the Metropolitan Water Board who took a pride in the water they produced. They were distressed to be told that they allowed water of poor quality to pass through the pipes.

The Hon. R. G. Pike: All that garbage about cockroaches, rats, and that sort of thing—remember?

The Hon. G. C. MacKINNON: Do not upset me.

The Hon. R. G. Pike: Really important stuff.

The PRESIDENT: Order!

The Hon. G. C. MacKINNON: The honourable member mentioned 'water for industry. This is purely an example of the concern and the consideration of Governments. This Government has attracted industry to provide employment for people. It has given sites at reasonable economies, with water on a guaranteed basis so that manufacturing processes will not be stopped suddenly by the lack of water. The water has been offered at a reasonable price so that the process can be economic and competitive.

The Hon. F. E. McKenzie: And make the poor pay!

The Hon. G. C. MacKINNON: That has been done in order to provide employment for people.

Of course, there is always a bulk base load, which is handy to have. The Water Board is constantly in the conflict situation of having to economise and convince people of the desirability of economising, whilst at the same time having to sell water and make it pay.

I can see absolutely no reason for this validation. As a matter of fact, if the Minister for Water Resources has on his desk now a letter showing there is a reason for the validation, he should start a witch hunt and find the other part of the file in which it was indicated in 1978-79 it was not necessary to have a validation. The board should find out who was passing on the advice and looking after the matter at that stage. It should not try to cover up at that level.

This Bill is putting before the public the sorts of absurd arguments we have heard tonight and during the last few weeks. That is unfair treatment of the MWB which does not deserve to be dealt with in that manner. The Bill illustrates purely and simply a lack of concrete consensus in one department. That lack of consensus does not exist in the MWB, but rather in the Crown Law Department. I do not believe any reasonable judge in the country would have found this practice invalid, because the action of putting a restrictive disc into a tap is the most humanitarian method which can be used.

Let me assure members I have dealt too long with people who have to pay money to know what happens. I have been standing with a person when a fellow has come up to him with a summons. That person has said, "Give me a cheque book", and he has written out a cheque and said, "Here you are".

Of course this happens and it is not the poor people to whom it happens; it is the rich people. Indeed, one hears it said, "That is the way they get rich". That may be why I am just a middle of the road sort of person. I always pay before I am sued. This happens to the rich people.

This practice was introduced in 1979 not out of any feeling of vindictiveness, but rather to ensure the MWB could keep the price of water down to a reasonable level. The board checked that the practice was valid and that it would not be thrown out if investigated in court. The practice was adopted on the basis that it was far more humanitarian than cutting off the water or using any other method. We even carefully measured the little discs.

I should like to see this Bill withdrawn. This is one step the Minister has taken with which I disagree. He should have dug in his toes and told the Attorney General what to do with that sort of advice. Perhaps the Minister for Fisheries and Wildlife could convey that message to his fellow Minister when he sees him.

Without reservation, I refute the argument put forward by the Hon. Fred McKenzie.

THE HON. J. M. BERINSON (North-East Metropolitan) [8.35 p.m.]: The Hon. Mr Pike and later speakers on the Government side seek to find some consolation in the fact that their Government is humanitarian to a fault. That is their privilege. For myself, I would not describe it in that way, although perhaps to members' surprise I would not go to the other extreme of saying it is typically evil or malicious. However, to a remarkable degree, and especially as borne out in this Bill, the Government is particularly

inconsistent and this comes through with great clarity when one considers its attitude to Mr McKenzie's proposal for a final notice.

If I could just borrow some of the examples Mr Pike offered the House in support of his argument, I refer for a start to the practice with SEC and Telecom accounts. Of course, Mr Pike is right in saying those accounts are sent out headed, "First and Final Notice". He is wrong, however, to draw a comparison between that position and the position which applies with the MWB, because in spite of the fact that the accounts are headed, "First and Final Notice", this does not preclude a reminder. Both the SEC and Telecom provide the exact sort of reminder Mr McKenzie proposes for MWB accounts.

That would seem to me to be a more consistent approach than that which the Government is adopting in this one particular case.

The Hon. R. G. Pike: What about Labor in New South Wales and Tasmania doing the same thing?

The Hon. J. M. BERINSON: If Mr Pike is interested in defending the New South Wales and Tasmanian Governments, that again is his privilege; but his duty, as opposed to his privilege, in this House is to support a Government which is totally inconsistent.

Let me refer to one other contribution made to the debate by Mr Pike, I am sure in the spirit of helpful contribution and positive comment, when he referred to the new practice of the Perth City Council. "There" he said, "is something we ought to take note of". In response to my invitation to say clearly whether he agreed with the new Perth City Council provisions, Mr Pike remained silent.

However, it is fair to say the general tenor of Mr Pike's comments was such as to indicate he agreed with what the Perth City Council is doing. What is the Perth City Council doing? I do not have the advantage of having one of its accounts here but, from memory, what it says is, "This account must be paid within 60 days". Then it says, as Mr Pike reminded us, "10 per cent interest will be levied". The unfortunate thing about it, if we are concerned about accuracy, is Mr Pike stopped at the point of saying, "10 per cent interest will be levied", because my recollection is the Perth City Council account says, "10 per cent interest will be levied on accounts not paid on 31 January next". In other words, Mr Pike is supporting a proposition that accounts should be sent out saying, "Pay in 60 days, but if you do not pay in seven months, then and only then will we charge 10 per cent interest".

That is even worse, by something like five months, than the proposition we are putting in regard to the MWB accounts. We are not saying we should withhold final notices for six or seven months and only then demand the payments. We are saying, "Determine your payment date, but at least seven days before expiry and action is taken to reduce the flow of water, send out a reminder".

The Hon. R. G. Pike: You are misleading the House.

The Hon. J. M. BERINSON: The MWB should do what the SEC and Telecom do. Telecom was another example cited, with approval, by Mr Pike. We are not suggesting, indeed we do not support the view, that we should adopt the Perth City Council approach, because that—

The Hon. R. G. Pike: Nobody is listening to your distorted facts. The emphasis is that they are making you pay interest on the money.

The Hon. J. M. BERINSON: One has to pay interest from what date?

The PRESIDENT: Order!

The Hon. R. G. Pike: They make you pay interest on the money, because they recognise those who pay, pay for those who do not.

The PRESIDENT: Order! I ask the Hon. Robert Pike to cease his interjections and, when the President speaks, he should cease talking.

The Hon. R. G. Pike: I apologise, I did not hear you.

The PRESIDENT: Order!

The Hon. J. M. BERINSON: The last thing I would want to destroy is anything Mr Pike said in this regard, since what he had to offer was so supportive of the Opposition's case. He produced an example which very clearly suggests to people receiving Perth City Council accounts that they need not pay for seven months, because they will not be penalised if they do not, in spite of the fact that the account calls on them to pay within 60 days. I was simply pointing out to the House that is not a position for which we would argue with the water rate accounts. We are simply saying that a reminder notice should be forwarded at least seven days before the drastic action of cutting down on the water supply is taken.

Further to this sad picture of inconsistency on this particular question, I refer the House again to a matter briefly commented on by Mr McKenzie; that is, the distinction made in the administration of the payment of water rates between household rates and those applying to industrial and commercial users.

As I understand the position—and this is taken from the debate in the other House and so far as I can see it was not disputed by the Minister in that House—in the case of industrial and commercial users, water is not restricted, and is not intended to be restricted even after the passage of this legislation. On the contrary, action in those areas is still to be taken by way of summons.

In other words, the ordinary household consumer is treated with less consideration than large-scale business consumers. That sits very oddly with the explanation by the Minister for Water Resources as to how a system of reminder notices could cost the board as much as \$1 million.

I refer members to the Minister's explanation in this regard when he spoke in the following terms—

The second approach of the Government is that if, even by administrative action, we were at the present moment to forward reminders, and if people knew that a reminder notice was coming after a normal bill had been issued, human nature being what it is, it could be easily and conservatively calculated that this measure would cost the board approximately \$1 million a year.

Point of Order

The Hon. MARGARET McALEER: I understand it is not possible to quote from a debate on the same subject in another House.

The PRESIDENT: The honourable member should not refer to debates on the same subject in another place unless it is imperative to do so in order to make the point.

Debate Resumed

The Hon. J. M. BERINSON: Well, it is imperative. I am quite happy to paraphrase it, but there would be less risk of an injustice to the Minister if I quote him exactly. It is a very small quotation from this point on and it would assist the House to know precisely what the Minister has in mind. To continue—

This, of course, would add several dollars to the accounts of the ratepayers, which are claimed by the Opposition to be too high already.

Continuing with his comments—

Why this would come about is simply because of human nature. If people know that they can use their own money—do not forget that money today earns about 1.25 per

cent a month—why should they pay? They do not do anything illegal by delaying their payment. So except for those who never use the money market or do not put their money in for interest, very few people would pay on time and the second notice would become the first notice.

I take it that I finished that quotation before you, Sir, were able to complete your perusal of Standing Orders!

The fact is that the people most likely to be aware of the advantages of delayed payment and of money market investments are precisely the industrial and commercial users. Their treatment shows up the disadvantage of the ordinary householder in this situation. The householder is much less likely than the commercial and industrial user to be as aware of the money market as the Minister for Water Resources says he might be and less likely, rather than more likely, to take advantage of a final notice procedure.

To compare this area with other areas of Government activity, again for the purposes of demonstrating inconsistency, I ask members to turn their minds for a moment to a comparison between the treatment of water rates and the treatment of land tax. In a series of questions which I put in April of this year, a number of interesting facts emerged. Firstly, one-sixth of all land tax accounts are followed by a final notice. Secondly, even though penal tax under existing legislation may be levied on land tax from the first due date of demand, the practice is not to levy it from that date and not even to levy it from the date of the final notice. It is only levied if land tax still remains unpaid and the department is forced to issue a summons.

Trying to be helpful to the Government, I asked why interest should not be levied from the first due date of payment as the legislation permitted. That invitation was not accepted by the Government, so that the land tax position today is that final notices are issued following the initial notice and no penal tax is levied until the summons stage, even though the department is entitled to levy it from the first due date of payment. I add to that account a fact that will be known to all members: Land tax is not levied at all on personal residences.

In this area, therefore, we are not looking at the ordinary householder, but at commercial or industrial users or investors, people who are well aware of their obligations and of the many marked advantages of withholding payment as long as possible; and yet, in this area of land tax,

in contrast to what we have for the ordinary householder in relation to water rates the Government has adopted a flexible system. With water rates it becomes clearer the longer this debate continues that the Government is intent on being inflexible and getting in its money with a minimum of formality and without further notice.

I put to the House that this is another indication of the double standards applying to the detriment of ordinary householders as against those subject to these payments within the commercial, industrial, or investment fields. It is an unnecessary and unfair distinction. It all adds up to the proposition that we have a situation where the Government is being unnecessarily inflexible and where \$1 million need not be at stake if a final notice is given. The Government should act simply in the interests of fair dealing with its ordinary consumer customers. It ought to think again.

THE HON. A. A. LEWIS (Lower Central) [8.48 p.m.]: I am very sympathetic to Mr McKenzie's and Mr Berinson's attitude to this matter and would like to clear up a few things before I continue. Mr Berinson's ideas of business and my own are totally different. In respect of his idea that a domestic consumer is worse off than a business consumer, I remind him that jobs are at stake if water is cut off in a business and it may be that instead of getting at the business proprietor it loses jobs for 15 or 20 people. I would urge the Opposition to look at that.

Getting back to the final notices, I have found a compromise whereby the Opposition and the Government can both save face—if that is the word we need to use—or be happy. It came out of the paper that Mr McKenzie sent around telling us about his amendment. I suggest that the Minister in charge of the Bill in this House suggests to the Minister for Water Resources that he sends out a first and final notice with a due date and another line under it saying, "If this is not paid within 14 days from the date of this notice we will cut your water off". This gives the Opposition the seven days' notice it wants in the first and final notice.

The Hon. J. M. Berinson: You are giving seven days to pay? Is that what you are suggesting?

The Hon. A. A. LEWIS: I do not want to go through it again.

The Hon. J. M. Berinson: I was distracted.

The Hon. A. A. LEWIS: I realise that. I suggest sending out a first and final notice stating the due date and under that saying that if the bill is not paid within 14 days of that date the consumer's water will be cut off. The Opposition

then has the notice it seeks. This seems to be the main thrust of the Opposition's argument. Let the Minister print the form.

The Hon. F. E. McKenzie: Now I can see how humanitarian you are!

The PRESIDENT: Order!

The Hon. A. A. LEWIS: It would make people pay their bills on time. Nobody believes he should not pay his bills on time, not even Mr MacKinnon. He plays the system a bit, but does believe he has to pay his bills. I am sure the Hon. J. M. Berinson also pays his bills: He seems to know a fair amount about land tax and water rates. I receive only one assessment a year. How many Mr Berinson receives, I do not know, but he seems to be fairly expert on the subject.

The Hon. J. M. Berinson: Would you have your system apply to commercial and industrial users?

The Hon. A. A. LEWIS: I have explained to the member my reasons.

The PRESIDENT: I think the honourable member should direct his comments to the Chair, not to the other honourable member.

The Hon. A. A. LEWIS: I thought that was what I was doing.

The Hon. H. W. Olney: You were looking at Mr Berinson.

The Hon. A. A. LEWIS: I am sorry. I should not look at Mr Berinson.

The Hon. H. W. Olney: He is the deputy leader of the Opposition.

The Hon. A. A. LEWIS: I have explained to Mr Berinson that jobs may be at stake if the Opposition's attitude is adopted in regard to cutting off business water supplies. I would prefer people to keep their jobs and the Water Board deal with them on a business-to-business basis, not a business-to-domestic supplier basis; which makes perfect sense to me. The Minister in charge of the Bill thinks the Water Board has to get a certain amount of money from domestic users.

The Hon. R. G. Pike: Hear, hear!

The Hon. A. A. LEWIS: We must use common sense. In regard to Mr McKenzie's point about some letters going astray, I wonder whether Opposition members can name an instance when they have had a constituent who is complaining about water and they have been to the Water Board which has been hard-hearted and has said, "No, we won't agree to any schedule of payment". I have not heard one member yet make the statement that the Water Board is hard-hearted.

Under my proposed system of giving a first and final notice and a date upon which the water supply will be cut off, if a person has his water cut off because a letter goes astray and goes to a vacant lot or a country area or somewhere else, I am certain the first person who would be approached would be a member of Parliament who would be told, "This stinker of a Water Board has cut off my water!" Knowing the compassion of people like the Hon. J. M. Berinson and the Hon. F. E. McKenzie, they would take that constituent by the hand to the Water Board and say, "I think there has probably been a mistake here". Funnily enough, a mistake of that type happened to me with the RTA. I went to the officers and they were very pleasant about it and said, "Yes, actually in our computer your address is wrong. We are sorry, Sir". Everything was fixed up in a matter of minutes. I am sure the Water Board would do the same thing.

The Hon. H. W. Olney: It is a bit different from Mr Gayfer.

The Hon. A. A. LEWIS: I do not think that sending out a renewal notice and fighting a case with the RTA are similar, but the Hon. Howard Olney may be able to point that out to me at a later time. I have found that Government departments are polite as long as one is polite to them. I have found the officers of the Public Service extremely polite. The suggestion would help the Minister and I suggest the Minister in charge of the Bill here asks the Minister in another place to make a decision. It would solve the Labor Party's problem, or what it has told us tonight is its problem.

What members opposite want is a final notice and X days' notice of the final notice. They will get it. It would be interesting to follow through Mr McKenzie's argument about notices going to wrong addresses. I am taking a punt on this, but I believe it may cost the Water Board \$5 000 to follow up misdirected mail compared with \$1 million for sending the final notice in the manner that the Labor Party wishes to send it. I realise the Labor Party sends a set of instructions to its members and tells them what to do. They have not got the freedom that we have on our side of politics.

It seems to me that with the number of intelligent men it has in this House the Labor Party has not used very much initiative on this subject because I have heard this debate in another place virtually word for word. With the calibre of the men the Australian Labor Party has in this place, I thought we could have had a better argument than we have heard on this subject from them. They are making a nonsense of the whole

business and are trying to make political points—against whom none of us yet has found out, certainly not against the Minister. Maybe it is against the Water Board. We have had the Hon. Graham MacKinnon telling us how efficient the board is if political interference is removed from it. Anybody with any sanity would have to support this Bill and reject completely the Opposition's arguments and its proposed amendments.

THE HON. G. E. MASTERS (West—Minister for Fisheries and Wildlife) [9.00 p.m.]: I listened with great interest to the arguments put forward by the various members, and it seemed to me there is some doubt about the savings of costs involved—I agree probably not on the part of the Hon. Sandy Lewis, but certainly on the part of the Opposition. The Hon. Graham MacKinnon made the point that criticism of the metropolitan water supply has been great in the past few years, certainly in recent years, and much of it is unfounded. The board has taken the brunt of this criticism, and the employees of the organisations within the Metropolitan Water Board take it very seriously.

No doubt they become very upset indeed. They are charged with the responsibility of operating a genuine business. They have the responsibility of recovering costs and supplying a commodity to the public, and they also have the responsibility of balancing the books as well as they can; and if they get out of kilter they are in trouble. We have to recognise that point.

The question is: How does the board collect the money and make the most out of it? It has decided it will give some sort of incentive to encourage the public to pay when in fact they are a little lax, and that incentive, as Mr MacKinnon said, is the humane attitude of restricting the supply of water to ensure people are not greatly and unduly distressed but, at the same time, they get the message.

The Hon. F. E. McKenzie: They did not do that initially; they did it only after political pressure.

The Hon. G. E. MASTERS: I understand from the debate that the Opposition, although bitterly opposed in the early stages to this arrangement, has now recognised that it is not a bad idea after all. I have not heard any members of the Opposition say restricting supply is bad, so at least they have said it is a fair thing to do.

The Hon. R. G. Pike: They realise they were not being humanitarian, which we always are.

The Hon. G. E. MASTERS: That is right.

The Hon. F. E. McKenzie: You were doing it without authority.

The Hon. G. E. MASTERS: Let us take it step by step. We have come to the recognition that this method is good. Mr MacKinnon said he could see no purpose in bringing this measure forward because when he was the Minister his understanding was that this procedure was provided for in the Act, and therefore everything done up to date is legal and valid.

The Hon. G. C. MacKinnon: As a matter of fact, for your information I regard it as an insult that I was not written to suggesting that I had made a ghastly error. They did not give me that courtesy.

The Hon. G. E. MASTERS: I do not think that was the case at all.

The Hon. G. C. MacKinnon: Why did they not do me that courtesy?

The Hon. G. E. MASTERS: Just give me time, I hardly said a word to Mr MacKinnon when he spoke.

The Hon. G. C. MacKinnon: You are being nice to me.

The Hon. G. E. MASTERS: I want to make sure the member stays on the right side. I guess the need for validation is because certain accusations have been made, mainly by the Opposition. Members opposite have made suggestions that the action taken is illegal and have cast some doubt on the actions of the board. Even if that is the case and it is true it would be unfair on the very loyal employees of the Water Board to have criticism levelled at them that they have been acting illegally.

The Hon. Peter Dowding: That is an admission.

The Hon. G. E. MASTERS: Is Mr Dowding back again? There is a need to protect the name and integrity of those who work for the Metropolitan Water Board. So the responsible Minister and the Metropolitan Water Board have decided to take steps, after careful consultation, to ensure there is no doubt whatsoever. Mr MacKinnon may say there was never any doubt in his mind when he was the Minister, but nevertheless there is a need for employees of the MWB to have these accusations against them stopped, and I am sure Mr MacKinnon will agree with this.

The Hon. G. C. MacKinnon: I would have been happier had you said you had checked and found that all due care had been taken at that time.

The Hon. G. E. MASTERS: I think I have developed the argument and I think with all

goodwill Mr MacKinnon will accept the explanation, as he always does.

The point that has been raised and debated to some great extent, particularly by Mr MacKinnon, is the question of notices which are to be sent out to those people who have received the commodity and owe money for it. Mr MacKinnon said further it is fair and reasonable to take action to restrict the supply without sending out final notices. Water bills are sent out, usually dated 10 July, and the consumer has 14 days in which to make the payment. Mr McKenzie should listen to me because he will not move his amendment after I have finished. The accounts are due to be paid by 24 July.

I have not really followed the Opposition's argument from that point. Is the Opposition saying that after 24 July if the account has not been paid a further notice should be issued giving a further seven days in which payment may be made after receiving that notice? If that is not the case, is the Opposition saying the account should be paid by 24 July but between 10 July, when the first notice is sent out, and 24 July, a final notice should be issued? Or is it suggesting there should be an extension of time? I am sure the Opposition is suggesting that if the account is not paid by 24 July another notice should be sent out.

The Hon. F. E. McKenzie: That is right.

The Hon. G. E. MASTERS: Now we know what we are talking about. If a person has not paid his account by 24 July it would take at least a week for MWB employees to assess the situation and prepare further notices. 1 July is the date on which accounts should be sent out, but they are usually not sent out until 10 July, which is the date shown on the account. Therefore the consumer is granted a concession of at least a week.

If final notices were sent out towards the end of July, that would give those receiving the notices—allowing for postage time—at least another week in which to pay.

If this were the case it would be somewhere between 30 July and 10 August before the account was due to be paid. Therefore we are referring to a period of an extra three weeks before the accounts are required to be paid.

First of all we have to consider the cost involved. Various accusations have been made that the Minister in another place stated the figure of \$1 million and said he could not substantiate it. From the figures I have—and I take them in good faith—the estimated cost of each notice, taking into consideration postage, stationery, preparation of the notice, matching

envelopes, etc., would be 70c per notice. That is a reasonable cost.

The Hon. Peter Dowding: You must have a funny idea about lawyers' activities—in matching envelopes, etc.

The Hon. G. E. MASTERS: I would like to follow this matter through in an endeavour to make sure these figures are right. If the cost of sending out a notice is 70c and approximately 340 000 notices are to be sent—

The Hon. Peter Dowding: Why?

The Hon. F. E. McKenzie: Some 10 360 people had their water cut off.

The Hon. G. E. MASTERS: That is the estimate, and it would cost around \$238 000.

The Hon. F. E. McKenzie: Your estimate does not stand up!

The Hon. G. E. MASTERS: Let me follow this matter through. The amount of \$238 000 is the total cost involved in sending out notices. Let us go back to the beginning: If people know they have 14 days in which to pay their accounts the majority pay the account within that time.

The Hon. Peter Dowding: It is the inability to pay, not the refusal to pay.

The Hon. G. E. MASTERS: They have 14 days in which to pay and the majority of people would pay their accounts within that time. It is an accepted practice that if final notices are issued the majority of people will not pay their account until they receive that notice.

The Hon. Peter Dowding: The majority will not get a final notice.

The Hon. G. E. MASTERS: That is, if we follow the member's figures.

The Hon. Peter Dowding: Rubbish!

The Hon. G. E. MASTERS: Mr Dowding says "Rubbish", but I have figures to prove it. If the procedure is that only one account is sent out people accept that it has to be paid. If they expect a final notice a month or so later they withhold payment.

The Hon. Peter Dowding: What is your evidence for saying that?

The Hon. G. E. MASTERS: That is what happens. There is in fact a withholding of payment until a final notice is sent out. Therefore we have established that it will cost around \$238 000 to issue these notices. The withholding of payment is evident from the figures we have at the present time. The final notice procedure existed in 1977-78 and was then changed.

I would like Mr McKenzie to listen to this: In 1977-78 accepting that the first notice went out

and people were expected to pay it by 24 July, during the month of July only 14.42 per cent of those people deemed to pay it. In 1979-80 under the new procedure when no final notices were sent out or expected, the figure was 29.44 per cent.

The Hon. Peter Dowding: It is \$7 000.

The Hon. G. E. MASTERS: Because there was at one time the knowledge that a final notice would be sent out only 14.2 per cent of the accounts were paid on time, and since there has been no final notice the figure was doubled to 29.44 per cent. I have no doubt at all that if the public expected final notices they would withhold payment. The projected receipts for 1981-82 are as follows, and they are based on the 1980-81 projections: In July this year the recovery period was 14 days in which 29.44 per cent of accounts were paid, and that, in fact, represents a total of \$33 116 470. On an annual base we could say an interest rate of 15 per cent would give approximately \$4.553 million on that amount. So we are looking at the fact that if final notices are issued the recovery would not be \$33 million, it would be \$15 million; and that would represent a loss in revenue for the Metropolitan Water Board as well as a massive loss of interest.

By May next year the MWB would expect full payment and that would be \$103 713 million. It is interesting to note that the interest gain to May of 15 per cent on that figure would be \$10 720 million if received on time. So we are talking in millions of dollars. When the responsible Minister in another place talks about the loss of \$1 million we find his figure is correct and in fact conservative. Having established why and how money is lost—and I think the point was made by Mr Pike—if there is \$1 million loss there is only one group of people who pay for it, and those are the people who have paid their bills consistently on time and obey the regulations. Those people who are genuine and pay their bills on time are the people who are required to pay a loading in order to meet the extra \$1 million.

The public pay \$1 million because of the lack of support from the slow payers. So we say it is reasonable to send out one notice, and it is reasonable that if payment is not made the supply to the residence concerned should be limited. That will bring to heel the people concerned, and they will pay their accounts quickly. The intention is to recover the money as quickly as possible, and I point out that millions of dollars are concerned at a rate of interest of about 15 per cent. So we are talking about the welfare of the public, generally. I ask members to support the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. Tom Knight) in the Chair; the Hon. G. E. Masters (Minister for Fisheries and Wildlife) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 41 amended—

The Hon. F. E. McKENZIE: I have circulated a copy of the amendments which I propose to move to this clause. I have listened carefully to the debate, and there has been a clear indication that the Government will not accept the amendments. The Minister referred to the humanitarian attitude of the Government. However, we believe the Government's proposition is completely unacceptable and that it just would not work. The Minister could not have been serious when he suggested such a proposition to the Chamber.

During his reply to the second reading debate, I noticed the Minister was at pains to emphasise the amount of money involved. I will not refer to the interest on that amount, because apart from the rise in interest rates, the situation has not changed.

I would like to refer to the sending out of final notices. I will accept the Minister's statement that the cost of preparing and sending a notice would be 70c. I would have thought that 50c per notice was a truer figure, but for the purpose of my argument, I will accept the figure of 70c. The Minister then quoted the enormous figure of 340 000 notices—surely such a number would cover the cost of sending a final notice to every consumer in the metropolitan area.

The Hon. G. E. Masters: Which would be the case.

The Hon. F. E. McKENZIE: Surely there cannot be more than 340 000 customers of the water board in the metropolitan area.

The Hon. G. E. Masters: You would have to send out notices to just about everyone in the metropolitan area.

The Hon. F. E. McKENZIE: I am talking about final notices.

The Hon. G. E. Masters: Yes, if you are to have the final notices out in time.

The Hon. F. E. McKENZIE: The Minister is drawing a long bow.

The DEPUTY CHAIRMAN (the Hon. Tom Knight): Order! I would like to hear just from the Hon. Fred McKenzie please.

The Hon. F. E. McKENZIE: Such a proposition is not on. In answers to questions asked in the Parliament, we were told that throughout the whole period concerned the water supply had been cut to 10 362 residences only. So it is drawing a long bow to suggest that everyone will be sent a final notice. Perhaps the Minister means that the final notice would be sent before a check was made to determine whether payment had been made.

I am pleased the Government has indicated its humanitarianism. However, it falls a long way short of the humanitarian attitude of our party. I do not think there is anything humanitarian about the Government's approach. Two other Government bodies mentioned here tonight—Telecom and the SEC—have demonstrated their humanitarianism. I move an amendment—

Page 2, line 13—Delete the word "subsection" and substitute the word "subsections".

If my amendment is successful, it is my intention to move a further amendment to the same clause; that is, the addition of the following subsection—

(4) The Board shall give the occupier not less than seven days' notice of its intention to turn or cut off or reduce the available rate of flow of the water supply to the land and, when this action is intended under paragraph (b) or (c) of subsection (1) of this section, the Board shall attach to the notice of final account, setting out the rates, moneys, rent or charges due and payable.

Of course, if my first amendment is not successful, I will not proceed with this second amendment.

The Hon. G. E. MASTERS: Quite obviously, as we oppose the foreshadowed amendment of the honourable member, we must oppose the amendment now before the Committee. We believe the Bill should stand as it is. It does not need a further new subsection, let alone the proposed subsection referred to by the member. I urge members to oppose the amendment before the Committee.

The Hon. I. G. PRATT: I cannot support this amendment or the foreshadowed amendment. I believe the Minister is correct: if we agree to sending out final notices, people will regard the date of the final notice as the date for payment.

We have heard a great deal tonight from Opposition members about the wonderful system adopted by the SEC. We would have to assume from their comments that people do not abuse that system. However, I had a rather unhappy

experience last Friday night about that very system.

After working in my office until 7.30 p.m., I had taken my dinner out of the oven, and I was about half way through it when the telephone rang. A very distressed lady on the other end of the telephone told me that she and her family had just returned from her mother's house to find that the power had been cut off.

This couple had two small children, and so they were experiencing some difficulty. The woman had telephoned the faults section of the SEC and assured the officer there that the account had been paid at the agency of a bank a week ago. The officer said it was an accounts matter and he could do nothing about it.

After being assured the account definitely had been paid a week earlier after receiving a final notice, I put my dinner back in the oven to see what I could do for them. I telephoned the faults section, and I was able to obtain an after hours number for an officer of the accounts section. I was assured by this officer that if the couple concerned could produce a receipt, the electricity would be reconnected straightaway.

I arranged to meet the young couple at their house. They were to leave their in-laws' house to return to their own house to show me the receipt. When I arrived at the house they were not there. I telephoned the in-laws' house and the woman's mother-in-law told me that they would be home soon. I must admit that I was thinking of the dinner I had been looking forward to. When I again telephoned the young couple's home they were there, busily searching in the dark for the receipt with all their papers spread over the floor. I said I would telephone them again as it was not worth travelling backwards and forwards to home. The young couple said it would be a good idea for me to return home but I said I did not want to travel there and back again. I also told them I would not ring the after hours number until I had seen the receipt to confirm that the account had been paid.

After some further time elapsed I rang again and they again suggested I go home. I then agreed to do this and told them to bring the receipt to my home. After I had arrived home, I received a phone call from the man. He said he was very sorry but his wife had made a mistake and the account had not been paid. I did not get upset with them because I know that these things can happen.

I must admit my chicken was a little hard when I eventually got to eat it at about 8.45 p.m. I did

not mind that because I know we often intend to do things and do not do them.

This was a nice young couple with two children, and I am sure that they had meant to pay the bill. They were extremely concerned when their power was cut off. The point about raising this matter is that they were given a warning and they did not heed that warning.

I suggest it would not solve our problem for the Water Board to send out final notices in the way the SEC sends out final notices. All it would mean is that more and more final notices would be sent out and more and more people would leave paying their accounts to the last moment. There is no way I could support the amendment, and I suggest we do as the Minister urges.

Amendment put and negatived.

The Hon. P. G. PENDAL: I had intended to contribute to the second reading debate, but due to my own neglect, I was not ready to do so.

The comments I wish to make are relevant to this clause because it is really the basis of the Bill. As I understood the Minister's second reading speech, the Bill is an attempt to ensure that the responsibility of paying one's share of a service is borne by all consumers. Therefore, it is necessary to penalise the people who try to evade their responsibility. While I am supporting the Bill, I suggest that to some extent it is unnecessary. I have never been happy about the idea of anyone's water supply being cut off. As I have said in the past, this seems to me to be akin to denying someone a hospital or health service. The supply of water is as fundamental and as basic a service as those services. At least this clause does go to some middle ground by spelling out that the rate of flow of water can be limited as distinct from being cut off.

The point I want to make refers to a question I asked in this House on 19 August this year, at the request of a constituent. I wanted to know why it was not possible for the Government or the board to introduce some form of pre-payment system for water bills; that is, the same system which applies for paying telephone bills by instalment. That is a facility taken advantage of by a lot of people in the community, and particularly low-income earners and pensioners. My question asked whether the Minister was aware that people could pay telephone accounts by instalments, I think by postage stamps. The Minister indicated he was aware of that.

I asked also whether he would be prepared to look at a similar system for water bills, particularly in view of the fact that those bills have increased sharply over the last few years.

The Minister replied that such an investigation had been carried out already. It was an abrupt answer and did not tell me anything about the merits or otherwise of such a system being introduced for water consumers.

I put it to the Committee that there are probably thousands of people who could take advantage of a pre-payment system by instalments. Such a system would have two effects, and all this relates to what we are now doing, which is trying to find a cure rather than a means of prevention. The system would have two advantages, one being that it would ease the burden on consumers and the other that it would help with the finances of the board. This Bill is very much linked with the finances of the Metropolitan Water Board.

My point was that if the system gave the board access to revenue prior to when it would normally have such access it would assist in the board's cash flow. The answer I received was quite unsatisfactory. It was made clear that the system did not have any advantages over the present system whereby ratepayers facing genuine hardship can make arrangements with the board to pay by instalments. The answer finished up by saying that such instalment payments could be made at any official post office. That seemed odd to me because it was a case of the board acknowledging the workability of the system I was suggesting because it could be used on a Statewide basis.

As a result of the Minister's answer one is entitled to ask: Why apply this system only in cases of hardship? There are plenty of people in the State who tend to leave the payment of bills until the last minute. I now ask the Minister in this Chamber whether this sort of suggestion can be reconveyed to the board? I do not think it took the suggestion very seriously before.

There are plenty of people who are perhaps just above the hardship threshold but still find they have difficulty in paying their water bills in two instalments a year. Surely a person does not have to be in a hardship category before we make available to him a facility which is already available to people who are in the hardship category. I suggest that if a system like the one I have outlined were to be introduced we would not even need amendments of the kind we are dealing with now.

I express my disappointment that the board seemed to look at my suggestion in a rather cavalier manner. There was no indication in the Minister's answer that the suggestion had been taken seriously.

It is a system that could assist people who are either in the hardship category or perhaps marginally above that threshold, who could be assisted by making weekly instalments by buying stamps at a post office. The second advantage my constituent saw in the idea was that throughout the year it would give the board access to a cash flow. It might not be a large cash flow but it would be one that the board would not get otherwise until the end of the year when the first and final notices came in. Other than those comments, I support the clause.

The Hon. G. E. MASTERS: Most certainly the Hon. Phil Pandal's comments will be conveyed to the Minister. Anything that would improve a cash flow should be considered, and we have been talking a lot about cash flows today. This is particularly so when we are dealing with large sums of money. Perhaps the monthly amounts do not indicate there is much money involved, but over the year millions of dollars are involved. The idea could be of substantial benefit and I will refer the member's comments to the Minister.

Clause put and passed.

Clause 3 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

LIQUOR AMENDMENT BILL

Second Reading

Debate resumed from 14 October.

THE HON. I. G. PRATT (Lower West) [9.38 p.m.]: I will not speak for long on this Bill, and I do support it. It contains provisions which are steps forward in this area. It is the sort of Bill we have cropping up fairly regularly. We make amendments in small areas and gradually adjust our laws to the changing attitudes of society.

We live in a society in which the drinking of alcohol is done on a more uniform social basis. It is no longer just a male pursuit with women drinking at home or at an occasional party and to a large degree not being part of the general liquor scene. We now find in our society that table wines in particular are consumed much more than ever before. One of the reasons we are now consuming more table wines and that they are becoming part of the family scene and being drunk at home with a meal is the introduction of the licensed liquor stores. A very close correlation exists between the increase in wine sales in Western Australia and the ability of people to go quietly into a shopping

area situation and obtain their liquor needs rather than going to a hotel.

While the amendments we are making this year do not place any written restrictions on licensed liquor stores they do place the stores at a disadvantage in so far as the amendments affect hotel trading. The disadvantage to the licensed liquor stores is very severe.

One of the amendments will remove the two-bottle limit on Sundays, something I have favoured for some time. We are recognising that people want to and in fact do purchase more than our present laws allow on Sundays. It has been the practice of hotels and taverns to completely ignore the two-bottle limit on Sundays.

The Government was faced with the alternatives of either taking very rigorous steps to enforce the law or to change the law. I am glad to say this Bill changes the law in regard to the two-bottle limit and the limitations on other alcoholic beverages.

The problem is that we will find there is an increase in the sale of liquor on Sundays. In fact there will be an increase in sales throughout the week. There will be a change in the pattern of liquor sales because people needing liquor for Sundays will either purchase it on Saturdays or purchase it at hotels on Sundays rather than go to a licensed store during the week.

So in effect we will be taking away trade from a section of the industry; namely the licensed liquor stores. Knowing the Minister, as well as I do, to be a free enterprise man who believes in equal opportunities for business people, particularly when they are satisfying the needs of the community, I know he will appreciate that this situation is not fair. As a free enterprise Government we should not be even considering legislation that will arbitrarily take away trade from one section of the industry and give it to another section; but that is what we are doing. The Minister may not have considered this. I hope now that as a Minister in a free enterprise Government he will consider what these amendments will do to the total liquor scene in this State.

People will not feel a need to purchase their liquor during the week. At present the licensed liquor stores do a tremendous trade, especially on Saturdays. People will say, "Why buy our liquor today?". As was indicated in the previous debate, people tend to leave things until the last minute. If they know they can buy liquor on Sundays they will not buy it on Saturdays. However, on Sundays there will be only one type of liquor

outlet to meet their needs. They will not be able to buy their liquor at a licensed liquor store.

As a member of a free enterprise Government I have yet to be given a reason for us to be discriminating against the stores which have been licensed to fulfil the needs of the community. Frankly, I do not believe the Government has any answer to my query. The licensed stores should be entitled to a share of the trade. If we take the line that they are not entitled to that share we have to be able to give reasons to back up our stand. I hope the Minister will be able to answer my queries.

Firstly, are they not entitled to a share of the trade? Secondly, if that is not the case, why are they not entitled to a share of the trade? I am sure a Minister of this Minister's capacity will have no difficulty in answering those simple questions with simple and fair answers.

One thing which we as a free enterprise Government endeavour to do is to be fair to all sections of the community. We believe in business initiative, and we do not believe in closing the door to some sections of our community by saying, "Right, you are not allowed to do the same thing. We will let the others do it but not you". The keeping closed of these stores on Sundays is not a simple matter. I repeat that we are not legislating against them, we are legislating in favour of their opposition, which has the same effect.

I return to the comment I made earlier that the increase in the social use of wine within a family, at the dining room table, has come about to a fairly large degree because of the ability of people to purchase their liquor needs from a licensed liquor store. Such stores offer facilities whereby a person can be completely free of people drinking around him. Liquor stores have a very wide variety of beverages from which to choose, and very often they have a larger variety than can be found in hotels. People are not subjected to the noise and boisterous behaviour one often associates with hotels, particularly on Sundays. I do not need to make reference to exact dates and occasions for members to be mindful of the disturbances which have occurred during Sunday sessions over recent years at hotels.

The provision not to allow licensed liquor stores to open on Sundays will make it unattractive to quiet people, people who do not normally use hotels, such as ladies, in particular, to obtain their alcoholic beverages on a Sunday. Why should a woman who perhaps never goes into a hotel, and likes to have a bottle of wine with friends during a

meal, be required to go to a hotel to purchase that wine if she wants it on a Sunday?

The Hon. R. Hetherington: She can go on the Saturday. Surely she can go on the Saturday which she does now. I go on Saturday, and I will still do so. I will not be stopped from going to a liquor store on a Saturday.

The Hon. I. G. PRATT: I will be interested to hear the member at the appropriate time. I will be glad to hear his comments in relation to this Bill and his explanation of why licensed liquor stores should not be allowed to open on Sundays. I am sure he will give us good reasons because he is a sound debater and a good person.

The Hon. R. Hetherington: You have something there, but I don't think it is appropriate to this legislation.

The Hon. I. G. PRATT: I am waiting with anticipation to hear the member's remarks; I am sure they will be interesting.

The Hon. R. Hetherington: Just because I put up a good argument, it doesn't mean you do.

The Hon. I. G. PRATT: We all know the member can be interesting, and I am sure he will have a few words to say on the provision to which I have referred. He has used many good words, and I am sure there are many more he could use.

The final point I wish to make relates to people who have a need to partake of alcoholic beverages on a Sunday, but do not wish to go into a hotel to do so. Why should they be placed at a disadvantage in comparison with other members of the community? I do not think they should be.

If we are to provide the facility to the community of being able to purchase alcoholic beverages on a Sunday, we should extend that facility to include licensed liquor stores. Obviously we have allowed certain quantities of packaged beer to be sold on Sundays, and now we are to allow all liquor to be sold on Sundays. I do not see why licensed liquor stores should not be able to sell liquor on Sundays. Any amendments we make should be on an even footing; we should recognise the rights of both hotels and licensed stores. We should recognise the rights of people who want to purchase liquor from the outlet of their choice on any day that liquor is allowed to be sold. I know of no philosophical or ideological reason to restrict the supply to hotels. Therefore I hope the Minister can provide me with some practical reasons for this provision. If he does, he may persuade me not to move my proposed amendment.

THE HON. W. M. PIESSE (Lower Central) [9.50 p.m.]: I wish to make some comments on

this Bill mainly because I have been lobbied about some provisions and requested to do so by members of the general public. I have noticed that the Bill came about because of a report by a Government committee which investigated what were considered to be anomalies in the Liquor Act. It is a shame that such a committee was set up to investigate only those things which had been specifically referred to it. One reason for that belief is that now would be a good time, in view of the major efforts on the part of the Government to reduce the road toll which to a very large extent is blamed on the consumption of alcohol, to investigate other matters in relation to liquor.

I would have preferred trading hours generally to be the subject of investigation. Recently I again went overseas and again noted that in the UK very little drink-driving or drunkenness occurs. I travelled quite extensively in the UK, and it seems to me that in this country we ought to consider the possibility of introducing hotel trading hours similar to those which apply in the UK. We could do so on a trial basis.

The UK trading hours allow for a break in trading during the day. For instance, a hotel may be open between either 10.00 a.m. or 11.00 a.m. and 2.00 p.m. or whichever hours are set down for a particular area. Anyone who wishes to have a drink with his lunch, or just have a drink at lunchtime, is able to do so before 2.00 p.m. At 5.00 p.m. or 6.00 p.m. hotels open so that the evening mealtime is covered, and they remain open until 11.00 p.m. or midnight, or whatever time is the rule. The procedure adopted in the UK could be satisfactorily adopted in this country, although I am sure it would be regarded with some disfavour by many of our citizens. However, the fact remains that the hotel patrons who normally go to a hotel in the morning, and stay until halfway through the night before driving home, would not be able to do so.

It is all very well for us to say hotel licensees are required to limit the amount customers consume at their hotels, but that is a difficult responsibility for licensees to undertake. However, if hotels were required to close bars for a few hours during the day the drinkers to whom I have referred would have to leave. It is doubtful that those people would return to the hotel for another session. Usually when such people go home after spending time in a hotel, they sleep it off before returning. For that reason the proposition I have given would be beneficial, although it would be criticised by some people.

The next matter to which I refer is the provision which will allow hotels to sell any

amount of packaged liquor during Sunday trading hours. I have been lobbied by people who are for and against this provision. Personally I see only good in the amendment, in spite of the fact that people maintain it will reduce family life and unity, and other such things, on weekends. It seems to me that the people who say this, have not studied the circumstances surrounding the sale of packaged liquor for consumption off the premises. I agree with the Hon. Bob Hetherington that people will be able to purchase the major amount of their liquor supplies on any day of the week other than Sunday. It often happens that people run short of liquor supplies on a Sunday because of an influx of visitors, or whatever.

The two-bottle limit was very much an anomaly. If people can purchase whatever quantity of liquor they require on a Sunday and, hopefully, take it to their homes to consume, a family occasion may be enhanced. People will not be enticed to race into hotels just to have a drink, drink as much as they can during the two hours allocated to each Sunday session, and then try to get themselves home. I can see only good in this amendment.

The question of whether licensed liquor stores should be allowed to open on Sundays is quite vexatious. I sympathise with the endeavours of the Hon. Ian Pratt; however, hotel licensees are obliged to provide accommodation and meals, which has been the case since the turn of the century. Many of us know that although metropolitan hotels are required to provide accommodation and meals, often they do not provide those facilities. I know of some hotels at which I have endeavoured to obtain accommodation or a meal and have been told repeatedly that all accommodation is booked—that they just do not have the accommodation space. I have known that was not the truth. It is all very well for people to say that if we find such an infringement of the law we should report it, but no-one likes to take up a lot of time running around reporting such things. These infringements should be noted by the inspectors who are supposed to investigate hotels. Perhaps the requirement is an anomaly and we ought to give it further consideration.

The situation to which I have referred does not occur in country areas. The demand for accommodation at country hotels is high because they are few and far between.

The Hon. I. G. Pratt: What about taverns?

The Hon. W. M. PIESSE: Taverns are in a different category; I am talking about hotels. Country hotels provide accommodation and

meals, which is something to be considered in the context of this legislation. I do have some sympathy with the concept of the Hon. Ian Pratt's proposed amendment, but it should be examined carefully. Perhaps licensed liquor stores which do not sell any other kind of merchandise should be allowed to trade on a Sunday during the hours in which a hotel is allowed to trade. Such a provision would remove the possibility of general, chain, or grocery stores selling liquor on a day when they should be closed. To bring in such a provision would require more consideration than time permits tonight.

Statements can be made in favour of altering the proposed provisions in relation to clubs to overcome their problems. However, I would not agree to an alteration in any way of their trading hours other than as suggested in the Bill.

With those few words I support the Bill.

THE HON. N. F. MOORE (Lower North) [9.59 p.m.]: Firstly, I refer to a matter not referred to in the Bill, but mentioned in the Minister's second reading speech; that is, the suggestion made by the Government committee which inquired into the Liquor Act that provisional members of clubs should not be able to sign in visitors to a club. Fortunately it was decided, by the Committee in another place, that the suggestion would not be pursued; therefore it is not included in the legislation before us.

It is a good thing that the provision is not included. In particular I refer to golf clubs whose provisional members pay the same fee as their ordinary members. Provisional members are classed as such only because the club is unable to cater for more players than are able to become full members.

For example, in my case, I am a provisional member of the Royal Perth Golf Club and will be for five or six years because that club does not have course facilities for more players at present. If the amendment, as suggested, were passed it would have meant that as a provisional member, I would not be able to take visitors into the club room, even though I pay the same fees as a full member. I think that would be most unjust. I am pleased the Committee decided not to proceed with that suggestion.

With regard to the question of Sunday trading and the decision not to change the hours of trading on Sundays, I think that is a good decision. However, I would suggest that the Minister may like to suggest to the Minister responsible for this legislation that consideration ought to be given to the special circumstances

which apply to hotels which cater for the tourist trade. One example is the Nor-Cape Lodge in Exmouth which is a hotel set up almost purely for the tourist trade. The lodge has organised with Airlines of Western Australia that package tours can be taken to Exmouth, leaving Perth on a Friday evening and returning on Sunday evening.

However, under the laws relating to Sunday trading, hotels must close on a Sunday, apart from the two sessions they may conduct. This creates a disadvantage for those people who are staying at a hotel for the weekend.

Consideration ought to be given to providing special tourist hotel licences where hotels' activities relate almost entirely to tourism. Those hotels should be able to conduct normal trading hours on Sundays because for people on holidays, Sunday is the same as any other day. However for people who go to church, Sunday is a special day; but many people do not subscribe to that thinking.

The Minister should give some consideration to having a special licence for hotels which are operating for the tourist trade on Sundays.

The Hon. Peter Dowding: Don't you believe the people who live there should have some respite?

The Hon. N. F. MOORE: No-one is obliged to go to a hotel, I am talking about people who are resident at the hotel and should be able to have the facilities of the whole hotel made available to them. I am suggesting there is a demand, in hotels catering for tourists, for normal facilities to be available on Sunday.

The Hon. Peter Dowding: They are probably, anyway.

The Hon. N. F. MOORE: I am talking about a particular instance—the Nor-Cape Lodge. This lodge is trying to encourage tourists to the area.

The Hon. Peter Dowding: Would you like that to occur at Carnarvon as well?

The Hon. N. F. MOORE: I am talking about a tourist hotel.

The Hon. Peter Dowding: Carnarvon has a tourist hotel.

The Hon. N. F. MOORE: If there is a hotel which caters almost solely for tourists at Carnarvon then it should be in the same category.

The Hon. Peter Dowding: Can guests drink at any time in hotels?

The Hon. N. F. MOORE: They may in their rooms. There is a difficulty with the Act which says that the bar must be closed and people must sit at a table and have meals at certain times. It is a whole mishmash and a degree of difficulty is experienced by the Police Force when attempting to implement this law.

The matter of trading in packaged liquor on Sundays is another point I wish to raise. I think the situation which exists now with the two-bottle limit is ludicrous because it is open to abuse. People in the metropolitan area can travel from one hotel to another and buy as many bottles as they wish if they are prepared to travel around. However, in a small town there is often only one hotel so people can buy two bottles only.

The real question is whether we should amend the Bill to propose unrestricted packaged sales or have no sales on Sundays. However, I think what the Bill proposes to do is the best possible solution to the problem. Hopefully, it will encourage people to buy packaged liquor and drink it at home rather than at hotels and then drive afterwards.

I support the fact that this provision has been liberalised to allow the sale of wines and spirits, because not everyone drinks beer. Wines are becoming more popular in Australia and I think this is something to be encouraged. The drinking of wine is something I enjoy and I think it is grossly unfair that people who drink wines do not have access to them on Sundays.

The provision which deals with vigneron's being permitted to trade on Sundays and sell their bottled wines to the public is another innovation in this legislation which is long overdue. The wine industry in Western Australia is one which is developing very rapidly, and we are producing some quite extraordinary wines in our south-west and in the Swan Valley.

Many of these vineyards endeavour to encourage tourists and local people to visit the vineyards to sample their wines and to understand a little about the wines which are being produced there. Now, people will be able to sample the wines at their leisure. They will not have to visit vineyards on Saturdays only, they will be able to spread their visit over two days and take their time and perhaps not drink so much so quickly.

I am concerned about the wording of the Bill in proposed section 36A (4), which states—

(4) The Court may, on the application of the holder of a vigneron's licence, if it is satisfied that—

(a) a demand exists for the sale and supply of wine to persons visiting vigneron's premises as tourists and sightseers on Sundays; and

The court has to decide whether a demand exists. I think it would be fairly difficult for the court to make a decision on that subject because it is very hard to determine whether a demand exists. Often when one has something, that creates a demand. A demand may not be present until there are facilities to create it. The proposed subsection continues—

(b) that the premises are suitable for the purpose of catering to that demand . . .

I hope this does not mean facilities with hot and cold running water, etc. will be required. Because that may mean that it will be out of the range of many vineyards, especially if it would mean the requirement of expensive tasting or sales rooms.

My final point relates to a case which was heard in the Licensing Court a couple of months ago which concerned the provision of a liquor store licence in Laverton. The court decided that a licence was not to be granted. This was against the wishes of many of the people living in Laverton and that brings me to the point that I think consideration ought to be given to some form of appeal against the decisions of the Licensing Court. A person is able to appeal on a question of law and not just against the decision of the court.

The Hon. Peter Dowding interjected.

The Hon. N. F. MOORE: I am sick and tired of hearing Mr Dowding's voice every time I speak. I am speaking about a decision which in the opinion of the majority of the people who probably have a greater knowledge of the situation than he has, was wrong; yet there is no appeal.

The person who was prepared to spend \$400 000 in a place like Laverton and spend \$12 000 on his applications to the Licensing Court was told point blank that he could not go ahead. The decision in my judgment was quite ridiculous, but the court made its decision in its wisdom. If

there was some form of appeal which would enable the person who is prepared to spend that sort of money, and who has already spent a lot of money, to have somebody take a second look at his proposal—

The Hon. Peter Dowding: It is more money for lawyers, but it is a pretty silly idea.

The Hon. N. F. MOORE: To have some form of appeal against decisions of the Licensing Court would be desirable. With those few remarks, I support the Bill.

Debate adjourned, on motion by the Hon. P. H. Wells.

House adjourned at 10.12 p.m.

QUESTIONS ON NOTICE

592. *This question was postponed.*

SEXUAL ASSAULT

Statistics

593. The Hon. LYLA ELLIOTT, to the Attorney General:

For the years 1979-80 and 1980-81—

- (1) How many rape cases reached the Supreme Court in Western Australia?
- (2) Of these—
 - (a) what were the verdicts, i.e. rape, attempted rape, lesser offences;
 - (b) what were the lengths of the sentences;
 - (c) how many victims claimed compensation; and
 - (d) how many received compensation?
- (3) How many rapes or attempted rapes were reported to the police during the years?

The Hon. I. G. MEDCALF replied:

- (1) to (3) It will take some time to obtain the information requested, but the member will be advised in writing when it is available.

EDUCATION: PRIMARY SCHOOLS AND HIGH SCHOOLS

Telephone Services: STD

594. The Hon. TOM McNEIL, to the Minister representing the Minister for Education:

Would the Minister advise—

- (1) Why it was necessary to deny schools access to the STD network by placing bars on STD operations?
- (2) When did this take place?
- (3) Were school principals advised that the STD system was no longer available to them?
- (4) If "Yes" to (3), when, and by whom?
- (5) If "No" to (3), why not?
- (6) What are the anticipated savings by taking this action?

The Hon. D. J. WORDSWORTH replied:

- (1) The decision was taken as an economy measure to record and control the use of long-distance calls and to eliminate the use of telephones for non-departmental purposes. The programme is to be implemented in four stages.
- (2) Telecom was requested to proceed on 28 September 1981. As a consequence Telecom advised that equipment would not be available for six months after an order was placed. In the event, Telecom was able to make an immediate start upon receiving the order.
- (3) Yes.
- (4) and (5) Advised on 13 October 1981, by the Education Department. However, economies in the use of telephones were foreshadowed in a letter to principals from the Director-General dated 23 June 1981.
- (6) Implementation cost for stage 1 is \$8 000 which should be more than offset by anticipated savings within the annual telephone bill of the department of \$1.5 million.

LAND

Industrial Lands Development Authority

595. The Hon. P. G. PENDAL, to the Minister representing the Minister for Industrial Development and Commerce:

- (1) Has the Industrial Lands Development Authority (ILDA) appointed a consultant to investigate the commercial development in the Canning Vale industrial area?
- (2) If so, who?
- (3) If not, when will the consultant be appointed?
- (4) When is it expected that the consultant will submit his report to ILDA?

The Hon. I. G. MEDCALF replied:

- (1) Yes.
- (2) M. R. Johnston and Associates.
- (3) Not applicable.
- (4) The time for completion of the report is still to be negotiated with the consultant; however, it is not expected to be before March 1982.

PRISONS: PRISONERS

Sentences

596. The Hon. J. M. BERINSON, to the Minister representing the Chief Secretary:

- (1) How many persons are now serving, in prison, indeterminate sentences?
- (2) In each case, in which institution, and in what part of that institution, is the sentence being served?

The Hon. G. E. MASTERS replied:

- (1) Currently, there are 77 persons serving indeterminate sentences in Western Australian prisons and two in hospitals, indeterminate sentences being understood here to include persons sentenced in accordance with sections 19 (6a)(a), 653, 661 and 662 of the Criminal Code and persons serving life sentences, death sentences commuted to life, death sentences commuted to strict security for life, and persons currently under sentence of death.

- (2) Prisoners are in the following institutions:

Fremantle Prison	51
Bandyup Training Centre	5
Albany Regional Prison	6
Wooroloo Training Centre	1
Wyndham Regional Prison	1
Bunbury Rehabilitation Centre	4
Roebourne Regional Prison	3
Karnet Rehabilitation Centre	3
Geraldton Regional Prison	1
Barton's Mill Prison	2
Public hospital	1
Psychiatric hospital	1

Persons serving indeterminate sentences are not kept in particular parts of prisons, but are placed according to security and management requirements, and so as to avoid overcrowding.

TOTALISATOR AGENCY BOARD

Laverton

597. The Hon. N. F. MOORE, to the Minister representing the Chief Secretary:

Further to my question 571 of Wednesday, 14 October 1981, and in view of the following—

- (a) the population of Laverton is now similar to that which existed before 1978 when the Totalisator Agency Board found it economically feasible to establish an agency;
- (b) the single men's quarters, which were situated at Windarra prior to 1978, are now located in the town of Laverton; and
- (c) Laverton is 120 kilometres from the nearest TAB agency;

will the Minister request the Totalisator Agency Board to reconsider its position on the provision of TAB facilities in Laverton?

The Hon. G. E. MASTERS replied:

- (a) to (c) The feasibility of establishing an agency in Laverton is being investigated.

GAMBLING

Bond Australian Show Jumping Derby

598. The Hon. TOM McNEIL, to the Minister representing the Chief Secretary:

- (1) Would the Minister advise whether contestants and spectators at the Bond Australian Show Jumping Derby, held at Lake Monger, were able to gamble on the results of those horse trials?
- (2) If "Yes"—
 - (a) who were the registered bookmakers involved; and
 - (b) who framed the market and decided the prices against each contestant?
- (3) If "Yes" to (1), is it considered sufficiently serious an offence as to be incorporated in the terms of reference of the Liberal three-man back-bench committee looking into gambling in this State?

The Hon. G. E. MASTERS replied:

- (1) to (3) The Minister is not aware whether contestants and spectators at the Bond Australian Show Jumping Derby held at Lake Monger, were able to gamble on the results of those horse trials.

No reports have been received by the Police Department.

If the member has any specific information or complaint and refers it to the Minister he will have the matter investigated.

599. *This question was postponed.*

WATER RESOURCES: MWB

Royal Show: Display

600. The Hon. TOM McNEIL, to the Minister representing the Minister for Water Resources:

- (1) What was the cost of the Metropolitan Water Board display at the Royal Show in terms of—
 - (a) man hours; and
 - (b) wages?
- (2) What benefit was it anticipated such a display would provide for—
 - (a) the community; and
 - (b) the Metropolitan Water Board?

The Hon. G. E. MASTERS replied:

- (1) (a) 468 hours;
 (b) approximately \$4 750, being the value in money of (a) above.
- (2) (a) The prime purpose of such displays is to provide information to the community on its No. 1 resource and is part of the board's long established ongoing programme of disseminating information and literature to schools and other interested groups and conducting tours of installations such as dams, groundwater treatment plants, wastewater treatment plants, etc.;
- (b) in recent times the board and its employees have been the subject of unfounded criticism by both the Opposition and the media. Such base criticism has a denigrating effect on the morale of some 3 500 mostly dedicated people who in addition to their status as board employees are also members of the community and as such are sensitive to the ill feeling being promoted towards themselves. Community education displays provide an opportunity for the board to interact and promote a better mutual understanding with the public it serves.

HOUSING: RENTAL

Qualifying Income

601. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Housing:

- (1) Is the Minister aware—
 - (a) that a married couple can apply for a State Housing Commission rental home if their combined income does not exceed \$236.70; and
 - (b) that no additional income is permitted for applicants with one or two dependent children, and that only \$2 is added to the \$236.70 for each child in excess of two?
- (2) Will the Minister explain why no additional allowance is made for families with one or two children, and why only \$2 is added for each child in excess of two?
- (3) Will the Minister take action to ensure—
 - (a) that an amount be allowed for each child; and
 - (b) that the amount be upgraded to a realistic level;
 because no child could be kept on \$2 per week?

The Hon. G. E. MASTERS replied:

- (1) (a) and (b) The income to be assessed for eligibility is the gross income of the breadwinner only and does not include wife's income or income for other persons. Currently, the income criteria for eligibility in the metropolitan area is—

Breadwinner's income \$236.70 per week, excluding overtime etc. unless it is of a permanent nature.

This income is increased by \$2 per week per dependent child beyond the second.

- (2) The commission considers that a family with more than two dependent children is a larger than average family and consequently justifies a greater opportunity to the lower rental state housing rental accommodation.
- (3) (a) and (b) The income eligibility level is reviewed quarterly by the commission and is based on the seasonally adjusted average weekly wage.
 The statement that no child could be kept on \$2 per week is not relevant.

RAILWAYS: FREIGHT

Less Than Container Loads

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

With reference to question 578 of Wednesday, 14 October 1981, the Minister failed to answer any of the specific points raised in the question. Therefore, I ask—

- (1) Will the Minister advise what stage has been reached in discussions with joint venturers in relation to less than container loads traffic involving freight handled by Westrail?
- (2) Will the public be advised of the details of the arrangement prior to any agreement being entered into between Westrail and the joint venturers?
- (3) As any such arrangement is likely to seriously affect employees, will the various rail unions be given the opportunity to discuss these effects with the Commissioner of Railways before any arrangement is entered into and documents appertaining to it are signed?
- (4) Will the Minister advise the name or names of the joint venturers with whom Westrail is considering entering into an agreement?

The Hon. D. J. WORDSWORTH replied:

- (1) to (4) Further to the reply given to question 578 of 14 October 1981, the matters raised cannot be fully considered until such time as a decision is taken as to whether the joint venture alternative is to be adopted for the handling of Westrail's "smalls" and parcels freight, and it is, therefore, not possible to supply specific answers at this stage.

If such an alternative were to be adopted, freight forwarding companies would be given the opportunity to make an offer for a joint venture and discussions with unions would continue before final implementation.

RAILWAYS: SUBURBAN PASSENGER SERVICE

Restrictions

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

- (1) Is the Minister aware of the inconvenience caused to railway commuters following the introduction of a severely restricted suburban rail passenger service on Sunday, 18 October 1981?
- (2) Will the Minister advise why timetables introducing a new suburban rail passenger service were not available to the public before Thursday, 15 October 1981, when the new service was to operate as from Sunday, 18 October 1981?
- (3) Was the new timetable showing arrival and departure times advertised in any newspaper?

The Hon. D. J. WORDSWORTH replied:

- (1) The Minister is aware that a few problems were experienced but no more than is normally expected in applying any new measures.
- (2) Apparently printing was delayed due to negotiations with railway unions for acceptance of the Saturday timetable.
- (3) General advertisements advising the public of core times were placed in *The West Australian* on a Friday and Monday just prior to introduction of the new timetables.

RAILWAYS

Armadale-Perth

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

- (1) Is the Minister aware that trains conveying workers required to work on public holidays, i.e. 5.55 a.m.—6.53 a.m. 7.45 a.m.—and 8.38 a.m. ex Armadale to the city, have been eliminated following the introduction of a new service as from Sunday, 18 October, and that the first train ex Armadale on public holidays is now 9.23 a.m.?

- (2) Will the Minister have at least some of the earlier service reinstated to enable workers required by their employers for work on a public holiday to attend, because the hiring of a taxi is not a practical financial proposition?

The Hon. D. J. WORDSWORTH replied:

- (1) and (2) The Minister for Transport has asked the MTT to examine and report on the situation regarding the early morning services.

RAILWAYS: SUBURBAN PASSENGER SERVICE

Sundays

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

- (1) Will the Minister advise the times of departure for the first suburban passenger train on Sundays from—
 (a) Armadale to city;
 (b) city to Armadale;
 (c) Midland to city; and
 (d) city to Midland;

following the introduction of a new service on Sunday, 18 October 1981?

- (2) How many trains (and the time of their departure) have been eliminated from each departure point as indicated in (1) above, prior to the first train departing as from Sunday, 18 October 1981, when compared to the previous timetable?
- (3) What is the departure time of the last train from each departure point, as indicated in (1), as from Sunday, 18 October 1981?
- (4) What was the departure time of the last train from each departure point, as indicated in (1), prior to Sunday, 18 October 1981?
- (5) As many workers, including those employed by Australia Post on mail sorting duties, are required to work on Sundays and public holidays, now find that the later starting time for public transport makes it impossible for them to get to work on time, if that is their only means of transportation, will the Minister advise what steps the Government will take to overcome the problem?

The Hon. D. J. WORDSWORTH replied:

- (1) (a) 09 23 hrs;
 (b) 08 30 hrs;
 (c) 09 40 hrs;
 (d) 09 00 hrs.
- (2) (a) 07 45, 08 38, two trains;
 (b) 07 45, one train;
 (c) 08 05, 09 15, two trains;
 (d) 07 30, 08 40, two trains;
- (3) (a) 20 23 hrs;
 (b) 19 30 hrs;
 (c) 20 05 hrs;
 (d) 19 30 hrs.
- (4) (a) 23 23 hrs;
 (b) 23 20 hrs;
 (c) 22 48 hrs;
 (d) 23 22 hrs.
- (5) The Minister for Transport has asked the MTT to examine and report on the situation regarding the early morning services.

ROAD

Mitchell Freeway

606. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Urban Development and Town Planning:

- (1) Did the Swan Brewery receive a substantial sum of money from the MRPA for airspace when the Mitchell Freeway was extended?
- (2) If so, what was the amount paid?
- (3) Was it for injurious affection?
- (4) Is a private individual, whose only asset is the home in which he lives, and who has suffered nervous anxiety resulting in a breakdown in health because his home will be acquired by the MRPA for future roadworks, entitled to injurious compensation for his complaint if supporting medical evidence clearly establishing the MRPA scheme as the cause, is produced?

The Hon. I. G. MEDCALF replied:

- (1) Land requirements relating to the Swan Brewery Co. Ltd. site bounded by Mounts Bay Road, Spring Street, and Mount Street were acquired by the Main Roads Department. It is suggested the questions relating to this be directed to the Minister for Transport.
- (2) and (3) Not applicable.

- (4) Section 63 of the Public Works Act prescribes how compensation for land taken or resumed shall be ascertained. Where cases of hardship arise, the Metropolitan Region Planning Authority gives consideration to the circumstances involved.

TOWN PLANNING: MRPA

Resumptions

607. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Urban Development and Town Planning:

With reference to question 318 of Wednesday, 5 August 1981, and the board of valuers advice of the "potential of the land for high-density flat development"—

- (1) Was the land zoned for that purpose at the time of purchase?
- (2) Were any other properties subsequently purchased in the same area?
- (3) If so, was the same criteria taken into account when valuations were made?
- (4) Is it usual for potential development of the land to be taken into account when negotiated purchases are being considered?
- (5) If so, could the Minister advise how many owners have benefited from this provision in the past?

The Hon. I. G. MEDCALF replied:

- (1) The land was designated in the Perth City Council zoning by-laws as "zone two—residential flats" at the time acquisition was negotiated.
- (2) to (4) Yes.
- (5) It is not practical to provide statistics on this as it would involve detailed examination of each land transaction concluded by the Metropolitan Region Planning Authority.

HOUSING

Karratha

608. The Hon. PETER DOWDING, to the Minister representing the Minister for Housing:

I refer to the petition presented to the Legislative Council on 26 August 1981 concerning the living conditions of many

caravan dwellers and the shortage of State Housing assistance in Karratha, and ask—

- (1) Does the Minister accept that the facts set out in that petition are accurate, and if not, which facts are not?
- (2) What does the Minister propose to do to alleviate this situation, if anything?

The Hon. G. E. MASTERS replied:

- (1) and (2) The petition presented to the Legislative Council on 26 August 1981, has been studied in detail by the Honorary Minister for Housing and senior Housing Commission officers.

It is accepted that there are housing shortages at Karratha due to the rapid development of the North-West Shelf gas project.

The State Government has initiated a substantial building programme in order to meet this demand.

The Honorary Minister for Housing, with the member for Pilbara (Mr Sodeman), and the General Manager of the Housing Commission, were in Karratha on Friday, 16 October to assess current needs and to meet with the townsites development committee.

There are currently 103 houses under construction for the Government at Karratha and tenders will be let for a further 25 houses before the end of October.

In addition, another new caravan park is anticipated to open by mid-December.

The townsites development committee and the local authority are currently considering a proposal to develop a chalet park.

It is believed that the combination of these measures will overcome substantially the accommodation difficulties currently being experienced.

HOUSING

Karratha

609. The Hon. PETER DOWDING, to the Minister representing the Minister for Regional Administration and the North West:

I refer to the petition presented to the Legislative Council on 26 August 1981 concerning the living conditions of many caravan dwellers and the shortage of State Housing assistance in Karratha, and ask—

- (1) Does the Minister accept that the facts set out in that petition are accurate, and if not, which are not?
- (2) What does the Minister propose to do to alleviate this situation, if anything?

The Hon. G. E. MASTERS replied:

- (1) and (2) Answered by question 608.

GAMBLING: CASINOS

Submission

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

I refer to the report on page 3 of *The West Australian* of 7 December 1976 "Submission on Casinos Soon", and ask—

- (1) Did the former Minister for Police make a submission to Cabinet?
- (2) Will the Minister release it?
- (3) If not, why not?
- (4) Did Cabinet act on it?
- (5) If so, what was done?
- (6) Did the then Minister say that a limit would have to be set on the number of illegal casinos operating in the city?
- (7) Was such a number set?
- (8) If so, what was the number, and when was it set?

The Hon. G. E. MASTERS replied:

- (1) to (8) As has been previously stated, all Cabinet discussions and deliberations are confidential.

The Minister reiterates the Government's policy in relation to gambling houses, gambling establishments, and gambling, as stated in his answer to question 2025 in the Legislative Assembly on Tuesday, 29 September 1981.

BROTHELS

Complaints

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

- (1) Have the police received complaints about two premises, Adina of 107 Brisbane Street, Perth, and Aphrodite at 366 William Street, Perth, on the basis that these business places are brothels and are operating to the detriment of near neighbours?
- (2) If so, when were those complaints received, and what action was taken as a result of them?

The Hon. G. E. MASTERS replied:

- (1) According to police records, there is no record that complaints of the precise nature indicated in the question were received.
- (2) Each of these premises was kept under observation by police and during March, 1981 three females were arrested at each and charged with offences connected with prostitution.

TOWN PLANNING: BROOME

Hotel

612. The Hon. PETER DOWDING, to the Minister for Lands:

- (1) Is the Minister aware that the Broome Shire Council proposes to amend its town planning scheme to enable a company in which the shire president has an interest, to build a hotel at Cable Beach, Broome?
- (2) Since this land was made available without cost to this company, and is a site worth many thousands of dollars, and without other members of the public having access to such a site—

- (a) will the Minister advise whether there has been some breach of the terms upon which this land was made available;
 - (b) has the department and the Minister failed to impose conditions to safeguard the public from providing a large financial benefit to this company; or
 - (c) is there some other explanation for this event?
- (3) Will the Minister investigate the matter and report to this House?

The Hon. D. J. WORDSWORTH replied:

- (1) I have had no formal advice, however, I am aware of a proposal to build a resort hotel at Cable Beach on Broome lot 1216, and that this will call for rezoning action.
- (2) (a) to (c) The freehold of this lot was made available after the expenditure by the lessee of \$336 000 on improvements and for payment of the purchase price of \$6 250 to the Lands and Surveys Department.

The member was advised in answer to his question 154, 1981, of the terms upon which the land was released and there has been no breach of these terms. The usage of the land after freehold has been granted is beyond the control of the department.

- (3) No.

QUESTIONS WITHOUT NOTICE

LEGAL PRACTITIONERS

Brinsden Committee

181. The Hon. PETER DOWDING, to the Attorney General:

I refer to the announcement that Mr Justice Brinsden finds himself unable to continue as the chairman of the committee of inquiry into the legal profession. In view of this statement, I ask the Attorney General the following questions—

- (1) Has he given consideration to the appointment of a replacement chairman?
- (2) When will a replacement chairman be appointed?

- (3) Will he assure the House that a replacement chairman will be appointed and that responsibility will not be merely left with the remaining two members of the committee?
- (4) What consultation will the Attorney General undertake before announcing the replacement chairman?

The Hon. I. G. MEDCALF replied:

- (1) to (3) Naturally the Government will endeavour to obtain a replacement for Mr Justice Brinsden as soon as it possibly can. I am unable to say when that might be, because it will depend upon the availability of a replacement chairman. I can assure the House that will be attended to as speedily as possible.
- (4) As to what consultation may take place, I can say only that appropriate thought will have to be given to whether any consultation is required. Most certainly every endeavour will be made to ensure that a suitable replacement chairman is obtained.

LEGAL PRACTITIONERS

Brinsden Committee

182. The Hon. PETER DOWDING, to the Attorney General:

Since this matter concerns an inquiry into the legal profession, will the organisational bodies of the profession be contacted about the suitability of the person to be appointed as the replacement chairman?

The Hon. I. G. MEDCALF replied:

I cannot give an undertaking about that at this stage because I have not given any consideration to it. I am endeavouring to obtain the services of a replacement chairman; and in due course thought will be given to the question raised.

COURT: SUPREME

Workload

183. The Hon. PETER DOWDING, to the Attorney General:

- (1) Has his attention been drawn to an article written by the Chief Justice in the Law Society journal *Brief*, which

highlights the difficulties under which the judges of the Supreme Court are working, and their workload?

- (2) Has he given any consideration to the matters raised by the Chief Justice?
- (3) Has he under consideration any proposals to alleviate those difficulties; and, if so, what proposals has he?

The Hon. I. G. MEDCALF replied:

- (1) to (3) Yes, I have most certainly given consideration to the paper written by the Chief Justice, which was published in *Brief*. The Chief Justice was kind enough to supply me with a copy. I have studied it carefully. It is a most important paper, and it represents the considered views of the Chief Justice, after careful examination of the history of the Supreme Court, the District Court, and other courts.

The Chief Justice has made a number of very important points in his paper, and consideration is being given to them. One of the points is the surprising way in which this matter crept up on the courts, one might say. Another point is that the major cause of the present situation is the growth and development of legal aid.

Of course, this is a reflection on the Government's policy in being the first State in Australia to establish a comprehensive legal aid system. It is true that sometimes our good deeds come back on us when least expected.

However, as a result of all the discussions I have had with the Chief Justice about his paper and associated questions arising from it, I am hopeful that the difficulties presently being faced by the Supreme Court will be overcome.

COURT: SUPREME

Workload

184. The Hon. PETER DOWDING, to the Attorney General:

- (1) Can he give some indication to the House of how he sees these problems being overcome?
- (2) What are the areas of action which the Government might consider to overcome them?

The Hon. I. G. MEDCALF replied:

- (1) and (2) These questions are being considered at the moment. They are the subject of discussions between myself, the Chief Justice, the Chairman of Judges of the District Court, and the Law Society. I would prefer at this stage to observe the confidence which they have placed in me. I suggest to the member that he might wait a little while, and the courses which are open to the Government will become apparent.

CLOSE OF SESSION: SECOND PART

Target Date

185. The Hon. LYLA ELLIOTT, to the Leader of the House:

In view of the two procedural motions appearing on the notice paper today, can he give us any idea as to when it is intended to end this session of the Parliament?

The Hon. I. G. MEDCALF replied:

I propose making a short statement on that matter when I move the motions. In case the member should think that I am able to tell her the proposed date, I am afraid that the short statement I make will not be very elucidatory.

TOWN PLANNING: BROOME

Hotel

186. The Hon. PETER DOWDING, to the Minister for Lands:

I refer to his answer to question 612. Has he carried out any examination to see if it is appropriate for the Lands Department to lodge an objection to the rezoning of the land it made available for the purpose of a chalet development that is being rezoned for the purpose of hotel accommodation at Cable Beach, Broome?

The Hon. D. J. WORDSWORTH replied:

Conditions are laid down for the lease of land by the Lands Department. Once those conditions have been abided by and the person has applied for the freehold, the Minister no longer has any control over the use of the land.

While in this particular case, in the short time that has passed, one can remember for what purpose the land was originally allocated, this does not apply in many cases. Once the land has been freeholded, it becomes a matter for the town planning authorities to determine the ideal conditions for its development. The Town Planning Board gives consideration to it at that time.

The Hon. P. H. Lockyer: It is called "free enterprise".

TOWN PLANNING: BROOME

Hotel

187. The Hon. PETER DOWDING, to the Minister for Lands:

Having examined this matter, can he tell the House why sufficient conditions were not imposed upon the person to whom this grant of land was made, to ensure that the avowed purpose of the grant—namely, using the land for the building of chalets—was not carried out before the land was freeholded? As he knows, only half the land was developed for chalets, and the other half is proposed to be used for a most valuable hotel development.

The Hon. D. J. WORDSWORTH replied:

As I have stated in previous answers and in reply to the question on notice today, a condition as to development was laid down and the lessee had to expend some \$336 000, and purchase the land for \$6 250, so that it cost him a total of \$342 250. That is certainly a considerable sum of money. That money was spent.

If the person wishes now to replan the use of the land, and if he wants to remove all of the chalets completely, the conditions have been met, and the land is freehold.

TOWN PLANNING: BROOME

Hotel

188. The Hon. PETER DOWDING, to the Minister for Lands:

Is he not aware, from his examination, that half of the land made available by the Lands Department was never

developed for any purpose, and that in the original proposal to the Lands Department the whole of the land was proposed to be used as a chalet development?

The Hon. D. J. WORDSWORTH replied:

I have not examined it and found that. I am aware only that overall conditions were placed on the development, and they have been met.

TOWN PLANNING: BROOME

Hotel

189. The Hon. PETER DOWDING, to the Minister for Conservation and the Environment:

- (1) Is he aware of proposals presently being advertised by the Broome Shire Council to permit the shire president and his company to develop land at Cable Beach for the purpose of a hotel development?
- (2) Since Cable Beach is a unique tourist and ecological attraction, has he taken any steps to investigate the environmental implications of this proposal?
- (3) If not, will he give an undertaking to the House to refer it to his department to investigate that point?

The Hon. P. H. Lockyer: Why don't you simply say you dislike Dr Peter Reid, as you have done for 18 months? Disgraceful!

The Hon. G. E. MASTERS replied:

- (1) to (3) I will not be involved in that sort of argument. I do not think it was very clever for the member to phrase his question in that way.

The Department of Conservation and Environment views carefully all applications of the type he is suggesting, and it makes its input to the relevant department. It does not matter who is concerned in the development of the land, even if it were the Hon. Peter Dowding. If that were the case, we would give it the same consideration, although it would be drawing a long bow.

TOWN PLANNING: BROOME

Hotel

190. The Hon. PETER DOWDING, to the Minister for Conservation and the Environment:

Can he tell the House whether his departmental review of the proposal will be made before or after final town planning approval has been given, or will his department investigate it prior to the granting of the rezoning?

The Hon. G. E. MASTERS replied:

The process is that any sort of development which is likely to affect the environment is scrutinised by the department. I am not sure of the exact situation now, but I will undertake to look into it for the member.

All I can say is that when this sort of situation arises, the department is required to look at the matter and consider the conservation and environmental factors, and report. That is the best I can say to the member at this time. I will follow it up.
