SIR CHARLES COURT (Nedlands—Leader of the Opposition) [11.04 p.m.]: Briefly I want to further confirm and reiterate our opposition to the Bill. I want to make it clear that we believe the Bill is not in the best interests of the service or the association. The legislation will upset a system which is working smoothly and well, a system with which we should not experiment. We are dealing with a lot of people who are in the service as a career and we already have something we know works, so why should we throw it away for the sake of satisfying somebody's whim?

I do not think the Bill is the wish of the majority in the Public Service. I know when the matter was previously before us, it was part of my desire at the time to try to ascertain how much those in the service sought a change. Frankly, outside of the hard core of office bearers, I could find no support for it. Perhaps it would be more truthful to say that I could not find any interest, and certainly no dedicated support for it.

Mr. Graham: How did you ascertain the view of the rank and file members?

Sir CHARLES COURT: I remind the Deputy Premier that when the amendments were introduced in 1970 a lot of discussion and conjecture took place within the Civil Service. If I remember rightly the amendments were foreshadowed about 12 months before they were introduced and I could not detect any great enthusiasm for or interest in them.

I hope the Government will think again about the matter. The reasons for our opposition are well recorded and they involve no reflection on the association. Members of the service understand our views now as they did then, and I think they respect us for them.

MR. J. T. TONKIN (Melville—Premier) [11.06 p.m.]: The Leader of the Opposition made it perfectly clear that he has the strongest possible opposition to giving the Civil Service Association direct representation on the board. I accept his view because it is in conformity with the attitude adopted by him and the member for Greenough when the latter was the Premier. They both argued strongly for their point of view which they still hold.

We on this side of the House believe it would be advantageous to give the Civil Service Association direct representation, and I repeat that this was part of the policy speech I delivered. I gave a definite undertaking that we would make an attempt to ensure that the association had a representative on the board; and that is the purpose of the Bill.

We can agree to differ, but it is our intention, even if we are unable to achieve our objective, at least to ensure that the promise we made is carried out.

Question put and a division taken with the following result—

Ayes—22

Mr. Bateman	Mr. Harman
Mr. Bertram	Mr. Hartrey
Mr. Bickerton	Mr. Jamieson
Mr. Brown	Mr. Jones
Mr. Bryce	Mr. May
Mr. Burke	Mr. McIver
Mr. Cook	Mr. Sewell
Mr. Davies	Mr. Taylor
Mr. H. D. Evans	Mr. A. R. Tonkin
Mr. Fletcher	Mr. J. T. Tonkin
Mr. Graham	Mr. Moller
	(Teller)

Noes—22

Mr. Blaikie	Mr. Mensaros
Sir David Brand	Mr. Nalder
Sir Charles Court	Mr. O'Connor
Mr. Coyne	Mr. O'Neil
Dr. Dadour	Mr. Runciman
Mr. Gayfer	Mr. Rushton
Mr. Grayden	Mr. Sibson
Mr. Hutchinson	Mr. Stephens
Mr. A. A. Lewis	Mr. Thompson
Mr. E. H. M. Lewis	Mr. W. G. Young
Mr. McPharlin	Mr. I. W. Manning
	(Teller)

Pairs

Ayes	Noes
Mr. T. D. Evans	Mr. Ridge
Mr. Brady	Mr. W. A. Manning
Mr. Lapham	Mr. R. L. Young

The SPEAKER: The voting being equal, I give my casting vote with the Ayes.

Question thus passed.

Bill read a third time and transmitted to the Council.

House adjourned at 11.11 p.m.

Legislative Council

Wednesday, the 23rd May, 1973

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 11.30 a.m., and read prayers.

PUBLIC SERVICE ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. R. Thompson (Minister for Community Welfare), read a first time.

Second Reading

THE HON. R. THOMPSON (South Metropolitan—Minister for Community Welfare) [11.43 a.m.]: I move—

That the Bill be now read a second time.

The purpose of the Bill is to provide for a representative of the Civil Service Association to be a member of the Public Service Board.

When the legislation creating the board was introduced by the previous Government in 1970, the present Premier indicated

his support for C.S.A. representation, and moved an amendment for that purpose. The amendment was lost.

At the subsequent general elections in 1971, The Hon. J. T. Tonkin undertook, in our policy speech, that we would amend the Act to provide for Civil Service representation. The Government subscribes to the principle of employee representation on boards of management. We believe it makes for good relations with the Public Service to indicate that the Government has sufficient confidence in them to invite their participation in management.

In these days, when there is considerable industrial unrest, we should make every endeavour to remove causes of discontent. Employee representation is an important step in this direction.

In the State of Victoria, there has been service representation on the Public Service Board for many years. In Queensland the Government appointed the former General Secretary of the Civil Service Association to be a member of the board.

The Bill provides that, when a vacancy occurs or is about to occur in the position of third commissioner—as distinct from the chairman or deputy chairman—the Minister invites the Civil Service Association to submit a panel of not less than four names. The association is given 30 days in which to comply. The Government will make the final selection from this panel. If the association fails to submit a panel, the Government will make its own choice. The new provision will operate from the time when the next vacancy occurs in the office of third commissioner.

When appointed, the association representative will exercise the full powers and responsibilities of a commissioner and enjoy the conditions of service as prescribed in the Act. As provided in the principal Act, the term of appointment is five years, with eligibility for reappointment.

The Civil Service Association has been consulted in the drafting of the Bill and has indicated its concurrence.

Opportunity has been taken to provide specifically that the operations of the board shall not be affected by reason of any vacancy in the office of a commissioner.

The Bill also corrects an oversight in drafting the Act which provided for a Public Service Board. Action was overlooked to substitute in section 12 the "Board" for the "Commissioner". I commend the Bill to the house.

Debate adjourned, on motion by The Hon. A. F. Griffith (Leader of the Opposition).

PUBLIC SERVICE ACT AMENDMENT BILL (No. 2)

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. R. Thompson (Minister for Community Welfare), read a first time.

Second Reading

THE HON. R. THOMPSON (South Metropolitan—Minister for Community Welfare) [11.48 a.m.]: I move—

That the Bill be now read a second time.

The Government has decided that Government employees shall be first entitled to four weeks annual leave as from the date the employee's leave falls due in 1973.

By administrative action we have provided that Government employees who commence to accrue annual leave on, or after, the 1st January, 1972, become due for four weeks annual leave on completion of twelve months service on the 31st December, 1972, or thereafter.

So far as public servants are concerned, annual leave is determined by section 52 of the Public Service Act which provides a standard of three weeks. The purpose of the Bill is to amend the standard to four weeks and so bring public servants into line with other State Government employees.

The leave conditions of permanent officers in the Public Service differ from those of other Government employees in that public servants become entitled to annual leave on a common date—the 1st January of each year. This leave is taken in the year in which it accrues and is, therefore, partially in advance of accrual. Leave which accrued in 1972 could—and in most cases, would—have been taken in 1972.

Temporary officers in the Public Service are not treated as permanent officers, but in the same way as other Government employees. They become entitled to leave only after 12 months continuous service.

To ensure that Government employees actually receive four weeks annual leave in 1973 it was necessary to apply the four weeks in respect to service in 1972.

To ensure that permanent public servants are not disadvantaged when compared with temporary officers and other Government employees, it is necessary to amend the Act to provide for four weeks annual leave as from the 1st January, 1972.

Four weeks annual leave has now become the accepted standard for the Public Service, both Commonwealth and State, throughout Australia. I understand the only State where a decision has not been announced is Tasmania.

The purpose of the Bill is to bring the State's Public Service into line with the Australian Public Service standard, and into line with other Government employees in Western Australia.

Debate adjourned, on motion by The Hon. A. F. Griffith (Leader of the Opposition).

LONG SERVICE LEAVE ACT AMENDMENT BILL

Report

Report of Committee adopted.

Third Reading

Bill read a third time, on motion by The Hon. R. Thompson (Minister for Community Welfare), and returned to the Assembly with amendments.

EDUCATION ACT AMENDMENT BILL (No. 3)

Second Reading

Debate resumed from the 22nd May.

THE HON. R. J. L. WILLIAMS (Metropolitan) [11.52 a.m.]: As the Leader of the House said in his second reading speech, this is purely a machinery Bill consequent upon the Pre-School Education Bill. It is designed to delete references to and definitions of kindergartens and the organisations governing them from the Education Act. Pre-school organisations will have their own separate authority and the references in the Education Act will be superfluous. There is no need to say any more. I support the Bill.

THE HON. J. DOLAN (South-East Metropolitan—Leader of the House) [11.53 a.m.]: I thank Mr. Williams for his support. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. J. Dolan (Leader of the House), and passed.

METRIC CONVERSION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 17th May.

THE HON. V. J. FERRY (South-West) [11.56 a.m.]: The object of this Bill is to metricate 44 Acts. To have been able to do this, and draft the legislation before us, it is apparent that somebody has performed mathematical gymnastics. It is very difficult to relate the British system to the metric system, and for this reason I used the expression "mathematical gymnastics".

To adults there does not appear to be much relationship between the two systems. It is apparent that we cannot have exactitude when converting from the British system to the metric system, and therefore, we must sometimes lean one way or the other. To use the vernacular, "you win some; you lose some".

I would like to very briefly relate the history of the metric system. It was first conceived in France in 1670 and the National Assembly of France passed the resolution to use it in 1791. Therefore it took 121 years from conception to adoption, during which time the French Revolution intervened. The use of the system was made compulsory in all commercial transactions in France by a decree issued on the 4th July, 1837. I did wonder at the significance of that date, because we all know that the Declaration of Independence of the United State of America was signed on the 4th July, 1776.

In my opinion the metric system is confusing to people who are not conversant with it. No doubt the school children will have a decided advantage over their elders who have left their formal school years behind. The young people will be able to absorb its principle and fit smoothly into the metric world. However, it is quite confusing to many of the adults.

The Hon. G. C. MacKinnon: It will be more confusing if we have a metric clock and a metric week.

The Hon. V. J. FERRY: It will be indeed. On a lighter note, I am wondering what will go through the mind of a dingo when he is confronted with a vermin-proof fence constructed under the metric system. The Vermin Act will be amended as follows—

> Above such netting either—
>
> Sheep or dog-proof netting not less than 915 millimetres wide, and not exceeding 100 millimetres mesh, is to be affixed to a height of not less than 1.8 metres, or in lieu of dog or sheep netting plain or barbed wires spaced not more than 130 millimetres apart to a height of at least 1.8 metres. These wires shall be tied together and to the top of the netting with lacing wire every one metre.

So members will see that even the vermin will be confronted with metrics, whether they realise it or not, because in future vermin-proof fences will be constructed according to metric measurement. I support the Bill.

THE HON. R. H. C. STUBBS (South-East—Minister for Local Government) [12.00 p.m.]: I thank Mr. Ferry for his support of the Bill and for his reference to several of its facets. In speaking of dingoes, I could not help thinking that if it were an electric fence the dingo came up against, we would be measuring his progress in kilometres per second. We "oldies" may have some difficulty in mastering the metric system. However, all sorts of dire consequences were predicted when we converted our currency from

pounds, shillings and pence to dollars and cents, but eventually all members of the community mastered the conversion fairly well. I feel sure that all those members of the beer-drinking fraternity will probably understand the intricacies of the metric system much faster than other members of the community.

We will just have to learn to convert hundredweights, quarters, and pounds to kilograms; furlongs or miles to kilometres, and fluid ounces to millilitres, and so on. I can recall my first experience with metrics when I visited New Caledonia. I was riding in a car as a passenger which had its speedometer graduated in kilometres per hour. When I looked at the speedometer I thought the driver was really travelling at great speed. Of course, a kilometre is only five-eighths of a mile and if we were to look at the speedometer in one of our motor vehicles travelling at the same speed it would be equal to about 50 miles an hour. The world is accepting metrics and in a few years' time, when we are no longer here, their use will be commonplace.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. R. H. C. Stubbs (Minister for Local Government), and passed.

TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 9th May.

THE HON. CLIVE GRIFFITHS (South-East Metropolitan) [12.05 p.m.]: As mentioned by the Minister when he introduced this Bill, it has two main purposes; firstly, to create the position of deputy town planning commissioner, and secondly, to provide for the Town Planning Commissioner to be appointed under the Public Service Act. We have no objection to the appointment of a deputy town planning commissioner, and we think the provision is reasonable.

The Minister pointed out that previously there was a chief planner in the department, but that position will now disappear and the office will be occupied by the proposed deputy town planning commissioner. However, I have some amendments on the notice paper with which members have no doubt become familiar. These will seek to put into effect the thoughts we have in regard to a Town Planning Commissioner and his appointment. Since 1928 the Town Planning Commissioner has been appointed under contract for a period of five years, as provided in the parent Act, and we believe that this situation should prevail.

Surely we all desire to appoint to this position a professional man and we would want him to hold it for a reasonable period. Surely we would also desire that he should be employed under contract with the option of being reappointed or of not continuing in the position, as he so desired, at the expiration of his term of office. In the past, Town Planning Commissioners have been appointed under this system. As I have said, the tenure of office has always been five years.

I suggest that the present system has much in its favour. It is a situation that prevails with the appointment of many other professional people within the Public Service; namely, those who make themselves expert in their own particular field and single themselves out from the ordinary officers employed in the Public Service. For instance, the Commissioner of Railways is appointed under contract for a period not exceeding seven years. The Commissioner of Main Roads is appointed for five years; a period similar to that served by the Town Planning Commissioner.

The Director-General of Transport is appointed for seven years, and the Conservator of Forests, because of his particular professional qualifications, is appointed for seven years. All these professional officers are appointed under contract for a certain period. This is a fair and reasonable arrangement, because it enables them to have their contracts renewed by the Government of the day if their services have proved to be satisfactory and are still required.

At the same time it provides the individual concerned with the opportunity not to ask for renewal of his contract because he may wish to go on to fields of endeavour more in keeping with present day requirements. Town planners in particular fit into this category. Some town planners desire to move into new fields; they want to come to grips with new problems—a younger man may want to move into a particular new field because he may have exhausted his potential in some other field. He may find there is a challenge in that new field of work which he would like to accept with a view to exercising his knowledge and ability.

Accordingly, we feel the present situation is one that ought to be maintained. On the other hand this Bill will introduce an entirely new category whereby a town planner appointed under the Town Planning and Development Act for a period of

five years will find himself permanently employed under the Public Service Act; he will reach the top of the scale in the Public Service after a very short period of service and without having had to run the gamut of years of service as must be done by other public servants before they attain the top position in their particular field.

We are establishing a principle whereby somebody can be appointed to the Public Service and reach the top of that service without serving the qualifying period.

It is interesting to note the conditions that apply to such people who serve these long qualifying periods before they are able to enjoy the salary conditions that apply to them. I quote as an example the salary that applies to an under-secretary; which is $18,750. Incidentally the salaries I am quoting are those that have been in existence prior to the recent increases having been granted. Before an under-secretary is able to reach the position he does he must give many years of service to the Public Service.

The salary of the Town Planning Commissioner, however, prior to the recent adjustment was $19,250 per annum, which is $500 more than that paid to the under-secretary. This is partially due to the fact that this man is on a five-year contract and that his term need not be renewed at the end of that period. He is an expert in his field—a professional man who has applied for a position advertised by the Government to do a specialised job for the community. Accordingly his salary is commensurate with the particular terms and conditions involved.

Similarly, if a town planner desires to be granted the benefits that go with being a permanent public servant then, surely, it is within his capacity, when negotiating his contract with the Government, to write those conditions into the terms of the contract; conditions which he feels he should be given and which apply to the Public Service.

If the Government desires the individual to apply for the particular position and if it wants him to accept the position it would say to the man concerned, "Yes, we are prepared to give you the conditions for which you ask; your salary will be so much, and your conditions of leave, etc., will be what you desire."

On the other hand if the Government does not wish to accept the conditions suggested the town planner will then have an opportunity to seek employment elsewhere, where he may find somebody who will negotiate on his terms and conditions. This is the purpose of the exercise.

Town planning, in particular, is a field in which there is a diversity of opinion on the subjects involved. It is not an exact science by any means. We all know that town planners have varying views on certain subjects; they are subject to directions from the Government as to the manner in which it desires to have its town planning carried out. The Government sets certain guidelines and prescribes limitations as to the direction in which the talents of the town planner should be exploited and the extent to which these talents should be exploited.

At the end of the five-year term the town planner may feel that he no longer desires to be subjected to the conditions set out; he may wish to go somewhere else where his conditions of service are different.

Accordingly I believe that the amendments on the notice paper should be supported, because they simply maintain the *status quo* as far as the appointment of a town planning commissioner is concerned.

I ask the Minister: In the event of this Bill being passed is it contemplated to reduce any of the conditions that may apply to a town planning commissioner who is appointed under the Public Service Act? Does the Government propose to alter any of his current conditions such as those which relate to salary, etc.? I ask this because the appointment of a town planning commissioner is initially made for a five-year period and this in itself is a contract which contains conditions different from those which normally apply to the Public Service.

If any reduction of these conditions is contemplated, I would like to know to what extent are they contemplated in the event of the Bill being passed in its present form?

In the meantime I indicate that we have no objection to the appointment of a deputy town planning commissioner, but we do object to the transference of the Town Planning Commissioner from the Town Planning and Development Act to the Public Service Act.

THE HON. I. G. MEDCALF (Metropolitan) [12.18 p.m.]: This short Bill has three purposes. Firstly it seeks to provide for the appointment of a deputy commissioner, which is perfectly satisfactory in my book; secondly, it seeks to change the appointment of the Town Planning Commissioner from a five-year term under the Town Planning Act, 1928, to an appointment under the Public Service Act which, I believe, is very debatable; and, thirdly, it seeks to legalise all former acts of the deputy commissioner under clause 3 of the Bill.

I am extremely puzzled at clause 3 (4) which proposes that anything—if the provision is made under this Bill—which was done before the coming into operation of this Bill will be lawful. It validates or legalises anything which was done by any person acting as deputy commissioner in former times.

I question that, because there is no explanation as to what it is intended to validate, or why it is necessary to validate the actions of persons acting as deputy commissioner, apparently without authority.

The Hon. L. A. Logan: We have not previously had a deputy commissioner.

The Hon. I. G. MEDCALF: But apparently someone has been acting as deputy commissioner. If that is not so why is it necessary to validate everything he has done?

The Hon. Clive Griffiths: The Bill will validate the actions of the commissioner and the deputy commissioner?

The Hon. I. G. MEDCALF: That is right, of both of them. It seems to me that point requires some explanation. I have read the Minister's speech made in another place and he made no reference to this point, nor did the Minister in this House when he introduced the Bill. Therefore, I would like to know why it is proposed to validate the acts of the commissioner or the deputy commissioner which would have been lawful if the provisions of this amending Bill had been in force.

I believe we are entitled to know what acts, matters, or things have been done by the commissioner or deputy commissioner which require validation or legalisation. It may be considered that I am looking at this in a sinister manner, but I do not intend that at all. I am not suggesting that anything has been done improperly, but I am wondering why it is necessary to validate acts which may have been done by the commissioner or the deputy commissioner and which would have been legal if this Bill had been in force at the time. I assume the reference is to things which the deputy commissioner—and I also assume that someone has been acting as deputy commissioner—has perhaps done without authority.

I am not quarrelling with the concept of the appointment of a deputy commissioner. I believe that is sound. However, I am querying why we are validating acts performed apparently by a deputy commissioner which would have been lawful if the provisions of this Bill were already included in the Act. I am asking what acts have been performed by the acting deputy commissioner.

Finally, I question the term of the appointment of the Town Planning Commissioner. Under the provisions of the Act at the moment the appointment is for a term of five years. I believe it takes some time for the persons making such an appointment to know whether a person who is appointed is capable of performing the job. That applies in any walk of life, whether it be in a high executive position in the Government or a high executive position in private enterprise. It is not always certain that a person who succeeds in one walk of life will succeed in another. Nor is it certain that a successful town planning consultant will make a successful town planning commissioner. Therefore I believe there is valid reason for having a term of appointment, even though the person appointed may also be given the security of being appointed under the conditions of the Public Service Act. I understand that has been the case with regard to the last two town planning commissioners.

I consider we should have a term of appointment to the position of town planning commissioner so that any highly-placed officer brought in from some other walk of life can be tested in the position to see that he is satisfactory. I believe there is justification for the amendment.

THE HON L. A. LOGAN (Upper West) [12.24 p.m.]: Since the introduction of this Bill I have been endeavouring to find out why it is necessary to amend the Act to include the provisions contained in this measure. The heads of many other authorities still have a time limit on their appointments. The Minister said, when he introduced the Bill, that since about 1953 the Town Planning Commissioner has been appointed on a permanent basis. I may be wrong, but I have an idea that the late John Lloyd was appointed for a definite period.

The Hon. A. F. Griffith: I do not think you are wrong.

The Hon. L. A. LOGAN: I believe I was responsible for reappointing Mr. Lloyd for a further period. However, my memory may not be as good as it was.

The Hon. G. C. MacKinnon: I think you know jolly well you are right.

The Hon. L. A. LOGAN: I will not be adamant, but I am of that opinion. If I am right, then the Minister's speech notes are not according to fact, and I think he ought to check the relevant part of his speech.

I am in a bit of a spot in this respect because the present Town Planning Commissioner was my chief planner for a good many years while I was Minister.

The Hon. A. F. Griffith: Was the honourable member the Minister when the late John Lloyd was appointed?

The Hon. L. A. LOGAN: Yes.

The Hon. A. F. Griffith: Well, you must also have been the Minister when he was reappointed.

The Hon. L. A. LOGAN: One of my first jobs when I became a Minister was to interview the applicants for the job.

The Hon. A. F. Griffith: I remember that occasion, and the honourable member must have been the Minister when Mr. Lloyd was reappointed.

The Hon. L. A. LOGAN: Yes.

The Hon. A. F. Griffith: So, your memory does serve you correctly.

The Hon. L. A. LOGAN: I wanted to be sure that the appointment was for a period of time.

The Hon. R. H. C. Stubbs: I think that appointment was in August, 1959.

The Hon. L. A. LOGAN: It was about that time; not long after I took over as Minister. I can recall sitting in my office and interviewing three applicants for the job.

Getting back to the Bill now before us, the present Town Planning Commissioner was my chief planner. He was a good chap and although he might have had one or two failings there was nothing whatsoever wrong with his knowledge of the job.

However it is possible for him to apply for a higher position somewhere else in the world. Planners are noted for moving around. Applications would then have to be called for the position of town planning commissioner to be appointed under the conditions of the Public Service Act. It could happen that the best applicants for the job would not want to be appointed under that particular Act and might want to be appointed for a five-year term.

The Hon. R. H. C. Stubbs: Did not Mr. Lloyd insist on being appointed under the Public Service Act?

The Hon. L. A. LOGAN: I do not know. I am talking about the appointment of a person for a period of time. If the best applicant for the job was not prepared to accept it under Public Service conditions, but rather for a period of time, then the Act should not be amended along the proposed lines.

While I have no objection to the appointment of a deputy commissioner I think it is wrong to do away with the position of chief planner in order to make provision for the deputy commissioner. The best planner in the world may not be a good administrator, and the best administrator may not be a good chief planner.

The Hon. I. G. Medcalf: Very true.

The Hon. L. A. LOGAN: I think it is very important that the Town Planning Commissioner in Western Australia should be a first class administrator. He should have a good knowledge of town planning, admittedly, but I think the first prerequisite should be that he is a good administrator, particularly with regard to public relations.

I am therefore not at all sure the Government and the department would be doing the right thing in this respect. I could be proved wrong but, having had a little experience in this sphere, I give my thoughts on the matter. I am concerned about the situation and, as I said when I rose, I am in somewhat of a quandary about what to do.

Perhaps the present commissioner will think I am having a crack at him when I say I think the appointment should be made for a specified period and not made on a permanent basis under the Public Service Act, but many other heads of authorities are appointed in this way. The Government should think about this matter. There is no great hurry.

The amendment relating to the deputy town planning commissioner is merely a change in designation and that officer will be doing the same job as he has done over the last few years in the Town Planning Department. There is no provision in any Act relating to his appointment. He is a first-class administrator who has some knowledge of town planning—otherwise, he would not have been given the job in the first place.

I think the Government should have another look at this measure before it goes any further, in order to ensure it is doing the right thing in regard to town planning in Western Australia.

Debate adjourned, on motion by The Hon. R. F. Claughton.

SUPERANNUATION AND FAMILY BENEFITS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 22nd May.

THE HON. F. D. WILLMOTT (South-West) [12.32 p.m.]: This small Bill proposes amendments to the Superannuation and Family Benefits Act and deals only with the Provident Fund which has been established under that Act. It does not in any way alter the existing superannuation provisions.

The repeal and re-enactment of section 83AB becomes necessary because of a ruling by the Commonwealth Commissioner of Taxation to the effect that contributions under that section will no longer be allowed as tax deductions. Such contributions are, in the main, made as an additional means of saving. They are made voluntarily by people who are often also contributing to the Superannuation Fund. In many cases, such contributions are in excess of the normal rate of 5 per cent. of salary. Up to the present time, although the interest rate on the contributions is only 5½ per cent., the fact that they are tax deductible has made them an attractive means of saving because, as they are withdrawable after five years, they can be invested in building societies and so on. However, when the tax deduction ceases, anyone using such contributions as a saving would be far better off by investing his money elsewhere.

In view of the ruling of the Commissioner of Taxation, I think it is reasonable to allow contributions to be withdrawn before the expiration of the five-year term as provided in the Act. The Provident Fund

will no longer be attractive to people and it is better to allow them to withdraw from it before completion of the five-year term. The first amendment in the Bill deals with that situation, and I think it is absolutely necessary because of the ruling of the Commonwealth Commissioner of Taxation. Therefore, I have no objection to it.

The second amendment in the Bill ensures that certain female employees outside the Public Service who have contributed to the Provident Fund on a voluntary basis at a rate of 5 per cent. of salary, as provided in the Act, will continue to have such contributions regarded as tax deductible. At present the contributions may be withdrawn and, under the ruling given by the Commissioner of Taxation, the fact that they may be withdrawn prevents them from being any longer allowed as a tax deduction. Under the proposed amendment, those contributions will from now on continue to be tax deductible. Those are the reasons for the amendment, with which I am in complete agreement.

It is necessary that this Bill be passed quickly because, as from the 30th June this year, no further contributions to the Provident Fund under section 83AB of the Act will be allowed as tax deductions, so arrangements will have to be made for people to withdraw the contributions they have already made before the completion of the five-year term. The Bill has my support.

THE HON. J. DOLAN (South-East Metropolitan—Leader of the House) [12.38 p.m.]: Mr. Willmott has outlined the effect of the provisions in the Bill, and intimated that it is desirable that the Bill go through quickly. The Civil Service Association, the railway unions, the teachers' union and all those concerned in this matter are delighted at the provisions that are being made. It is necessary that the officers who make the arrangements for the deductions be advised well in advance of the 1st July, and I thank Mr. Willmott for his support of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. J. Dolan (Leader of the House), and passed.

Sitting suspended from 12.43 to 2.37 p.m.

CITY OF PERTH ENDOWMENT LANDS BILL

Second Reading

Debate resumed from the 22nd May.

THE HON. N. E. BAXTER (Central) [2.37 p.m.]: In my study of this Bill I have found its contents to be far from favourable. In my opinion it will be necessary to prune the Bill considerably. After observing what has transpired in the years since the City of Perth endowment lands first came into being, and having studied the contents of this Bill, it seems to me that the contract entered into will be abrogated.

Three provisions contained in the Bill are considered to be in order, and I refer to those relating to the deletion of the reference to tramways, etc. However, I do not agree with the provisions to alter the method of valuations. It was originally proposed that valuation should be on an unimproved capital basis.

The provisions of the Bill provide for valuations to be made on an annual rental value basis, and I completely disagree with that principle where it applies to residential holdings. The fair and equitable method of valuing residential holdings is on the unimproved capital value basis, or on a site value basis. I have made a long study of valuations for taxation purposes, and I am convinced that there is only one fair and equitable method of valuation, and that is site valuation. However, we have not reached the stage in this State, or in any other State of Australia, where valuations are on a site value basis.

The Hon. F. R. White: What is meant by site value?

The Hon. N. E. BAXTER: The value of a site when compared with the value of another site in the same locality.

The Hon. F. R. White: You mean the usage of a site?

The Hon. N. E. BAXTER: Yes, the value of the site when its use is considered. The recommendation of a Royal Commission into valuations, held in New South Wales some years ago, was very strongly in favour of site valuation. That was considered to be a fair and equitable method of valuing property.

When considering unimproved capital value and annual rental value we have to think along the lines of comparable lots of land which are identical in area. Two identical blocks could contain two identical houses, and in one house could live a man, his wife and one child. In the other house could live a man, his wife, and four children. It is obvious that the man with four children would need to increase the size of his house by adding one or two bedrooms. Immediately he increases the size of his house the annual rental value goes up, and so his rates increase. Both men could be earning the same salary or wage but the man with only one child would be in a better position to pay a higher rate than the man with four children. I do not think that is a fair assessment for rating.

The unimproved capital value system of rating is fairer than the annual rental value, but the site value method is fairer again.

Under the site value system the same rate would be paid irrespective of the value of improvements.

The Hon. G. W. Berry: What yardstick would be used to determine the original site value?

The Hon. N. E. BAXTER: The yardstick has been used many times by the Stirling City Council. An oil company can purchase two blocks of land and construct a service station. The valuation placed on that area of land is much higher than the valuation placed on two adjoining lots in the same area. That is where the whole system falls down. The valuations are not based on the unimproved capital value.

Under the system of unimproved capital values which exists today, the valuation of a property on which a hotel or a service station is erected is much higher than the valuation of a similar site on which two houses might be erected. The system used is that of site values and not unimproved capital values. An examination of the rate books of the shires—particularly of the Shire of Stirling—will reveal this has been used time and time again. For this reason, I say the fairest method of assessing values is on the site basis.

On the annual rental value basis, the situation is that the more one improves one's property the higher are the rates. That was never the intention in rating. The intention was to rate on the land, not on the house. The unimproved capital value is assessed but that does not get away from the fact that shires have used site values in areas where the basis of rating is unimproved capital value.

The Hon. A. F. Griffith: Unimproved capital value is arrived at after taxation valuation has been assessed.

The Hon. N. E. BAXTER: That is right. It is the unimproved capital value of that land.

The Hon. F. R. White: It is based on recent sales in the area.

The Hon. N. E. BAXTER: That system is not always used. That is why I object to the Bill. Many of the people in the endowment lands area were given titles which carried the stamp that the property would be rated on the unimproved capital value basis. By repealing the Acts listed in the schedule to the Bill, it is proposed that these properties will be rated on the annual rental value, and I strongly object to that because many years ago a contract was entered into by the Perth City Council.

Revaluations have taken place in the endowment lands in past years, which naturally means the rates on those properties have risen. If the Perth City Council wishes to increase the rates in those areas, all it has to do is go to the Taxation Department and obtain a further valuation. That is quite simple. But it is not fair to break faith with people who have entered into contracts in purchasing land in the area.

The Hon. F. R. White: Why does the council have to obtain a revaluation?

The Hon. N. E. BAXTER: It would obtain a valuation on an annual rental value basis, not on an unimproved capital value basis.

The Hon. F. R. White: Would not the council ask the State Commissioner of Taxation to carry out the valuation?

The Hon. N. E. BAXTER: Certainly.

The Hon. F. R. White: That is a revaluation.

The Hon. N. E. BAXTER: It is not. It is a valuation on a different basis altogether. Previously the basis was unimproved capital value. In transferring to the system proposed, the Taxation Department has to go around and make a valuation on annual rental value.

The Hon. F. R. White: It is asked to revalue the area.

The Hon. N. E. BAXTER: No, not at all. The council transfers from unimproved capital value and the valuation is made on annual rental value, which is quite a different thing.

The other aspect of the Bill to which I object is the fact that the original intention was that any moneys received from the sale of endowment lands and other moneys received from that area were to be spent in the endowment lands area. What do we see in this Bill? A provision that the money can be spent anywhere in the Perth City Council area—not in the endowment lands area from which the money came.

There are those who might say the council has the right to spend moneys wherever it likes. In some instances that may be so, but when a contract is made and legislation lays down that moneys shall be spent in a particular area, I say we should keep to the contract. As Mr. Williams pointed out, the area in question requires many facilities—deep sewerage, etc.—on which this money should be spent. It should not be spent outside the area in which Parliament said many years ago it should be spent.

This Bill is a legacy from last year—one which was carried over from the last session. That does not make much difference to the Bill, and I would not mind had the Government taken the dead wood out of the old principal Act. However, I object strongly to the attempt to alter the system of valuation and vest the money received from the endowment lands in the Perth City Council to be spent anywhere in the council area. On those grounds, I oppose the Bill.

THE HON. L. A. LOGAN (Upper West) [2.47 p.m.]: Perhaps my approach to this matter is different from that of some of my colleagues. I do not know why the Government did not just repeal the City of Perth Endowment Lands Act and be finished with it. As far as I can see, that is all that was necessary because the provisions of the Local Government Act would have taken over, and those provisions would enable the Perth City Council to do exactly what it should do and is empowered by Parliament to do.

We are dealing with a measure which was introduced in 1920—53 years ago—and members in this House say that because it was introduced 53 years ago we should continue a principle which was enunciated at that time. I do not think that is a fair and reasonable argument because times and circumstances change. Mr. Williams said last night that, from reading the debate which took place in 1920, it appeared the land was given to the Perth City Council because it was useless. No-one can tell me it is useless land today. So the import of the land today is entirely different from that of 53 years ago.

Mr. Baxter spoke about the use of the money in the area from which it was derived. Mr. President, you and I know from our experience of local government that we got rid of the ward system of finance a long time ago.

The Hon. T. O. Perry: It was the best thing we ever did.

The Hon. L. A. LOGAN: Of course it was. How can any local authority operate by spending only in a particular area the rates it receives from the area? Nothing is more silly than the principle of spending in an area the money collected from it.

The Hon. A. F. Griffith: Was that said at the time?

The Hon. L. A. LOGAN: I am not worried about what was said at the time. That was 53 years ago and I am speaking about today. If the Perth City Council had stuck to the principle of spending only in that ward the money received by way of rates, it would be much more backward than it is today.

So do not let members use that argument because the money spent there has been taken from other areas in the City of Perth. Money raised in other wards has been used to provide some of the amenities in the endowment lands area. Members have brought forward arguments about the Perry Lakes stadium and the Beatty Park swimming pool; but they are not relevant to the argument. That sort of thing occurs in every local authority in Western Australia. Such public amenities are built not necessarily for the benefit of the community within which they are situated, but for the benefit of the whole of the State.

The Hon. J. Dolan: You are referring to such things as libraries, kindergartens, and so on?

The Hon. L. A. LOGAN: Yes, everything, including swimming pools.

The Hon. R. H. C. Stubbs: The Concert Hall in Perth is an example.

The Hon. L. A. LOGAN: I wonder how much money the ratepayers of Victoria Park contributed towards the construction of the Perry Lakes stadium. They paid their share, did they not? Likewise some of the other wards in the City of Perth contributed towards the swimming pool in Carlisle. That is the only way local authorities can operate.

This Act negates the provisions of the Local Government Act in order to enable the City of Perth to operate effectively as a council. Surely if it is good enough that we lay down a charter under which local authorities operate, the City of Perth should operate under that charter and we should not take away some of its powers under an Act of Parliament. The City of Perth Endowment Lands Act should be repealed and not replaced. As other members have mentioned, if one looks at sections 11 to 25 of that Act one finds they deal with tramways. Obviously they are redundant. The only part of the Act which is applicable today is that dealing with rating—and this is the provision which is creating the problems.

Comparisons have been made regarding systems of valuation. It has been stated that because a particular person bought a block of land upon which he built a castle he should not be rated higher than other people. That argument might be fair enough, but why should a fellow on the other side of the street—and in some instances it may happen on the same side of the street—who wishes to build a castle similar to that built by the first person be rated at a higher level? Is that any basis for argument?

The Hon. J. Heitman: Do you believe in annual capital value or in annual rental value?

The Hon. L. A. LOGAN: I am not talking about which system should be used; I am talking about the two systems which are operating side by side in one area. In eight out of its nine wards the Perth City Council applies the annual rental value system for rating, and in the ninth ward it applies the unimproved capital value system.

The Hon. A. F. Griffith: How many other local authorities do the same?

The Hon. L. A. LOGAN: I know a few local authorities do use both systems. They rate properties in the townsite on the annual rental value, and rural properties on the unimproved capital value; and some councils use the unimproved capital

value throughout the whole of their areas. I can assure members that in some cases the unimproved capital value system is detrimental, particularly in towns. I know that from experience. I had a fight with the Taxation Department regarding unimproved capital value assessments in a townsite, and I am aware of the disabilities of owning lots of land which are rated on the unimproved capital value system.

However, in this case we are dealing with a city council which rates eight out of its nine wards on the annual rental system and the ninth ward on the unimproved capital value system. That is why we have the situation in that area of a person who has built a decent house for himself and his family being rated on the value of his property, whilst the person next door—no matter what he has built on his land; even if he has built a temple—pays no more. Is that fair and equitable to the people concerned? I do not think it is.

The Hon. A. F. Griffith: You think that the man with the more expensive house should pay more?

The Hon. L. A. LOGAN: Yes, he would pay more if he were rated on the annual rental value.

The Hon. J. Heitman: He would not receive any more amenities.

The Hon. L. A. LOGAN: If we want to alter the system then we should introduce a law to say that all valuations must be based on the unimproved capital value. If members prefer to do that it would be an entirely different argument because it would affect not only the Perth City Council but every local authority in Western Australia and certainly we would hear some howls.

The principle with which we are concerned is whether eight-ninths of a local authority should be rated on the annual rental value, while one-ninth is rated on the unimproved capital value. I do not think that principle is fair and reasonable. We established the Local Government Act and gave this responsibility to local authorities. Why should we take away the responsibility in this case? As far as I am concerned it is the responsibility of the local authority and not of the Parliament. I will fight for the rights of local government all along the line, and that is what I am doing now.

I am not worried about what is contained in the 1970 platform of the Labor Party; I am concerned that we are deliberately denying the Perth City Council the opportunity to function as it should function in accordance with the Local Government Act. In this respect I may disagree with some of my colleagues, but we are at liberty to say what we like on this Bill and on any other Bill that comes to the House. So I repeat that it would be far preferable to repeal the Act and allow the provisions of the Local Government Act to take effect.

Mr. Baxter spoke about unimproved capital values, and also referred to site values. However, we are not dealing with site values because there is no such thing in law.

The Hon. N. E. Baxter: There should be.

The Hon. S. J. Dellar: You could not define it.

The Hon. L. A. LOGAN: Mr. Baxter also asked whether this principle is fair as it applies between holders of land. Let me put it this way: Is it fair that a person who bought a block of land in the endowment lands area 20 years ago for $1,000, and was assured that he would be rated on the unimproved capital value, should now have his land revalued to $20,000 simply because last week another person bought a block of land there for $20,000?

The Hon. A. F. Griffith: Of course it is fair.

The Hon. L. A. LOGAN: Then it is just as fair that a person who builds a mansion on one of those blocks should pay the same rates as a person who builds a mansion adjacent to the first, but not within the endowment lands area. There is no difference whatsoever.

The Hon. A. F. Griffith: Well, strike me pink!

The Hon. L. A. LOGAN: On what value do members pay their water rates? They pay them, of course, on the annual value. Accordingly, where is the argument against paying rates on the annual value? The whole thing is comparable.

The Hon. N. E. Baxter: No it is not.

The Hon. L. A. LOGAN: Of course it is. The annual value is the basis on which the honourable members pays his water rates, his sewerage rates, and other rates. There seems to be some confusion about this issue. I will repeat that half the principal Act is certainly redundant and should be wiped out, but I will go further and say that the entire Act should be wiped out.

If this were done the Perth City Council would be able to function as Parliament intended it should under the provisions of the Local Government Act.

I am prepared to support the measure.

THE HON. A. F. GRIFFITH (North Metropolitan—Leader of the Opposition) [3.01 p.m.]: Mr. Logan has not got it on his own when he says he will fight for the rights of local government authorities. If he is going to talk like that I am sure he will go down in history as the Joan of Arc of local government. I am sure that everyone in this House appreciates and upholds the principles of local government.

It strikes me that Mr. Logan's argument is also short to the extent that the louder he gets when uttering his words the more positive he becomes that he is right. For

my part the louder he gets in his utterances the more positive am I that he is wrong; at least in some of his reasoning.

To my way of thinking it is absolutely astounding for the honourable member to assert that a man who bought a block of land for $1,000 so many years ago should not have that block of land revalued in respect of rates, whether it be on annual value or unimproved value.

I would point out that it is not so many years ago in this community when building blocks cost very much less than $1,000. I remember when I was demobilised and I had my deferred pay in my pocket—and that is about all I did have—I went down and waited outside the Mt. Lawley Real Estate office at six o'clock in the morning to buy a block of land.

I paid £3 a foot for that block of land which I bought for £180—it was a block with a 60 ft. frontage. I am quite sure, however, if I wanted to buy that block of land in Mt. Lawley today I would not be able to buy it for less than $10,000.

The Hon. S. T. J. Thompson: You would not want to sell it for less than that, either.

The Hon. A. F. GRIFFITH: I thank Mr. Syd Thompson for that interjection, because that is the whole point. It is quite wrong for Mr. Logan to argue that a man should not have his land assessed on its increased value.

The Hon. L. A. Logan: I did not say that.

The Hon. A. F. GRIFFITH: The honourable member posed the question.

The Hon. L. A. Logan: Yes, but I did not say that. You look at what I said.

The Hon. A. F. GRIFFITH: I shall wait for the honourable member to stop shouting before I continue.

The Hon. L. A. Logan: I am not shouting.

The Hon. A. F. GRIFFITH: If that is the case I would not like to be near the honourable member when he is shouting! This is the manner in which Mr. Logan has posed the question and everyone in the Chamber has reacted to it. It is unfortunate that the Bill has generated a lot of ill feeling. It really has.

The Hon. J. Dolan: Where?

The Hon. A. F. GRIFFITH: In the area concerned, and also in Parliament. Members should look at the debates that took place in the Legislative Assembly in 1970 where they will see the nasty things that were said and the references that were made to the area concerned. There were remarks made to the effect that City Beach was a Liberal stronghold.

We should get it very clear in our minds as to what constitutes endowment lands. It is not City Beach; though that is portion of it. Nor is it the lime kiln area, because that is a very small portion of it.

As a matter of fact, for the edification of members who wish to identify the area in question, I would refer them to a map—tabled by the Government as a result of a question asked in the Legislative Assembly on the 20th September, 1972, by the present member for Floreat (Mr. Mensaros)—on which the area of endowment lands can be seen.

As has been said, part of the area contains Perry Lakes stadium, and part of it contains an area that at one stage caused me, personally, considerable heartache. Having been charged as Minister, with the responsibility of spending £1,000,000 in the area I thought the Government was not likely to recoup that money.

I refer, of course, to the area which contained the Empire Games village. After the games were over the Government decided to put the houses up for tender, but the number of tenders received, as will be recalled, was very low; the number was frighteningly low, I thought at the time. However, the people who knew better—the financial advisers and the real estate people—assured me that all was not lost.

The Hon. J. Dolan: After which you were able to get a good night's sleep.

The Hon. A. F. GRIFFITH: I slept more comfortably when the houses were put up for sale at a fixed price and I found they were sold like hot cakes.

It is a long time ago now but from memory I think the top price paid for a block of land with a house on it in that area was something better than £7,000. Lower down the scale the houses and land were sold for £6,500, £6,000, and some were sold at the £5,500 mark.

The people who bought those houses were, indeed, very wise investors, because it would not be possible now to buy the land at that figure.

Would Mr. Logan's proposition hold water when he poses the question and asks why a man who bought his land for $1,000 some time ago should have his land revalued in 1973. I say of course he should have his land revalued.

The Hon. R. F. Claughton: He should or should not?

The Hon. A. F. GRIFFITH: He should—s-h-o-u-l-d—because values have changed since that time. We have now established where the area in question is; it is the whole of the Floreat Park area. I think the Minister for Local Government lives in that area.

The Hon. R. H. C. Stubbs: I do not know; I thought I lived in Wembley.

The Hon. A. F. GRIFFITH: The Minister may not live in the endowment lands area. Mr. Claughton lives on the other side of the boundary. He has a worker's cottage there which is very attractive and which is worth about $45,000.

The Hon. R. F. Claughton: I will sell it to you for that.

The Hon. J. Dolan: He says you can have it for that figure.

The Hon. A. F. GRIFFITH: I do not know what it would be worth, but it is certainly very attractive and it was featured in the paper. It is a most attractively designed cottage. I say good luck to the honourable member; he has a nice property there.

His cottage, however, is in the City of Stirling where the people live with their land on an unimproved capital value, as do thousands of others in the State. Mr. Logan says there are a few; that this refers to a particular group of people. Let me tell Mr. Logan how many local authorities in Western Australia apply their rates to (a) unimproved capital values; and (b) annual value. There are 52 local authorities that apply their rates to unimproved capital value and 11 which do so on the annual value. I further point out that 77 councils have adopted the annual value and the unimproved value system of rating.

The annual value and unimproved value have been adopted mostly by country local authorities in which the farming area is rated on the unimproved value and the town area is rated on the annual value. So there is a wide dispersal of the two methods of rating throughout the country and the metropolitan area.

The list, which the Minister was kind enough to make available to me, shows the method of rating of every local authority in the community. Under the heading of "Cities" the list indicates that Fremantle rates on the annual value, Melville on the unimproved capital value, Nedlands on annual value, Perth on both, South Perth on unimproved value, Subiaco on annual value, and Stirling on unimproved capital value.

The argument that Mr. Logan and others who support the Bill use in pointing out that the Wembley Hotel is on one side of the road and the Floreat Hotel or some other building is on the other side of the road and therefore they pay two different rates, applies all over the place. It would apply on the edge of the City of Stirling's local authority the boundary of which is where Hale Road meets the Perth City boundary. Therefore Mr. Claughton has his land rated by the City of Stirling on the unimproved capital value, while the man who lives on the other side of the road in the Perth City Council area of the endowment lands also is rated on the unimproved capital value, but he has a title which is stamped to indicate that the land is to be rated on unimproved capital value which was part of the contractual arrangements entered into by the City of Perth when the land was handed over.

It is no argument to say that the land was originally given to the Perth City Council and that one of the purposes was to build tramlines. I am not a schoolboy and I do not try to argue that tramlines would be required in the area at the present time, but I will argue on other matters.

I refer to the point Mr. Baxter raised and I also join issue with Mr. Logan upon the same matter. If a person bought land in the endowment lands area some years ago he would naturally have paid a great deal less than would be paid by someone who bought land there at the present time. If land was bought there 10 years ago a price of, say, £5,000 or $10,000 would have been paid for a block. Let us suppose two people buy a block of land each—and Mr. Baxter covered this point—which are the same size and have the same elevation. The two men purchase the land with the idea of building for themselves and their families houses in which to live. One man, according to his likes, his requirements, his needs, and, naturally enough I suppose, his pocket, will build a $20,000 house on his land, while the other man, according to his requirements, the size of his family, his needs, and his financial position, will spend twice as much money on a house on his land, neither of them having any intention of using the dwellings for any purpose other than to house their families. At present both these people pay the same amount of rates.

However, I cannot follow the argument which is submitted concerning annual rental values. I will give an example of the system of rating on an annual rental basis. Let us consider a man who has a large family. To accommodate his family he builds a house with four or five bedrooms, a large lounge and kitchen, and he installs an expensive oven as his wife has to cook for so many people. His neighbour has no children and he therefore builds a smaller house. After inspecting both dwellings, a representative from the Taxation Department may assess the rental of the first house at $X per week and that of the second house at $X minus $Y per week. Even though the houses are on identical blocks, the annual rental value will be less for the smaller house and therefore the rates to be paid by the owner of the smaller house will be about half of those to be paid by the owner of the larger one.

I ask the question of everyone in the Chamber: Where is the equity in that? Can anyone answer the question? I imagine the Labor Party with the policy in its platform that land must be rated on the unimproved capital value would have had regard for the situation, but I am amazed to know that despite the Labor Party's policy of valuation on unimproved capital value, it has introduced a Bill of this nature. In addition, members who belong to the Labor Party must vote for the

legislation because they are told to do so. If that is not the case, let someone own up now.

The Hon. D. K. Dans: Who submitted the Bill?

The Hon. A. F. GRIFFITH: The Government.

The Hon. D. K. Dans: On whose say so?

The Hon. A. F. GRIFFITH: All the information is contained in the files I have here.

The Hon. D. K. Dans: You have them; I do not.

The Hon. A. F. GRIFFITH: I have had them for one day, but I would have liked them for three months so that I could point out the various steps which have been taken from the beginning. In due course I will point out a few of those steps. The answer to Mr. Dans' question is that the Government has submitted the legislation. The proposition was made to the previous Government which did not accept it.

The Hon. D. K. Dans: Who made the proposition?

The Hon. A. F. GRIFFITH: In the first place?

The Hon. D. K. Dans: Yes.

The Hon. A. F. GRIFFITH: I will come to that when I read from the first volume of the files.

I want to remind members that a Bill went through this place last year. The legislation was a Bill to amend the City of Perth Endowment Lands Act and it dealt with jointly the lime kilns area and the remainder of the endowment lands area, and gave the council permission to spend the money over the distributed area of the endowment lands.

Mr. Claughton will remember that because we all voted for it as we thought in the circumstances it was equitable that the Perth City Council should be able to spend the money in that manner.

Let us consider what the ratepayers in the area think about this legislation. I will read the relevant portions because the letter sets the position out very clearly. The City Beach Progress and Ratepayers Association says—

> The above association speaks on behalf of all the ratepayers of the Endowment Lands Area (i.e. Floreat and City Beach) when we state emphatically that we are violently opposed to the present bill before Parliament to repeal the Endowment Lands Act. The following are the terms on which we base our opposition.
>
> (1) An endorsement to the effect that all land owned in the Endowment Lands area is subject to the Endowment Lands Act is made on every Certificate of Title as an encumbrance. We believe that this encumbrance is in fact a contract which binds both parties to the conditions of the Act. The ratepayers have no recall and under no circumstances can they stray from these conditions. We believe that the P.C.C. is less than honest and is abusing the legislative system of this State when it attempts to use the Parliament to release it from its obligations.
>
> (2) At present the rates in the Endowment lands area are based on the Unimproved Capital Value (U.C.V.) of the land. The rates in the rest of the P.C.C. are based on the Annual Rental Value (A.V.). If the Endowment Lands Act is repealed, it is certain that the method of rating in the E.L. area will be changed to A.V. The immediate result of this will be to increase the rates in the area by 50% to 100%.
>
> This figure is substantiated by a survey carried out by the Valuations Department of the P.C.C. dated 2/10/1970.
>
> The P.C.C. claims that it is uneconomical to have two rating systems yet over 70% of local councils in Australia adopt the dual rating system. We acknowledge that it is impractical to rate U.C.V. in the city block.

Proof of that is to be seen in the answers given by the Minister for Local Government to questions asked in the House. To continue—

> The A.V. system is more of a tax than a rate as it penalizes the care an owner takes of his home. Every other tax has concessions yet the A.V. system does not take into account the circumstances of a family (e.g. number of children) yet still penalizes any extension to the house (e.g. number of bedrooms). The A.V. system is based on an arbitrary figure based on the rent the owner could expect if the house was let. This is ridiculous in view of the fact that nearly everyone builds a house to live in, not to rent. It would seem a lot more fair to change the rest of the P.C.C. to the U.C.V. method of rating.
>
> IT IS INTERESTING TO NOTE THAT IT IS LABOR PARTY POLICY FOR COUNCILS TO RATE U.C.V.
>
> (3) Many people built homes in the area in the knowledge that their rates would be assessed on the U.C.V. and would not be taxed on type of house they built. It is a breach of faith to penalize them now.

(4) Another major result from the repeal of this act would be to enable the P.C.C. to spend the money raised by the sale of E.L. elsewhere. Land was bought at high prices in the knowledge that the proceeds would be spent in the area to provide the normal facilities associated with urban development—curbs, footpaths, sewerage etc. Most of the E.L. is without deep sewerage and many areas are still without curbs and footpaths.

(5) The reason that there has not been a surplus of E.L. money until 1969-70 is that money has been spent on projects like—Perry Lakes, "The Surf Club Edifice", and the "Great Wall of City Beach". Those facilities benefit the whole of Perth as the beachfront belongs to all who use it.

(6) Ratepayers will be denied the dividend which has not been paid in the 50 odd years the Act has been in force. The P.C.C. seems to have adopted the attitude: "Now we seem to be making a profit let's give it away and forget about the shareholders who contributed the capital and the PROSPECTUS on which they did it".

(7) Too many people associate the E.L. area with those new areas less than 5 years old. In fact there are some very old parts of the area approaching 50 years old which do not "enjoy" the reputation of being among the "elite".

"Elite" is an expression which I do not like. However, to continue—

(8) The E.L. area is not an "elite" area with special privileges. If the area appears to be cleaner and better kept, it is due entirely to the ratepayers who take a pride in their own homes and in their own area—

I am sure that very many people do. To continue—

—i.e. it is through their own efforts that they have kept their houses and gardens in good order despite the lack of curbs, footpaths, sewerage, etc. It is simply because of a tremendous Civic Pride, which is obviously lacking in some other areas, and we should not be penalized because of it.

(9) No money from the rates paid by ratepayers of the E.L. is used for capital works in the E.L. it all comes out of the E.L. Fund. i.e. the E.L. ratepayers already subsidise the rest of the P.C.C.

(10) The proposed Legislation calls for the money to be dispersed retrospective or any amount already in the E.L. Fund This means the million dollars or so that is already in the Fund will be used in other areas. This is unfair as we may be successful in blocking this legislation but we cannot force the P.C.C. into spending the money it already has. This is the second time the P.C.C. has tried to legislate to enable it to use the money elsewhere and if it fails again there is no guarantee it will not try again. In the meantime, the P.C.C. hangs on to what money it has in the hope that one day it may use this money in other areas.

(11) It can also be assumed that the stringent by-laws which apply to the E.L. will also be repealed. This is unfair to those who have spent the money to comply with the present by-laws and hence maintain the high standards already set in the area.

(12) Is it only because a City Councillor who represents the Coast Ward noticed that the P.C.C. was misusing E.L. money that the public became aware of the implications of the Endowment Lands Act. It is irresponsible Government which endeavours to legislate to cover up or even justify a mistake.

The article sent by the President of the City Beach Progress and Ratepayers Association then asks for Legislative Council support. It says—

> We urge all members of the Legislative Council to consider our argument favourably and ensure that true justice prevails by once again throwing out this unfair and totally unjustified Bill.

That is a good summary of the situation. Mr. Dans wanted to know who started this off.

The Hon. D. K. Dans: That was a legitimate question.

The Hon. A. F. GRIFFITH: I am sure it was and I will be happy to tell the honourable member from the information contained on the file I have before me. I repeat that I would have liked time to make an infinite study of the file and select the information which really counts. I have not had time to do this.

The position first arose, of course, in 1920 when the Act was introduced. The first two or three pages in the file before me refer to an item, "Perth City Council to discuss rate plan" and also to a letter addressed to the Under-Secretary for Lands from the Perth City Council. It reads—

> Further to your discussion with the Assistant Town Clerk last week, I have to advise that the Finance Committee has recommended to the Council that the Government be requested to amend the City of Perth Endowment Lands Act 1920:—
>
> (i) To give the Council authority to rate the Endowment Lands on the Annual Value system to bring this area into line with the rest of the Municipality.
>
> (ii) To provide that the proceeds of sales of land from the City Beach area be distributed on the basis of 60% of the gross proceeds for development works in the Endowment Lands area and 40% of the gross proceeds for developement and capital works in the remainder of the Municipality.

Please mark that, Mr. President. It proves that right from the very inception the Perth City Council did not want the total repeal of the legislation. As Mr. Logan said, it was suggested that 60 per cent. be spent in one area and 40 per cent. somewhere else.

What do we now have?—an outright repeal. A letter dated as recently as the 14th of this month written by the town clerk reasserts the council's original stand. Mr. Williams read this letter to the House. It states that the council sticks steadfastly to its original request for amendment to the legislation and not for a total repeal of that legislation.

We could go through this file, over and over again, picking out snippets concerning actions which have occurred.

The Hon. G. W. Berry: How far back is the first letter?

The Hon. A. F. GRIFFITH: It is dated 1970, according to the file. There could be other files but I think the Minister has given me all that is relevant.

The Hon. R. H. C. Stubbs: I do not know of any other files.

The Hon. A. F. GRIFFITH: I am not suggesting that there are other files which the Minister has not given me. Somewhere on the file is a minute from the Crown Law Department—either from the Under-Secretary for Law or another officer—advising the Under-Secretary for Lands that every title is marked to the effect that it is rated on unimproved capital value under the Endowment Lands Act. It is stated that regard must be paid to this.

I would like to have read the letter to the House. It tells the story that all the way along there has been doubt and fear in the mind of some of the people as to whether or not they are doing the right thing. I come back to my point: What are we doing with legislation of this nature introduced by a Government that believes in its platform of an unimproved capital value system of rating? Can the Minister for Local Government tell me that? Why do we have the legislation here under the championship of the Government when it does not believe in it?

During another debate the Leader of the House said, "Surely we are entitled to introduce this Bill; it is part of our platform. We are entitled to put it forward for the consideration of Parliament." Surely, if Government members believe in this principle, they are not entitled to bring this legislation forward. The Government is championing the measure and I suppose every member of the Labor Party will obediently do as he is told and support it.

The Hon. R. T. Leeson: If you do not have the numbers I will cross the floor.

The Hon. D. K. Dans: You are committed by interjection now, you know.

The Hon. A. F. GRIFFITH: I thank the honourable member. At least there is one member of the Labor Party who sees some justice in the argument I am putting forward.

The Hon. R. T. Leeson: Oh, dry up!

The Hon. A. F. GRIFFITH: I beg your pardon!

The Hon. R. T. Leeson: You heard me.

The Hon. A. F. GRIFFITH: I heard the honourable member tell me to dry up. If he makes remarks like that, he will simply show how ignorant he is. He should not make these comments when a member of this House is on his feet speaking about something he believes in.

The Hon. R. T. Leeson: You did not leave me alone when I was speaking last night.

The Hon. A. F. GRIFFITH: The honourable member made a speech lasting about two minutes. He cannot say we interjected all the time. I will ignore that as an unnecessary remark. I am very pleased to get support from the honourable member. However, I still do not have an answer to my question: Why is the Labor Party putting forward a Bill in which it does not believe? Silence is the stern reply!

The Hon. R. H. C. Stubbs: No, we would not rudely interject.

The Hon. D. K. Dans: You have the floor.

The Hon. A. F. GRIFFITH: Did Mr. Leeson hear that?

The Hon. R. T. Leeson: Yes, I am sorry, I apologise.

The Hon. A. F. GRIFFITH: It is the first time for many weeks that I have been able to speak without an interjection.

The Hon. J. Dolan: You invite them.

The Hon. A. F. GRIFFITH: Yes, I would love members of the Government to interject and tell me the truth about this now.

The PRESIDENT: Order! The honourable member is out of order in asking for interjections.

The Hon. A. F. GRIFFITH: Through you, Mr. President, I would be delighted with an answer on this question.

I cannot go through all the files because it would take too long. I would like to come back to this letter written by Mr. Edwards on the 14th May. This sentence appears on the top of page 2—

> The Council has, therefore, steadfastly stated that its preference was for an overhaul of the Act.

All the way through the files we find this sentiment. We also find comments from the town clerk on behalf of the Perth City Council to the effect that if its first preference cannot be achieved or will not be effected, then the council will go along with the repeal of the Act. Surely it is important to note that the officers of the Perth City Council, presumably the councillors, have read the debate which took place in the Legislative Assembly? The town clerk endeavoured to correct one of the members who made certain statements in another place. Having read the debates, the town clerk wrote this letter on the 14th May on behalf of the council.

It seems to me that it is improper to introduce this Bill to empower the council to rate property owners on a totally different system from the verbal arrangements and obligations entered into. An annual rental value rating is quite wrong in principle in regard to a domestic or urban area. I think it was Mr. Baxter who said that a man living in a smaller house than his neighbour still enjoys the same services from the local authority. Perhaps the man in the larger house has more rubbish.

The Hon. N. E. Baxter: He pays for that, anyway.

The Hon. A. F. GRIFFITH: That is true. A person putting out two dustbins is charged extra by some of the local authorities.

The Hon. G. W. Berry: We cop it for sewerage in the country.

The Hon. J. Dolan: Not in our municipality.

The Hon. A. F. GRIFFITH: The local authority does not charge more for extra garbage?

The Hon. J. Dolan: No.

The Hon. D. K. Dans: Do not speak too loudly about it. It must be the only thing the Melville City Council has not thought of!

The Hon. A. F. GRIFFITH: I remind members that a sale of land by the Perth City Council took place last Saturday, and it brought in a considerable amount of money. I made certain inquiries. I asked about sewerage, water, and electricity. I was told all the services were available. I did not ask about the telephone, but I presume that is also available. There are no footpaths in the area, but I ascertained that the roads, kerbs and sewerage were provided by the subdivider. As Mr. Logan knows, these days the developer must pay for these services before land is subdivided.

I then inquired about the other land in the Perth City Council endowment lands area. This land is not sewered, and I wonder who will pay for that. Surely if the Perth City Council has paid for the sewerage on the land sold last weekend, it could meet the cost of sewerage in respect of land previously sold under all but one of the same conditions. The conditions under which the land was sold were not advertised prior to the recent sales. When we look at the minutes of the Perth City Council going back to—perhaps Mr. Williams will supply the date?

The Hon. R. J. L. Williams: 1969.

The Hon. A. F. GRIFFITH: The town clerk said that one method to utilise some of the money would be to provide services which were badly needed. Are members aware that this has not been done since 1969? A considerable area still does not enjoy the benefit of deep sewerage. I understand much of the money has already been expended elsewhere. The minute from the ratepayers' association states that it was only because the city councillor who, represents the Coast Ward noticed that the Perth City Council was misusing the endowment lands money that the public became aware of the implications of the Endowment Lands Act.

I could continue speaking for a long time. However, I do not know whether I would be able to convince the Government that this is a most unjust piece of legislation, and that I do not believe it should be brought forward.

I am amazed that it is being brought forward by the Government completely and utterly in contradiction to its platform; I am amazed that it is prepared to do this and prejudice the rights of the people who have entered into contractual arrangements with the Perth City Council when purchasing this land. An argument that is not worth a second's consideration is that some people have been living there for 20 or 30 years and have bought their land at a certain figure. That argument does not hold a teaspoonful of water.

If the people who put that argument forward were asked to give an honest answer as to what they would take for their land if they desired to sell it, we would find the price they paid for it and the price at which they wished to sell would be completely different. They would want to get all they possibly could for their land. That is a trait of human nature. Any person who wants to sell something generally wants to obtain the best possible value for it. The position is, therefore, that a person can go out to City Beach under these conditions and pay rates under such conditions and then find himself confronted with an Act of Parliament which will completely tear away the arrangements that were entered into between the ratepayers and the Perth City Council.

It has been suggested that because so many properties have changed hands those people who bought properties in recent times did not know about the contractual arrangements. In fact, all these spurious arguments have been put forward in order to try to demerit the arrangements that have been made between the ratepayers and the Perth City Council. Therefore I cannot give any support to this legislation. I would not have minded so much if the Bill had been introduced in conformity with the Perth City Council's request; namely, that there be an amendment introduced on certain lines. I would have been prepared to consider that outright, but this Bill is something I cannot stomach. I will vote against it and I hope every reasonable thinking person will also vote against it.

THE HON. W. R. WITHERS (North) [3.42 p.m.]: Regardless of the many points that have been made in this debate, I have been obliged to ask myself whether I could be a party to any legislation which will break an agreement between the Crown and a landowner purely for the convenience of administration. The answer is "No", because I consider any such legislation to be immoral, and on that ground I will oppose this Bill.

THE HON. G. W. BERRY (Lower North) [3.43 p.m.]: I am very pleased that this legislation has been introduced, because it raises once again the unfairness of annual rental values on improved capital values. I am glad members realise the impact annual rental values have on properties. I have raised this question on several occasions previously, but the impact of such values does not seem to have made any impression, particularly on the people residing in the metropolitan area.

The annual rental value is assessed as being the estimated rent a house will attract in a particular area. One point that has not been mentioned, of course, is that the annual rental value must not be less than 4 per cent. of the capital value, which includes the cost of the land and the improvements. What this means in actual fact is that a modern and well-built house erected on a well-situated block of land will attract more annual rental value than one that is not so well constructed or suitably situated.

The unfairness of the assessment of annual rental value is bad enough in the metropolitan area, but when it is applied in country areas it becomes quite a burden, and therefore I think this is a matter that should be looked into. I repeat that the system of assessing annual rental values is unfair, because it penalises a person who wishes to build a better house on his block of land. This is not in the best interests of the community, because it tends to lower the standard of building instead of raising it. We should always try to improve our existing standards instead of trying to depreciate them.

Sitting suspended from 3.45 to 4.05 p.m.

Debate adjourned, on motion by The Hon. R. F. Claughton.

MURDOCH UNIVERSITY BILL

Second Reading

Debate resumed from the 22nd May.

THE HON. R. J. L. WILLIAMS (Metropolitan) [4.06 p.m.]: Let me say at the outset that one could make a very lengthy speech in the debate on the Murdoch University Bill, but I do not propose to do that for a number of reasons, one of which is that the proposal to establish this university has been aired and ventilated for something like five years from its planning stage.

Perhaps if there is one faint tinge of regret it is that the population of this State is not yet sufficient for this second university, as it were, to be established in the country. However, that factor is offset by the purpose of the first faculty to be established at the university—and this is a faculty which is greatly needed in the State for the progression of agriculture and agricultural science. I am referring to the veterinary faculty.

Certain criticisms have been levelled at the Bill, but I think quite a number of people confuse the purpose of a university with that of other tertiary institutions. It was in the 12th and 13th centuries that we saw the establishment of a university or, as it was then called, a place for *studium generales*, and this was at Bologne and Paris. That was followed by the establishment of a university at Oxford.

Lest anybody be in doubt, a university is not just a place for students to be taught. The university is a place for people to learn, and this is a separate matter altogether. One does not expect to find the spoon-feeding type of lecturer at the university as one would find at a primary school or a high school. If anybody asks

about the value of university education, only one value can be attributed to it; that is, it teaches one to think in a logical fashion.

Beyond that it can claim nothing, except in the faculties of science where the students have a more positive and a more measurable subject to deal with.

The Hon. F. R. White: You mentioned the university teaches one to think. I think a university trains one to think.

The Hon. R. J. L. WILLIAMS: That is correct. A university trains one to think in a logical fashion. The proposals put forward in the Bill are acceptable, and they include one or two innovations for Western Australia. These are worthy of mention. One of the most worth-while features is that in the composition of the senate of the Murdoch University there will be two parliamentarians, one to be nominated by the Premier and one by the Leader of the Opposition. Similarly two other members from any walk of life are to be appointed by the Premier and the Leader of the Opposition respectively.

It is only right in the field of education at this level that Parliament should have a positive say and that parliamentarians are eligible to be represented on the senate. I think that will do much for the university. May I also say this: It may do much to enable the Houses of Parliament to sweep away some of the superstitions—I was going to say ignorant ideas—that pertain to graduates of a university held by nongraduates. This will provide a two-way traffic flow of education between Parliament and the university. In this respect the Bill is to be commended.

The sizes of universities have changed. Today we have something like 10,000 students at the University of Western Australia. We all realise that the Murdoch University will increase in size and possibly attain the same dimensions. However, I regret the size of universities of such dimensions because the students miss out on what is an essential part of university education—the living-in system. In its method of instruction the university is a closed institution but there is an interchange of ideas between the students. Perhaps I might be putting the figure rather high, when I say that 60 per cent. of the education received at a university is received from the living-in system under which the students mix with their fellow undergraduates. They live and work together, they exchange ideas, and they disagree with one another. To me, this is part of the educative system.

By the same token people should not think that universities are graduate factories, and we should do everything to remove them from that concept. Unfortunately the post-war boom in the demand for education tended to reduce universities to this level. It was only due to a few staunch and loyal members of the university staffs that this did not eventuate. It was realised that the world at large was short of immediate technical skills; and luckily the people who had been educated at university recognised these shortages. They took steps immediately to create additional institutions at the tertiary level.

A wonderful example of this type of thinking is to be found in the Western Australian Institute of Technology. A person may leave that institution on a particular day after passing a given set of examinations, and turn his hand to the career or skill for which his training has fashioned him. That is not the case with the majority of university students or graduates. They do not leave the institutions—and for this they are criticised—with a set of specialised skills which they can put to use at any time. It usually means that university students are absorbed into industry, commerce, or Government employment; and they have to learn the particular skills that are required of them.

A university degree does not entitle the graduate to sit in the chair of the managing director or the chair of an undersecretary automatically after he has qualified and obtained the degree. In the past many people have tended to think of university qualifications in this way, but of course that is quite incorrect.

If there is to be any criticism at all—and obviously time alone will tell us—perhaps it can be said that if we are not very careful the composition of the senate or the governing body may get out of balance, and the university may be inbreeding so that academics only will have representation on the senate. That is not provided for, as it were, in the Bill but it could be a danger once convocation is reached in 1980.

The only other minor matter which comes to mind is that we are in danger—and perhaps the senate itself will look at this later and request an amendment—that in the initial stages valuable experience could be lost from the senate. A person may be elected to, or nominated to, the senate for a period of three years. He may then serve a further period of three years, but there must be a compulsory break of 12 months before he can serve an additional term. The Minister stated that the purpose of this is to add an infusion of new blood, and to give the member retiring from the senate the opportunity to rest.

Both of those propositions are reasonable and, up to a point, true. However, the danger is that there could be one person on the senate who was absolutely brilliant, and who would do more for that university senate in his time there than, say, any other four members. If that

member is compulsorily retired after serving six years a gap might be created, which could seriously affect deliberations taking place. How we can get around it, I do not know, because I can see the wisdom on the one side of the argument that this should happen. But I can also see the weakness on the other side in the loss of continuity which is so much desired. I do not intend to propose an amendment to the Bill; I merely want to draw attention to what I consider to be a possible flaw in the construction of the senate.

To say that this Bill will be fundamental to the construction of the university is to understate he matter. Once the Bill becomes an Act the Murdoch University—which is rapidly assembling its forces, as the Minister has stated—can join with other universities within the Commonwealth and exchange ideas, which is very necessary at this stage.

Appointments have already been made to its various chairs, not all of them as yet. Education being a subject which is continually changing, there needs to be this rapport with other universities—not just within the Commonwealth, but overseas as well. I hope the time is not far distant when a third university will become a possibility and will be created. Perhaps we might think on a lesser scale, at that time, and perhaps base it on the old college system which I think would do something to enhance the quality of life. Perhaps it will be located in a country area and draw students from all around the world—as I hope the Murdoch University will.

From my observation it would appear that apart from the United Kingdom and South-East Asia, very few foreign students are attracted to the University of Western Australia. It could be that the new thinking, and the new fundamentals enunciated by the new senate, will have a far-reaching effect on other parts of the world. In turn, this might encourage some of our students to go out for themselves into other universities to see exactly what the other side of the picture is like.

We tend to eulogise the University of Western Australia because we are so much a part of it and aware of the work it has done. But in eulogising it do not let us become parochial and think it is the only university in the world. It is not. Graduates tend to think that of their own university.

I can see only good resulting from the introduction of this Bill. Some 20 years ago people were thinking of an additional university but they probably did not realise it would be established and working in such a short time.

In conclusion, I commend the Bill to the House. It is not perfect; no Bill ever comes into this House in a perfect form. We never achieve that perfection, but at least we have here a Bill which will enable the Murdoch University to be created in the State of Western Australia. We hope that by the time of the convocation in 1980 to have established such a reputation around the world that it will be short of places for students. I support the Bill.

THE HON. D. J. WORDSWORTH (South) [4.22 p.m.]: I feel there is not much I can add to what Mr. Williams has said other than to remind the Government of its promise to place a university at Albany. This is something which the Government tends to forget, and while supporting the construction of the Murdoch University, I must say we were disappointed that country colleges were not built rather than another university in the city.

I have already spoken to this matter during the Address-in-Reply debate. It is amazing how a country such as America is able to place its universities in country towns whereas in Australia we seem to think it is essential to keep them in the city. As one travels around America one finds that the students prefer to be out of the cities. I think the academics, themselves, are beginning a revolution against living in the city, and this presents an opportunity to decentralise.

I mentioned Albany because it happens to be in my electorate. I think it would be a great spot in which to construct a university. It is the centre of an agricultural area, and it is also aptly suitable for the teaching of marine biology. It is a town which would be very responsive to a university. From the cultural point of view it has a very good arts council. The construction of a university in a country town such as Albany would give those interested in such matters a great boost.

I hope that when we begin to think about another university it will be constructed away from the city.

THE HON. R. F. CLAUGHTON (North Metropolitan) [4.24 p.m.]: Like previous speakers, I support this legislation. It is a matter which would have been approved irrespective of which party presented it. The matter of members of Parliament sitting on the senate is an innovation in this State. The system has been adopted in South Australia, apparently with some success. We have yet to see the effect of members of Parliament sitting on the senate, and the attitude of the other members of the senate towards those persons.

Universities have been undergoing a change for some considerable time and there is a trend—more marked in this State than in the other States of Australia—for tertiary students to favour colleges of advanced education such as the Western Australian Institute of Technology rather than a university. It is not clear yet just why this trend is occurring.

There has been a great deal of experimentation in the organisation of universities overseas and I think the Murdoch

University planning board would have learnt a good deal from what is taking place in other countries.

We could reach the point where we question the real place of universities in our society and whether, in fact, we need this type of institution or some other means of tertiary education for the population in general. We have to consider whether or not the open university type of teaching would not be more appropriate. With those few words, I support the Bill.

THE HON. J. DOLAN (South-East Metropolitan—Leader of the House) [4.26 p.m.]: I thank members for their contributions to the debate. Mr. Williams, of course, spoke from his own university experience. Mr. Wordsworth put in his plug for country centres and I can assure him I am in sympathy with the views expressed. I know that in Queensland at Townsville, in New South Wales at Armidale, and in Victoria at Mildura, universities are established. I am sure that as this great State progresses there will be room for universities to be constructed in country centres.

I think I mentioned during my second reading speech that the name of Murdoch will go down through history as one of the greatest scholars, masters, and teachers any university could have possessed.

We had a wonderful university right from its humble beginning in Irwin Street when it was just a mass of tin buildings alongside the Anzac Club where the Children's Court now stands. It was all within that block. Some of the most wonderful professors and teachers one could name were associated with our university. Names which come to mind are Professor Ross, a great scientist who knew his subject to a "T". He was a whimsical Scot with a typical Scottish humour, and he was a wonderful lecturer. Professor Shann was one of our great teachers of economics. I also recall the name of a famous student in Dr. Coombs who must rank as one of the greatest economists of Australia. I also recall Professor Tattersall, and Professor Dakin. I am sure that Mr. MacKinnon will be interested in Professor Dakin. He left here to become professor of zoology in Sydney and he was the man who was really responsible indirectly for the establishment of the prawning industry as we know it in Western Australia.

His story is one of the most remarkable ever told. He predicted, many years ago, that around our coast—more particularly out from the river inlets—we would eventually find great prawning beds. Of course, this has eventuated.

I am not one to say, "I told you so" because Professor Dakin told the world many years ago. He was able to induce fishermen to drop their nets further out to sea, where they found the breeding grounds of the prawns. The first finds were off the coast of New South Wales.

Gradually, of course, they have been found all around Australia, finishing up with the great discoveries in the Gulf of Carpentaria. These discoveries corresponded with the discovery of similar prawning beds off the coast of Florida, and from a small industry it has become an industry worth many millions of dollars to both America and Australia.

Mr. Williams referred to the fact that there would be representation on the senate by two parliamentarians, one nominated by the Government and one by the Opposition. I think it is most desirable to have on that body representatives of the place where legislation for the establishment of universities is produced and generated. A consideration of the members of the Senate of the University of Western Australia might convince the House that they are drawn from all walks of life and cover a wide field of interests—commercial, business, and academic.

I appreciate the point Mr. Williams made about the possibility of losing, perhaps temporarily, a man who had served two successive terms of three years and who then has to stand down for a year. I do not think that would do any harm. It is the custom for professors of universities to go on sabbatical leave every now and then in order to become attuned to developments in other parts of the world. A break of 12 months after six years' service would be excellent for an outstanding man. It would give him a chance to visit other parts of the world and give his brain a rest, and I am sure the senate would be glad to have him back again after 12 months.

I suppose we all have nostalgic memories of universities, and even a minor association with a university does us all good. I was privileged to spend a period of six or seven years as a visiting lecturer at the University of Western Australia and I enjoyed meeting some of the academics and professors. I mention one who made a wonderful contribution to agriculture in Western Australia and whose real worth has merited the greatest recognition. I refer to Professor Underwood. I think he is more of a prophet in other countries than in his own country. In places like China and elsewhere he has always been very welcome. Not only is he expert in his field but he also had the gift and faculty of being able to transmit his knowledge to others.

I thank members for their support of the Bill, which is a step forward in our university history.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. J. Dolan (Leader of the House), and passed.

MARGARINE ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. R. H. C. Stubbs (Minister for Local Government), read a first time.

Second Reading

THE HON. R. H. C. STUBBS (South-East—Minister for Local Government) [4.39 p.m.]: I move—

That the Bill be now read a second time.

For some years there have been widespread discussions and controversy concerning the quotas for table margarine production, the possible health benefits from certain types of margarine, and the promotion of cooking margarine as a spread. Many members of the public have become concerned and confused by the conflicting reports and claims made by the interested parties.

In considering these matters the Australian Agricultural Council agreed in February to increase the Australian table margarine quota by approximately 38 per cent., including an increase in the Western Australian quota from 800 to 1,400 tons.

It further agreed that the definition of polyunsaturated margarine should be in accordance with the National Health and Medical Research Council standard, that table margarine should be made from vegetable oils only, and that action should be taken to prevent misleading promotion and advertising of so-called "universal spreads".

This Bill will include these provisions in the Margarine Act of Western Australia, so that public interest will be safeguarded and the concern of many people allayed in that they will be able to obtain the products they require without being subject to false impressions created by misleading labelling or advertising.

The Margarine Act has also been reviewed so as to allow for the repeal of the Dairy Products Marketing Regulation Act by the Dairy Industry Bill, to clarify the Act regarding margarine which contains between 75 and 90 per cent. beef or mutton fat in its fat or oil component, to remove certain restrictions placed on manufacturing premises, and to bring penalty provisions in line with present-day values.

The Act will also be amended to provide for regulations prohibiting or regulating the addition of prescribed colouring substances or prescribed flavouring substances in the manufacture of cooking or manufacturing margarine, or the sale of such margarine containing these substances.

The increase in table margarine manufacturing quotas by 38 per cent. throughout Australia allows for the increase in population since the last quota increases, adjusted for the decreased *per capita* consumption of fat spreads. The 600 ton increase in quota in this State from 800 to 1,400 tons or 1,423 tonnes should remove any real need for rationing of sales which may have been imposed previously, and will give considerable benefits to the manufacturers in this State. Provision has been made in the Bill for this increase to apply from the 1st January, 1973.

Because the Agricultural Council reviews the margarine supplies and quotas constantly and determines how any increase in the Australian quota should be allocated between States, it should not be necessary to require an Act of Parliament for such a decision to amend the quotas to be put into effect. Accordingly it is proposed that the Minister shall declare annually, by notice in the *Government Gazette*, the maximum total quantity of table margarine which holders of licenses may manufacture in the forthcoming year. If and when the Agricultural Council determines that the quota should be increased, it will be possible to increase the total amount during the year by a further notice in the *Government Gazette* and to endorse the individual manufacturer's license with his increased quota accordingly.

Because of the considerable publicity and conflicting claims made for margarine in general, the subject has become confusing and people have many false impressions regarding the composition of margarine.

At present there is no requirement for table margarine to consist entirely of vegetable oils, although many persons buying table margarine may be under this impression. It is probable that many even think that such margarine is made from polyunsaturated fats. In order to correct this situation, it is proposed that table margarine be manufactured entirely from vegetable oils and that where such margarine is claimed to be polyunsaturated, it should comply with the standard as recommended by the National Health and Medical Research Council.

Under the Act the fats and oils in cooking margarine must be comprised of at least 90 per cent. beef fat and/or mutton fat. Again, because many people are under the impression that such margarine comprises polyunsaturated vegetable oils and so could be of benefit in preventing heart disease, it is proposed that a statement be printed on each package of cooking margarine to the effect that beef fat and/or mutton fat comprise 90 per cent. of the fats in that margarine.

The Agricultural Council has been concerned with the manner in which cooking margarine has been promoted and agrees that misleading promotion and advertisement should be prevented. Provisions have been included in the Bill which would put this decision into effect.

The development of cooking margarine of a suitable consistency and colour and its subsequent promotion for use as a spread, resulted from the tighter implementation of margarine quotas in certain States some years ago. The so-called "universal spreads" were introduced by the companies to retain their markets.

Victoria and Tasmania have passed legislation which prevents the use of prescribed colouring or flavouring substances in cooking margarine. It is proposed that the Act be amended to provide for control of colouring and flavouring by regulation if experience with the amended quotas and other provisions make this desirable.

Margarine manufacturers and dealers currently pay a total of about $3,000 in license fees and contributions to the administration of the Dairy Products Marketing Board with which they are licensed. As the Dairy Industry Bill repeals the Dairy Products Marketing Regulation Act under which this board is appointed and operates, the amount for license fees for manufacturers and dealers under the Margarine Act has been increased to a maximum of $500 in order to recoup some of the costs incurred in the administration of the Act.

Dealers will be required to be licensed, in order to obtain information of the interstate sales and transfers of all types of margarine. Previously they were licensed with the Dairy Products Marketing Board.

License fees will not be related to the size of production or transactions, and each class of license will be at a fixed rate. It is intended that the license fee for a dealer will be considerably less than that for the manufacturer of margarine.

Certain provisions in the Margarine Act requiring separate premises for the manufacture of table and cooking margarine will be repealed. This is aimed at encouraging the manufacture of cooking or manufacturing margarine in this State. The repeal of this section will be possible because the requirements that table margarine be made from vegetable oils only and that colouring and flavouring substances may be prohibited in the manufacture of cooking or manufacturing margarine will provide adequate power to supervise manufacturers.

Under the present Margarine Act a person who holds a cooking margarine manufacturing license may manufacture margarine which contains between 75 and 90 per cent. beef fat and/or mutton fat. It is the opinion of Crown Law that, by the definition of cooking margarine and table margarine in the Act, this type of margarine must be considered as table margarine and not cooking margarine although in regulations it is referred to as "cooking margarine". As the amendments propose that table margarine should be manufactured from vegetable oils only, a redefinition of this type of margarine is necessary.

This area has been clarified by defining this type of margarine as "Manufacturing margarine" with consequential amendments in the Act, so that it cannot be considered as table margarine. Manufacturing margarine would be subject to labelling, promotional, and colouring provisions similar to those applying to cooking margarine.

The mixture of butterfat in margarine for any purpose is prohibited under the present Act. However, export possibilities may exist for such mixtures which, if they were permitted to be manufactured in Australia, would enable overseas sales of butterfat and margarine. Under the amendments as proposed, the Minister may grant a special permit to any person to enable him to manufacture margarine containing butterfat for export beyond Australia only, under certain conditions.

There have been problems in export development because other States do not have provision for such mixtures to be manufactured at present and it is appropriate that changes be made while the Act is being amended. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. G. C. MacKinnon.

QUESTIONS (9): ON NOTICE

1. BRUCELLOSIS

Eradication: Campaign

The Hon. D. J. WORDSWORTH, to the Leader of the House:

Further to my question on the 15th May concerning brucellosis eradication in which it was stated that the programme never envisaged the testing of all cattle in the State in the next two years—

(1) Does the Minister for Agriculture realise that most farmers are aware of the dangers of having even one infected animal on their farm and are most anxious to locate and sell for slaughter any infected animal before further damage is done, more especially as the Government is no longer paying compensation on herds with over 3% of reactors?

(2) Does the Minister realise that as many farmers are buying breeders only, and are not sending cattle for sale, their properties are not immediately covered by the trace back system, therefore they, or the Department have no way of knowing if they have infected cattle on their farms?

(3) Does the Minister appreciate that the publicity given to brucellosis has made many farmers, particularly those entering the beef industry and outlaying large sums of money, afraid for their purchases and their investment until they can have their herds tested?

(4) Does the Minister know the anxiety being caused to cattle owners who are informed by the Department that their neighbours have infected herds in excess of 3%, especially as such infected stock is kept on the extremities of such properties, away from the owner's clean animals?

(5) When is it expected that the compensation scheme can cover infected herds of over 3%?

(6) Does the Minister consider that these herds, with an excess of 3% of infected animals, are of little danger to others in the industry?

(7) When is it expected that it will be mandatory to have—

(a) all bulls; and

(b) all females,

tested before sale?

The Hon. J. DOLAN replied:

(1) It is realised that farmers are aware of the dangers of brucellosis and many are anxious to free their herds of the disease.

(2) Although this may occur on a limited number of herds in the short term, this is not considered to be a significant factor at the present stage of the programme.

(3) It is possible for a farmer to arrange to have purchased cattle tested for brucellosis before their introduction into his herd.

Herds may also be tested for brucellosis under the brucellosis certification scheme.

(4) It is appreciated that neighbours of infected properties may be concerned. Every effort is made to eradicate the disease from infected herds as quickly as possible.

(5) This is being kept under review and a decision will be made when the Fund is able to support compensation at some level above 3%.

(6) Infected herds are considered to be of little danger to others in the industry in view of the quarantine restrictions imposed.

(7) It is not envisaged that all bulls and cows will be subject to mandatory tests prior to sale at this stage of the programme. This will depend on the progress of the campaign.

2. TOWN PLANNING

Yanchep-Two Rocks

The Hon. F. R. WHITE, to the Leader of the House:

(1) In view of the fact that the final draft of the "Heads of Agreement" for the development, construction, maintenance and operation of a yacht harbour at Two Rocks, Yanchep bears the date 7th November, 1972, would the Minister advise why the contents have not been made available for parliamentary perusal?

(2) Have the formal documentations referred to in part 6 of the "Recitals" of the Heads of Agreement been completed?

(3) If the answer to (2) is "yes" will the Minister table copies of those documents?

(4) Is part 17 of "Obligations of the Developers" not an obligation but a "reward" to the developers, since it allows progressive subdivision of land at the Two Rocks and Yanchep areas?

The Hon. J. DOLAN replied:

(1) A copy of the formal agreement will be tabled when completed.

(2) No.

(3) See (2).

(4) The clause simply recognises the developer's intention to continue inland development subject to Town Planning Board approval and to such terms and conditions as determined by the State and all relevant authorities.

3. EDUCATION

Boarding Allowance: Tabling of Correspondence

The Hon. W. R. WITHERS, to the Leader of the House:

Will the Minister table the files of correspondence pertaining to the introduction of the Commonwealth Boarding Away from Home Allowances, and the subsequent cancellation of the State Boarding Away from Home Allowances for isolated children?

The Hon. J. DOLAN replied:

The appropriate documents are on a number of files in various offices of different Departments and not readily available for tabling.

Arrangements will be made for the Hon. Member to peruse the files, at a future date, in the Education Department.

4. LOCAL GOVERNMENT

Loans

The Hon. N. E. BAXTER, to the Minister for Local Government:

(1) What was the amount of loan indebtedness of local authorities in each statistical division of Western Australia for the years—
  (a) 1968-69;
  (b) 1969-70;
  (c) 1970-71; and
  (d) 1971-72?

(2) What amounts were payable annually as loan redemption for the years quoted above by Local Authorities in each State Division?

(3) What amount as interest was payable on loans by Local Authorities in each division for the years specified in (1) above?

(4) What were the total rates assessed annually by local governing bodies in each division for the years 1966-67 to 1971-72?

The Hon. R. H. C. STUBBS replied:

The following figures have been extracted from a publication of the Commonwealth Bureau of Census and Statistics—

1.

Statistical Division	1968/69	1969/70	1970/71	1971/72
	$	$	$	
Perth	33,190,755	36,969,801	42,796,596	Not available
South-West	5,214,259	5,700,971	6,381,209	
Southern Agricultural	5,080,459	5,733,148	5,913,949	
Central Agricultural	6,909,956	7,430,131	8,284,196	
Northern Agricultural	7,332,941	8,213,119	8,042,606	
Eastern Goldfields	4,352,966	4,851,910	4,785,784	
Central	407,689	662,187	638,734	
North-West	1,747,571	2,050,399	2,072,623	
Pilbara	777,135	1,049,143	1,377,208	
Kimberley	1,628,779	2,152,976	2,480,175	

2. The following amounts were paid—

	$	$	$	
Perth	2,377,519	2,579,127	2,942,846	Not available
South-West	463,068	510,839	542,235	
Southern Agricultural	447,976	494,866	578,453	
Central Agricultural	669,894	750,496	796,823	
Northern Agricultural	562,926	655,888	742,778	
Eastern Goldfields	229,121	292,399	312,863	
Central	43,473	49,652	60,306	
North-West	82,410	100,439	107,978	
Pilbara	42,170	51,932	63,765	
Kimberley	72,561	70,694	92,569	

3. The following amounts were paid—

	$	$	$	
Perth	1,683,333	1,872,649	2,189,675	Not available
South-West	253,668	295,660	340,675	
Southern Agricultural	250,251	276,729	311,710	
Central Agricultural	340,552	389,032	449,907	
Northern Agricultural	313,155	365,801	415,649	
Eastern Goldfields	132,761	176,628	201,001	
Central	15,430	18,841	26,729	
North-West	54,996	75,035	81,871	
Pilbara	30,841	40,271	59,765	
Kimberley	48,210	60,942	87,718	

4.

Statistical Division	1966/67	1967/68	1968/69	1969/70	1970/71	1971/72
	$	$	$	$	$	
Perth	8,850,818	10,068,082	11,962,898	14,066,128	16,606,328	Not available
South-West	1,137,935	1,220,276	1,384,252	1,702,443	1,774,140	
Southern Agricultural	1,196,303	1,341,587	1,388,327	1,568,153	1,631,280	
Central Agricultural	1,737,765	1,864,915	1,976,845	2,131,271	2,164,658	
Northern Agricultural	1,291,458	1,429,739	1,649,298	1,784,731	1,886,121	
Eastern Goldfields	590,680	639,933	760,163	1,084,128	1,277,852	
Central	101,346	102,864	112,754	133,755	143,627	
North-West	91,385	114,310	134,814	178,90	194,158	
Pilbara	71,220	93,224	170,347	230,81	306,608	
Kimberley	125,333	142,035	154,575	184,32	187,862	

5. TOWN PLANNING

Sun City: Agreement

The Hon. F. R. WHITE, to the Leader of the House:

(1) Does the term "submission" referred to in the definitions contained in the State Draft No. 1 Agreement between "the State" and "Yanchep Estates Pty. Ltd. and Bond Corporation Pty. Ltd." refer to the publication bearing the title "the Yanchep Sun City leisure region Master Plan"?

(2) If the answer to (1) is "Yes" is the "submission" binding on all parties as stated on page 1 of that publication?

(3) If the answer to (1) is "No" will the Minister table the "submission" referred to in the Heads of Agreement referred to in part (1) of this question?

(4) Has a final agreement in the form proposed by the State Draft No. 1 Agreement of the 22nd December, 1972, been signed by the parties to the agreement?

(5) If the answer to (4) is "Yes"—

(a) on what date were the signatures applied to the agreement;

(b) will the Minister table the agreement?

(6) If the answer to (4) is "No" will the Minister explain why development of over 700 acres has been allowed to take place and commitments for the development of over 2,000 acres has been permitted in the Yanchep Sun City area?

The Hon. J. DOLAN replied:

(1) No. The "submission" refers to the developer's original submission to the State for approval of the development and leaseholding of the yacht harbour area, and to various studies and reports presented in support of the submission.

(2) See (1).

(3) Although the submission deals only with the yacht harbour area I am prepared to table for one week documents comprising the submission.

(4) No.

(5) See (4).

(6) The draft agreement relates basically to the development of the yacht harbour. It also deals with certain obligations of the developer in regard to land use in the vicinity of the harbour imposed as conditions upon which the project would be approved.

Although such approval obviously had regard for existing and proposed inland development, approvals relating to the latter are a separate matter, unaffected by the terms of the Agreement, which have been, and will be, dealt with by the appropriate authorities. The documents were tabled. *(See Paper No. 157.)*

6. SHEEPSKINS

Shipping Boycott

The Hon. D. J. WORDSWORTH, to the Leader of the House:

In view of the dominant position France holds in the buying and processing of Australia's sheep skins, what action has the Government taken to protect Western Australia's five million dollar per year industry from the effects of the announced shipping boycott, particularly as the Western Australian Lamb Marketing Board is one of the State's largest handler of sheepskins?

The Hon. J. DOLAN replied:

During 1971-72 the value of sheep and lambskin exports from W.A. was $3.24 million of which exports from W.A. to France were valued at $2.4 million. (Source Commonwealth Bureau of Census and Statistics.)

The W.A. Lamb Marketing Board is not an exporter of sheep or lamb skins. Skins are sold by the Board to the trade by tender.

At this stage there is no boycott on the export of skins to France. The boycott applied mainly to imports and French shipping.

7. TOWN PLANNING

Yanchep Area: Rezoning

The Hon. F. R. WHITE, to the Leader of the House:

(1) Is the Government aware that section 45 of the Metropolitan Region Town Planning Scheme Act binds the Crown, and therefore the Government is required to act in strict compliance with all sections of the Act?

(2) Is the Government aware that under the Metropolitan Region Scheme the localities of Yanchep Sun City and Mindarie (Quinns Rocks) are zoned "rural"?

(3) Is the Government aware that the urban development which has taken place at Yanchep and Mindarie is contrary to zoning and the provisions of the Act and is therefore illegal?

(4) Does the Government appreciate that non-compliance with the provisions of the Metropolitan Region Town Planning Scheme Act constitutes contempt of parliament and denies the community its rights under the Act?

(5) Will the Government take all necessary steps to stop any further illegal development until the requirements of the Act are conformed with by way of rezoning amendments to the Scheme?

(6) Which Minister of the Crown was responsible for allowing the illegal developments to take place?

The Hon. J. DOLAN replied:

(1) Yes.

(2) Yes.

(3) The Government is not aware of anything to indicate that the development at Yanchep or at Mindarie is contrary to zoning or to the provisions of the Act. The fact that an area is zoned in a particular way does not, of itself, mean that development of any particular kind is forbidden within that Zone. The important thing is the requirements of the relevant Town Planning Scheme. Neither the Metropolitan Region Scheme nor the Wanneroo Town Planning Scheme prohibits subdivision or residential development in the respective rural zones.

(4) The Government considers that there has not been a failure to comply with the provisions of the Act.

(5) and (6) Answered by (4).

8. COST OF LIVING

North-West: Inquiry

The Hon. W. R. WITHERS, to the Leader of the House:

In view of the news item on page 9 of the *The West Australian* dated 10th May, 1973, relating to the growing concern of some retailers and consumers, under the title "Government may study North West Prices"—

(1) Will the Minister advise if any enquiry is planned?

(2) If the answer to (1) is "Yes"—

(a) when will the enquiry start;

(b) who will be in charge of the enquiry; and

(c) what will be the total design of the enquiry?

The Hon. J. DOLAN replied:

(1) Although there are inherent difficulties caused by distance and the problem of comparison of costs it is hoped to carry out a survey in the near future.

(2) (a) Some preliminary data have now been collected which will assist the Government in the study of the North West prices.

(b) The Commissioner for Consumer Protection.

(c) The design of the survey will relate to consumer goods—in particular food items.

9. BRUCELLOSIS

Testing: Albany

The Hon. D. J. WORDSWORTH, to the Leader of the House:

(1) What full time laboratory staff are using the new facilities at the Department of Agriculture in Albany?

(2) What work is this staff carrying out?

(3) Is it expected that these facilities will be used for brucellosis testing?

(4) If so, when?

(5) Is it expected that the State's expenditure on T.B. and C.A. testing will exceed the 10% per year increase required for this State to be eligible for increased grants from the Federal Government?

The Hon. J. DOLAN replied:

(1) None at present. The laboratory is currently being equipped and made ready for staffing.

(2) Answered by (1).

(3) Yes.

(4) January, 1974.

(5) The State's increased expenditure on tuberculosis and brucellosis eradication is not expected to exceed 10% per annum over the next two years. Expenditure in excess of this 10% increase will be financed by the Commonwealth on a non-matching basis.

EDUCATION DEPARTMENT FILES

Examination and Use of Information

The Hon. W. R. WITHERS: Mr. President, may I seek your guidance under Standing Order 149. I refer to an answer given to question 3. From the answer given me by the Minister I understand that if a member were to visit a Government department and peruse the files in that department he would not be able to use the information he obtained, nor would he be permitted to copy from those files.

If this is the case I would like to raise a point of order under Standing Order 149 because the Minister has made reference on page 1600 of *Hansard* to the detailed information received from the Federal Government which has clarified the situation. Apparently this is clear only to the Minister and not to the public generally.

I feel that the documents and what they contain should be made public documents and accordingly I seek your guidance, Sir, as to whether or not I would be able to use the information I obtained, if I accept the invitation of the Minister; and if I cannot use that information then I ask for a point of order to be allowed under Standing Order 149 so that the documents may be laid on the Table of the House.

The PRESIDENT: I do not think there is a point of order. The honourable member cannot debate an answer given by the Minister. Would the honourable member care to seek the leave of the House to have the documents tabled?

The Hon. W. R. WITHERS: I would, Sir, if the Minister could not give me his assurance that I would be able to use information from those documents after I had sighted them in the department.

The PRESIDENT: If the honourable member places a motion on the notice paper the matter could be dealt with and perhaps the files could be tabled.

The Hon. A. F. GRIFFITH: In answer to question 3 the Minister said that the files were considerable in number, that they were around the various departments and, therefore, it was not convenient to table them, but Mr. Withers could see them if he cared to visit the Education Department.

Mr. Withers wants to know whether after having accepted the invitation of the Minister to sight the files in the Education Department, it would be possible for him to use in Parliament and in public the information derived from a perusal of those files. If he is not able to use this information then of course he would want to move a motion asking that the files be tabled, or that the Government reconsider its answer.

The Hon. J. DOLAN: I can foresee a difficulty. I am not trying to create this difficulty, but the Minister to whom the honourable member refers is not myself; the Minister concerned is at present in England and he will not be returning, of course, until the House has risen.

The Hon. A. F. Griffith: When you become Minister for Education will you table the files?

The Hon. J. DOLAN: I will not anticipate what is likely to happen. I am not the responsible Minister and as such I would not know whether or not I could do anything along these lines. I am not prepared to commit myself. I think the honourable member can appreciate the difficulty.

If the honourable member examines the files by arrangement with the Education Department an officer could be made available to accompany him from place to place in order that he might obtain the information he seeks. The officers concerned would be able to tell him there and then whether or not he could use certain information. As I have said, the Minister concerned is out of the State and I cannot commit him in any way. I would have to seek advice from the senior officers of the Education Department.

The PRESIDENT: I would point out to Mr. Withers that unless the documents are in the precincts of Parliament House it is not possible for me to say they can be used publicly.

The Hon. W. R. WITHERS: Thank you, Sir. I will give notice of a motion to this effect tomorrow.

LAND TAX ASSESSMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 22nd May.

THE HON. I. G. MEDCALF (Metropolitan) [5.06 p.m.]: As the Minister explained, the purpose of the Bill is to encourage developers to provide a flow of subdivisional residential land—available in subdivisional lots—onto the market.

This, of course, is an acknowledgment of the law of supply and demand. I well recall some few years ago before I entered Parliament that, together with two or three other people, I interviewed certain officers of the Town Planning Department and complained there was a shortage of land in this State; land that was available for sale.

We were assured at the time by the highest members of the Town Planning Department that there was ample land available for sale and there was no shortage at all. In fact the officers concerned said there were 8,000 lots for sale; that they had just conducted a survey in the metropolitan area and there was no shortage of land whatever.

The people on the deputation with me explained that although there might in theory be 8,000 lots for sale, in practice this land was simply not available or on the market, for various reasons, one of which was the very restrictive conditions that had to be complied with by developers who put their land on the market.

Over the years, and since the Town Planning Act was passed in 1928, anybody who wished to subdivide his or her land has been faced with the requirements and conditions that have been imposed by the

Town Planning Board on such subdivisions. I am not quarrelling with that aspect; it is quite legitimate.

The Hon. Clive Griffiths: When were these 8,000 blocks available?

The Hon. I. G. MEDCALF: In 1966 and 1967.

The Hon. Clive Griffiths: You are well aware of course that Mr. Tonkin said there were 40,000 blocks available last year.

The Hon. I. G. MEDCALF: Over the years the Town Planning Board has imposed conditions on subdivisions and as the years have gone by more and more authorities have been referred to and consulted on the question as to what conditions should be imposed on subdivisions.

The result has been that more and more conditions have been imposed. In the beginning the early conditions merely were to the effect, for example, that a one-chain gravel road be constructed, or something like that; latterly further conditions have been imposed by the State Electricity Commission, the Water Supply Department, and the local authority which have included such things as drains, kerbs, and even street signs on electricity poles.

These facilities, of course, have all had to be constructed at the cost of the subdivider. The Taxation Department has also cashed in on this bonanza and while it has not imposed any conditions it has taken advantage of the fact that when land is subdivided it would normally acquire an enhanced value by reason of the fact that so much money had been spent on it in complying with the conditions imposed.

Having paid the cost of the survey and the cost of the roads—now normally bitumen-surface sealed roads, certainly in the metropolitan area—and having paid the cost of drainage and kerbs and even, as I have said, in certain communities having paid the cost of street signs on electric light poles and the cost of a number of other requirements too numerous to mention here, the subdivided land has quite clearly gained an enhanced value. This enhanced value has accrued as a result of the money put into all these conditions required of the developer or subdivider.

When I use the word "developer", members will think I am referring to large scale companies and to land developers who operate in a big way; so perhaps I should use the term "subdivider", because I am referring to anybody who subdivides land. When the Town Planning Board imposes conditions it does not discriminate between large companies and small landholders. If anyone wants to subdivide he must comply with the conditions which are normally standard. A small subdivider will still be required to put in roads and drainage and connect up with the water supply and also contribute to the head waters together with various other facilities which are required in order to make such land attractive to the persons who are thinking of purchasing the blocks in question.

Accordingly, there is little or no distinction made between the developer and the small subdivider so far as conditions are concerned; the conditions are imposed, irrespective of the person who makes the application to the Town Planning Board and these conditions do entail an expenditure of money. Such expenditure is, of course, greater in the case of the developer, because he generally has a greater area and sometimes the developer must contribute to what might be called, for want of a better term, the water supply facilities beyond the immediate area. There are times when the small subdivider must do this.

As I have said, as a result of such expenditure the land in question acquires an enhanced value and, as the Minister pointed out, the Taxation Department increases the land tax. The department's thinking is that now the land has been subdivided more tax should be paid on it.

Because of this accumulation of costs, and the values which go into such subdivided land, we are now experiencing the high land tax structure on subdivided land which the Minister explained in his second reading speech.

We are now about to remove this high land tax structure to a certain extent in the case of large developers or subdividers, or those who own land in excess of 10 acres. We are not, however, proposing to remove this in the case of persons who own less than 10 acres.

I would not like it thought that I am opposed to town planning legislation, because I realise it is one of those things that is essential under the present development of our urban regions. I am not opposed to that. I am merely pointing out that because of the accumulation of the conditions imposed the land acquires an enhanced value after money has been spent on it by the owner, and because of that we come into a high tax area, which is three or four times greater than it was before the land was subdivided.

Having reached that high land tax area we are now proposing in the case of the big developer, or persons who own more than 10 acres in extent, to reduce this tax but, as I have said, it is not being reduced in the case of the small owners; those who own 10 acres or less.

To hark back to the law of supply and demand; it may be wondered why I referred to the discussion in which I, along with others, participated some few years ago with town planning officers. I did so simply because it appeared to us on that occasion that basically there must be a constant flow of land coming onto the market in a subdivided state, because if

this were not so there would be a slowing up in development and an increase in land prices.

As we all know, this is exactly what happened in 1969-70. The price of land went sky-high, partly because of the slowness in development, partly because of the accumulation of conditions imposed, and partly because of the accumulation of costs and the injection of a high financial structure into subdivided land.

This Bill, of course, contains a worthwhile proposal—to reduce this structure to a certain extent. My argument really is that the law of supply and demand goes right beyond Parliament. A member said last night that surely Parliament had sovereign rights and was able to legislate on any subject. This is true, but we cannot do much about the law of supply and demand because it is not in the Constitution and this law is the determining factor which governs the price of land. The Government knows this and is attempting to rectify the situation in the case of large developers. I support the Bill because of that, but I regret that it does not include owners of less than 10 acres. If it is good enough for people who have in excess of 10 acres to receive the benefit of the land tax concesions, it is surely good enough for those who own less than 10 acres to likewise receive the concession. I cannot really see the difference, although I appreciate the fact that the Minister has made a distinction. On pages 8 and 9 of his notes, the Minister said—

> It would not achieve a substantial flow of subdivided blocks onto the market if smaller areas were allowed to participate in this concession, nor is it desirable that individual small landowners should be able to subdivide small areas and then be permitted to retain them for family purposes without development at the lower "improved" tax scale.
>
> In addition, it needs to be remembered that generally the owner of small areas of land of this kind can, in effect, subdivide and sell the land within one year, so the concession is unnecessary for purposes of encouraging building blocks onto the market from these small areas.

These two arguments run counter to one another because if landowners are to retain their areas it is not appropriate to say a problem exists because they will sell the land within a year.

The Minister is saying that in some cases people may subdivide and retain their land instead of selling it. That would not worry me at all. Such people would retain the land only temporarily because the mere fact that they subdivided it means they are able to sell it. They cannot subdivide the land until they have complied with the conditions of the Town Planning Board which are that they must build roads, drain roads, build kerbs, and so on. Consequently they will spend quite a deal of money and, having spent it, the chances are they will put the land on the market. To me this is the old story of supply and demand. The more land there is on the market, the better because if the supply is increased, the price must thereby be reduced. When the demand is greater than the supply the price is increased. The price must stabilise or be reduced. Certainly the price will not be increased if the supply is greater than the demand, and this is the object of all Governments—to keep the price of land stable or even to reduce it so that land is available to people of moderate means who want to buy some on which to build a home.

Therefore I would reduce the tax on all subdivided land. I would not have a provision concerning land only in excess of 10 acres as is the case under the Bill. The area is expressed in the Bill as hectares, but I do not think I will ever get used to that expression. The number of hectares referred to is the equivalent of 10 acres. I see no reason for an owner of 10 acres or less not to have the same concession as the owner of more than 10 acres. In addition, if the land is sold within a year the Government will not lose anything because once it is sold the new owner must pay the higher land tax rate; and hence there is no basis for the argument.

Actually I cannot help thinking that the argument is one of convenience which has endeared itself to the Treasury because of its consideration for the revenue; not that I am blaming the Treasury because I am glad it does consider the revenue. Nevertheless, I do not accept the logic of the argument. The owner of 10 acres or less should have the same consideration under the Bill as has the large landowner.

I wish briefly to refer to the fact that one anomaly exists in the method of calculating the rebate to apply under the Bill. The method is that if a person owns, say, land worth $200,000—which is the illustration used by the Minister—and then he subdivides another piece which is worth $100,000, then the land worth $100,000, because it is subdivided, would be classed as improved land and therefore the land tax would be less. The Treasurer would then lump together or aggregate the unimproved land worth $200,000 with the subdivided land worth $100,000 making a total of $300,000. Then the land tax would be assessed on the area of the unimproved value which is the higher rate. The tax would be $13,487.50 The Treasurer would then assess the subdivided land separately, forgetting about the land worth $200,000. If that land were assessed on its unimproved value, the land tax would be $3,062.50, but if it were assessed at its improved value it would be $1,135. If the

$1,135 is subtracted from the $3,062.50, the difference is $1,927.50. That is the rebate which would be allowed on the total land tax of $13,487.50.

That is very good, but it would be better if the Treasury were to make its calculation, not by comparing the tax on the unimproved value of $100,000 against the tax on the improved value, but with the actual tax he is compelled to pay, which is at the unimproved rate applicable to $200,000 which is higher than the rate applicable to the $100,000 because the Treasury aggregates all land together for the purpose of land tax assessment.

If a person has two lots of land the two are aggregated together and the land tax on each individual lot is higher because other land is owned. Instead of using the land tax which applies at the higher rate the land tax which applies to the individual lot, which is a lower rate, is being used. Once again this has been done by the Treasury with the revenue in mind, which I believe is a good trait in Treasuries. However, for the taxpayers' sake I would prefer the Treasurer to be a little more generous with this reform.

I have one other point I would like to mention concerning the residential home. Governments over the years, successively have tried to exempt the residential home from land tax. When Sir David Brand was Treasurer he introduced an amendment to the Act so that the first $10,000 of the improved value of the residential land on which the taxpayer resided was exempt from land tax, and the tax on the residential home valued at between $10,000 to $50,000 was lower than it had been before. In his 1971 policy speech Mr. J. T. Tonkin said that he would exempt the residential home from land tax if no other land was owned by the taxpayer and in 1971 the Government introduced a Bill which did in fact try to achieve this objective. It provided an exemption for the residential home, but the Treasurer said that the taxpayer must not own more than a half-acre of land, including the land on which the residential home is built.

Before the Bill was received in this House it was changed so that a person was permitted to own other assessable land, excluding the land on which the residence was built. When the Bill was being dealt with here I pointed out that this meant a person could build a palatial home on a block of land provided the block did not exceed a half-acre in area and the home would be exempt from land tax. However, another person who owned a small block of land may be taxed on his residence.

The same principle of aggregation applies under the Bill before us. If a taxpayer owns any other land, then, under the Bill, the value of his land on which his residence in excess of $10,000 is erected will also be taxed.

I hope that the time will come when, irrespective of the ownership of any other land, the residential home, provided it is built on a reasonable area, will in fact be exempt from land tax so that the decisions from time to time of the previous Government and this Government concerning exemption of the residential home will be effected. However, we have not reached that stage yet.

I think I have said more than I need to say about this measure which is worth while and a step in the right direction. I have criticised certain provisions in it and I have done so because I desired to indicate to the Government other worth-while reforms which could improve the legislation. Nevertheless, I support the Bill, and I do not propose to attempt to move any amendments to it.

Debate adjourned, on motion by The Hon. F. R. White.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. J. DOLAN (South-East Metropolitan—Leader of the House) [5.27 p.m.]: I move—

> That the House at its rising adjourn until 11.00 a.m. tomorrow (Thursday).

Question put and passed.

ADJOURNMENT OF THE HOUSE

THE HON. J. DOLAN (South-East Metropolitan—Leader of the House) [5.28 p.m.]: I move—

> That the House do now adjourn.

THE HON. F. R. WHITE (West) [5.29 p.m.]: I intend to take this opportunity to draw the attention of members to answers given to me in reply to a question I asked today. It is of considerable public concern. Today I asked the Minister a series of questions and, with your permission Mr. President, I will quote the questions and answers because I feel they must be dealt with forthwith. In the second part of my question I asked—

> (2) Is the Government aware that under the Metropolitan Region Scheme the localities of Yanchep Sun City and Mindarie (Quinns Rocks) are zoned "rural"?

To which the Minister answered "Yes". Part (3) of my question reads—

> (3) Is the Government aware that the urban development which has taken place at Yanchep and Mindarie is contrary to zoning and the provisions of the Act and is therefore illegal?

The Minister replied—

> (3) The Government is not aware of anything to indicate that the development at Yanchep or at Mindarie is contrary to zoning or to the provisions of the Act. The fact that an area is zoned in a

particular way does not, of itself, mean that development of any particular kind is forbidden within that zone. The important thing is the requirements of the relevant town planning scheme. Neither the Metropolitan Region Scheme nor the Wanneroo Town Planning Scheme prohibits subdivision or residential development in the respective rural zones.

If the Minister's answer is taken as being correct, then the stock reply given to practically every application for residential development on rural land will not be able to be sent out by the appropriate authorities. I say this because the stock reply is "The zoning does not permit this type of development."

The Region Scheme is, in fact, a booklet containing 28 maps plus the Metropolitan Region Scheme, which is commonly called "the text". This is only one part of the legislation and I will quote quickly from page 5 of "the text", clause 30, under "Part IV—Development" as follows—

30. (1) The Authority—

I interpolate to say that the reference to "The Authority" is a reference to the Metropolitan Region Planning Authority. To continue—

—or a local authority exercising the powers of the Authority so delegated to it under the Scheme Act may consult with any authority that in the circumstances it thinks appropriate; and having regard to the purpose for which the land is zoned or reserved under the Scheme. . .

It is well known, in all local government circles within the metropolitan region that if a person's broadacres are zoned as rural they must be rezoned to urban before he can carry out residential development.

In the same way, if a person wants to erect a factory, the land where the person wants to build that factory must be zoned industrial. If a person wants to build a shop, the land on which the person wants to build that shop must be zoned commercial. If the land is not zoned in accordance with that usage the zoning must be altered.

I have taken the opportunity to draw attention to this matter because, if the Minister's answer is to be taken as being correct, all the principles of our town planning subdivisions within the metropolitan area go down the drain; in other words, anyone could make application for his rural land to be subdivided into residential lots.

I am not suggesting such applications would be approved; but if the Minister's answer is to be taken as being correct, the authorities could not refuse that type of development provided there are water supplies and all the other facilities.

I am most concerned, because I consider the Minister's answer is completely out of order.

THE HON. I. G. MEDCALF (Metropolitan) [5.34 p.m.]: I want briefly to take the opportunity to draw attention to the condition of the historic buildings situated at Cossack.

Earlier this month, I asked the Minister certain questions in relation to these historic buildings at Cossack, which is the old pearling port eight miles from Roebourne. Cossack was the town which originally serviced the Pilbara, but this function was transferred to Roebourne in the 1860s.

The Minister admitted in answer to my questions that, although the Government has not received any recent official reports on the present condition of the historic buildings at Cossack, nevertheless the Government is aware that vandals have damaged many of the buildings and that the area is becoming overgrown and littered with debris, including vehicle remnants left by visitors or itinerants.

As to what is proposed to be done in this situation, the Government gave a noncommittal reply and stated that the courthouse was maintained by the Architectural Division of the Public Works Department but the remaining buildings were leased to various persons and, hence, were not maintained by—and, presumably, are not the responsibility of—the Public Works Department.

I have been informed by a reliable source that the courthouse has been properly maintained and there is no complaint in respect of that building. However, I am told that the other buildings in Cossack, which the Minister stated are leased to various persons and not maintained by the Public Works Department are in a lamentable state of disrepair. Certain of these buildings, if they are so leased, are not at present fit to be occupied.

I am told they are in a shocking state and getting worse. In one building there is a large piece of floor missing and, in another case, the building is falling down. Grass is growing all around the buildings and should be removed.

The Minister indicated he was not aware that the harbour wall was showing signs of disintegration in a number of places. I am informed that the wall is collapsing where it enters the water. In addition, the old steps are falling in. There is also a breakaway in the wall at the inland end.

It is apparent that unless some action is taken at once by the Government to police the leases it has granted and to ensure maintenance is carried out—or unless, in addition, public funds are allocated

towards the restoration of these historic buildings—this heritage of the past will be lost to the people of the State.

One problem is that of caretakers. However, it is apparent the buildings are not being taken care of at the present time.

As Cossack is an important tourist asset for the future and, indeed, is part of our cultural heritage, I call upon the Government to initiate an inquiry into the condition of Cossack and to take effective action to arrange for restoration and the proper caretaking of the buildings.

Question put and passed.

House adjourned at 5.37 p.m.

Legislative Assembly

Wednesday, the 23rd May, 1973

The SPEAKER (Mr. Norton) took the Chair at 11.00 a.m., and read prayers.

GRIEVANCES

Announcement by Speaker

THE SPEAKER (Mr. Norton): I would advise members that grievances will be taken at 2.15 p.m.

PUBLIC SERVICE ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 16th May.

SIR CHARLES COURT (Nedlands—Leader of the Opposition) [11.03 a.m.]: This is the second Bill presented to us this session dealing with amendments to the Public Service Act. It is important that members appreciate this Bill deals with section 52 of the Act. The Premier has explained that it is the desire of the Government to bring Western Australia into line with the other States—with the exception of Tasmania, which has yet to make a decision or an announcement on the matter of four weeks' annual leave. I do not know whether such a decision is pending and whether Tasmania intends to move for four weeks' leave; or whether in fact it has decided against it. In the time the Bill has been before the House I have been unable to find any indication of a decision in Tasmania.

However, so far as the mainland States are concerned the Premier has said—and to the best of my knowledge this is the position—they have all adopted the attitude of the Commonwealth on the matter of four weeks' annual leave. It has been necessary to present an amending Bill which deals with the situation right back to January, 1972. For a while I found that a little hard to follow, but I now appreciate that if we want this amendment to be effective for all practical purposes as from the 1st January, 1973, we must go back and commence the entitlement period in 1972. There are some peculiarities about the leave taken by permanent civil servants as distinct from temporary civil servants who are not regarded as permanent. This provision about the qualifying date is a once-only provision, so in that regard we raise no objection to it.

So far as four weeks' leave is concerned, we do not resist it because of the decisions made in other States; but I believe it is pertinent to make some observations, not by way of opposition to the Bill, but by way of general comments regarding the situation that is fast developing in Australia. It is very easy to grant extra annual leave, more pay, more long service leave, more sick leave, and more generous conditions; in fact in Collie we have seen even the granting of compassionate leave. There a worker may take time off with pay if he has a problem at home. This might be desirable in some respects, but when it becomes part of an award or is included in a Statute, one must question it. To question such matters is not the popular thing to do, but members of Parliament are not always supposed to be doing the popular thing.

I believe the time has come when we should remind the people of Australia that one cannot get something for nothing; that one must work and earn before one can share. If we in Australia keep going the way we are we will finish up with people leaving notices as to when they will turn up for work, because they will have four weeks' annual leave; public holidays; three months' long service leave after the first 10 years, and then after every seven years; and extra sick leave benefits. Whilst one may make out a case that perhaps this is a sign of affluence and social development in Australia, the benefits must still be paid for.

It matters not whether they be public servants, company executives, or wage or salaried employees; sooner or later somebody must foot the bill. This has been a very lucky country because it has been able to develop in recent years a very great increment to our export income. For many years the rural industries carried the nation on their back, and we are now able to supplement that with another form of primary industry—minerals, and later this will be augmented by metals. However, the fact is that we have been able to record the sharp rise in our affluence which we have achieved in recent years due mainly to these export industries. In recent times very few countries have enjoyed the conditions that we have enjoyed.