The Hon. A. F. Griffith: That is true.

The Hon. F. J. S. WISE: It is reserved to me in the same way as I cannot know what the Minister is about to say, or is thinking. Therefore the Minister slid very gracefully, in some ways, over one or two things.

He used the time that he did use to castigate someone else who had stated that the State Shipping Service had been sold. I made no such statement; I held no such contention. My objective was to bring before this House, in an impartial way, and on a national basis, a case for the retention of this service. In so far as scant reference was made to my motion by the Minister, when he showed he preferred not to reply to me, I return the compliment and ignore his speech.

I presented the case very clearly on the basis that this shipping service was national in the service it gave to one-sixth of Australia, to 2,200 miles of Australia's difficult coastline; and that it was national because of the contribution it made to the nation as a whole, and by the nation as a whole through the Commonwealth Budget. It was national, too, because of the inability to do justice to the people who live in that area—in that very sparsely settled area—except through State ownership of such an entity.

If members are sufficiently interested to test whether the case conforms to the points to which I have just referred, they will, if they look at *Hansard*, pages 1366 to 1370, find that I am quite justified in making the claim I have just made.

There are two things I bar doing, and this has been the position all through my long parliamentary life. Firstly, I do not engage in tedious repetition—so far as I know I have never transgressed Standing Order 397—and, in addition, in reply I do not intend to introduce any new matter. Although that point is not governed by our Standing Orders it is something explicit in parliamentary practice. Therefore I shall not be repeating the arguments I advanced when I introduced the motion. I have stated the case, with supporting arguments, for the people we all represent, but particularly those of us who represent the North Province. These are people who deserve the best service that this State can give them, and without a State Shipping Service they cannot be so protected; nor can the nation be as well served unless the service is retained in State ownership. I ask that the motion be put.

Question put and a division taken with the following result:—

Ayes—9

| | |
|---|---|
| Hon. N. E. Baxter | Hon. R. Thompson |
| Hon. R. F. Claughton | Hon. W. F. Willesee |
| Hon. J. Dolan | Hon. F. J. S. Wise |
| Hon. R. F. Hutchison | Hon. F. R. H. Lavery |
| Hon. H. C. Strickland | *(Teller)* |

Noes—16

| | |
|---|---|
| Hon. C. R. Abbey | Hon. G. C. MacKinnon |
| Hon. G. W. Berry | Hon. N. McNeill |
| Hon. G. E. D. Brand | Hon. I. G. Medcalf |
| Hon. V. J. Ferry | Hon. S. T. J. Thompson |
| Hon. A. F. Griffith | Hon. J. M. Thomson |
| Hon. C. E. Griffiths | Hon. F. R. White |
| Hon. J. G. Hislop | Hon. F. D. Willmott |
| Hon. L. A. Logan | Hon. J. Heitman |
| | *(Teller)* |

Pairs

| Ayes | Noes |
|---|---|
| Hon. J. J. Garrigan | Hon. T. O. Perry |
| Hon. R. H. C. Stubbs | Hon. E. C. House |

Question thus negatived.

Motion defeated.

*House adjourned at 9.8 p.m.*

# Legislative Assembly

Tuesday, the 8th October, 1968

The SPEAKER (Mr. Guthrie) took the Chair at 4.30 p.m., and read prayers.

## BILLS (5): ASSENT

Message from the Lieutenant-Governor and Administrator received and read notifying assent to the following Bills:—

1. Superannuation and Family Benefits Act Amendment Bill.
2. Metropolitan Water Supply, Sewerage, and Drainage Act Amendment Bill.
3. Illicit Sale of Liquor Act Amendment Bill.
4. Mental Health Act Amendment Bill.
5. Housing Loan Guarantee Act Amendment Bill.

## AUDITOR-GENERAL'S REPORT

*Tabling*

**THE SPEAKER:** I have received from the Auditor-General a copy of his report on the Treasurer's statement of the Public Accounts for the financial year ended the 30th June, 1968. It will be laid on the Table of the House.

## QUESTIONS (21): ON NOTICE

### ALCOHOLICS

*Treatment*

1. Mr. HARMAN asked the Minister representing the Minister for Health:
   (1) What Government institutions are able to cater for the maintenance and treatment of persons commonly described as alcoholics?
   (2) How many males and females commonly described as alcoholics are receiving treatment in such institutions at present?
   (3) Can he name the non-Government institutions which cater for such persons?

(4) How many males and females are receiving treatment at such institutions listed in (3)?

Mr. ROSS HUTCHINSON replied:

(1)

Karnet Rehabilitation Centre (Prisons Department)
Claremont Hospital, Heathcote Hospital, Lemnos Hospital } Mental Health Services

(2)

| | | |
|---|---|---|
| Karnet Rehabilitation Centre .... | 57 males | |
| Claremont Hospital .... .... | 27 males | 16 females |
| Heathcote Hospital .... .... | 17 males | 3 females |
| Lemnos Hospital .... .... .... | 19 males | |
| | 120 males | 19 females |

(3) Salvation Army Alcoholics Rehabilitation Centre, Seaforth.
Church of England, St. Batholomews House, East Perth.
Camillus House, St. Vincents de Paul.
Royal Perth Hospital.

(4) Not available.

## MINERAL CLAIMS

*Nimingarra*

2. Mr. BICKERTON asked the Minister for Native Welfare:

As the holder of mineral claims Nos. 741 and 742 at Nimingarra in the Pilbara goldfield, will he advise what action he intends to take to have the mining claims worked with the object of producing some revenue for the Department of Native Welfare?

Mr. LEWIS replied:

These claims are the subject of a tribute agreement, but the ore is of low grade and so far a market for it has not been found. Inquiries are continuing.

## APPRENTICES

*Uncompleted Training*

3. Mr. HARMAN asked the Minister for Labour:

In the years 1965, 1966, and 1967 what was the number of youths who failed to complete their apprenticeship for one reason or another in their first year, second year, third year, fourth year, and fifth year?

Mr. O'NEIL replied:

| Year | 1st | 2nd | 3rd | 4th | 5th] | Total |
|---|---|---|---|---|---|---|
| 1965 .... .... | 38 | 68 | 71 | 40 | 57 | 283 |
| 1966 .... .... | 51 | 114 | 82 | 68 | 23 | 338 |
| 1967 .... .... | 68 | 130 | 130 | 76 | 30 | 434 |

## CONTAINER CARGOES

*Federal-State Committee*

4. Mr. FLETCHER asked the Minister for Works:

(1) Re *The West Australian*, the 12th June, 1968, comment under heading "Supervision," and reference to a committee recommendation that a joint Federal-State consultative committee be appointed to supervise the introduction and early operation of containerisation, does such a committee exist?

(2) If so, is this State represented on that committee?

(3) If "Yes," by whom?

Mr. ROSS HUTCHINSON replied:

(1) Not so far as I am aware.

(2) Answered by (1).

(3) Answered by (1).

## RESIDENTIAL DEVELOPMENT CODES

*Acceptance by Local Authorities*

5. Mr. HARMAN asked the Minister representing the Minister for Local Government:

(1) Which shires in the metropolitan area have accepted the Clarke Gazzard & Partners residential development codes?

(2) What are the requirements of the Town of Claremont and the Perth Shire Council for the erection of duplex houses in a G.R.4 zone?

(3) Has he authority to waive such requirements?

Mr. NALDER replied:

(1) The Clarke Gazzard report proposed six residential codes and three of these have been incorporated in the Uniform General Building By-laws which are applicable to all councils in the metropolitan area. The definition of G.R. zone in the by-laws is as follows:

"General Residential Zone" means a portion of a municipal district within the metropolitan region that is defined as such a zone and classified by the Council, as of Class 4 (GR4), Class 5 (GR5) or Class 6 (GR6), under a town planning scheme prepared or adopted by it and approved by the Minister, or under an amendment to such a scheme so prepared or adopted, and approved, by virtue of the Town Planning and Development Act, 1928, subsequent to the 30th October, 1963, and, in the absence of any such scheme or amendment, means a portion of a municipal district within the metropolitan region that is defined as such a zone and classified by the Metropolitan Region Planning Authority, under the Metropolitan Region Town Planning Scheme Act, 1959.

(2) The Town Clerk, Town of Claremont has advised that the following provisions of the Claremont Town Planning Scheme deal with the use of land. A "Duplex House" means a building comprising two dwellings on ground level each being complete and self contained.

Duplex — General Residential Zone G.R.4:

Minimum lot areas 40 perches—10,890.

Minimum effective frontage 100 links—66 feet.

Maximum number dwelling units—Two.

Maximum plot ratio—.30.

Maximum site coverage—.30.

Minimum number of car spaces per dwelling unit—2 total 4.

Minimum plant and pedestrian space—50 per cent.

Minimum set backs from boundaries—

Front—Minimum 25 feet.

Side—10 feet per storey each side.

Rear—25 feet.

The following provisions of the Uniform Building By-laws, which lay down specific building requirements for duplex houses, are:—

1102/3 Size of rooms.
1111/2 Bathroom, W.C. and laundry.
1201 Habitable rooms.
2801 Kitchen.
2806 Walls dividing duplex,

and other general provisions under the by-laws relating to the building.

The Shire Clerk, Shire of Perth, has advised that in the shire's G.R.4 zones, a G.R. duplex is allowed as set out in table 213A of the Uniform Building By-laws.

A shire duplex is also allowed on a site of not less than 8,000 sq. ft. with a 66-ft. frontage.

The shire duplex is defined in the shire's by-laws as a "single-storey building comprising two buildings, each being complete, self-contained units, so designed as to give the external appearance of a single dwelling."

On the 1st October, 1968, the council resolved to amend this definition to permit a two-storey duplex, and adopted the following recommendations of the shire planner:—

4.1.

Plumbing fittings and pipes in each unit should be effectively separated acoustically and physically from each other.

4.2.

A minimum side setback of fifteen (15) feet should be provided, of which portion may be occupied by garages or carports, provided that main external walls of duplex are the full distance from the side boundary.

4.3.

In any (shire) duplex, there should be only one obvious front entrance.

4.4.

There should be only one vehicle access drive.

4.5.

Garages and carports should be paired if visible from the road.

4.6.

Minimum frontage requirement should be sixty-six (66) feet; this should include both streets for corner blocks.

5.

In addition to these standards for a Shire Duplex the council will not allow horizontal separation of units in either shire duplex or G.R. duplex developments.

(3) Section 374 of the Local Government Act provides that a person who is dissatisfied with the refusal of a Council to approve plans and specifications submitted as required by the Act may appeal in writing from the refusal to the Minister who may uphold, reverse, or vary the decision of the council and make such order as he thinks fit, and the order of the Minister is final and not subject to appeal. By-law 214 of the Uniform General Building By-laws provides, in respect of G.R. zones, that where the Minister determines that the public interest is better served by not requiring strict adherence to the standards imposed by the by-laws, he may, on the recommendation of the council or of the Town Planning Board, in a particular case, vary a provision relating to a general residential zone.

## STATE HOUSING COMMISSION

*Appointment of Chairman*

6. Mr. GRAHAM asked the Minister for Housing:

(1) Is Mr. A. D. Hynam the Chairman of the State Housing Commission?

(2) If so, when does his term of appointment expire?

(3) If not—

(a) when did his term conclude;

(b) has a new appointment been made, or when will one be made;

(c) is it intended to make another appointment;

(d) has consideration been given to abolishing the board type of administration and, if so, with what result?

Mr. O'NEIL replied:

(1) No.

(2) For health reasons, Mr. A. D. Hynam resigned as chairman and member as from the 30th September, 1968.

(3) (a) Answered by (2).

(b) No. Mr. J. B. Hawkins, member, continues to act as chairman.

(c) Yes.

(d) As the result of a review of functions and responsibilities of the commission, the board type of administration has been modified as from the 1st July, 1968, through increased and accountable delegation to senior officers.

## NATIVES

*Relief Payments*

7. Mr. HARMAN asked the Minister for Native Welfare:

(1) What was the total cost of relief paid to aborigines for the years ended the 30th June, 1967, and the 30th June, 1968?

(2) What was the total cost of relief paid to aboriginal wives and children for the "husband in prison" category for the same years?

Mr. LEWIS replied:

(1) Cost of total relief paid to aborigines for the year ended—

30/6/1967—$85,333.02.

30/6/1968—$101,999.00.

(2) Total cost of relief paid to aboriginal mothers whose breadwinner is imprisoned for the year ended—

30/6/1967—$26,959.03.

30/6/1968—$28,807.76.

## CITY OF PERTH

*By-law 63: Gazettal of Notices*

8. Mr. DAVIES asked the Minister representing the Minister for Local Government:

What was the reason for publishing on pages 1435 and 1698 of this year's *Government Gazette* notices relating to an amendment to by-law 63 of the Municipality of the City of Perth, when to all intents and purposes the notices are the same?

Mr. NALDER replied:

The first insertion was inadvertently published prior to the confirmation of the by-law by the Governor. The second gazettal was in accordance with the requirements of subsection (6) of section 190 of the Local Government Act.

## BUILDING SOCIETIES

*Funds: Interest and Charges*

9. Mr. GRAHAM asked the Minister for Housing:

In refunds made available to building societies, both permanent and terminating, under the Commonwealth and State Housing Agreement—

(a) What is the rate of interest payable on funds currently being made available by the Commonwealth?

(b) What additional charge is made by the State Housing Commission to building societies?

(c) What is the fixed or maximum interest charge which building societies can raise against their clients?

(d) Is there any limit to the amount of loan which can be made available to an applicant; if so, what?

(e) Is there any requirement to grant loans only to, or preferentially to, applicants of moderate means; if so, what are the details?

(f) What is the period of the loans made to building societies?

(g) What happens to the repayment moneys, particularly where these are in advance of the loan period?

(h) What rate of interest is payable by building societies on these "revolving funds"?

(i) How can payment of a rate of interest on these funds be justified?

(j) Do the same terms and conditions apply to these funds as to the initial sums made available, other than the period of repayment?

Mr. O'NEIL replied:

(a) The long-term bond rate less 1 per cent. Currently 4¼ per cent.

(b) ½ per cent. is charged to cover administrative costs. However, in Western Australia there have been

regular unspent balances which have been credited to a revolving fund and distributed to societies.

(c) 5½ per cent. reducible is the maximum.

(d) $8,700 in metropolitan region and country areas south of the 26th parallel;

$10,600 at Carnarvon; and $13,000 at Port Hedland and the Kimberleys.

(e) Yes, by a clause in an approval letter, which requires acceptance by societies—"Advances are to be made to families of low or moderate means where the value of the house, exclusive of land, does not exceed $10,000 in the Metropolitan Region; $11,000 in Country Regions South of the 26th parallel; $13,500 at Carnarvon; and $17,500 at Port Hedland and Kimberleys." High proportioned sampling shows that these conditions were complied with. The average weekly income of sampled purchasers in 1967-68 was $59.

(f) 32 years.

(g) These are loaned to eligible applicants.

(h) The same rate as the original loans.

(i) Interest is charged on the outstanding liability. Should the liability be discharged by an advanced payment of the loan interest charges cease. When this sum is readvanced the original rate of interest is applicable to the new loan. All moneys loaned must bear interest for the full period of the loan to enable the commission to meet interest charges imposed by the Commonwealth.

(j) Yes.

## RESERVE, ALDAY STREET

*Development*

10. Mr. DAVIES asked the Minister for Housing:

(1) Does he know of any plans for the development in the near or foreseeable future of all or any part of the former Reserve No. 22529 in Alday Street (near Albany Highway), East Victoria Park, which was made available to the State Housing Commission?

(2) If so, what are such plans?

Mr. O'NEIL replied:

(1) and (2) As this locality is well served with school, shopping, transport, and community facilities, as well as work opportunity, the commission proposes to utilise the land on Alday Street and Albany Highway for the development of flats, with the emphasis on family accommodation.

The planning for this development will be put in hand early in 1969.

## ROAD ACCIDENTS

*Number and Cause*

11. Mr. GRAHAM asked the Minister for Traffic:

(1) What number of road accidents—

(a) casualty;

(b) non-casualty,

occurred during the year ended the 31st December, 1967?

(2) How many of these accidents, respectively, were attributed to—

(a) the effects of alcohol;

(b) tiredness;

(c) failure to give way to the right;

(d) speeding?

Mr. CRAIG replied:

(1) (a) 15,908 (for the whole State).
(b) 4,659 (for the whole State).

(2) This information is not now available. Prior to 1967 the accident statistics published by the Commonwealth Bureau of Census and Statistics, included a tabulation under the heading "Causes of Accident." This table would have provided the information requested by the honourable member.

However, the Deputy Commonwealth Statistician then advised that as the classification of "cause" was primarily only an expression of opinion, it was not considered sufficiently accurate for inclusion in official publications from his department.

## POWER STATIONS

*Fuel Used*

12. Mr. JONES asked the Minister for Electricity:

Adverting to my question of the 3rd October, 1968—

(1) Can he inform the House of the type of fuel to be burned in exclusively oil fired metropolitan and country power stations in the future if Australian oil is—

(a) unsuitable as furnace oil; or

(b) inadequate to satisfy demand in the event of overseas supplies being interrupted by enemy action?

(2) Would or would not power be available only from those power stations that are or were dual fired with oil and coal, or those fired exclusively by coal?

Mr. NALDER replied:

(1) If there were a shortage of fuel for any reason then coal would be used in power stations designed to burn it. There is, however, no existing reason to suppose that there will be a shortage of fuel oil for essential purposes such as power generation.

(2) See No. (1).

13. *This question was withdrawn.*

GREENMOUNT STATE SCHOOL

*Siting of New Rooms*

14. Mr. BRADY asked the Minister for Education:

(1) Is he aware that the classroom and storeroom, for which tenders are being called, at the Greenmount State School, will encroach on the playground area provided at great inconvenience by the parents and citizens' association?

(2) Could the location of the rooms referred to be placed at the opposite end of the existing building to avoid the above difficulty?

Mr. LEWIS replied:

(1) Yes. The new building will encroach some 10 feet onto the playing area, but will still be at a reasonable distance from sporting facilities.

(2) The planned location is necessary to complete an existing wing which has a temporary wall and, at the same time, effect drainage improvements. Tenders have been called. If the location were changed it would necessitate cancellation of existing tenders, new plans and specifications, and delay in the provision of additional accommodation. The minor encroachment on to the oval is not considered to warrant a complete change in the planning.

PORT OF DAMPIER

*Naming*

15. Mr. TONKIN asked the Minister for Works:

(1) Relative to his answer to a question on the 2nd October, is he aware that in the Senate on the 29th August, Senator Scott advised Senator Wilkinson that "Discussions were held with the appropriate State Under Secretary as to whether that particular port should be called Dampier or King Bay"?

(2) As his answer conflicts with Senator Scott's answer, will he endeavour to clarify the position?

Mr. ROSS HUTCHINSON replied:

(1) I have read a copy of the question and answer where Senator Scott advised Senator Wilkinson.

(2) I am not aware of any discussions which may have taken place between the Commonwealth and the "appropriate State Under-Secretary." However, the Under-Secretary for Lands received a letter from the Department of Customs and Excise, dated the 22nd November, 1965, stating it had received an application from Hamersley Iron Pty. Ltd. for the proclamation of Dampier as a port under section 15 of the Customs Act, and requested confirmation on the official naming of the town as Dampier before proceeding.

The name of Dampier was officially approved by the Minister for Lands on the 4th May, 1965, and this information was supplied to the Department of Customs and Excise.

TOTALISATOR AGENCY BOARD

*Credit Betting*

16. Mr. TONKIN asked the Minister for Police:

(1) Relative to his reply to a question on the 3rd October concerning cash funds held by agents on behalf of investors who wager by telephone, what steps are taken by the Totalisator Agency Board to ensure that operating instruction 279/68 has not been contravened?

(2) As it appears that any check, to be effective, has to be carried out on the day upon which the agent makes a wager for an investor from funds first deposited, how many checks were made on Saturday, the 28th September and Wednesday, the 2nd October?

(3) What were the numbers of the agencies at which checks were made?

Mr. CRAIG replied:

(1) Approximately 40 agencies are inspected each week. The duration of these inspections is usually one to two hours. Persons carrying out these inspections have authority to inquire

into all matters covered by operating instruction No. 279/68. Any known breach of the operating instruction is required to be reported on for further action.

(2) In the metropolitan area on Saturday, the 28th September, 1968, inspections were carried out in 18 agencies and a further 10 agencies were inspected on Wednesday, the 2nd October, 1968. No reports were received to indicate that any breaches of operating instruction No. 279/68 had been observed.

(3) The agencies inspected were:

Saturday, the 28th September, 1968—Agency Nos. 19, 21, 22, 31, 41, 43, 48, 54, 57, 62, 72, 75, 77, 80, 96, 116, 117, and 174;

Wednesday, the 2nd October, 1968—Agency Nos. 11, 12, 33, 34, 38, 42, 45, 72, 73, 123.

## SCIENTOLOGY

*Banning*

17. Mr. GRAHAM asked the Premier:

(1) On what date or dates did the Government decide that action, legislative or otherwise, should be taken against Scientology or certain activities of those associated with its practice or promotion?

(2) Will he supply details of the decision made on each date respectively?

Mr. BRAND replied:

(1) and (2) The file shows that the first decision to request Crown Law to advise on the various means by which control could be achieved was made on the 8th July, 1966; subsequent minute dated the 29th September, 1966, requesting agreement to the drafting of a Bill; Cabinet agreed on the 3rd October, 1966, and asked for a report by the Minister for Police. Permission granted to print the Bill on the 17th October, 1966.

On the 31st October, 1966, Cabinet decided to defer this Bill and the Minister was requested to submit the matter to other Ministers for Health in an endeavour to secure an Australia-wide ban.

Cabinet minute recommending the drafting of a new Bill was dated the 4th September, 1968. Cabinet agreement dated the 9th September, 1968. Cabinet concurrence for printing and presentation of the Bill dated the 30th September, 1968.

## POLICE STATIONS IN PILBARA

*Bank Agencies*

18. Mr. BICKERTON asked the Minister for Lands:

(1) Is the Tom Price Police Station an agency of the Rural and Industries Bank?

(2) If so, is there a display sign outside the station advertising this fact for the benefit of local residents and visitors?

(3) If no advertising sign exists, what is the reason?

(4) Are there any other towns in the Pilbara where the police station acts as a Rural and Industries Bank agency; if so, what are the towns concerned and are adequate arrangements made to advertise the fact?

Mr. BOVELL replied:

(1) Yes, as a savings bank agency.

(2) At present there is no sign outside the permanent station and courthouse, but there is an R. & I. Agency sign outside the construction camp quarters at Tom Price.

(3) Negotiations for an appropriate sign are currently proceeding between the bank and the company.

(4) Yes, at Mt. Newman; again, as a savings bank agency, and a suitable sign is displayed.

## SOCIAL WORKERS

*Employment in Public Service*

19. Mr. HARMAN asked the Premier:

(1) How many qualified social workers are employed by the Public Service?

(2) In which departments are they placed?

(3) What is the minimum salary range at commencement with the service?

Mr. BRAND replied:

(1) 25.

(2)

| | |
|---|---|
| Child Welfare .... .... | 12. |
| Native Welfare .... .... | 1. |
| Crown Law .... .... | 4. |
| Mental Health Services .... | 8. |

(3) $3,546-$5,262—under review.

## POWER STATIONS

*Use of Oil*

20. Mr. JONES asked the Minister for Electricity:

(1) When the decision was made to double the size of the Kwinana oil burning generating station and

when the recent decision to change the South Fremantle and East Perth stations over to oil was made, was he aware of the information submitted before the Senate inquiry into petroleum resources wherein it was held that all oil so far discovered in Australia was too light in quality to produce fuel oil and that fuel oil and other heavy products would still have to be imported when Australian oil is being refined?

(2) If "Yes," would he comment on the submission made by Sir Harold Raggatt?

Mr. NALDER replied:

(1) and (2) Australian oil is not too light to produce fuel oil. It is not known whether fuel oil and other heavy products will have to be imported.

## AGRICULTURAL LAND

*Contour Line Surveys*

21. Mr. YOUNG asked the Minister for Agriculture:

Pursuant to my remarks in the Estimates debate last year in connection with the surveying of new agricultural land releases on a contour line basis as a means of preventing soil erosion, has the Department of Agriculture seen fit to give this suggestion a trial?

Mr. NALDER replied:

Officers of the soil conservation branch of the Department of Agriculture have offered initial development plans to all new settlers on virgin land. These plans are designed to ensure that initial development, and hence initial fencing, etc., is based upon natural land features. There has been an overwhelming response and demand for this service.

While initial development and planning of farms based on these principles are extremely important, the best effect is unlikely to be achieved unless the road design and location boundaries are similarly based. This aspect is a function of the Lands and Surveys Department. Officers of the soil conservation service have been in close consultation with officers of the Lands and Surveys Department on this matter. Quite recently a proposal for the subdivision of 70,000 acres based entirely on these principles has been prepared by the soil conservation service for consideration by the Lands Department.

## QUESTIONS (4): WITHOUT NOTICE

## COMMONWEALTH AID ROADS FUND

*State Expenditure: Tabling of Information*

1. Mr. ROSS HUTCHINSON (Minister for Works): On Wednesday, the 2nd October, the member for Collie asked the following question:

(1) What moneys have been spent annually by the State from the Commonwealth Aid Roads Fund for the years 1965-66, to 1967-68 inclusive?

(2) Of the above sum, how much was spent for the following purposes:—

(a) acquisition of land for road purposes—
(i) country;
(ii) metropolitan;
(b) construction of roadways—
(i) country;
(ii) metropolitan;
(c) construction of bridges—
(i) country;
(ii) metropolitan?

(3) What is the estimated expenditure on the above for 1968-69?

(4) What was the total expenditure in the metropolitan area for the years 1965-66 to 1967-68 inclusive?

I now have the information requested, and I ask that it be tabled.

*The information was tabled.*

## QUESTION

*Withdrawal from Notice Paper*

2. Mr. GRAHAM asked the Speaker:

I would refer you, Sir, to question 13 on today's notice paper, and ask you whether it is not necessary for a member to obtain leave in order to withdraw from the notice paper a question of which he has given notice? If it is necessary, under what authority has permission been granted for the question to be withdrawn?

The SPEAKER replied:

The honourable member merely notified me that he did not wish to proceed with the question, and I treated it as though it was never asked. This would not debar any other member from asking a similar question. I am told the reason for the withdrawal was that the honourable member wished to redraft the question and resubmit it later. The question was never asked and, as in the case of a notice of motion which is not called on, it was never in the hands of the House.

## PERTH RAILWAY STATION: LOWERING

*Letter of Intent*

3. Mr. TONKIN asked the Premier:

Some little time ago I asked the Premier whether he would table the letter of intent being sent to the Western Australia Development Corporation in connection with the sinking of the railway. The Premier will recall that at the time he said the letter of intent had not been completed. Since then, one of the Ministers—I think it was the Minister for Railways, though I am not sure—informed the House that the letter of intent had been completed. I now ask the Premier: Is he prepared to table a copy of that letter?

Mr. BRAND replied:

I must admit that the Minister for Town Planning gave me a copy of the letter—and, I think, of the plan—yesterday, for tabling. I regret, however, that I came up without it today, but I will table it tomorrow.

## STANDING COMMITTEES

*Appointment*

4. Mr. BICKERTON asked the Premier:
What stage have the investigations reached regarding the motion passed at the last session of Parliament concerning the appointment of a public works committee and a public accounts committee to inquire into subordinate legislation?

Mr. BRAND replied:

I did say earlier that I could not give any undertaking about the public accounts committee this year, because we wanted to finish the financial year under the existing arrangement. We have, however, a report from the Minister for Works regarding the public works committee and, as a matter of fact, the under-secretary reported to me this morning that he was still in the process of gathering information regarding subordinate legislation. I might say that the report of the Minister for Works is not the most hopeful report I have ever read.

## WESTERN AUSTRALIAN MARINE ACT AMENDMENT BILL

*Further Report*

Further report of Committee adopted.

## APPROPRIATION BILL (CONSOLIDATED REVENUE FUND) 1968-69

*Second Reading: Budget Debate*

Debate resumed from the 1st October.

**MR. TONKIN** (Melville—Leader of the Opposition) [4.55 p.m.]: I agree with the Premier that this particular Budget is indeed a milestone in Western Australia's history, and I concede the Premier is entitled to some justifiable pleasure at presenting the Budget in these circumstances—that after many years Western Australia, being dependent on the Grants Commission for special grants in order to supplement the ordinary revenues derived from the Commonwealth under uniform taxation, has now reached the stage where, seemingly, it is able to stand upon its own feet, though with some assistance; that is, a special grant of $15,500,000.

The needs of the State have certainly increased and the Premier made a point that he was able to finance these needs without contemplating, for this year, any increase in taxation; that, in fact, he had in contemplation some reduction in taxation.

The real reason for this is that the Premier imposed taxation at a level which was much too high in the first place. He took such a big bite initially, that he has been able to show very big surpluses from these taxes, and there is ample room for remission.

Instead of attempting to claim any credit for this, I think the Premier is blameworthy for having placed too big a burden on the people in the first place. He was told at the time—and I can remember, myself, pointing this out—that the stamp tax would bring in a considerably greater amount than the estimate, as indeed would the land tax. So it has proved to be.

Mr. Brand: I have never known an Opposition that did not say taxes were too high, or too big.

Mr. TONKIN: That does not alter the fact that they were too high, and the figures show this to be so.

Mr. Brand: It may have been the other way.

Mr. TONKIN: The land tax for last year was $991,000 above the estimate for the previous year—a little short of $1,000,000 in excess of the estimate. It so happens that was a 25 per cent. excess.

That was either extremely bad budgeting, pretty closely allied to a guess; or else it was a deliberate attempt to take at the first bite a bigger bite than was really necessary. That is not good government.

Good government consists of keeping the imposts on the people as low as possible, commensurate with the requirements of

the Treasury to finance services at the proper level. We on this side pointed out, with some emphasis, that both the stamp tax and the land tax were considerably in excess of the amount they needed to be. The stamp tax was $2,500,000 above the estimate.

So in these two taxes alone the Treasury received $3,500,000 above the estimates, which is a tremendous sum when one has regard to the burden which the taxpayer has to carry as a result of this imposition. Therefore it is no wonder that the Premier now feels obliged to talk about land tax remissions. I have been able to view land tax assessments which, because of the increase in valuation, have gone up several hundred per cent.

In one case brought to my notice I think the rise was 800 per cent. on what the tax was the previous year. So there is plenty of room for a remission of taxation. Of course the Government could not continue this tax at this rate without being subjected to very serious criticism.

I welcome the information that it is proposed to reduce the tax, but I would have appreciated it much more if some detail had been submitted to indicate in what way this would be done. I agree the Premier said in general terms he thought that for the lower rates the taxation would be cut in half. That will not be sufficient for some that I know of where, because of the rises in values due in large measure to land speculation, the values placed upon land are unrealistic so far as the occupiers are concerned. I will say no more about that at this stage; I will wait until the legislation comes down.

The Premier remarked about the ability of the State to attract and provide employment for growing numbers of families. This is something for which I think we ought to be grateful and express our satisfaction, but I would have been much happier about it if, in addition to providing employment, the Government had provided houses. This is a shocking situation and it is growing worse every day and every week. There is not a day goes past without my getting at least one request from one district or another to assist in the housing problem. People are being put out of their houses because houses are being demolished for other buildings. These people have to attempt to crowd in on top of somebody else or pay rent well beyond their means.

Only yesterday a man on superannuation, who just has himself and his wife to maintain, asked me to do something to help him as he said they were paying $14 a week for rent out of his superannuation and that he could not continue to pay this amount and live decently. Then we get the people who are being evicted. Some who get notices to quit get out, in order to avoid court costs, before they get a court order, while others have nowhere to go and wait in the house until the bailiff comes along to put them out after the order of the court is given.

In this connection I want to deviate a little to refer to a case with which I dealt some few weeks ago and which caused me to send a letter to the Minister for Housing and to the General Manager of the State Housing Commission to say I was disgusted. There is no doubt that in this case the tenant had received a notice to quit from the landlady, because that landlady wrote as a landlady to me and asked me to assist her in getting the people put out of the house. But the General Manager of the State Housing Commission and the Minister both maintained that the woman herself had asked for the notice to quit; that is, the tenant. That is what disgusted me.

Subsequently the landlady took this tenant to court to get a court order. The magistrate advised the landlady to see a lawyer because she had actually cancelled her notice to quit because she accepted rent after having given the notice to quit. The next thing was that the landlady consulted a lawyer and then, in the formal way, a further notice to quit came along. But the General Manager of the Housing Commission and the Minister insisted, against my assertion to the contrary, that the tenant had asked for the notice to quit.

The reason for this statement, no doubt, came about this way: The original notice to quit was given verbally. The tenant went to the Housing Commission and said she had been given notice to quit. I am told that the Housing Commission said, "We do not take any notice of a verbal notice to quit here, you will have to have it in writing." So this tenant did what I would have done in the circumstances: she went to the landlady and said, "I need to have that notice to quit in writing" and it was then given in writing.

That was sufficient to enable the General Manager of the State Housing Commission and the Minister to insist, despite my protest, that the tenant had asked for the notice to quit. When I pointed this out to the Minister, his reply to me was that I was placing too much importance on the notice to quit.

Mr. O'Neil: I think you ought to quote my letter to you. You asked me to produce the evidence on which the general manager formed an opinion. I did so and produced the photostat copy of a notice provided to the tenant. I said in the letter that this was the notice to quit. I was careful in replying to you because I have to be.

Mr. TONKIN: My purpose in writing to the Minister—which I infrequently do because I endeavour to get these matters settled at departmental level—was to get him to use his ability and knowledge to correct what was undoubtedly a wrong being done to this tenant, and I expected that the Minister would read the papers. If he had—

Mr. O'Neil: I assured you in my further letter I had done.

Mr. TONKIN: —he would have read the letter from the tenant in which she detailed the circumstances.

Mr. O'Neil: I read the whole of the file.

Mr. TONKIN: He came to a remarkable conclusion and backed up the general manager.

Mr. O'Neil: I provided you with the piece of evidence you sought and nothing else. Read my letter again.

Mr. TONKIN: The Minister wrote and gave me evidence as to what the general manager thought. I wanted evidence to establish that the tenant had asked for the notice to quit.

Mr. O'Neil: You asked for evidence as to what caused the general manager to form an opinion.

Mr. TONKIN: That is right.

Mr. O'Neil: And I produced the evidence.

Mr. TONKIN: The Minister produced no evidence. The Minister's letter was sufficient to cause me to tell him what in truth I felt at the time—that his attitude disgusted me—and, when I subsequently sent him a copy of the letter which I had received from the landlady asking me to get rid of the tenant, instead of the Minister being man enough to admit his general manager had been wrong and had formed a wrong opinion, all he could say was that I placed too much importance on the notice to quit.

Mr. O'Neil: So you did, because that was not the reason why the person was not assisted—and you know it. The notice to quit was not in question; and it was clearly stated in my last letter to you. Be fair about it.

Mr. TONKIN: I would like to get a simple answer to a simple question: Is the Minister prepared to apologise to the tenant concerned on behalf of the general manager and himself for saying she asked for a notice to quit when she did not?

Mr. O'Neil: I will not apologise on behalf of anyone. I will apologise for myself if I am wrong, but I will not apologise for anybody else whether they are right or wrong.

Mr. TONKIN: Will the Minister write a letter of apology to the tenant?

Mr. O'Neil: You read both my letters, because you are putting a completely wrong interpretation on the case, as you always do.

Mr. TONKIN: No I am not.

Mr. O'Neil: Read the letters.

Mr. TONKIN: Unfortunately I have not got them here, otherwise I would.

Mr. O'Neil: At another time in the session I might get the opportunity myself.

Mr. TONKIN: I invite you to do so.

Mr. O'Neil: Thank you.

Mr. TONKIN: As long as you read my letters as well. After that little pleasantry, let us get on with the main business in hand. I was saying I would have been far happier and more inclined to agree with the Premier's claim to some satisfaction for attracting so many people here if the Government had a greater appreciation of the need to provide housing as well as employment—and that is what the Government is failing badly to do. The State is getting into a worse position daily with regard to low-cost housing.

Mr. Rushton: What are the figures that bring this to your mind?

Mr. TONKIN: If the member for Dale would speak up I might hear him.

Mr. Rushton: What are the figures that bring this to your mind? Have you got factual proof the situation is getting worse? I am getting 50 built per week in my electorate. I would point out they are rental homes.

Mr. TONKIN: I had a case brought to me just after lunch where no work had been done on a house for two months and the fellow had been waiting three years for it. It is being built through the State Housing Commission, so all the workers must be in the district of the member for Dale.

Mr. Brand: There could be another side to this story.

Mr. TONKIN: There will be ample time for the Premier to look for the other side with regard to housing. One of his officers is looking at it now. The provision of housing is, in my opinion, equally important as a key to success in maintaining population growth as is the provision of employment, because it is not much satisfaction to the people who are living in overcrowded and unsatisfactory conditions to be told that there is plenty of work available if the major part of their earnings are required to pay the rent of such places as are available.

In many cases, of course, they just cannot get houses, particularly if they have large families. Anyone with any common sense knows how difficult it is for people with a number of young children to obtain a rental home outside the State Housing Commission. Therefore I would say that housing is just as important as employment as a key to success in population growth; and if the Government does not do something about it, the population growth will be slowed down without any doubt whatever.

Already requests have come forward to me, through our organisations, to take action in this Parliament to restrict or limit migration until such time as the housing position has improved. I have resisted such requests because I believe what has been requested is the wrong way to go about the matter; but there is a limit. We cannot go on attracting people and giving them to believe there is ample accommodation for them and then, when they get here, telling them it does not exist at all. If the Government wants to maintain this population growth, as I believe it does, and as we do, then it must improve its capacity as regards housing and step it up very considerably. The steps already taken will do very little in the right direction.

The present rate of house building by the State Housing Commission will not keep pace with the number of applications currently coming in, to say nothing about the lag which has been built up over the years. One would have thought the Premier would make some reference to the housing hardship which exists; but, no! He was dilating about the rising standard of living, and the existence of employment opportunities.

The question of the difficulties of farmers was one which could not be passed over, and so I noted with some satisfaction a reference to the fact that farming is the cornerstone of the Western Australian economy. This cornerstone is crumbling because the farmers are in real difficulties as is evidenced by the number of meetings being called in various parts of the State. They are bewildered. They know they are in trouble and are looking for someone to help them; and they are in trouble because the rising costs, including taxation, have overtaken their returns, so that instead of getting a plus difference, they are getting a minus difference when they subtract one figure from the other.

It does not do much good to talk about farming being the cornerstone of the economy if one stands aside and does nothing and sees it slowly drifting into insolvency; and that is what is happening with quite a number of farmers, right under our very eyes. The situation calls immediately for an investigation into the costs, and one of the costs which could be scaled down is taxation.

Although the road maintenance tax does not enter into the Treasury returns for revenue purposes, it is a tax which falls heavily upon the farmers, and it is not an essential tax. It was imposed because the Government does not like to lose any opportunity of getting money offered by the Commonwealth, irrespective of what it costs to get it. The Commonwealth comes forward with a proposition for matching money and the attitude of this Government is, "We have to get this; we must not let this go."

Mr. O'Connor: Are you suggesting we should have knocked it back?

Mr. TONKIN: I am. I said so at the time. There comes a time when the cost of matching money is more than the economy can properly bear. And of what satisfaction is it to see farmers going into insolvency because the burden of cost is too great, and to say to them, "Do not worry. We are getting a lot of matching money from the Commonwealth and we will be able to build you a good road"?

Mr. O'Connor: This reduces costs considerably, too.

Mr. TONKIN: Does it?

Mr. O'Connor: It does; and you should know that, having been in Parliament this long.

Mr. TONKIN: I am suggesting there is room, and a good deal of room, for relieving the taxation burden on the farming community; and I would start first with the road maintenance tax.

One of the reasons the revenue is so buoyant is the inflation of land values. A sale was held at City Beach on Saturday. One has only to read the figures showing the returns of the sale of that land and compare them with the returns of the previous sale to see that this spiral is still on the up and up; and, of course, this rise in the value of vacant land is having its effect on the value of land which is built upon, and it is forcing up the tax being paid by home owners to heights never previously contemplated.

That is bringing in this money to the Treasurer and, of course, whilst this is so, he is reluctant to stop it. Land is sold at these inflated prices and this means higher stamp duty for the sales as well as higher land tax to the Treasurer.

Mr. O'Connor: Do you feel these high prices are because it is a select area?

Mr. TONKIN: I would if they did not apply elsewhere. They apply everywhere except in country areas.

Mr. O'Connor: You referred particularly to the City Beach area and that is why I asked.

Mr. TONKIN: It is reasonable to assume, of course, that there will be, in the choicer areas, greater competition amongst people with money, and the increased competition, if the people have the money to pay, will force the prices up. There might be some point in the Minister's interjection if prices did not rise elsewhere, but I had a look at the sale of land at Booragoon on the south side of the river, and the same trend is noticeable there.

What is happening in many cases is that firms of builders and developers buy the land when a subdivison takes place, and the genuine home builder who wants to make his own arrangements finds himself in

competition with these developers and so the price keeps on rising, and will continue to rise unless the Government takes some definite steps to try to stop it.

In the meantime this is all contributing to the increase in revenue which the Treasurer is deriving, and it is quite wrong to come to the conclusion that this is all because of the tremendous prosperity in Western Australia. Some people are making fortunes, but they are not the general run of the people, and quite a large number of them, because of these rises in values and rents, are much worse off than they were previously.

Some little time ago when royalties from iron ore were under consideration, I suggested that the Government should make the royalties higher, and, if I remember correctly, the Minister for Industrial Development said, in effect, that it would not be of any advantage to the State to make them higher, because we would get a reduced grant.

The Government was obviously thinking along those lines at that time and it was that thought which ultimately decided the Premier to cut away from the Grants Commission. One of his utterances when delivering his Budget speech confirms that view. There was the possibility of a reduced special grant and so, before the grant got too low, it was thought better to try to make a bargain with the Commonwealth on the basis of the grant as it then existed. I say that was wise; and I am surprised the Premier got away with it; but he did, and good luck to him.

However, it is obvious that the situation was brought forcibly before the Government, and it realised that if it did not make a claim when it did, it would soon be too late. Therefore, because of these buoyant revenues resulting from increases in taxation, increases in royalties from iron ore, and contemplated royalties from nickel, the Government realised its special grant was fast disappearing and therefore it had better do something about it. To its credit it did do something about it and was able to get the Prime Minister to agree that the then current grant of $15,500,000 would be paid for the next two years, and then, in 1970, when the financial arrangements between the States came up for review, this special grant of $15,500,000 would be carried forward in the financial arrangement to be made.

I think it will be agreed that no perspicacity was required on the part of the Government to realise that that was the time to move, because the special grant was likely to be diminished very considerably as a result of the large amount of money coming into the State by virtue of the royalties.

Whilst considering this question of the special grant, I feel constrained to make mention of the State Shipping Service. The special grant of $15,500,000 contains $2,500,000 provided by the commission because of a contemplated loss on the State Shipping Service. That means that if the State Shipping Service had not been showing a loss, but had been balancing its budget, our special grant would have been down $2,500,000; and, therefore, instead of $15,500,000 being writtten into the financial arrangement which the State will get from 1970, we could have claimed and received only $13,000,000.

Therefore, as the Commonwealth has acknowledged, and provided for in advance, a loss of $2,500,000 as a subsidy to the people of the north, there is no justification for the Government arguing that it is entitled to dispose of the State Shipping Service in order to save that amount of money. I was very pleased to see a recent announcement by the Government that it intends to go in for barge-carrying vessels and maintain the service. The people of the north are entitled to a good shipping service.

I have read the report on the proposals for barge-carrying vessels and I am very impressed by the possibilities that this form of service offers for the people. I am also impressed by the fact that those people who should be in a position to know estimate that it is possible to reach a situation where no loss would be sustained at all; and, if this is so, it means that a good service can be provided without holding the people of the north to ransom.

I think one may say that overall, as has been printed in *The West Australian*, the Budget is a conservative one and, naturally, the Government is feeling its way now that it has cut adrift from the Grants Commission. Perhaps that is not strictly the correct way to say it. We will still get the $15,500,000 special grant which the Grants Commission has been providing, but at least we know that if our needs are proved to be greater than that sum we will get no more; that is our limit. But, of course, we are not entirely on our own, because the special grant will continue for our use.

I am sorry the Minister for Industrial Development has just left his seat because I propose to take advantage of this Budget debate to clean up one or two little matters, and he is one of those involved. The Minister for Industrial Development went to *The West Australian* and complained that I raised some matters in this House and acted unfairly to innocent people, and he challenged me to make the statements outside so that those people who felt aggrieved would have an opportunity of legal redress.

There are some members in the House who will remember quite well what I am about to say, but the new members will have no knowledge of it. In 1958, or it could have been in the first or second month of 1959—I have no precise information on this—two worthless liars came to

see the present Premier, and with him was the present Agent-General. These two liars told the Premier a story which involved the member for Melville in a charge of corruption—no affidavit, no writing, but a verbal story involving the member for Melville in corruption. The member for Melville was given no opportunity to say whether or not there was a basis for the charge.

But, ah! When the change of Government took place what did the present Government do? The Ministers in the Government said, "We will go hunting for the member for Melville; he is fair game; we will take a sitting shot," and so they referred this question so that it could be inquired into by a Royal Commissioner.

In due course Judge Ligertwood came here and commenced his inquiry; and, to make sure that the member for Melville would have no legal redress, this Government brought down a special Bill to amend the Royal Commissioners' Powers Act to take away from the member for Melville and every other person who was involved in this rumour of corruption any legal redress they would have against the individuals responsible for it. Has the member for Melville no feeling? Does his wife have none? And what about the members of his family when his name was in the paper as being involved in corruption on the say-so of two liars, one an illegal bookmaker? What evidence did the Government attempt to get to justify having that matter inquired into?

The present Minister for Industrial Development was a member of the Government which made the decision, and the inquiry proceeded and was published from day to day, and people were talking about the possibility that the member for Melville was involved in corruption, for which there was not an atom of truth as was subsequently shown at the inquiry—no basis whatever! But the Government did not want any basis; it did not want evidence; here was a chance to ruin the member for Melville on the say-so of two liars.

So it savours of rank hypocrisy for the Minister for Industrial Development to write to the paper about an abuse of privilege and about how innocent individuals might be affected, when he must have known—because his memory is not that bad—that was the treatment meted out to the member for Melville.

Mr. Court: I hope you are not putting these two cases in the same category, because they are not.

Mr. TONKIN: Of course they are not, as the Minister for Industrial Development will find out in due course. In the one instance the charges I made in this House were on the basis of corroborated evidence in connection with which, thank God, I now have the affidavits. But in the Minister's case it was nothing more than a verbal story from two disappointed liars who came here with the thought that there might be some political advantage to be gained; and the only reason the Government acted in the way it did was for political advantage.

Mr. Court: I do not think so.

Mr. TONKIN: The Minister does not think so! What other reason could there have been? Did the Minister seek an affidavit; did he get a sworn statement? Of course he did not! But the tale of two liars was sufficient to warrant being inquired into, whereas in respect of the inquiry I sought, the opportunity was provided to get the papers in the first place before any move was made for an inquiry. However, in the case to which I refer, which involved the member for Melville, he was not told a word about it even when the discussion was going on in the House to amend the Royal Commissioners' Powers Act to take away from the member for Melville the legal rights which he would otherwise have had to get redress in the courts against those who had impugned his honesty.

Mr. Court: You overstate your case, because it was not only what the member for Melville said; wasn't this matter before the electorate?

Mr. TONKIN: There were a number of matters, but that was no reason why a story of corruption regarding the member for Melville had to be inquired into, unless there was a basis for it.

Mr. Court: If I remember rightly the question of a Royal Commission was before the electorate during the elections.

Mr. TONKIN: But not a Royal Commission into corruption on the part of the member for Melville.

Mr. Court: It was a general question which was then a burning issue; not your own particular case.

Mr. TONKIN: I agree; but I would have thought that the decent thing for the Government to do at the time was to inform the member for Melville of the story about him and ask him what he had to say about it; and I venture to say that if that opportunity had been provided, there would never have been any inquiry, as there could not possibly have been one. But there it is, and I bring this up to show the difference.

We are now getting complaints because I called for papers; and I am invited to repeat my statements outside. But this Government saw to it that anybody who said outside what they were saying about me, was perfectly safe, because it took steps in this House—and I remind you of this, Mr. Deputy Speaker, in case you have forgotten—to ensure that the special condition which was applied to the Royal Commissioners' Powers Act applied to that commission only.

It would not apply if a Royal Commission were held today; it applied to that commission only, and I was not the only one who had to put up with adverse publicity without any legal redress. There were others who were deprived of their rights by the special Act brought down by this Government, and yet we find the Minister for Industrial Development having the temerity to complain about what I said recently—

Mr. Court: And so he should.

Mr. TONKIN: —and inviting me to say it outside. Why did the Minister support a Bill to deprive me and others of the right to any legal redress?

Mr. Court: You are misrepresenting the position altogether.

Mr. TONKIN: I am not.

Mr. Court: There was a general question of a far-reaching nature—not just the member for Melville—before the electorate at that time.

Mr. TONKIN: What rubbish!

Mr. Court: You say "rubbish" but I remind you of the circumstances—

Mr. TONKIN: The Minister reminds me of the circumstances! I will remind him of some.

Mr. Court: I know why the amendment was brought in and made specific for a particular inquiry.

Mr. TONKIN: A Royal Commission must act within its terms of reference, and if we turn to the report we will see the matters which were referred to the commission by the Government. One of the matters referred to this commission was the rumours of corruption—not evidence of corruption, but rumours of it; and that is the point I am making. This Government was prepared to have an inquiry into rumours of corruption, but it does not now want any inquiry into the matter which I brought before the House and which I believe is no rumour. That is the difference. I hope this matter develops—as it must, of course—so that in due course the situation will be clearly established and we will know, beyond any doubt, whether the Leader of the Opposition has abused parliamentiary privilege or not. However, it is as well for those who are complaining to make sure that their hands are clean, and that is what I say to the Minister for Industrial Development.

Mr. Court: You are not implying that my hands are not clean, I hope, in spite of your filthy inference the other night when I was speaking on behalf of the Minister for Justice; and the further you take it the better! However, you take it outside of parliamentary privilege.

Mr. TONKIN: Of course, if I had the wealth of the Minister for Industrial Development a court case would not worry me. That is an aspect, of course, which one must consider.

Mr. Court: You are just retreating from the situation. You know how wrong you were the other evening when addressing Parliament.

Mr. TONKIN: No, I do not. I said the Minister was speaking on behalf of his friends.

*Point of Order*

Mr. COURT: Mr. Deputy Speaker, I take strong exception to what the honourable member has said and I ask that it be withdrawn.

The DEPUTY SPEAKER: The Minister for Industrial Development has requested that the Leader of the Opposition should withdraw certain words, and I ask that they be withdrawn.

Mr. TONKIN: So that we may have them correct for the record, may I ask him to state the words to which he is objecting?

Mr. COURT: It is very simply stated. The Leader of the Opposition stated that I was speaking on behalf of friends, when he well knows that I was speaking in my official capacity on behalf of the Minister for Justice.

Mr. TONKIN: I have always been one to uphold the Standing Orders. I am not prepared to contravene them in this instance. In deference to your wishes I withdraw the remark.

*Debate (on motion) Resumed*

Mr. TONKIN: I shall now conclude what I have been saying on this matter, but I trust that in due course the rights and wrongs of the question will be firmly established—

Mr. Court: So do I.

Mr. TONKIN: —and then, perhaps, we may be able to have quite a different look at it.

Mr. Jamieson: The Minister just lost a friend.

**MR. NORTON** (Gascoyne) [5.54 p.m.]: I wish to lodge a further complaint to those I have made in the past against the imposition of the road maintenance tax. As the Leader of the Opposition and the members of the Country Party have said, this tax is undermining the economy not only of the small farmers, but also of the large producers and, in fact, all the people who are living in the remote areas of this State. At various times I have compiled a great many figures relating to this tax and have tried to analyse them in regard to the amount that has been collected, and the moneys that have been spent.

Over the past few months the spokesman for the Country Party (Mr. R. J. Elphick) has made several statements on the effect of the road maintenance tax

on those people residing in country areas. The first statement I wish to quote is that which appeared in *The West Australian* on the 30th July, 1968. It reads—

> Country Party State president R. J. Elphick yesterday reiterated his charge that normal Main Roads Department road grants to many local authorities had been reduced to offset increased revenue they received from the road maintenance tax.

I do not know whether that statement is correct or not.

Mr. O'Connor: I know it is not.

Mr. NORTON: I will quote the figures to the House in a minute or two to see what the true position is; that is, as to whether the road grants to the shires have been reduced. So far as I am concerned they have not been increased, and I will shortly prove, by quoting figures which were supplied to me in answer to a question, that the grants were reduced. This report in *The West Australian* continues—

> Mr. Elphick said he had made extensive inquiries among country shires.
>
> Coorow was the only shire which had told him it was satisfied it was getting any real benefit from the road maintenance tax.
>
> The total funds received from the M.R.D. by the Moora shire in 1967-68 had been only $200 more than the money it had received in 1965-66.
>
> ALLOCATION
>
> Though the allocation for maintenance and school bus routes had increased by $4,200, the funds provided in specific grants and general allocations had fallen by $4,000.
>
> Mr. Elphick said the Dandaragan shire had received only $10 more in road funds for 1967-68 than it had before the road maintenance tax was introduced.
>
> The Dalwallinu shire was also receiving about the same as it had previously.
>
> The Victoria Plains shire had a special arrangement with the M.R.D. for the sealing of the Moora-Mogumber road, but it was another authority which was receiving no overall benefit from the road maintenance tax.

Mr. Ross Hutchinson: It would have received less if there had not been the money made available from the road maintenance tax. That is the point.

Mr. NORTON: I asked the Minister who has just interjected to supply figures relating to this tax and its effect on the various shires in my electorate, and from the answers he gave I ascertained that the total amount allocated by way of main roads grants in 1966-67 to the shires of Shark Bay, Carnarvon, Upper Gascoyne, Murchison, and Exmouth, was $1,310,045, and in 1968-69 the total amount allocated was $535,278. If that is not a reduction, I do not know what is. On my estimate, the amount allocated for the current financial year is down by 50 per cent. when compared with the figure for 1966-67. For the intervening year—1967-68—the total amount received by those shires was $433,358.

So from those figures it can be seen there has been a substantial drop in the amounts allocated to the shires by way of main roads grants, and I cannot see how people in those remote areas are getting any benefit from the high road maintenance tax payments they are making.

Mr. O'Connor: Can you guarantee the figures you have quoted?

Mr. NORTON: The figures I quoted were supplied to me by the Minister for Works and are recorded on page 261 of the current *Hansard*.

Mr. O'Connor: No other moneys were supplied to country shires apart from those you quoted?

Mr. NORTON: The figures I have quoted relate to those funds which are allocated for developmental roads, developmental roads maintained from the Central Road Trust Fund, and important secondary roads.

Mr. Ross Hutchinson: Far more money than that was expended; but the point is that if the money were not available from this source, there would be less money for everybody.

Mr. NORTON: Another question I asked the Minister for Transport was—

> (1) How many motor vehicles registered in the following shires pay road maintenance tax:—
>
> (a) Carnarvon;
>
> (b) Upper Gascoyne;
>
> (c) Murchison;
>
> (d) Shark Bay?

The Minister replied as follows:—

> (1) (a) 107.
>
> (b) 2.
>
> (c) 3.
>
> (d) 1.

These figures do not cover all the vehicles which cart goods to those shires and also take goods away from them and which are subject to the payment of the road maintenance tax. Therefore, more tax is being paid by the people in those areas than is actually being paid by the operators of the particular vehicles referred to in the answer by the Minister.

In 12 months the vehicles in question contributed $215,319.72 in road maintenance tax. If we added the tax paid for the

vehicles operated by Mayne Nickless, Bell Bros., and other cartage contactors operating throughout those areas, the total would be much greater than that shown for the actual number of vehicles registered in Carnarvon; and, on the figures supplied to me, there will be, for the current financial year, 50 per cent. less allocated by way of road grants to my electorate than was allocated in 1966-67.

I consider, therefore, that the criticism levelled by the Country Party is not unwarranted, especially when one finds out, day after day, that there are many more people dissatisfied with the existing position than just the member for Gascoyne. Unfortunately, one does not hear from them.

In *The West Australian* of the 23rd July, 1968, another report of a statement attributed to Mr. Elphick appears. This report reads—

> Nearly $750,000 had been allocated from the fund to country local authorities for road maintenance last financial year, but in many cases, allocations from other main roads funds had been reduced by an equal amount.
>
> Despite extra money from the tax, shires received no more and, in some cases, less than previously. This was little short of fraud.

I repeat that that statement is attributed to the General President of the Country Party, Mr. R. J. Elphick, and the figures I have quoted would appear to substantiate his statement.

I noticed from this morning's issue of *The West Australian* that the Country Party has put before the Government another system under which this road maintenance tax can be collected. According to the report in the newspaper, the Country Party has suggested that the bulk depots, through which the fuel passes, should be taxed. In my opinion that would effect a more equitable distribution of the tax.

I think that other road users should pay a surcharge on their license fees, which would mean that they would be paying the tax whether operating in the city or in the country. In my opinion there are hundreds of motor vehicles operating in the city every day which are not feeling the effect of the road maintenance tax whatsoever; they pay no tax at all for operating over the roads on which they drive. People residing in the city are not charged road maintenance tax and therefore it cannot be passed on. The tax is applied only to the people who live in the country. Those people pay it on the goods which are carted to them, and on the produce they send to the city.

Mr. O'Connor: The mining companies and others like them also pay it.

Mr. NORTON: Yes; they all have to pay the tax even if they put down their own roads.

Mr. O'Connor: And they receive assistance towards the construction of those roads.

Mr. NORTON: They have to pay the road maintenance tax as well.

Mr. O'Connor: But they get assistance for building their own roads.

Mr. NORTON: But the man in the country cannot pass the tax on, because he has to pay the tax on goods carted to the city, and also on the goods which are carted from the city to him. If the Government wishes to continue imposing this tax on motor vehicles, it should tax everyone who uses the roads and not only those people residing in remote country areas.

Mr. O'Connor: Have you read the High Court ruling on this?

Mr. NORTON: There is no High Court ruling needed on this. When the Government wanted additional money a year or so ago it imposed a surcharge of $2 on third-party insurance. Was there any High Court ruling needed in that instance? What is there to stop the Government increasing license fees, if it does not want to impose a surcharge?

Mr. Ross Hutchinson: The heavier vehicles are the ones which cause the damage to the roads.

Mr. NORTON: The heavier vehicles pay higher charges. After all, does the Government make any attempt to tax the farmers to any extent for the loss sustained by the railways? The loss is passed on to the whole community. The same is done with the loss sustained by the State Shipping Service. It was not intended to be met by a tax on the people of the north, but on the people of the State generally. In imposing the road maintenance tax, the Government is taxing the people of the north.

Mr. Brand: The same position exists in New South Wales, Queensland, Victoria, and South Australia.

Mr. NORTON: The Premier has mentioned Victoria. I would point out that State has a network of railway lines, and the primary producers there do not have to use the roads; whereas those in our north-west have to use the roads.

Mr. Brand: What about New South Wales?

Mr. NORTON: New South Wales is better served with rail services than Western Australia.

Mr. Brand: You cannot say that South Australia is served by a network of railways.

Mr. NORTON: I am not worried about New South Wales or South Australia.

Mr. Brand: But I am worried about Western Australia and about what you are saying.

Mr. NORTON: I feel very strongly about this matter. I consider the Government should take steps to introduce a tax which is more equitable to everybody concerned.

Mr. Ross Hutchinson: What would you do if you were the Minister for Transport?

Mr. NORTON: If I were the Minister for Transport I would increase the license fees for vehicles in proportion to their size, or impose a surcharge on vehicles.

Mr. Ross Hutchinson: How much would that raise?

Mr. NORTON: That would depend on the percentage of tax imposed. The Government could impose a tax at a certain percentage to raise the required money. If it imposed a 15 per cent. levy on all license fees it would raise the amount which the Government obtained in the first year. If the Minister were to look through *Hansard* he would find the figures.

Mr. Brand: You would do that now to save the transport costs. Why was this not done in New South Wales and the other States?

Mr. NORTON: I am not talking about New South Wales. I am submitting a case for the people of Western Australia.

I have asked questions in this House concerning the dredging and the opening up of the southern arm of the channel at Carnarvon, so that access from the ocean will be available for fishing boats and tourist boats. If dredging is undertaken it will also be the means of building up land which is urgently required for housing. At present the dredge is unable to operate at Teggs Channel, and it has been laid up. It could be used in dredging that area so that some use could be made of the land. If that is done, the cost of dredging will be recouped from the sale of the land. This area could become one of the best housing areas in the district.

Mr. Ross Hutchinson: The mayor suggested that many years ago.

Mr. NORTON: The present Mayor of Carnarvon is not enamoured of development in that direction. He prefers development in the north-easterly direction. The opening up of the channel would provide better facilities for boats, for fishing, and for water skiing. It would greatly enhance that part of Carnarvon, and would tend to assist in having a jetty provided for the servicing of the fishing boats, which now operate from Carnarvon for six or seven months of the year.

Teggs Channel is the only safe anchorage in that area, and if it is desired to lay up the vessels for 24 or 36 hours in order to give the crews a spell they cannot be left unattended. If they are left unattended and a westerly comes up the vessels will be driven onto the shore.

With the development of Teggs Channel and with the provision of a fishing boat jetty, the fishing industry would develop considerably. This would enable boats to experiment with the catching of tuna, which abounds in large quantities off the north-west coast. This is a fish which we are not making use of to any great extent at the present time. Over the past two or three years, prawn fishermen have made trial catches of tuna. One boat caught, by pole fishing, 5,000 pounds of fish within a short time in one day. This proves that tuna is to be found in those waters, and it only needs someone to catch the fish.

This year tuna has been sold in the shops in Perth at 39c a pound; this is quite a reasonable price for this class of fish. We know that people overseas find many ways to use tuna, but people in Australia have not come to realise the value of the fish or the ways in which it can be used. I think that as people in Australia learn the ways to cook and prepare this fish, it will become very popular. Over and above that, it could form the basis of a sizeable export trade, alongside the export of prawns, crayfish, and other catches which are seasonal. The development of this particular part of Carnarvon to which I have been referring will greatly assist that aspect of the fishing industry.

I now raise another matter. This is a complaint, and it is that when the Lands Department carried out surveys for the subdivision of land in the town of Carnarvon—as it did in the last 12 to 15 months—it made no provision whatever for recreational areas. In Carnarvon the department subdivided quite a large area without making provision for a recreation ground. If the subdivision had been undertaken by a developer, he would have had to make 10 per cent. of the land available for recreation purposes or for a green belt. As it turned out, this area was a straight-out subdivision, and virtually no land was set aside for recreation purposes for the children. Where there is a Housing Commission development, a large number of children are found, and such children must be provided with a recreation ground. It is not safe for them to play on the roads.

For over 12 months I have been trying to get the Lands Department, the Public Health Department, or whoever is responsible, to make a reserve available for the kindergarten at Carnarvon. My reason for doing this is that the Public Health Department has given notice of intention to resume the present kindergarten reserve, because it requires the land for public health purposes. Admittedly this land will not be used in the immediate future, or within the next three years; but the kindergarten is desirous of making extensions as quickly as possible. It has many more children than it can cope with and

it has the money to extend the building, but it is not possible to extend it as the tenure of the reserve is very limited.

There is another reserve in the town for which I made application, but I understand that the president of the shire objected to the kindergarten being given this area. It is an ideal site and it is acceptable economically. If this reserve is made available it will allow the kindergarten to proceed almost immediately with its rebuilding.

It rather astounds me to find that the Government is spending money in some directions and not in others in Carnarvon. From replies to questions I asked in this House I am given to understand that the Government intends to build a considerable length of levee banks on the Gascoyne River in order to prevent flooding of the near town areas and some of the plantations. The question of flooding in Carnarvon is greatly overrated. We would not experience on the average one flood in seven years, although we might experience two floods in two consecutive years.

A flood is a 24-hour wonder, and it does not do a great deal of harm. It would be far better if the money earmarked for these levee banks was spent on controlling the Gascoyne River by building one or more dams to conserve the water. This would be a far more economical proposition than spending the money on development in the Kimberleys, where the high costs of freight, labour, and other requirements have to be taken into consideration. These costs would be 25 to 30 per cent. lower in Carnarvon. The Carnarvon district can grow anything that is grown in the north-west.

The money would be put to much greater advantage if it was spent on damming the Gascoyne River at Kennedy Range. By doing that we would conserve the water and have a constant supply. Over the past seven years we have been lucky in Carnarvon; each year we have experienced three, four, or five river flows, and those flows have kept the industry buoyant. However, if the river failed to flow for 18 months, then a tragedy would befall the growers. It would mean their going out of production for 12 months; and it would be difficult for them to catch up on their plantings and to keep abreast of things, particularly in view of the high prices which some of them paid for their land and the commitments which they have undertaken.

There are two possible dam sites, and one is considerably cheaper than the other —I think the cost of one is one-third of the cost of the other. The cheaper dam would be ideal for stabilising the industry at Carnarvon at its present level, and I understand this project will provide storage for 48,000 acre-feet of water; whereas the dam proposed at Kennedy Range would hold in the vicinity of 850,000 acre-feet of water. With a dam constructed at the Kennedy Range the use of pumps and channels would not be necessary, as the volume of water stored would be sufficient to permit the water to be released slowly down the river and so keep the sands full when the river was not flowing. When it was anticipated that the river would flow, the sluice gates could be opened and the stored water emptied out. The sluice gates could then be closed and fresh water could be stored.

It is a known fact that the evaporation rate in that area is very high. It would mean that the water would have to be used as quickly as possible so as to obviate as much evaporation as possible. I request the Government to give urgent and favourable consideration to the construction of this dam.

*Sitting suspended from 6.15 to 7.30 p.m.*

**MR. FLETCHER** (Fremantle) [7.30 p.m.]: My topic, as usual, is housing. The Minister, I am sure, would think we were falling down on the job if we did not remind him of the dire need of our constituents who are affected as a consequence of the lack of an adequate housing policy by the Government. I feel it is my duty to complain on this score. I know the Minister is sick of the subject and I am sick of it, too. I regret that the situation is such that it becomes necessary for me to continue to complain.

Members have often heard me on this subject and they might think, justifiably, that I have a biased opinion on the matter. Therefore I want members to hear the opinions of people other than myself. The following is a letter from a correspondent (R. M. Jenkins) from as far away as New Guinea, and it appeared in *The West Australian* of recent date:—

> After six years I am taking my family back to live in W.A.
>
> As part of our forward planning we have been getting housing prices, some from the classified advertisements of *The West Australian*.
>
> Putting it mildly (there's stronger language I could use to express my feelings but you wouldn't print it), I am disgusted, nauseated and disillusioned at the prices being asked for W.A. housing.
>
> The use of such cliches as "suit young couple," when tied to an $18,000 price tag, is positively sickening.
>
> If the middle-aged, middle-class of Australia's society ever needs to find excuses as to why the younger generation is in revolt they will only have to consult their morning papers' classified sections to find one valid reason.
>
> BURDEN
>
> For our society to ask young people to commit five to eight years of their total earning potential for the purchase of a house (with the usual limit

of 20 per cent. of earning potential allowed in repayment this means 25 to 40 years of repayment) is a national tragedy.

A young man earning $3,000 a year can expect to pay $10,000 plus interest for a new house and $14,000 plus interest for a used one. This is a frightening situation for young people. It appears to be time for young people to rally together and use any means at their disposal to reverse the trend in prices. Sellers seem to consider any price justified so they should not object to buyers using any methods available to them to force prices down.

I hope in the future to see young people as organised as the sellers. Then, perhaps, realism will come back to W.A. housing prices.

The Minister might say that this is not his problem; but he is a member of a private enterprise Government. He cannot deny that was the policy with which he went to the people of this State, and therefore he cannot be surprised if private enterprise takes advantage of the situation and charges prices which only a minority of the people can pay. I could not have made a better contribution in criticism of the Government than that contained in the letter I have just read. I think that is probably sufficient criticism, but, although I regret having to read so much—but it is the only way to cover a lot of ground on occasions like this—I would like members to hear some correspondence I have received from a constituent who, although she was previously in my electorate, now lives in Belmont. The letter reads as follows:—

Mrs. K. Peribonio,
23 George St.,
Belmont.
Tel. 65 1318.

Dear Mr. Fletcher,

I appologise for being late in writing to thank you for the representation you made to the S.H.C. on behalf of my mother Mrs. K. Barthrop.

I am sincerely grateful for your efforts although they were to no avail, and I wish you every success in the coming elections. Labor is the only hope for all the unfortunate people forced into these impossible situations.

I hope to hear some "hear, hears" in that respect.

Opposition members: Hear, hear!

Mr. FLETCHER: To continue—

My mother flew straight back from England and is now living with me. We are house hunting at the moment but it is the most heartbreaking business, the amount of exploitation that is rife is little short of criminal.

I ask that the House give attention to the following paragraph:—

When Labor replaces this grossly negligent inefficient incompetents on Saturday, will it be possible to get my mother's case reviewed in respect of a State rental home?

Either way though, thank you for all your efforts and again the best of luck.

Yours truly,
K. Peribonio.

That is typical of letters I have received, and I would like to inform the Minister that my housing file continues to fatten in my draw downstairs. The preponderance of letters it contains is from those for whom the State Housing Commission can do nothing, and it is those people on whose behalf I make the representations.

Instead of the situation being eased through the State Housing Commission, we see an escalation in the private building of home units, strata title buildings, and duplex homes. I suppose this is inevitable as a consequence of land prices continuing to rise and, as I have said, as a consequence of the freedom of private enterprise to charge what it likes. I will admit that it is inevitable while land prices are at such a terrific level.

The member for Ascot will no doubt correct me if I am wrong, but I understand the Uniform Building By-laws stipulate that a person cannot build on more than a third of his property and as a consequence buildings must rise instead of continuing to spread. This policy is having an adverse effect on families, because children are being forced to live at dangerous heights, instead of being able to live and play at ground level.

Mr. Bickerton: It is dangerous if they fall out of bed.

Mr. FLETCHER: It is far more dangerous if they fall from a balcony which is perhaps 80 feet or so from the ground.

It seems to me we should be building outwards. After all the area of this State is, I understand, approximately 1,000,000 square miles, while the population is in the vicinity of 800,000. My mental arithmetic indicates to me that every person has around one and one-quarter square miles in which to walk around in this State. Yet we find the situation of overcrowding, and of houses which are going upwards instead of going outwards.

Another adverse effect of the high prices being charged for land is that couples must continue to work after they are married. At one time it was not unusual for couples to work in order to acquire land and a house. Now couples must work, but they are finding it very difficult to acquire even a block of land at a price they can afford. As a consequence they are deferring having families, and this has

repercussions on the State. I hope that members opposite will realise that, with the policy they espouse, they have a lot to be blamed for—

Mr. Rushton: We have—

Mr. FLETCHER: —because taxpayers' money—I think the member for Dale was about to say something.

Mr. Rushton: Yes, but you wouldn't let me. I was about to say that we also have a lot to be commended for.

Mr. FLETCHER: Members opposite have a lot for which they should be condemned. The member for Dale is helping me with my speech. Taxpayers' money is being used to import people from overseas to our State. I would rather see the taxpayers' money being used to assist the home-grown variety of citizens within this State. If couples were given the assistance they should be given, we would have the home-grown variety rather than be faced with the necessity to import them from overseas.

The Minister and the Premier could well afford to get in touch with their Federal counterparts to ensure that taxpayers' money is used to assist our own people to have families. I would suggest a percentage of any debt associated with the acquisition of a house should be written off for every child a couple produces. In this way it would be easy for a couple not only to acquire their own home, but also to populate our State.

Surely it must be easy to work out what it costs to import a migrant from overseas. Let me say here that I have no objection to migrants; but let me say also that the expense associated with importing people could be used to assist our own folk in the acquisition of land and homes.

Mr. Cash: What about the profit and benefit we gain from having migrants here?

Mr. FLETCHER: I could ask: what profit?

Mr. Cash: The part they play in the community.

Mr. FLETCHER: If the member for Mirrabooka does not mind paying tax to import people, I do. I say that taxpayers' money could be used to far greater advantage in assisting couples to raise children in our own State, and it is a responsibility on the part of the Government to ensure that this is done.

When I was speaking previously on this subject, someone interjected and asked if I was advocating rent control. I answered to the effect that I was not opposed to it. The Press captured my comment, as apparently did the television stations, because a certain TV personality asked me to elaborate on my comment. This I did on the steps of Parliament House, as I have seen the Minister do. However, I noticed one difference. The Minister was given time on television, but the member for Fremantle was not. I do not know whether this is because I am not photogenic or because they did not like what I said. It must have been one of the two. I asked my colleagues and my family whether they had seen me on television speaking on the subject of rent control, and I was told they had not. My efforts and Disraeli-like speech were lost.

I would like to give some conception of what is going on. At least the Press is honest about it, and I refer to an article in the *Daily News* of Monday, the 7th October, 1968, under the heading, "Speculators Rush Riles Councillors." It is referring to Perth city councillors, of course, and the speculators' rush to acquire land which was sold caused concern to the council—and naturally so. The councillors expressed their concern.

Mr. O'Neil: It was council land that was sold.

Mr. FLETCHER: But the councillors were also concerned at the fact that speculators rushed the land.

Mr. Dunn: How do you know they were speculators?

Mr. FLETCHER: Simply because they acquire the land and sell it two or three months later for a price far in excess of the price for which they purchased it. That is their ambition; namely, to gain.

Mr. Dunn: Did they tell you what they were going to do?

Mr. FLETCHER: No, but it is quite evident. It is often reported in the Press that Mr. So-and-so sold a block of land at such a location for so many thousand dollars in excess of what he paid for it a few months previously. It is human nature to exploit the market. They are speculators, even if the member for Darling Range does not like to accept such a description. In fact, I have seen one of his questions on the notice paper asking where a reasonable profit ends and speculation begins.

Mr. Dunn: I could find you a block of land for $650.

Mr. FLETCHER: It would probably be at Forrest, Ceduna, or somewhere else in central Australia. The Perth City Council land I have referred to was sold on Saturday, the 5th October. In all, 41 blocks were sold at City Beach and the average price was $11,250 with a top price of $13,750. The land was sold by auction, and I have often heard the Minister for Industrial Development say that this is the fairest way to dispose of land.

I admit that the land in question is prestige land, but nevertheless the prices obtained are something of a barometer in relation to prices being charged for land—prices which are beyond the capacity of the average person to pay and which make it necessary for both the husband and the

wife to go out to work if they wish to acquire a block of land. Admittedly they do not all wish to acquire land in Wembley, but almost everywhere prices are way beyond their capacity to pay.

I know the Minister will raise the issues of the cost of development, cost of sewerage, cost of power, etc. Nevertheless, I say to the House that this Government has fallen down on the issue of priorities. What could be more fundamental than a desire to own one's own home and not live in a flat? I ask members to try to realise how little there is left to, say, a tradesman who nets $50 per week after he has paid $20 or more per week for his rent, assuming that he has a family. In addition, he will never own a brick in it. Yet the Government obtains satisfaction from the fact that more flats and more home units have been built.

I would like to read a brief extract from *The West Australian* dated the 18th July, 1968. I have marked *nota bene* alongside an extract which reads—

> Figures just released by the Commonwealth Bureau of Census and Statistics in Perth show that the Government's percentage of new houses and flats approved for building has fallen recently.
>
> From a high of about 23 per cent. in the 1962-63 financial year, it fell to 14.2 per cent. in the period from May, 1967, to May this year.
>
> The bureau's summary also showed that the consumer price index for the cost of housing in W.A. had increased 84.9 per cent. since 1952-53.

Mr. Davies: Another record broken!

Mr. Dunn: Have you ever worked out the components in the price of houses and land which the big project developers have to meet?

Mr. FLETCHER: I do not have to indulge in any mental arithmetic. The case is there for members to see, and it is presented not by the member for Fremantle but by the Commonwealth Bureau of Census and Statistics. It clearly shows the decline in figures. It is not necessary to waste my time, when the bureau will work it out for me and for the members of the House. I hope members are listening carefully, because it has been during the regime of this Government—a private enterprise Government where the sky is the limit in regard to prices—that the cost of housing in Western Australia has increased by 84.9 per cent. Can we be surprised at such an increase during the regime of a free enterprise Government?

I should like to refer to another opinion which was published in *The West Australian* on the 22nd August, 1968 It reads—

> Premier Brand seems to think he and his government have excelled themselves by setting a target of 1,800 State Housing Commission houses and flats for 1968-69. We could congratulate them on this effort, as they only built 1,557 in 1967-68.
>
> How can the government explain that in 1953-54 the Labor government managed to build 4,064 houses and flats?

I hope my critics and interjectors opposite listened to those figures, which represent the record by this Government in comparison to the record of the Hawke Labor Government and the Minister for Housing of that period, who is now the present member for Balcatta. I will read the last paragraph again—

> How can the Government explain that in 1953-54 the Labor Government managed to build 4,064 houses and flats?

The article continues—

> Who is really benefiting from this fantastic prosperity of which we are continually being informed?
>
> Outstanding applications to the S.H.C. for accommodation totalled 17,300 in June, 1968, and had risen from 14,546 in June, 1967. The government, which I am sure believes it is performing some fantastic feat in building its 1,800 houses, obviously hasn't taken into consideration that the outstanding applications will probably rise even more by June, 1969, than the 2,800 rise on last year's total.

The unfortunate Minister for Housing is slipping and his department is on the skids from the point of view of satisfying the existing demand. As I mentioned previously: why does the demand exist? It exists as a consequence of private accommodation being beyond the economic reach of the average person in the State and, consequently, the demand on the State Housing Commission becomes proportionately greater. To my mind that is elementary. Why cannot the Government see it? If the Government can see it, why does it not do something about it, other than obtain satisfaction in regard to private flats?

I would like to refer to an article which was published in *The West Australian* of the 17th July, 1968, which reports Dame Annabelle Rankin as saying—

> Approval for the building of a record 131,000 new houses and flats was granted in the 1967-68 financial year.

She further said—

> The number of flats approved had exceeded the 40,000 mark for the first time. At least three dwellings in every ten approved last year were flats.

That is the very thing about which I am complaining. Flats are being built, but the rentals of those flats are far beyond the capacity of people to pay. I would like to read another small excerpt which I found rather amusing. It may amuse the

Minister for Housing, too. It appeared in *The West Australian* on the 26th June, 1968, under the heading, "Land Sale Age Limit To Change." The article reads as follows:

> People younger than 21 will be able to buy land in the Northern Territory, Interior Minister Nixon said tonight.

In the Northern Territory, of all places! To continue—

> Mr. Nixon undertook to have the law altered so that minors can bid for housing land at government sales.
>
> Many young people were turned away from Darwin's first restricted land sale last week because they were minors.
>
> "There will naturally have to be some age limit, but we will see that it is permissible for people under 21 to buy land," he said.

I do not know whether land will be made available in Darwin in the hope that a lot of people will get off the Minister for Housing's back and migrate to the Northern Territory to take advantage of the salubrious climate which exists in such an area as Darwin. The member for Kimberley would know the climatic conditions which exist in his area and how attractive it would be for people to have land and homes available at reasonable prices as an alternative to having land and homes in the metropolitan area.

I will not read to the House other complaints which have been made by different people, except to mention a complaint made by the Rev. James Reid which was published in *The West Australian* on the 16th May, 1968. It was a justifiable complaint on the basis that migrants who come to Western Australia are separated from their children as a consequence of having to farm them out to different areas because of the inadequate accommodation that exists. It is wrong to be bringing people to Western Australia when our own needs are not satisfied. Alternatively, the Federal Government should be responsible for finding housing, not only for the people who are brought to Australia but to give an incentive to our own people —the ordinary, home-grown variety of citizen in the State.

Another article I have here is headed, "Perth C.O.L. Rises 22c." It reads—

> The cost of living in Perth rose by about 22c in the March quarter, the second highest rise in Australia.
> The national average rise was about 15c.

I repeat that our rise was 22c. Later on the article says—

> Consumer price-index figures, measuring quarterly price changes, were released today by Commonwealth Statistician K. M. Archer.

Here again, these are not my figures, but figures given by a greater authority than I in this respect.

I regret the Minister for Police is not in the House at the moment. I promised to defer reading to the House an article which I wrote on the subject of prisons, and I undertook to wait until the Minister for Police returned to the State. I am pleased to see that he has returned and I hope he is only temporarily absent from the House at the moment.

Mr. Dunn: Keep your promise.

Mr. FLETCHER: I will not, because I think it is worth while. I say that in all modesty, even though I wrote it myself. I would like the Minister to read the article later and relate it to his experience overseas. The heading is, "A New Prison With A New Approach" by Harry A. Fletcher, M.L.A., Fremantle.

Mr. Cash: Hold it up for a minute. The Minister for Police will be back soon.

Mr. FLETCHER: With the indulgence of members opposite, I will now read the article. It is as follows:—

> Shots fired and injuries caused to prisoners in the Fremantle Prison Riot on 4th June, 1968, to my mind relate to cause and effect.
>
> The cause has been an annual topic of Parliamentary Question and comment by the author since election in 1959.
>
> The dedication and good work of administration and staff in care of prisoners is undoubtedly inhibited, or even cancelled out, by the primitive and over-crowded conditions existing within the 4 walls of this penal anachronism which occupies valuable real estate in the heart of my electorate.
>
> The buildings and walls remain an affront to all who pass, because Govments—

Notice I have used the plural "Governments." To continue—

> —over the years, have disbursed the annual parsimonious Federal reimbursements of W.A. taxpayers' money, on other priorities.
>
> I might mention, in passing, that housing for law-abiding families outside the Prison walls does not appear to be a present Government priority either.

I could not miss the opportunity to get in a dig.

Mr. Sewell: The Minister is not sleeping!

Mr. FLETCHER: The article continues—

> However, because all but a few, couldn't care less what happens to those who transgress the law, the status quo remains in Fremantle.

My only criticism in regard to Karnet, Pardelup and Barton's Mill is that there is not enough of such institutions. One is certainly essential contiguous to Fremantle-Perth metropolitan area, where prisoners could be gainfully and healthily employed to their own and the community's benefit. Situated in a market gardening location, fruit, vegetables, and flowers, as just a few examples, could be cultivated for prison and other Government and/or perhaps charitable institutions.

This, of course, might be opposed by vested interests who already sell such produce in the areas mentioned.

When speaking in Parliament on this theme, the appropriate Minister interjected that I would be in trouble with the Unions for suggesting that prisoners could even help in providing themselves with new accommodation.

The present Minister for Works interjected to that effect some two or three years ago when I was speaking on this subject. To continue—

My suggestion was that selected prisoners, under Warder supervision, could be transported daily to quarry, shape, and lay suitable indigenous limestone to create maximum security and other buildings on a selected site; this, and other skilled building and installation work to be carried out under, where necessary, the skilled supervision of the various trades.

I am sure that, just as I, previous to entering Parliament, made the mould and cement bricks to build my garage and garden walls, so surely could this be repeated many hundredfold, even within the narrow confines of Fremantle Prison. Bricks, slabs, and other moulded cement products could then be carted to the suggested new location for outbuildings and other purposes.

In some such buildings could later be housed apparatus and facilities to gainfully occupy the time and energy of prisoners. They could then be contributing to, instead of at present taking from, the community.

I am pleased to see the Minister concerned is now in his seat.

Mr. Craig: You are always pleased to see me.

Mr. FLETCHER: He has come back in time to hear the latter part of my suggestions regarding the Fremantle Prison. To continue—

It may be wishful thinking to envisage a wage being paid, so that the prisoner, rather than the public, might maintain his dependents. The average Trade Unionist would, I'm sure, subject to industrial safeguards, accept such a proposition.

A drawn plan would perhaps be preferable to the following description of what I envisage:

My suggestion is for a thick-walled limestone, maximum security section, with a high 360 degree visibility watchtower as a nucleus. This to be encircled, not by a stone wall, but by a high steel mesh fence, with a sufficiency of similar concentric mesh fences to accommodate buildings and, what is more important, to segregate the various categories at present contaminating one another in Fremantle Prison.

If the various categories mentioned were clothed in just as various coloured attire, then it would, at least in daylight, be immediately discernible if anyone was out of place.

With the fences electrified with very low voltage, and a suitably lighted panel in the central watch-tower, it would be immediately apparent, day or night, if anyone even touched a fence.

Let me interpolate here to say I gave a considerable number of people a fright when I mentioned very low-voltage fences around the buildings, because they immediately conjured up some thoughts of a Belsen camp and people being burnt to a cinder when they touched the electrified fences. That was not my intention. My intention was to have such a low-voltage fence that a person, when touching it, would not even be conscious of the electrical current running through it, but the fact of his touching it would be recorded in the central control tower and the officers there would be aware of the fact that somebody had touched the fence. The article continues—

The central watch tower should be accessible to staff only from the Administration Building just outside the outer perimeter, per medium of a narrow access way. This could, at the same time, also permit staff access through inner and outer gates to the various categories of prisoners.

A siren, in conjunction with high power spot and floodlights could be associated with such electrical wiring. It is my opinion that, in such circumstances, there would be less need for firearms and all they imply, with a greater prospect of the redemption of the prisoner, with consequential benefit to society arising from gainful prisoner-employment in healthy rehabilitative surroundings.

I am sorry that it was necessary to read the whole of that article.

Mr. Gayfer: Who wrote it?

Mr. FLETCHER: It was written by "Harry Fletcher." I wanted to put the article on record, because that is the suggestion I put forward. I take the subject

seriously, as I know the Minister does, and I hope he reads that article and relates it to any ideas he may have on the subject.

It appears that I have only another 10 minutes, approximately, so I want to use that time to the best possible advantage. If the Minister for Police has other business elsewhere, I can assure him I have finished with his portfolio.

Mr. Craig: Thank you.

Mr. Bovell: The Minister has the honourable member's permission to retire.

Mr. FLETCHER: I now wish to talk about housing, once more, and I want to deal with both the Minister for Housing and the Minister for Works. I received correspondence from the Town of East Fremantle dated the 28th February, 1968. The letter was addressed to me and reads as follows:—

> You are no doubt aware of plans that have been recently announced for a Fremantle By-pass bridge with a road system that will mean the removal of over 300 homes in the East Fremantle district. Council at its meeting held on the 26th inst., requested that I approach you for the purpose of leading a deputation to the Minister controlling the Main Roads and the Minister for Housing with a view to discussing the possibility of providing alternative housing for ratepayers who are liable to be affected by the road system associated with the bridge.

If members wonder why I am wearying the House with this material, I would point out that a very important section of my electorate is being affected, and if 300 people are likely to be dispossessed of their homes then, naturally, I want the Minister for Housing and the Minister for Works to take some action to prevent it. I replied to that correspondence from the Town Clerk and advised him that I would get in touch not only with the Minister for Works but also the Minister for Housing in regard to the matter.

The Minister for Housing, having more on his plate than he could cope with, passed the buck to the Minister for Works who replied to me at considerable length.

Mr. Bickerton: How do you get replies?

Mr. O'Neil: He writes nice letters.

Mr. FLETCHER: I shall not go into detail about what the Minister for Works said, but his reply indicated that the project would not be proceeded with until the dim and distant future. The Minister said—

> However, it is a long-term project and there should be plenty of time to achieve a degree of co-ordination between the various agencies of Government in resolving the problems arising from the displacement of people.

I think the Minister hoped that we would then be the Government and it would be our responsibility to straighten out the mess.

Mr. Ross Hutchinson: I fear the chaos that would arise if such an event took place.

Mr. FLETCHER: The Minister went on further to say—

> However, until such time as the scheme is accepted by the Metropolitan Region Planning Authority it would be premature to request the Town Planning Department to initiate the working group.

The Town of East Fremantle was still not satisfied with that reply, and so, on the 19th September, that authority wrote to me forwarding a copy of a letter written to the Under-Secretary for Works, which read as follows:—

> Council has received a plan showing the proposed Fremantle By-Pass Traffic Bridge and Road System which vitally affects this district to such an extent that 180 houses will be demolished. Council is keen to take positive action to accommodate residents liable to be displaced and I have been directed to apply to your Department for the land situated—

I hope the Minister or one of his officers will take the necessary action, as requested. The letter continues—

> —between Preston Point Road and Riverside Road which is resumed for Railway purposes, to be utilised by the State Housing Commission for the provision of flats to accommodate these people.

I hope both the Ministers concerned are listening. This area of land was originally resumed for railway purposes and it is situated between Preston Point Road and Riverside Road. I know the exact location and I hope the Minister concerned does what my constituents want. Under the Government's proposal 180 people will be displaced, and I trust the Government will accede to the request put forward by the local authority concerned. I have much pleasure in supporting the authority's request and that is why I have read the material to the House. I sincerely hope the land is made available for the purpose mentioned because it is only natural that people who have lived and raised their families in an area are most reluctant to leave it. Their friends and relatives live there and they want to remain.

There is another matter about which I am rather critical. I asked some questions, not in a frivolous fashion, but to get some information in respect of the establishment of a Fremantle courthouse. I

refer to the *Votes and Proceedings* of the 29th August, 1968, where the question I asked is set out. It reads as follows:—

> Mr. Fletcher, pursuant to notice, asked the Minister representing the Minister for Justice,—
>
> (1) Further to his reply that temporary accommodation is to be found for the Fremantle Court in a Private office block in course of construction—
>
> (a) who will be the landlord receiving public money as rent;
>
> (b) what is the anticipated rent?
>
> (2) Would the cost associated with alterations to Princess May School as temporary accommodation as a Court House be in excess of total amount of rent to be paid prior to completion of the proposed new Court House?
>
> (3) If less than cost of alterations and since many, if not all, of those at present occupying the Fremantle Court House believe Princess May School a suitable temporary alternative, why pay rent?

The Minister representing the Minister for Justice (Mr. Court) replied as follows:—

> Mr. Court replied,—
>
> (1) (a) Australasia Development Company Pty. Ltd., 1200 Hay Street, Perth.
>
> (b) Approximately $4,000 p.a.
>
> (2) A detailed estimate of cost has not been made by the Public Works architects who consider the major alterations required for conversion as a temporary Court House would make the proposition uneconomical.
>
> (3) The professional opinion of the architects must be accepted.

I do not accept that answer, nor do the personnel in the courthouse at Fremantle. They say that the Princess May School would be an ideal alternative while waiting for the building of a new courthouse. There is ample room at the old school and the personnel at Fremantle consider that the alterations necessary to make it suitable for a courthouse would be minimal.

Further, I submit this to the House: Why should this Government pay rent at $4,000 per annum to a private landlord for courthouse accommodation when it could build its own accommodation or, alternatively, use existing public property to establish a courthouse until such time as a new building could be erected? Surely that is a reasonable proposition! Nobody on the other side has answered my query. The Treasurer is answerable for this expenditure, but why should public money be paid to a private landlord when alternative accommodation—a Government building—is available to house the Fremantle courthouse? How long is rent to be paid? If it is for 10 years it will be an expenditure of $40,000, and many alterations could be made for that sum of money.

I have a multiplicity of other subjects with which I could deal, but as I have only three minutes left I will not attempt to cover any one of them in such a brief period. I undertake to deal with the other items when ministerial portfolios are being dealt with.

**MR. SEWELL** (Geraldton) [8.13 p.m.]: Every year the amount covered by the Appropriation Bill grows considerably, but we know that Premiers and Treasurers in all States are always short of funds, particularly loan funds, to enable them to do the work that needs to be done in their various States. Later on the Estimates for the various departments will be presented to us, but on the general debate I would like to refer to one or two matters which concern the Geraldton district, and bring them to the notice of the Ministers concerned. I am hoping that although allocations for certain works for the Geraldton district do not appear on the Estimates now before us, funds will be made available for these purposes in the near future.

The first subject I wish to refer to is the Geraldton gaol. The member for Fremantle has just referred to the Fremantle prison and I agree wholeheartedly with what he said about that institution. It is a blot on Western Australia—one for which we are all responsible—and I think we should leave no stone unturned to see that that blot is removed. Members will recall that last year I spoke on the subject of the regional gaol at Geraldton. At that time we heard from the Minister concerned that a regional gaol would be provided for Geraldton. At the moment the old Victoria District Hospital is being used by the Prisons Department as a gaol.

There have been a few absconders from the premises of that gaol. The prisoners who are in it have been placed there for lesser crimes. We all know that the prison staff is doing its utmost to supervise this aspect, and I would like to congratulate the Minister and his department for their efforts in handling prisoners who are incarcerated for minor crimes. Their conditions are quite different from what we knew them to be in our younger days.

when prisoners got around in irons and when they were locked up and given bread and water to drink.

In spite of a few minor criticisms that have been levelled from time to time, the officers concerned, and everybody else, have done a pretty good job. They have learned to treat human beings as human beings and not as animals. I would, however, like the Minister to give us the good news that he intends, at an early stage, to press on with the building of a new regional gaol to replace the old one, and thus release the old regional hospital for use as a home for aged persons, which the people of Geraldton want.

Another matter that will be presenting itself, and for which a considerable amount of money will be required, is the provision of another high school. It could be called a junior high school. The building and the grounds which at present serve the high school in Geraldton are something of which the town and the district can be proud; indeed, the whole State could well be proud of this high school. We have been most fortunate in the staffing of that school over the years, because the staff has done a wonderful job. We would not like to see the grounds of this high school despoiled by the erection of an extra building which, perhaps, should be placed in some other part of the town.

There is still quite a large amount of Crown land in and around Geraldton; and, if a survey has not already been carried out, I would ask the Minister to instruct his officers to investigate the position and carry out a survey of the potential of the district in and around Geraldton, even as far afield as the Malay Archipelago. Geraldton is the nearest suitable port to the people there, and the climatic conditions lend themselves admirably to the education of the young.

During the debate on the Address-in-Reply I referred to the establishment of a university college in Geraldton. The Minister had a bit of a crack at me, I think, and humorously suggested that it would be better built at Albany. I do not think this would be the case at all. The only suitable place to establish the university college is in the Geraldton area. It is most essential that this be done, though land will have to be acquired for the purpose, because I do not think there is sufficient land in the vicinity of Geraldton to supply the needs of a university college.

I would now like to refer to the question of water supplies. Some little time ago the Minister for Water Supplies mentioned that the Helena, Canning, and Harvey water systems were harnessed and were supplying the needs of those districts. He did say that he felt more water should be harnessed and that if we had large sums of loan money we could improve our water supply system.

It seems to me that the Government might be drifting into the false position of thinking that because we have had two or three wet seasons there will not be a shortage of water. I would like to remind the Government of what happened in Melbourne recently. I do not think anybody felt that Melbourne would experience such a severe drought and shortage of water as it did.

I ask the Minister to take some action to gauge the Chapman and the Murchison rivers. I have some figures which were taken out from the gauging of the Murchison River which gave an indication of the salinity of the water. For a number of years this river has at times run brackish and on other occasions it has been fresh. Anyone who knows the Murchison district will be aware that the earlier rains which come down on the upper side will bring with them fresh water, while lower down on the salt lake flats the water runs brackish.

Something will have to be done to harness the water that runs down the Murchison River with a view to making proper use of it. If it were done at this stage, however, it could not be used in an economic way, particularly in relation to the sale of the various commodities which might be grown.

The Chapman River, however, is only about one fifth the size of the Murchison River, yet there must be millions of gallons of fresh water running away to the sea every year. If a thorough gauging of the river were undertaken and an inspection carried out to select suitable sites for reservoirs, we would find in a few years' time that any money spent on the conservation of this water in the Chapman River would be money well spent. I do not know whether any official gauging of the Chapman River has been carried out, but if not I hope that something will be done in the near future.

The last and vital question I wish to bring before the House is one that members have heard me mention on several occasions. I refer, of course, to the deepening of the Geraldton Harbour. I can see nothing in the Estimates which would make me presume that it was intended to spend any large sum of money this year on deepening the approaches to the Geraldton Harbour.

Just what is going on in the Government and the department appears to be one of those official secrets which they keep to themselves. We hear rumours of various things which are likely to happen, and we do know that extensive blasting is going on in the harbour at the present time and has been going on for some months; and the unofficial reports are varied.

One report suggests that the department is doing quite a good job so far as the blasting is concerned by knocking off the

high spots in the harbour approaches; while another report suggests that it is a complete waste of money; that the department should not continue this work, but that it should conserve its funds until it can attack the problem of deepening the harbour to take the larger boats required to transport the iron ore and wheat from the district.

Mr. O'Connor: What is the approximate depth now?

Mr. SEWELL: It is about 27 feet. We need about 34 feet, but the nature of the rock makes it a very difficult matter to handle.

**MR. McPHARLIN** (Mt. Marshall) [8.25 p.m.]: In speaking to the debate on the Estimates, I would like to refer to the Treasurer's remark when he said he considered the farmers and the primary producers had been the cornerstone of the State's economy, and that they will continue to be so for some time to come. This is very much appreciated by the farmers throughout the State.

I would also like to refer to the remark made by the Leader of the Opposition when he said that the cornerstone of the State was crumbling.

During the time I have had to study the Budget, I have not been able to find any proposal which would help relax or reduce the costs the farmers are facing. The cost-price squeeze is the greatest problem confronting the primary producing industry today. Costs are continually going up while the prices we receive for our produce continue to go down. This is creating tremendous problems.

Only last week there was an increase in wages announced by the Industrial Commission, and this will be reflected throughout the industry. It will, of course, mean an increase in costs with a corresponding lowering of the prices received for our produce. Under the new wheat scheme it is apparent that we will not get as much as we had hoped. The prices of meat and wool are not good, and yet costs are rising steadily. As I have already said, it is the cost-price squeeze which is creating this problem all the time.

This matter is of great concern, not only to the people in my electorate but also to those engaged in primary industry generally. Even though they might produce large quantities of wheat, they are feeling grave concern at the proposals contained in the new wheat stabilisation scheme.

While costs are going up in every direction it would seem that we are to be asked to receive less for our wheat. I consider that is a rather vicious attitude which has been taken by the Federal Government, and, as a representative of an area which grows a considerable quantity of wheat, I will oppose it to the best of my ability. I am not at all happy with the proposition.

I do not think any wheatgrower in Australia would be opposed to accepting a lower figure as a home consumption price if it would tend to keep costs down, but we will certainly oppose it if costs continue to rise and we are urged to accept a lower figure. If we are prepared to accept a lower home consumption price for wheat, we will be contributing to the argument we put forward. As wheatgrowers we should be prepared to accept the principle put forward and not urge that we go ahead and ask for a higher price.

I have here a statement made by Mr. McDougall, the President of the wheat section of the Farmers' Union. It appeared in the *Farmers' Union Weekly* on the 26th September, 1968, and part of it reads—

> The statement that all wheat producers have accepted the Commonwealth Government's proposals for wheat stabilisation for the next five years is completely misleading.

The Western Australian and the Victorian representatives have not accepted these proposals though the other States might have done so. The statement was completely misleading and Mr. McDougall has repudiated it.

I would like also to refer to other costs that have been applied over a period of years, and I have a list here covering a period of 10 years in which costs have continued to increase. Yet, as I have already said, I have not been able to ascertain from the Budget that anything is to be done to relax and lower the costs facing primary producers. The costs I am about to quote have been given to me over a 10-year period.

The wages for a general farmhand who is married and permanently employed have gone up 100 per cent. during the period 1958 to 1968. For a general farmhand (married), plus house and perks, the wages have gone up 100 per cent.. For a single man with quarters and keep, the wages have bone up 100 per cent., and for a single man living with his employer, the wages have also gone up 100 per cent.

A mechanic's time has increased 128 per cent. over the 10-year period; railage of super has increased 23 per cent.; shearing costs 50 per cent.; and crutching costs 114 per cent. In regard to machinery we find that the price of a 14-foot header has increased by 53 per cent.; a Chamberlain 14-disc plough has increased in price by $90; an 18-disc plough by $220; and a 24 scarifier by $305. The price of a 60-70 horsepower tractor has increased over the period 1964 to 1968 by $175; a 20-run combine by $400; and a 14-foot P.T.O. header by $200.

There is a general upward trend which has its effect on the cost of production, yet we do not see evidence of the farmer obtaining any relief in regard to the costs he is facing at the present time.

In regard to taxes, the Opposition members who have spoken this evening—the Leader of the Opposition and the member for Gascoyne—made reference to the road maintenance tax. As stated in this morning's paper, the Country Party has had discussions with the Premier about this tax, but at no time has the party claimed that this money is not necessary. It is required to attract matching money from the Commonwealth Government and the party thinks it is a good thing that this extra money should be received by the State under the Commonwealth Aid Roads Agreement Act.

The Country Party has never suggested that the road maintenance tax be abolished. It has discussed an alternative system, and I think the attitude adopted is a fair one. The Country Party desires an equitable distribution of the tax to relieve those producers who are many miles away from ports and big centres. I firmly believe this is a justifiable request; and that is the approach of the Country Party.

I would like to make some reference to water supplies. During the past few months quite a lot of water that has gone over the spillways of the dams in the near vicinity of the metropolitan area has gone to waste. I recall that 12 or 18 months ago one of the mining companies said it would be prepared to dam the overflow from Mundaring Weir. I think that was an excellent suggestion, as millions of gallons of water are being wasted. The engineers would know whether or not it is possible to dam this water in order to save it from being wasted.

In my electorate, and in many others, the shires are putting in big dams within the main townsites, but during low rainfall periods a number of these dams are not filled to capacity. I think an excellent idea would be for the Public Works Department to give permission to the shires to pump water into the dams in order to fill them and so use some of the water that is going to waste from the weirs during the winter months. I feel a number of the shires would not object to paying for the water if it could be utilised in this way. I do not think it is an unreasonable suggestion and it is one which could be looked at. Perhaps the Minister can enlighten me on this.

Mr. Ross Hutchinson: Are you talking about farm dams?

Mr. McPHARLIN: No, I am referring to shire dams in townsites—dams that are constructed for ovals and town use. There are big dams at Nungarin, Dowerin, and Mukinbudin. This method of conserving water should be utilised to the fullest extent.

I am not in a position to make a lot of comments, but would suggest that consideration be given to a more equitable distribution of the road maintenance tax so as to relieve farmers in some way. Although there is some opposition to this tax, we have given it quite a lot of thought and it is an avenue which could be looked into by the Government to see whether some relief can be given to those farmers who are many miles from ports, railways, and big centres. With those remarks I conclude.

Debate adjourned, on motion by Mr. Rushton.

## NURSES BILL

*Second Reading*

**MR. ROSS HUTCHINSON** (Cottesloe—Minister for Works) [8.40 p.m.]: I move—

That the Bill be now read a second time.

This Bill is intended to replace the existing Nurses Registration Act. The present legislation was introduced in 1921 and has been amended in certain respects on many occasions. Nursing is controlled by a board which functions as an advisory committee. The administration of the Act is carried out within the Public Health Department. This situation has given rise to criticism within the nursing profession not only because the profession has been denied a leading role in the administration of the legislation, but also because of the limited and inadequate scope of the legislation.

This Bill intends to correct a number of anomalies and makes good some important deficiencies. It has been drafted after close co-operation with the nursing profession and it has the support of the Nurses Registration Board and the Royal Australian Nursing Federation.

The most obvious change proposed in this Bill is the granting of autonomy to the new board. This will bring nursing into line with the pattern which has existed in connection with all other paramedical professions in this State for many years. The nursing profession has long expressed its discontent at the present situation.

The proposed Bill deals far more fully with the functions of the board and it is expected it will place nursing administration in this State on a par with the most advanced countries.

One of the principal changes is to make clear that the board has a prime function in the education field. The question of education generally has been under close scrutiny in this State, and in other States and countries. The Bill will enable the board to follow advanced techniques so that we may secure the best possible results from recruits to the profession.

Another innovation is the provision for compulsory registration of practising nurses and it is felt this is an essential provision if the legislation is to succeed, especially with regard to autonomous status proposed for the board. Inevitably there must be an increase in the annual

registration fee to be charged. At present this is fixed at 10c per year and this is less than the cost of collection. As with other registration boards it will be expected that the profession will itself bear the cost of registration procedures. It may be that some, if not all, of the cost of education activity will be met from public funds.

The board will also be given extensive and flexible powers to discipline members of the profession where justified. The provisions in this Bill resemble closely those contained in the Pharmacy Act. The main departure is the authority granted to set up a disciplinary committee. This is because the board is rather too large to undertake this function directly. However, all recommendations of the committee would be subject to confirmation by the board. As with most Bills dealing with the setting up of a board, the real consideration is perhaps one for Committee debate, although in this case I do not think there will be a great deal of controversy about the provisions that are in the Bill.

In general this description covers the principles of the legislation. However, there is a number of more detailed matters which probably require some further remarks. For example, the Bill is scheduled to be proclaimed on a day to be fixed. This is necessitated by the great deal of preliminary work on regulations and the like which is anticipated. The Act is expected to come into force on the 1st January, 1970.

There is a number of clauses which deal with existing laws and regulations: the standing of people registered under the old Act, and these are fairly clearly explained in the Bill. It will be also noticed that despite the fact that in the Interpretation Act "he" stands for both "he" and "she," it has been felt desirable in this Act to use the word "she." As the majority of nurses are female, this would seem to me to be perfectly logical, and members who disagree with this Bill do so at their own peril!

The constitution of the board took some time to decide. The proposed board will be far more broadly based than is the case at present. The majority of the proposed members will be appointed on the nomination of the Royal Australian Nursing Federation and will be representative of most, if not all, branches of nursing. Other members will be appointed *ex-officio*, or on the recommendation of the Minister.

The present board functions in an honorary capacity. In clause 12 of the Bill provision has been made for payment of attendance fees and allowances. This is done with most statutory boards and it was felt reasonable that it should be included in this new Bill.

The work expected to be performed by the Nurses Registration Board will be fairly complex. Provision has therefore been made for the setting up of working committees to deal with the distinctive functions, such as education, examinations, and registration of local and foreign graduates. Powers have also been given to allow the fixing of terms of reference for any committee so appointed.

Clause 17 empowers the board to set up a superannuation fund for the benefit of its employees. This is quite distinct from the board itself and those registered. It refers to the clerk, secretary, and the like employed by the board for the day-to-day work.

In the registration section, provision has been made for the various classes and subclasses of nurses. Temporary registration may be granted to nurses coming to Western Australia for postgraduate training, and to foreign graduates. Various provisions will be found in clauses 25 to 28 dealing with offences which are committed with regard to registration; for example, failure to advise change of address, gaining registration by means of false representations, and the like.

Provision has also been made with regard to registration of nurses on an emergency basis. This situation could arise especially in country hospitals. On the occasion of an emergency the matron can call on a qualified sister who has, perhaps, married and is living in the district. If that sister so wishes she can render assistance during the period of the emergency. There is a time limit of two weeks in which she must apply for registration.

There is one further matter with regard to registration which I feel should be mentioned at this juncture. It is a departure from the provision of the present Nurses Registration Act. I refer to the introduction of compulsory registration of practising nurses. I think I said earlier it would be virtually impossible for the new board to function as an autonomous body without this provision, and it brings the profession of nursing into line with the medical profession and all other paramedical professions in which this is a prerequisite.

This description covers the Bill in a general way, and covers the salient points of the legislation. I have pleasure in commending the second reading.

Debate adjourned, on motion by Mr. Norton.

## CHILD WELFARE ACT AMENDMENT BILL

*Second Reading*

**MR. CRAIG** (Toodyay—Chief Secretary) [8.49 p.m.]: I move—

That the Bill be now read a second time.

In presenting this Bill, I know that members will realise that there has been, in recent years, a series of Child Welfare Act Amendment Bills. The need for these progressive changes in child welfare legislation derives from a number of factors.

The first of these is the speed of economic and social change in our own community. This has been reflected in the amendments of last year in which the Child Welfare Department was given the task of licensing and controlling child minding centres which are being established by private individuals and by organised groups to meet the needs of working mothers for the care of their children.

The second reason for changes in child welfare legislation is the rapid development of new and better concepts of the needs of children and of the ways in which those needs should be met.

In each of the Australian States the child welfare scene has been enlivened in the past three years by the provision, in the universities and in the institutes of technology, of courses in social studies. The graduates of these courses are now moving to employment in child welfare departments and into private charitable childcaring institutions and organisations. This makes possible a far better appreciation of the needs of deprived and delinquent children than we have ever had and will permit the development of better methods of child care and control.

These background factors have prompted the Minister for Child Welfare to present to Parliament a progressive series of amendments to modernise the legislation on which the care of deprived and delinquent children rests in this State. This process will continue as we progressively attain a still better understanding of parents and children, and of the problems which inevitably beset them in an increasingly complex society.

Turning now to the more important clauses of this Bill, I have to remind members that the basic Child Welfare Act was passed in 1907 when the wages of children were very different from those now applicable to young people. It would have been ridiculous and impracticable to include in the 1907 Act any provision for the fining or bonding of juvenile offenders.

Today, relatively high wages are the rule for young people and they are very sensitive to the personal value of money, whether they spend it wisely or unwisely. Fining and bonding have now become a practicable and persuasive way of dealing with young people before courts when special Acts permit the use of these devices. It is now proposed that children's courts be given what they have not had before: a general power to fine young offenders and to place them on their own bonds.

It will probably surprise members to know that the Child Welfare Act has not previously included a power to fine and to bond young offenders. It is surprising, too, that the Act makes no provision for the department to engage in preventive work, either to forestall deprivation or delinquency. The Act is framed so as to empower the department to undertake remedial action once damage is done to children or by children, but it gives no power to attempt prevention.

It is now proposed to remedy this defect by authorising the director and his officers positively to promote the welfare of children, whether they be wards of the department or not. This simple addition to the Act is much more important than it appears, for it authorises the department to engage in a new field of service and one for which there is obviously very great need.

A third set of clauses in the Bill, while not expanding the responsibilities of the department, are important because they simplify and clarify a part of the Act which, because of successive amendment, has become obscure. This is the part which establishes the constitution and ambit of children's courts.

The courts were clearly constituted and their jurisdiction outlined by the original Act of 1907. The obscurity was introduced in 1957 when the jurisdiction of children's courts was extended to enable them to hear charges against adults who had committed any one of a specified list of offences against a child. The reason for this was the belief that children of tender years should be spared the emotional shock of examination and cross-examination in an adult court hearing matters in which the children were victims or witnesses, generally, of sexual assault.

In inserting this power into the parent Act it was necessary to provide a lengthy and intricate section validating past and current actions by children's courts. That machinery section has now, of course, become redundant and should be repealed.

A second difficulty has become apparent because, while the amendment of 1957 was intended to protect children of tender years from emotional damage in court cases of a sexual nature, subsequent changes in the Criminal Code have had the effect of offering this protection to sophisticated older children and even to adults.

It is now suggested that for this purpose, children under 16 years of age be regarded as of tender years. If a child under 16 years suffers, or witnesses, one of the specified offences, the matter will come initially before a children's court and generally be there disposed of. If a child over 16 years is the victim or witness, the matter will be dealt with by an adult court.

Another important provision suggests an extension of the Minister's power to control the use of children in the preparation of commerical advertising material for TV, radio, or the newspapers. The Minister wants to make it very clear that the department has no wish to prevent the engagement of children in the preparation of advertising material. A great deal of advertising is devoted to children's requisites and it is obviously sensible to have children featured in it.

The department's anxiety is to ensure that those talented children who are engaged are protected against exploitation by the same system of licensing as now applies to the paid public appearances of gifted children in entertainments of many sorts. That licensing system has operated for many years as a safeguard for children without objection. Its extension to the commercial preparation of advertising material presents no difficulty and should raise no objection.

The last matter to which I refer deals with the department's power to make regulations for the conduct of its services. Regulations, in general, may be mandatory in the sense that they must be complied with completely; or they can be permissive in the sense that they may be complied with in some degree.

The Child Welfare Department is concerned with regulations applying to children, their parents, their foster-parents, and the staffs of children's institutions —in short, to people in all sorts of conditions and situations. While it must always strive to promote and enforce the highest conditions of material provision and care for children, it is obvious that, in dealing with its clients, its regulations must be framed and applied with discretion.

Another clause in the Bill confers on the department an authority to apply its regulations with discretion so as to meet the infinitely varied circumstances of all clients in the most constructive way. The other clauses in this Bill will be dealt with during the Committee stage.

I commend the whole Bill to the House as a further step in the improvement and extension of child welfare services in Western Australia.

Debate adjourned, on motion by Mr. Fletcher.

## FIREARMS AND GUNS ACT AMENDMENT BILL

*In Committee*

Resumed from the 3rd October. The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. O'Connor (Minister for Transport) in charge of the Bill.

The CHAIRMAN: Progress was reported after clause 1 had been agreed to.

Clause 2 put and passed.

Clause 3: Section 9 amended—

Mr. NORTON: This clause amends section 9 of the parent Act and deals with exemptions in respect of the licensing of firearms. The Bill deals with the compulsory licensing, now, of rifles used on rifle ranges which were previously exempt.

I raised the question with the Minister, during the second reading debate, whether it was within the power of this Chamber to amend the Act, as such an amendment could be against the Federal defence legislation. The Minister undertook to look into this matter.

The members of the rifle clubs will, with the passing of this Bill, be forced to license their rifles. I have an amendment on the notice paper which will place the rifle club members, and pistol club members, on the same footing as those in the gun clubs referred to in subsection (f) of section 9 of the Act.

I would like the Minister to give some assurance with regard to the Federal Act.

Mr. O'CONNOR: Both the member for Gascoyne and the member for Stirling made some comment relating to the Commonwealth legislation in respect of firearms. I have already received information from those associated with this legislation, but tomorrow one of our departmental representatives has an interview arranged with the Defence Department in Canberra during which he will have further discussions on the provisions contained in the Bill. Following this interview, if it is necessary to make any further amendments, they can be introduced in another place.

I propose to accept the amendment on the notice paper under the name of the member for Gascoyne, because I think it is worth while. I would like to make a further explanation in respect of a query on paragraph (b) of section 9 raised by the member for Gascoyne last Thursday evening during the second reading debate. He stated that no license shall be required by—

> . . . any common carrier or warehousman, or his servant, who carries a firearm in the ordinary course of the trade or business of a common carrier or warehouseman.

The member for Gascoyne thought this referred to a rifle held privately by the individual. After conferring with the Commissioner of Police and the parliamentary draftsman, I have ascertained that it refers to a carrier carrying rifles from a place of business, such as Boans, to some other point. A carrier, for such purpose, is exempted, but should he have in his possession a firearm for his own use he is obliged to license it in the same way as any other individual.

Mr. BRADY: I would like the Minister to comment upon the point raised by me last Thursday evening; that is, has the department taken into consideration that next year the Commonwealth rifle shoot will be held in Western Australia? Two hundred riflemen will be visiting this State from all parts of Australia to participate in this shoot. Is it expected that these men will have to take out licenses for their firearms whilst they are in this State, when they are not obliged to do so in New South Wales? Also, can the Minister tell me whether his department has given any consideration to the rifle clubs registering their members instead of each member applying for a license for the firearm possessed by him?

Mr. O'CONNOR: In the past, rifle clubs have been expected to keep records of all the details relating to each one of its members, but this has not proved to be satisfactory. In view of this, the department believes that each individual should license his own rifle, and I concur. Many rifle clubs in various areas are quite capable of registering their own members and licensing the firearms held by them, but, conversely, there are many other clubs throughout the State which have not carried out the procedure to the department's satisfaction.

As to the other point raised by the member for Swan, any person coming to Western Australia from another State would have to meet the requirements of the Act in this State. I will make further inquiries to ascertain whether any consideration can be given to individuals such as those mentioned by the honourable member and, if it can, and it is necessary to make an amendment in another place to achieve this object, I will endeavour to have the amendment brought forward. A this stage, however, any rifleman visiting this State will be required to conform to the provisions of this legislation.

Mr. NORTON: Before moving my amendment I would like to point out that my object is also to cover those women who often have a shoot on a rifle club range. I move an amendment—

> Page 2, line 22—Insert after the word "amended" the paragraph designation "(a)."

The CHAIRMAN: When voting on this amendment, members will take into account the second half of the amendment yet to be moved if the amendment before the Committee is agreed to.

Amendment put and passed.

Mr. NORTON: I move an amendment—

> Page 3, line 27—Insert after the word "duties" the following passage:—
>
> and
>
> (b) by adding after the word "Club" being the last word in paragraph (f) "using a rifle or pistol the property of a member of a registered rifle or pistol club, with his permission, on a properly constructed range of a registered rifle or pistol club."

This amendment will simply bring the members of a pistol club into line with the members of a rifle club.

Amendment put and passed.

Clause, as amended, put and passed.

Title put and passed.

Bill reported with amendments.

## AERIAL SPRAYING CONTROL ACT AMENDMENT BILL

*Second Reading*

Debate resumed from the 22nd August.

**MR. JAMIESON** (Belmont) [9.9 p.m.]: One might be excused for saying it is very difficult to get aerial spraying Bills off the ground. The second reading of this measure was introduced on the 22nd August last, but due to several problems encountered since then it has taken until now to get somewhere close to the top of the notice paper.

Nevertheless, I have no great objection to the Bill, and I will comment only briefly on it. Initially, when the legislation was introduced, there was some doubt, in view of the definitions and other provisions it contained when compared with the provisions contained in legislation that had been introduced in the Eastern States, whether it was feasible for operators to engage in aerial spraying in this State. Such doubts were never determined, because the Act was never proclaimed and, in view of the amendments now before us, I somewhat doubt whether it ever will be. My reason for saying this is that as the legislation is tied up with insurance payments, and insurance companies are extremely careful with their actuarial assessments before making any payments, there might still be some problems which require to be solved, in spite of the conference held in Melbourne—I think in October last year—to achieve some uniformity, to which the Minister referred.

There are certain features of the Western Australian Act, particularly in relation to the definitions of agricultural chemicals, which vary considerably and which are different from those which apply in other States. Accordingly, a separate policy would have to be taken out in respect of any operation which might be undertaken in this State. It would be for the department to decide whether the proclaiming of the Act would frighten aerial spray operators away. I am inclined to think it would.

I understand the business has become highly competitive. Some of the operators in this State have already gone to the wall. This has caused the Western Australian aerial spray operators some concern. They consider there should be some regulation of this aspect, and that there

should be some form of licensing which would control the number of operators entitled to carry out this operation, and do it successfully.

If we have too many competitors in this field then, like every other field where there are too many competitors, we will not get an efficient service. This can quite easily happen here if something is not done to control the number of people who engage in this work.

Mr. Nalder: What do you suggest should be done?

Mr. JAMIESON: We could provide for the licensing of these operators through the Department of Agriculture, just as is done with the licensing of other agricultural pursuits. We could limit the number of licenses issued for the carrying out of aerial spraying.

If I could draw an analogy in this matter, only recently an increase has been considered in the number of taxis to help meet the requirements of the public. We could obtain advice from experts as to how many operators would be required to provide these services. If this were done it would be a good scheme; otherwise it is possible that we would have fly-by-night companies—and I do not wish this to be taken too literally—coming here from the Eastern States; companies which might be able to get insurance coverage and which, if this Act is not proclaimed in its new and amended form, might indulge in some cheap form of contract service and, having done so, leave the State. This could have a most deleterious effect on legitimate operators, and could hit them very hard.

I feel the Bill falls far short of proper control. The main problem is in connection with contractors who use fogging machines and boom sprays; and also farmers who do their own boom spraying and fogging, and the responsibility they should have in providing greater protection for their neighbours. The position could be overcome by the Department of Agriculture exercising some form of control. On the 28th August, I asked some questions in connection with this matter. The first question I asked the Minister was—

> (1) Are there any regulations governing the use of fogging machines in agricultural areas when hormone or other injurious chemicals are being employed?

The Minister replied, "No." I then asked—

> Have the neighbouring landowners any redress against spray drift from such activity other than through civil action?

Again the Minister's answer was, "No." The next two questions I asked were—

> If no regulations or legislation at present covers this type of spray activity, is it the intention of the Government to introduce same?
>
> If so, when?

The Minister's reply was—

> Regulations are being considered to reduce the risk of spray drift from misting machines affecting susceptible crops such as tomatoes and grape vines.

Of course these are not the only crops that can be affected by people using too strong a dose of chemical while carrying out boom or fog spraying.

This is a problem which the Minister must, somehow or other, overcome. If one farmer chooses to use an aerial spray and the one next door uses boom spraying methods—which I understand entails spray drift as a means of spraying, as distinct from the aircraft which sprays down into the crop—a third farmer, whose property is likely to be affected, would really not know whether the spraying was done at the same time, or who was responsible for the effect it might have had on his land.

If this legislation becomes law the farmer in question could possibly have recourse to some action against the aerial operator, because he would know he was about; he would hear him operating and know he was in the area; he would know that he carried out his operations on a particular day. On the other hand, the other operators to whom I have referred, might not be so apparent if the country were undulating, and the person affected would be inclined to take action against the aerial sprayer believing him to be at fault.

The insurance companies are not fools. After having a look at the matter they would not be inclined to pay out for something for which they were not responsible. Unless the department takes some action to regulate and control the chemicals being used by untrained personnel—by contractors, in the main, and in some cases by farmers—the position I have just outlined might be very difficult to overcome under the provisions of this legislation.

I would remind the House that an aerial agricultural operator must have some 200 hours' flying experience before he can take an examination in aerial agriculture. Apart from this he must also have a full knowledge of chemicals in accordance with the Commonwealth manual, and it is necessary for him to sit for an examination and be familiar with the various strengths of chemicals which might be applied in varying circumstances.

This is not necessary in the case of the person using fogging machines or boom sprays. He might feel that it would be all right to use an extra can of 2,4-D ester which could do untold damage.

I have given examples of how a small amount of spray drift can affect certain types of herbage, and when damage occurs it is difficult to obtain redress against the person concerned. We would not permit these chemicals to be used in relation to

human beings, because this aspect is very closely controlled by the Medical Act and Poisons Act. Accordingly, I feel that anything that might poison land and create problems which might be insoluble should be subject to very rigid control. We would then know whether people were indulging in these practices. If they had to register the fact that they were spraying on a certain day, and the information was supplied to the department, it would help those who were undertaking other forms of spraying, such as aerial spraying.

I have already mentioned that there are still differences between the various States, and it is desirable for the Minister to do something about this. I pointed out that originally one of the main differences between Western Australia and the other States, after the introduction of the legislation, was that in Western Australia the term "agricultural chemical" included some forms of fertilisers, whereas fertilisers were excluded in the other States.

If farmers want to use aircraft for top-dressing the land, and they are required to secure insurance cover—although they do not really need this coverage, because they are not likely to cause any harm through top-dressing with recognised fertilisers—the insurance companies will charge a great deal more for coverage of likely damage. It is not clear how any damage could be caused by a plane flying over land to top-dress it, before landing and taking on more fertiliser to repeat the operation.

The proposed amendments set out clearly that it is the responsibility of the operator or the pilot to take action to record the activities, and this seems to be a sensible move. As the Act stands this responsibility lies mainly with the owner of the aircraft. If the owner of the aircraft is in Victoria and he engages a pilot to undertake the work in this State, then the pilot should take the responsibility for giving the necessary advice, because he is the person on the spot. This amendment is very necessary to place the legislation on an operative basis.

The fact that the insurer has to be informed of any alleged damage was mentioned by me in the debate on the initial legislation. I said that if I were the principal of an insurance company I would not be inclined to issue a policy if I did not have the right to inspect any damage that might be done. This difficulty will be resolved by the proposed amendment in the Bill, and the Director of Agriculture will supply to the insurer the details of any claim for damage caused to a farm by aerial spraying activities. That would enable the insurer to make an examination of the damage through experts in case the matter was taken to a court of law.

In the past, certain farmers in some areas have made claims for damage to their wheat crops alleged to have been caused by fires started by steam locomotives of the Railways Department. This matter has become a laughing-stock with some insurance companies, because the same trains each year seem to set the same crops alight. That might or might not be the case, but the insurance companies are not inclined to take any chances in matters of that kind. As a consequence they want to know the details of the damage and they want the right to assess the damage, so they can have a basis for defence in a court of law.

The Bill does not go far enough. We need control of all chemical spraying which is likely to be injurious. The member for Geraldton will probably tell us about some of his experiences in the Geraldton area. The more sophisticated the sprays become, the more important it is for the Department of Agriculture to know what is going on, so that it can study the effects.

I hope the Minister will give some attention to this aspect to make sure that before people use these chemicals they at least have a fundamental knowledge of them, and that they know what they are doing. At the present time many of them do not know, although they might say they do. Farmers with long experience in the use of chemical sprays would have a good knowledge of the methods and the effects of the sprays, but that does not mean that foggers or boom sprayers know what they are doing in regard to chemical spraying.

If some action is not taken to deal with the situation, we will be faced with this problem for a long time to come, and aerial operators will be placed on an equal footing with those who provide similar services on the ground. I am led to believe that in the main the ground operators are making more progress than the aerial operators, mainly because their charges are lower. In some cases the farmers do this work themselves, if they have a spraying outfit; if not they engage contractors to do the work at a time which is suitable to themselves. They would prefer that to waiting on aerial operators to do the work. In recent years the ground operators have made more progress than the aerial spray operators.

I support the legislation, for what it is worth. I hope the Minister will examine closely the situation before this measure is proclaimed, to ensure that those using chemical sprays—whether they be on the ground or in the air—know exactly the strength of, and the problems which can be caused by, these sprays.

Another amendment in the Bill provides that where spillage of a chemical spray occurs while it is being taken to the aircraft and injurious affection results, the owner of the aircraft is no longer to be responsible. The Minister found that this

was a great bar to the acceptance of insurance coverage for these activities. However, spillage could occur in the transport of chemical by train or by other means, and protection should be afforded. Some of these chemical might spill out of a vehicle, and they might waft for miles over the countryside. Previously I have mentioned in this House the reports of the experts of the department who claimed that injurious affection could be caused to crops 25 miles distant. That being the position, it is desirable to have a very good look at this legislation, which gives power to anybody to use these chemical sprays.

I would ask the Minister to have a further look at this legislation before proclaiming it. I am sure he will do that, because he has no desire to do anything which is injurious to the farmers of this State. At the present time they are in enough trouble, without having to institute proceedings against people for injurious affection as a result of chemical spraying.

**MR. McPHARLIN** (Mt. Marshall) [9.30 p.m.]: I rise to support this Bill. Like the member for Belmont, on examination I find that in the Victorian Act the definitions of agricultural chemicals do not include "fertiliser," yet in the Act of this State there is a definition of "fertiliser." No doubt this is something that the Minister has had a look at. I do not see any reason why it should be included in our Act if it is not in the Victorian Act. I understand the aim of the gathering in Melbourne during October of last year was for the purpose of providing uniformity throughout Australia in regard to aerial spraying control. That is one query I wished to raise.

The member for Belmont mentioned that in some cases the mixing of chemicals is carelessly carried out; that a man would include a couple of cupfuls and say "She's right." I can assure the member for Belmont that if he had to face up to the costs of spraying many acres of crop, he would be careful in regard to mixing, because this is an expensive business. The farmer who has to pay for the chemicals usually keeps a close watch on the mixing. Perhaps there could be some carelessness if the farmer were not present, but farmers usually see that it is carefully carried out.

This measure refers only to aerial spraying. I believe there is room for control in regard to fogging machines and other ground-operated machines because they affect a large area, particularly if the wind freshens. Perhaps this could be the subject matter of another Bill and the Minister may have some comments to make in regard to it.

I got in touch with the Australian Aviation Underwriting Pool Pty. Ltd. to see what policy would be suitable to cover this type of legislation when it became law. Over the telephone it was indicated to me that this would not be easy to cover as it was very complicated and that after the measure became law it would be up to that company to arrive at a policy to cover it. The company has a list of exclusions, warranties, limits of indemnity, special conditions, and so on. It has minimum premiums for certain duties, and a list of definitions.

I understand that for a policy of $30,000 the premium suggested is $250 to provide coverage. There again we will have a little increase in the cost to farmers because, no doubt, when these policies are put into operation the operators and owners of these aircraft will pass the costs on.

I think this is a commendable Bill and something that is desirable; and bringing it in as a uniform measure over the whole of Australia is a step in the right direction. I support the Bill.

**MR. SEWELL** (Geraldton) [9.34 p.m.]: In rising to speak to this Bill I would like to say that as far as the Geraldton growers of tomatoes and green peas are concerned, the Bill is too small and too late. Some of the growers have been completely wiped out. I can assure the member for Mt. Marshall that I must agree with the member for Belmont in what he had to say regarding carelessness. That is something which can happen.

I am going to refer to 2,4-D ester. I know the Minister has heard a lot about that chemical from the member for Belmont, the member for Victoria Park, and myself. The gardeners in my area do not regard it as a chemical; to them it is a lethal weapon. Anyone who could see the damage in the district would agree.

The Minister might remember that last year the Railways Department had an argument with the Tomato Growers' Association in connection with what happened at Utakarra. A leaky drum of 2,4-D ester wiped out the gardens in the vicinity while the train stopped for a minute or two. The Railways Department denied all responsibility.

This year there has been none of the boom spraying about which I complained two years ago when the Minister's department would accept no responsibility. However, I can show the Minister acres of peas which were completely wiped out; and this is the first time that that has happened to peas. I do not know what the department did in regard to where the spray came from, but I am of the opinion it came from Dongara after wheat crops had been aerial-sprayed.

When the member for Belmont and I tackled the subject a couple of years ago, we were told by experts, and the Minister, that there could be no control over the aerial spraying of 2,4-D ester because it would get into a pocket and be carried for

two or three days. In the case of Geraldton, the wind blows from the south to the north; and from wherever this spray came, it completely cleaned out the peas.

At the present time I have some complaints from the tomato growers. They had about 10,000 plants for Christmas production because they are now receiving more water, but these plants have been completely ruined on account of aerial spraying. As far as we know, there has been no boom spraying or fogging done in the district at this time so, as I said before, members can see that this Bill is too little and too late.

We know that Mr. Meadley, who is in control of weedicides, and so on, reported to the Government several years ago and warned of the damage that could occur, but nothing was done. The Geraldton Tomato Growers' Association and others were just kicking against the wind because they could not get the department or the Minister to do anything. Quite a few tomato growers at Geraldton have been completely ruined and have had to go out of business.

I agree with the member for Belmont that this Bill is a step in the right direction, but it is a little too late for some. It would seem to me that the crux of the measure is contained in paragraphs (a), (b), and (d) of clause 8 which amends section 14 of the principal Act. Under this amendment certain notification has to be given after any report that aerial spraying damage has occurred. I would like to know how we are to get over the difficulty in regard to the sum of money that has to be deposited as insurance against damage.

As I have already explained, it was suspected that the aerial spraying that was going on in the Dongara region killed paddocks of crops in the Waggrakine area. The member for Belmont mentioned 25 miles, but I think it would be a little more than 30 miles in a direct line, and a southerly wind would carry the spray. I can assure the Minister and members that 2,4-D ester is a lethal weapon. I hate to think what would happen to the vineyards in the Upper Swan if a person with a twisted mind had a gallon or two—it would not require that much. What would happen to the vineyards would be anybody's guess; they would be ruined in a very few minutes.

When I moved a motion to provide for stricter control over weedicides, the member for Belmont brought in some plants to demonstrate the damage the sprays can cause. It is hard for the layman to understand the amount of damage a very small amount of this 2,4-D ester can cause.

Reiterating what I have said, the Bill is, as far as the gardeners in my area are concerned, too little too late. However, generally it is a step in the right direction and I support it.

**MR. NORTON** (Gascoyne) [9.41 p.m.]: As other members have said, this Bill is certainly a move in the right direction, but, like other speakers on this side, I feel it does not go quite far enough. Not only does it not go far enough, but I consider that what has been left out will make it rather difficult for any insurance company to establish a reasonable premium.

The volatile herbicides and weedicides used these times sometimes act for days afterwards. So long as the fumes remain, they go on killing. The modern sprays, whether used by boom spraying, fogging, or aerial spraying, should all come under the control of the department. Some control should also be exercised over the destruction of containers, because the containers are just as dangerous as the dropping of the fluid on the ground. A person can drive along with an empty container and the reaction will be readily seen within a few days, especially if there is any sort of breeze blowing.

I am certain that recently a volatile spray was used somewhere in the vicinity of my own garden at North Perth, because there is a strip through my rose garden, and also my neighbour's rose garden, which shows definite signs of having been affected by some kind of spray. The whole garden has not been affected, but only a strip, because of the prevailing winds. Someone with a container could have been parked outside my house or outside a house a few doors away, and the breeze could have carried the dangerous fumes.

I believe a composite Bill should be introduced to control all volatile sprays and also the methods of using them. I feel that fogging is just as dangerous as aerial spraying. Any member who drives through fog, even on the calmest of nights, will notice its drift, although he may not perceive any movement in the air. The same thing occurs with the fogging of sprays. The drift of the minute particles of spray continues and it is impossible to gauge how far they will drift.

On the other hand, in aerial spraying, heavy droplets are used and these have a better chance of dropping to the area required than the very fine mists. I understand the Bill will regulate the size of the drops the aircraft will use and this should help to overcome the problem of drift from this source. However, I believe that a certain amount of trouble will be experienced because, if at the time an aircraft is spraying, someone is using a fogging machine, it will be difficult to prove who is to blame for any damage done.

**MR. NALDER** (Katanning—Minister for Agriculture) [9.44 p.m.]: I appreciate the interest displayed in this legislation, and I recognise the difficulties experienced in getting it off the ground. I might mention here that we did agree to postpone the debate for a period to allow the member

for Belmont some time. However, everything that has been said this evening indicates the importance of this legislation. When possible, every effort should be made to minimise damage caused to crops such as peas, pastures, fruit, tomatoes, and the like. Every effort must be made to enact legislation to control the movements of aircraft and also the type of spray to be used.

I think it is perhaps a case of trying this legislation out to ascertain its weaknesses. It may be necessary at some later stage—perhaps even in 12 months—to again amend it.

I think I mentioned before that the difficulty in trying to enact uniform legislation is that although the States agree on uniformity, when the legislation reaches the Chambers in each State, members have their various ideas and very often amendments are carried which immediately affect the uniformity.

The member for Mt. Marshall referred to the inclusion of "fertiliser" in the definitions in the Bill. This was done for an express purpose. More aerial top dressing is carried out in Western Australia than in any other State. Certain types of trace elements are dangerous; and if sulphate of ammonia falls with moisture on certain types of crops, the crops are immediately affected. Therefore it was considered that "fertiliser" should be included because some damage could be done not only to the adjoining farms, but also to smaller settlement areas. In this instance the member for Geraldton referred to tomato crops. The tomato growers have small properties, but they could be affected. That is the reason "fertiliser" was included in the definition.

I think it was two years ago that I mentioned we were hoping to introduce legislation to control the movement of machinery used for ground sprays such as boom sprays, fogging machines, and the like. Up to the present it has been difficult to draft legislation which would be acceptable.

Some States have made an effort along these lines but they have encountered a great deal of difficulty. However, I do not mean to imply that we are not endeavouring to have this covered as soon as possible.

I do not for a moment doubt the problems associated with ground sprays; but I think the great problem is from the drift or aerial spraying. Only the other day I met a gentleman from the lower great southern and he complained very bitterly to me about the effect aerial spraying by a company had had on his property. Not being able, apparently to assess the wind velocity at the time, the person concerned had sprayed an area for dock. If anyone knows the hardiness of this plant he would realise a strong spray would be necessary to have very much effect. I do not know the quantities used, but I understand the spray drifted across quite a considerable area, and the lucerne patch of this particular farmer was wiped out; he said that no plants would survive. The spray also affected his pea crop. He had noticed quite a number of flowers had begun to drop off and he doubted whether there would be any result from the harvest of that particular pea crop.

It is this sort of thing and the experiences of people which remind us of the difficulties associated with an operation such as this, and of the need to see that the people are covered. I inquired regarding the situation, and the man concerned told me he was satisfied that the company responsible was making every effort to see that an assessment of the damage was made. He was to be paid compensation for the damage.

Even now, without this legislation, the companies responsible for aerial spraying apparently agree that some coverage should be provided. I mention this only to show that we appreciate the problem associated with this exercise. I am sure, from the comments made by various members, that they, too, are fully aware of the difficulties.

We must realise—and I do not think this point has been underlined—the importance and value of aerial spraying. First of all, with regard to the control of weeds, I know that many wheatgrowers throughout the State rely on aerial spraying to control wild radish, wild turnip, and wild oats.

Mr. Davies: Are the sprays very selective?

Mr. NALDER: Yes, very selective; and very effective control is carried out by the use of weedicides. Then, of course, we have the control of insects. I think the control of insects by aerial spraying has been accepted as one of the main contributing factors to the growing of linseed in the Esperance area. If the farmers had not been able to spray for the control of insects, they would certainly have been defeated in their efforts to grow economic and satisfactory crops of linseed.

So it is on this side that we emphasise the importance of aerial spraying—for the control of weeds and insects. As I mentioned earlier, aircraft are being used to fertilise a lot of hilly country which it would be absolutely impossible to fertilise except, perhaps, by hand.

Members can appreciate the difficulty involved in trying to fertilise some of our hilly country. It would be an impossible task; but aircraft have been used, and a lot of waste hilly country has been made productive by the application of fertiliser and seed.

Mr. Davies: Can one be selective with insecticides as well as weedicides?

Mr. NALDER: In the main, yes. There are a number of insecticides that cover the majority of insects which cause a problem as far as agricultural products are concerned.

I feel I have covered the points raised by various members and, again, I appreciate their interest. I commend the second reading of this Bill.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

## PUBLIC TRUSTEE ACT AMENDMENT BILL

*Second Reading*

**MR. COURT** (Nedlands—Minister for Industrial Development) [9.56 p.m.]: I move—

> That the Bill be now read a second time.

Some of the amendments contained in this measure have been drafted with a view to providing some assistance to people in distress, and others give further powers to the Public Trustee to enable him to maintain a good service to the increasing number of persons who elect to use the facilities provided by the Public Trust Office.

The attention of the Minister for Justice, who administers the parent Act, has been drawn to certain difficulties and distress which have been experienced by next of kin, unable to deal with the assets of a person, in circumstances where it is necessary to have legal action taken to have that person's death presumed.

There could be the case of fishermen not returning to port, their bodies not being recovered and with every indication that they have lost their lives at sea. Arising from such a case, the Public Trustee was directed to make inquiries regarding legislative provisions operating in other States. These inquiries confirmed the view that the Public Trustee in some other States has been empowered to apply to the court seeking an order authorising the Public Trustee to act on such terms and conditions as is considered advisable in the interests of the owner of the property or any other person.

In practical application, the Public Trustee, after being approached by some interested person, may, under order of the court, undertake the management of the property and, if authorised, provide for maintenance of dependants and care of wasting assets or livestock pending the granting of probate or administration.

Uncared for property is also covered in this Bill where, in certain circumstances, the owner cannot be located, but it is necessary for some action to be taken in respect of wasting assets. There was the example some time ago, for instance, of the market gardener who was believed to have been burned to death. There was no legal authority for disposal of livestock and this caused the Police Department some concern. Under the provisions in this measure, an application to the court would provide legal authority for the disposal of such livestock.

The Public Trustee invited attention also to the powers given to his counterparts in other States in relation to the management of the estates of infirm persons. There is need for statutory power along similar lines in this State. The Public Trustee receives requests weekly for assistance in regard to the affairs of a person who, because of senility, is no longer capable of managing his own affairs. But we are lacking the legislative facilities in this State to give assistance through the Public Trust Office such as is available elsewhere in Australia.

The Public Trustee, under the provisions of division 4, has been granted certain powers and authorities to carry out duties with respect to the estates of incapable patients. Applications for the appointment of managers may be made under the provisions of the Mental Health Act. But apart from the cost involved, there is a natural reluctance on the part of children to take such action, though they are informed that matters of this nature are not dealt with in open court.

The procedure now proposed in this Bill, and which will enable the Public Trustee to give assistance in the matter of the estates of infirm persons, is similar to that now in operation in Victoria where suitable safeguards are provided to protect the interests of the person concerned.

The proposed procedure is simply that the Public Trustee, after having been approached by an interested party, and having received the necessary independent medical certificates, certifies that the person is an infirm person. The amendment provides a safeguard by which such person or one of the next-of-kin may apply, in a summary way, to a judge in chambers for order to direct the Public Trustee to sign a prescribed certificate that the person is not an infirm person for the purpose of the Act.

The Victorian Public Trustee advises that the power to deal with the affairs of infirm persons is only used where next-of-kin are in agreement. In cases where it is necessary to have an examination, take or require evidence, it is the policy not to deal with the case under the Public Trustee Act but to require an application under the Mental Health Act.

The control of the affairs of infirm persons, such as those confined to "C"-class hospitals, has been frequently discussed between the officers of the Chief Secretary's Department and the Public Trustee. These officers support the amendment, having in mind the difficulties experienced by welfare officers in their endeavours to assist the patients with next-of-kin who are unwilling to assist or are unavailable to do so. A Public Trustee would not seek to use these powers unnecessarily and, indeed, the safeguards provided in this measure are sufficient to prevent him from doing so.

The proposed powers dealing with the affairs of infirm persons, and with uncared for property, are considered necessary to enable benefit to be given to some sections of the community in need of assistance.

The work of the Public Trust Office has greatly increased in recent years and this renders it desirable to introduce some amendments which will facilitate maintenance of the standard of service available to those persons seeking it.

One of these amendments provides for the appointment of a deputy Public Trustee. He will have authority to act as Public Trustee during the latter's absence or during a vacancy in the office of Public Trustee.

An Executive Council appointment is required at the present time whenever the Public Trustee is absent on leave or other duties. The Bill contains an amendment under which the Public Trustee may delegate to his deputy any of his powers, duties, and functions and this delegation is considered essential for the efficient working of this busy office.

Section 14 of the parent Act permits the Public Trustee to elect to administer an estate where the value of it does not exceed $1,000 without the formality of procuring a grant of probate or administration. This figure has remained unchanged for a considerable number of years and it is proposed to move it up to $5,000, which is thought reasonable having regard to the decrease in the value of money. Authority is to be given to revoke such an election in cases where assets outside the State are subsequently discovered. A revocation will allow an application to the court for a formal grant so that reseal, which cannot be done with an election, will be possible.

Administration of estates frequently requires specific investment of trust moneys. Investment on first mortgage offers the best form of security, though there is often some difficulty in obtaining an application for the exact amount available. This difficulty could be overcome if the Public Trustee were authorised to combine the available funds of more than one trust and to invest in a common mortgage, and this procedure is proposed in the Bill. Interest earned would be distributed between the respective trusts from which the funds are provided. This power has been enjoyed by trustee companies for many years and it is thought there is no reason why a similar avenue of investment should not be available to the Public Trustee.

There is this further point that the conflict of interest, which might happen in the case of private trustees, cannot arise as the Public Trustee has no private interest in these investments.

When a mental patient dies with an estate estimated to exceed $200, it may be dealt with informally by the Public Trustee disposing of the property to any person claiming to be entitled. Having regard to recent legislation enabling banks to deal informally with bank accounts not exceeding $1,200, the proposal in this Bill to increase the prescribed value in this Act to $1,200 is considered reasonable. This, again, will benefit some persons who have experienced some degree of distress.

It is felt that the Public Trust Office offers a service which is widely accepted by the community. But, in addition to those persons who elect to use the facilities available, there is a requirement for a statutory officer to undertake such duties as management of the affairs of incapable patients, court and workers' compensation trust, and other matters which we consider part of our function in safeguarding the interests of the people.

The Public Trust Office has been located in four different buildings since being established in 1941. Consideration is now being given to its providing its own accommodation. It appears quite feasible that the Public Trustee should erect a building for its own use and with provision for future needs. Surplus accommodation not immediately required could be occupied by other Government offices for the time being, and the Public Service Accommodation Committee concurs in this proposal.

The Bill, therefore, proposes to amend the Act to permit the Public Trustee, with the approval of the Minister, to invest portion of the moneys in his common fund for the purpose of acquiring land and erecting a building on it. Similar legislation was put into effect by the Superannuation Board and, with this in mind, there is hardly any need to elaborate on the soundness of investment in city property.

In commending this Bill to members, I submit that its proposals are in the interests of all persons concerned who, of their own free will, instruct the Public Trustee to handle their affairs, and in the interests of those persons for whom the State has a responsibility.

Debate adjourned, on motion by Mr. Bertram.

## ADMINISTRATION ACT AMENDMENT BILL

*Second Reading*

**MR. COURT** (Nedlands—Minister for Industrial Development) [10.7 p.m.]: I move—

That the Bill be now read a second time.

This Bill proposes that bequests made to the Services Canteen Trust Fund be exempt from payment of probate duty similarly as they are exempt already from Commonwealth estate duties.

These trust funds are allocated mainly as educational assistance to orphaned children of ex-servicemen. Increasing demands on the trust are exceeding the amount of money available and the form of alleviation provided by this measure will be devoted to a worthy purpose.

As an indication of the curtailment of assistance for specific needs, I would mention that the educational assistance provided for orphans, where the father's death has not been accepted as being due to war service, which has been given in previous years at a rate of $140 per annum, has had to be reduced because of shortage of funds to $95 per annum. In the necessitous circumstances in which such children are often placed, this assistance would be retained at its former level if a way were found to enable this to be done. An amount of $90,000 per annum would be required to establish this benefit on the basis formerly prevailing.

A further $140,000 per annum would be required for the trust to retain educational assistance, which it was giving to these orphans from 12 years upwards and in respect of an increasingly heavy commitment upon entering secondary education. But it has been found necessary to eliminate this type of assistance entirely in respect of children in their 12th and 13th years.

Applications for educational assistance for orphans immediately following the death of ex-servicemen, occurring after the closing date, the 15th October, have been accepted throughout the year in the past. To continue this assistance would cost $17,000 per annum at present. But it has had to be eliminated, even though tremendously helpful to the newly bereaved widow.

The Department of Repatriation makes an educational allowance in respect of an orphan whose father's death has been accepted as due to war service. The fund has been granting an allowance of $28 per annum to assist the mother to buy books and clothing for the return of the child to school. This assistance is to be discontinued as to continue it would involve an expenditure of $57,000 per annum.

Furthermore, the trustees have been granting assistance to one young craftsman in each State, each year, to enable him to proceed overseas to gain experience in his trade. The purpose of this is that he might bring back to Australia a knowledge of developments and techniques emerging in his trade in other countries. This has been financed by the trust paying the fares and the craftsman maintaining himself from wages received in overseas employment. These awards have to be discontinued, though craftsmen who have been granted this assistance have been successful overseas and will doubtless make an appreciable contribution to their trades in Australia in the years to come. Unfortunately, to keep these awards going, an amount of $6,000 per annum would be required but due to shortage of trust funds, they will have to be discontinued.

The Services Canteen Trust Fund has obviously been doing some very good work on behalf of orphans and others and it is regrettable that a shortage of funds is now restricting its activities. I therefore commend the exemption from payment of probate duty contained in this Bill covering bequests made to this organisation.

Debate adjourned, on motion by Mr. T. D. Evans.

## OFFENDERS PROBATION AND PAROLE ACT AMENDMENT BILL

*Second Reading*

**MR. COURT** (Nedlands—Minister for Industrial Development) [10.10 p.m.]: I move—

That the Bill be now read a second time.

The provisions of the Bill may be divided into two groups for the purpose of explanation. Firstly, there are amendments designed to remove some doubts and difficulties which have arisen in the administration of the Act since it came into operation. Secondly, there are amendments drafted with a view to implementing an agreement between all States and the Commonwealth for the passing of appropriate legislation in all Australian jurisdictions to maintain on an interstate basis a proper control of probationers and parolees who are resident in an Australian jurisdiction other than the one in which probation or parole, as the case may be, was originally granted.

I shall deal initially with those provisions of the Bill which have been designed to overcome existing doubts and difficulties. I refer first to clause 16 of the Bill. It is now provided that where a person is sentenced to imprisonment for less than 12 months, the court may fix a minimum term. Where the sentence is 12 months or more, the court shall fix a minimum term, subject to specific qualifications and discretions.

At present, an anomalous situation exists in that some prisoners, with cumulative sentences totalling 12 months or more, are

denied the fixing of a minimum term, because their separate sentences, none of which is as much as 12 months, were imposed at different times. The amendments now proposed to section 37 of the Act will permit minimum sentences to be fixed in such cases.

Clause 16 also deals with another matter. On occasion, lower courts fail, unintentionally, to fix a minimum term. The procedure now laid down whereby the Comptroller-General of Prisons may ask the Supreme Court to fix a minimum term in such cases, involves spending quite a lot of time and effort on what is basically a formal procedure. What is now proposed is that, where a court of petty sessions imposes a sentence, in respect of which the court would normally be required to fix a minimum term, but does not, it will, if the reason for such omission is because of the exercise of the discretion now given it by section 37 (2) (a) of the Act, endorse that fact on the record. In the absence of any such endorsement, the failure to fix a minimum shall be deemed due to inadvertence and a minimum term of one-half of the period of imprisonment imposed shall automatically apply.

The idea of clause 17 of the Bill is to make it clear that, where a parolee is sentenced to a further term of imprisonment whilst on parole, the latter term is to be served cumulatively on the unexpired portion of his original sentence, unless the sentencing court makes an order to the contrary.

Clause 18 is aimed at rectifying the situation which can now exist where a prisoner, who has been denied parole by the Parole Board, must serve the full term of imprisonment imposed on him, but another prisoner—possibly of worse character and record—serving a term of imprisonment in respect of which no minimum term has been fixed, is eligible to have up to one-quarter of his sentence remitted for ordinary good behaviour. In this connection, it must be remembered that, even where a minimum term has been fixed, parole is not automatic, but entirely a matter for the discretion of the board.

It is felt that, in those cases where the board withholds parole, considerations of prison discipline require that the prisoner should remain in a position where he knows that good behaviour will earn him tangible reward.

Clause 19 proposes amendments to section 40 of the Act, which will have the effect of permitting the comptroller-general to ask the Supreme Court to fix a minimum term in respect of the sort of situation I mentioned when discussing clause 16; namely, where the eligibility for a minimum term has arisen only as the result of the cumulation of two or more sentences imposed at different times each such sentence being for a term of imprisonment of less than 12 months.

Clause 20 has a twofold aim. Firstly, to permit a prisoner who has been sentenced to a finite term with a minimum, and also to an indeterminate term, to be paroled in respect of both terms as from the expiry of the said minimum term, with the proviso that if he has been declared a habitual criminal, the Governor's consent will be required if he is to be paroled within two years of the expiration of the said minimum.

Secondly, to permit the Parole Board to make a parole order subject to any condition that it considers necessary; at present, its powers in this regard are limited to the particular conditions set out in the regulations.

The next clause I would like to mention is clause 22. Several "lifers" have already been released under section 42. In one instance, a native prisoner, so released, left his employment, started drinking and generally behaved in such a manner as to leave no reasonable hope of his eventual rehabilitation. The board considered it expedient to cancel his parole and return him to prison, with the idea of reparoling him after a month or so if employment in a suitable locality could be found. However, doubts have arisen as to whether it is within the competence of the board to reparole such a prisoner without a further order by the Governor. The proposed amendment will make it clear that the board has this power.

Clause 24 would give a power to suspend parole as an alternative to cancellation. Unlike cancellation, suspension would not leave the prisoner to serve the entire period of the sentence in excess of the minimum term—that is, it would leave him "in credit" with regard to the time already served on parole.

The same clause would also make it possible, in the case of reparole after cancellation, for the board to order that all or any of the period already served on parole should be regarded as time served under the sentence concerned.

Yet another amendment proposed by this clause is one which would make it possible for the board, in the event of cancellation, to authorise the prisoner to be brought before it, rather than be returned to prison.

Clause 25 proposes an amendment to section 47. Subsection (3) of this section authorises the board to release on parole any prisoner who, at the time of the Act coming into force, had less than 12 months to serve. A number of prisoners were released under this provision and some doubt and difficulty has now arisen with regard to the legal position of some of them. The doubt arises when we try to

equate the position of such parolees with that of other parolees who are released in the normal way after serving a specified minimum term. What is the term of the parole? Does it continue until such time as the full term of the parolee's sentence has expired, or is it to be reduced in accordance with the remission regulations? That is, is the parolee to be released from parole, when, subject to good conduct, he would have been released from prison? It was always the intention that the parole period would run for the remainder of the full sentence; the amendment now proposed will make this quite clear.

Then, there is the anomaly which can arise when a person who has been paroled under this provision is convicted of a crime committed during the parole period and is sentenced to a further term of imprisonment, with a minimum term being fixed.

By reason of the fact that no minimum term was fixed in respect of his original sentence, he is obliged to serve the full remainder of that sentence before he begins to serve the minimum term fixed in respect of the subsequent sentence. On the other hand, the parolee who errs in the same way, but whose parole commenced from the expiration of a minimum term, commences to serve his new minimum term immediately.

The proposal is to remove this distinction by deeming the person who has been released pursuant to section 47 (3) to have been released after the expiration of a minimum term.

So much for those provisions of the Bill which are designed to circumvent difficulties that have arisen in the application of the present Act. I now come to the other provisions designed to implement the agreement between the States and the Commonwealth, to which I referred earlier.

The general idea is that persons on probation or parole should remain in the State or Territory where the probation or parole was granted. This Bill postulates that general rule. However, it can be understood that circumstances frequently arise when the legitimate interest of the probationer or parolee requires that he be permitted to travel to, and possibly reside in, another part of Australia. The last-mentioned provisions of the Bill provide for permission to do this.

When a probationer or parolee does move to another State or Territory, it is obviously desirable that the parole and probation authorities, and the courts, of that other State or Territory should be in a position to exercise the same sort of control over him as could have been exercised by the same authorities and courts of his home State, had he remained there.

In April, 1963, the Standing Committee of Commonwealth and State Attorneys-General took up a suggestion, made by Queensland, that all States and the Commonwealth—in respect of its Territories—should legislate to establish these desirable controls.

At the request of the Standing Committee, Queensland prepared a draft Bill in which were set out the necessary proposals for uniform legislation. This Bill has since been discussed by the Attorneys-General and their officers and has been commented on by all Australian parole and probation authorities. Wherever feasible, the Bill has been amended to make it conform to the ideas of the parole and probation authorities.

The Standing Committee has now agreed on the form of the uniform Bill and the relevant provisions of our present Bill are consistent with what was so agreed. The probation and parole authorities in this State have expressed themselves as being satisfied with the proposed new measures.

Queensland has already implemented the provisions of the uniform Bill by legislation, and the other States and the Commonwealth are expected to follow suit in due course.

The relevant part of the present Bill commences at clause 26 and contemplates putting into our Act a whole new part—part IIIA. The proposed new part comprises 23 clauses. It is quite substantial and I do not propose to go through it in detail at this stage, but simply to outline the scheme which it provides.

Provision is made that where a probationer or parolee from another part of Australia comes to this State, he must report to the proper authority in this State.

A probation or parole officer of this State may be assigned to effect the normal supervision. With the probationer, a court in this State, having jurisdiction similar to the court in the State or Territory which made the probation order, may discharge the order or amend it. Provision is made for the communication to the home State or Territory of the news of any such discharge or amendment.

Where a probationer is in breach of his probation, otherwise than by conviction, he is deemed guilty of an offence and, in addition to being fined for that offence, may be returned to his home State or Territory, or dealt with here by our courts, in respect of the conviction on which the probation was granted, in any way that he might have been dealt with by the courts of his home State or Territory, had such a breach occurred there.

However, it is provided that such a defaulter shall not be dealt with by our courts in respect of the conviction on which the probation was granted, unless the appropriate court or authority in his home State or Territory has indicated that it does not want him sent back. Similar provisions exist with regard to a breach of probation by conviction.

So far as the parolee is concerned, our Parole Board may cancel, suspend, or vary the parole, giving appropriate advice to its opposite number in the home State or Territory.

Where the parole is cancelled, whether by our board, the Parole Board in the other State or Territory, or automatically on conviction, the parolee may be returned to his home State or Territory, or, provided he is not wanted back home, may be imprisoned here for the remainder of his term. Reparole may be granted in appropriate cases after cancellation.

There is also provision for punishing parolees for breach of parole otherwise than by cancelling their parole.

There is much detail of a procedural and enabling kind which I have not mentioned, but I feel that the explanation of the main purpose of this measure, which I have given at this stage, is sufficient for members to have grasped the general scope of the proposed new part. In short, the Bill seeks to remove some anomalies and some injustices; it also seeks to give effect to the arrangement that had been worked out between the States and the Commonwealth in a common-sense and uniform manner in respect of this very important piece of social work.

Debate adjourned, on motion by Mr. Harman.

## WESTERN AUSTRALIAN INSTITUTE OF TECHNOLOGY ACT AMENDMENT BILL

*Second Reading*

Debate resumed from the 19th September.

**MR. DAVIES** (Victoria Park) [10.25 p.m.]: I notice that when we introduce into this House legislation which sets up a new establishment or which establishes a new principle, and we are left with an entirely new Bill, within a very short period we often find that amendments to the Bill become necessary for all kinds of reasons, generally because of circumstances which were not foreseen at the time of preparing the legislation. It is into this category that the Bill with which we are dealing falls.

The measure sets out to do four things: it sets out to make provision for land to be vested in the institute rather than in the council; it sets out to put beyond all doubt the right of the council to establish and raise tuition fees; it sets out to establish the full governing council of the institute at an earlier date than would be possible under the legislation as its exists at the moment; the last provision in the amending Bill—which embodies a completely new principle—is to set up a student body.

With all these matters I would be prepared to agree entirely and I find very little to argue with. When introducing the Bill, the Minister took time off to point out the great strides that have been made in the setting up of the various departments in the Institute of Technology. In this I must agree with him.

At times there appeared to be some difficulties, and I recall some members of the staff became a little disgruntled. If I remember correctly, there was a Dr. Collins who returned to England; he could not wait for the council to get under way and for the appointments to be made.

At the time there were several other persons expressing dissatisfaction at the manner in which selected staff were being appointed. I think a lot of that dissatisfaction stemmed from the concern shown by members of the Technical School staff who wondered what their future would be when the Institute of Technology expanded and became fully operative.

It would appear, however, that these matters have now ironed themselves out fairly satisfactorily, to say the least, and, as the Minister pointed out in his introductory remarks, the institute seems to be going from strength to strength.

There has been an increase of almost 30 per cent. in the enrolments; there has been a considerable number of staff appointments; and the institute can now be considered almost fully operative. We have been fortunate, of course, in getting some Commonwealth money to assist with the establishment of the institute.

I do not know whether any watch is kept on the way this money is spent, but from the outside the buildings certainly appear to be very substantial. I do not know whether they are built in the most economic manner, but I daresay it is not for me to worry about the form which the buildings have taken.

I should imagine the money would be spread, as far as possible, in a manner consistent with the future requirements of the Institute of Technology. I should imagine that the vast increase in the number of students attending at the institute has meant a corresponding reduction in the number of students who are attending the technical education division of the Education Department.

The Minister did not make any mention of this, but it would appear that quite a number of the teaching staff in the technical education division have gone to the institute and, no doubt, with the transferring of the various courses to the institute, there would be a corresponding reduction in the number of students who are being taught in the technical educational division.

I am watching with interest the future of this institute, as I am sure are all members of this House. I noted with interest the

report which was brought down by Mr. Justice Jackson earlier this year, and the recommendations he made in regard to tertiary education as a whole.

I did notice that one of the recommendations was for the renaming of the institute as the Western Australian College of Advanced Education. The Jackson committee gave the reasons for this suggested change of name, but the Government has not indicated whether it will accept the recommendations of that committee; and neither has it indicated whether it will accept the change in name. This might be a splendid opportunity for the Government to change the name of the institute, so that the complete council could become operative under the new name. It might avoid the need for a further amendment in the future.

The Jackson committee recommended a permanent commission on tertiary education. If I remember correctly, I recall an article in *The West Australian* which stated that the Government would accept the Jackson committee recommendations almost *in toto*. Perhaps when the Minister replies he will indicate what action will be taken in the future in regard to the Jackson committee recommendations. There is little point in setting up a committee of this nature if the Government does not have any serious regard for its recommendations. Unfortunately several other similar committees have been set up by the Government, and they made voluminous reports, but that was the last we heard of them.

I hope the Jackson committee report will be acted on. It seems to be concise and it gets to the heart of tertiary education. It indicates that vast sums of money will be required in the future. I hope the Government is planning to make more money available, because the money from the Commonwealth Government must cut out shortly. In the last Commonwealth Budget there was some indication that additional moneys would be made available, but apparently not on the same scale, or for the same purpose, as the money which has been made available in the past several years. I believe it was a result of the Wark report that this money was made available. The Commonwealth thought that assistance should be given to the States in this direction, but either this year or next year this grant will be discontinued.

Whatever happens the Government must look to the expenditure of large sums of money in establishing this mini-university establishment at Bentley. That is what it appears to be. It is not up to the standard of a university, although it is set up along the same lines and with the same objective. Perhaps we could call it the poor students' university.

The Minister said in the introduction of the second reading there was some Australia-wide inquiry into the manner in which the various courses would be acknowledged, and whether the successful student would receive a degree, a diploma, a certificate, an associateship, or something similar. This matter caused considerable concern when the 1966 Bill was introduced. It is a matter for regret that two years later, when it was obvious earlier that some action was necessary in this regard, no decision has been arrived at.

I know it could create problems in setting an Australia-wide standard, and some of the problems would appear to be insurmountable, but I hope they will be tackled. The manner in which students who pass the various courses should be acknowledged, should be established in the very early stages. I believe that so far they have been issued with diplomas, but I cannot guarantee this to be correct. I hope this matter will be pursued with diligence, because I consider it to be important.

Getting back to the four points raised in the Bill, the vesting of land requires that the word "Council" where it appears in five places in the Act shall be deleted, and the word "Institute" substituted. There is provision for one section to be deleted, and for a rephrased provision to be substituted. In one instance the word "Council" appearing in the schedule is to be deleted, and the word "Institute" substituted. Obviously this has been put forward on legal advice. We have been told that the institute is a corporate body, and, as such, is able to have land vested in it. If that is so I am prepared to accept the Minister's word, and I pursue the point no further. It merely seems to be a matter of administration.

There appears to have been some doubt as to the right of the interim council to raise the tuition fees. Of course, we expected that fees would be charged, but I, for one, did not expect they would be raised so dramatically as they have been. At the present time the fees are extremely high, and I feel the increases are a shock to many of the students and their parents. I do not know whether there is evidence of any student who has not been able to continue his studies because of the high fees, but if the fees get any higher I have a feeling that some students will be placed in jeopardy.

I am wondering whether some assistance could be extended to students who are not studying under scholarships, who want to continue their studies, but who cannot do so because they cannot afford the high fees. The existing fees are at the level similar to that of the University several years ago. I feel there is a tendency to balance the fees of the institute against the fees of the University. The fees

of the University were increased quite substantially recently, so I think there is every indication that the tuition fees at the institute will be increased before very long.

I do not know whether the institute is expected to be self-supporting. Perhaps the Minister can enlighten me in this regard. If it is expected to be self-supporting then the fees will have to be very steep. It will then become a private school or a private institute, and the students will be expected to keep it going. I hope this will not be the position. I would not like to see anybody being denied admission to the institute for the reason that the fees were too high and he could not afford them.

The amending Bill seeks to place beyond doubt the right of the council to increase fees in the future, as it has done in the past. We agree it should have that power, but I am expressing concern that the fees might price some students out of the institute. If the Minister has some comment on this aspect, I would be pleased to hear him express it.

The third admendment in the Bill proposes to set up the full governing council at any time from the 1st January, 1969, to the 31st March, 1969. It provides that this council shall be set up within a period of two years, and not more than two years and three months, from the date of the proclamation of the Act; but because of the delay in proclaiming the Act it will not be possible for the full council to be set up before May, 1969.

I can appreciate that if the council is to be gainfully employed, it is better to start at the beginning of the academic year than to be set up as the permanent governing body during the year. We are pleased to see that full use can be made of the permanent council some months earlier than was anticipated when the Bill was put through in 1966. I think the Minister mentioned the permanent council was more representative. The interim council is composed of nine members and the permanent council has 16 members.

I think the additional seven members are to come from three persons who are yet to be appointed by the Governor, and two members who are to be appointed from time to time by co-option by the council. That excludes academic staff, and includes one person, whether a member of the council or not, who shall be elected chairman, pursuant to section 11 of the Act. Further, there is an additional person representing the academic staff of the institute. The three persons to be appointed by the Governor are three of six who will be representative of the professions, and of industrial and commercial interests.

I am wondering if the Minister is able to tell us who the present three persons are that are operating on the interim council and whether there is a representative of the trade union movement. The wording of the Act says, "the professions and industrial and commercial interests," but I would think it would be highly desirable to have a representative of the Trades and Labour Council on the governing body of the Institute of Technology.

I am also pleased to see an additional member of the academic staff is to be appointed. This caused some concern at the time the Bill was debated in 1966. I understand the interim council has worked quite well and I believe it is proposed that its members will be appointed to the permanent council. I do not know whether there are to be any changes, but, as I understand the position, the interim council has the additional members added to it and it will become the permanent council rather than that a new permanent council be set up.

Mr. Lewis: It is not automatic.

Mr. DAVIES: Perhaps the Minister could reply to that point. As I said before, it is highly desirable that the permanent council to govern the institute be set up as from the 1st January, which is the start of the academic year. The period provided in which to set up the permanent council is three months, which is exactly the same as in the Act which this Bill seeks to amend. Apart from the few matters I have raised in respect of the appointments to the council, I have nothing further to say on that point.

The last amendment to the Bill is to provide for a student body. Under section 34 of the Act, provision is made for rules and regulations; and it is proposed to use this provision to establish a student body.

By the amending Bill, the student body or the student guild, as it is called, shall be a body corporate; it shall have a common seal; it may sue and be sued in any court; it may do and suffer all other acts and things that bodies corporate may by law do and suffer; and it shall be the recognised means of communication between the enrolled students and the council. The latter is important. I think in most institutes of this nature, and certainly in the universities of Australia, there is a student body. In the University of Western Australia we have the student guild.

I believe in the other universities these bodies are generally divided into two—the student union and the student representative council. Each of these bodies carries out specific functions in regard to the university. Our own guild is completely autonomous and I understand it is rather unique in the functions it is able to perform.

I was surprised to learn it is compulsory for every student attending the University to join the guild and that the fees are

$23 per year for a full-time student, $11 for a part-time student, and $2 for an external student. I could not imagine that the Government would agree to compulsory membership of any organisation of this nature, yet we find this is the position at the University. Of course the University is not directly controlled by the Government. I would be interested to know the manner in which the student guild at the Institute of Technology will be established and whether it will be compulsory for every member to belong to the guild, and whether the guild will have as wide a function as the one at the University.

I would like to know whether the fees are going to be in line with those at the University, because I think the amount of $23 for a year's subscription is very substantial. If it is going to cost $23 to belong to the student guild at the Institute of Technology, this is going to be an added impost. I have already said that some of the students find the existing tuition charges, the cost of books, and so on, beyond their means, and I certainly hope we are not going to set up a fanciful body at the institute which is going to mean that students attending will be forced to make provision for this additional cost.

I would certainly like to see a student guild established, but I do not wish that there be any added cost—certainly not of the magnitude of the charges at the University of Western Australia. The Minister said that the student guild would be responsible for running certain activities at the institute and he mentioned the cafeteria. I think this could provide a source of revenue, as I understand the University is able to make a profit from the cafeteria by skilful and careful management.

An interesting point, not amplified in the Bill, is that the student guild shall be the recognised means of communication between the enrolled students and the council. I am wondering whether the Minister is able to tell us how the proposed lines of communication are to be established. There is no specific provision for a member of the student guild to be on the council. There is, as I read out in relation to an earlier comment, provision for two persons to be appointed, from time to time, by co-option by the council, but that excludes academic staff. This may be an avenue for someone from the student guild to be co-opted onto the council.

I do not know whether it is desirable to have a member of the student guild on the council, because the council has, indeed, a very important function to fulfil. I understand that at the University a representative of the student guild—generally the president—has a standing invitation to attend Senate meetings. He has the right to speak but not the right to vote. This would appear a reasonable provision, and perhaps something along those lines could be established in regard to the Institute of Technology. When he replies, the Minister, if he has any knowledge, might inform us how the lines of communication are to be established.

The Bill contains four amendments which have been found necessary as a result of the application of the legislation we passed in 1966. It is not unusual for new legislation to be amended within a short period, and I do not oppose any of the provisions which the amending Bill proposes on this occasion.

Debate adjourned, on motion by Mr. Mensaros.

*House adjourned at 10.51 p.m.*

# Legislative Council

Wednesday, the 9th October, 1968

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

## QUESTIONS (12): ON NOTICE

### TEACHERS

*Overseas Experience, and Disabilities Suffered*

1. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

   (1) Under what conditions are teachers granted leave, apart from long service, to obtain experience in their profession outside Australia?

   (2) Where teachers seek such experience without being granted leave by the Education Department, what disabilities do they suffer when they return to the department in, for example, loss of seniority?

   The Hon. A. F. GRIFFITH replied:

   (1) Each year a limited number of teachers who have completed the teachers' college contract is granted leave without pay for a calendar year (1st January-31st December) to travel or teach outside the State. Such period of leave will not count as service, but will not constitute a breach of service.

   (2) Resignation would be necessary in such cases with consequent loss of seniority, sick leave, long-service leave, and superannuation credits.