

Legislative Council

Tuesday, the 19th September, 1978

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

LEGISLATIVE REVIEW AND ADVISORY COMMITTEE

Report: Tabling

THE PRESIDENT (the Hon. Clive Griffiths): I have for tabling the report of the Legislative Review and Advisory Committee relating to the Princess Margaret Hospital for Children By-laws.

QUESTIONS

Questions were taken at this stage.

ACTS AMENDMENT (QUALIFYING AGES ALTERATION) BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [4.55 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to remove the age qualification for persons applying for registration as a chiropodist, optometrist, or physiotherapist. It is a requirement at present under the three respective Acts that persons seeking registration must have attained the age of 21 years.

There are two factors which now combine to make this requirement unnecessary. Firstly, the Age of Majority Act confers full adult status on a citizen at the age of 18 years and, secondly, advances in education have developed which can now produce graduates in the three professions who have not attained the age of 21 years.

Thirty six physiotherapy students are expected to complete their studies at the Western Australian Institute of Technology in 1978. Fourteen of these students will be under the age of 21 years on graduation.

If the law is not amended they will have to wait until their 21st birthday before becoming entitled to registration. They cannot work in their profession until registered. The numbers are

smaller in the case of chiropodists and optometrists, but the same situation arises.

Each of the statutory registration boards which is involved has requested that the proposed amendments be made, and I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Lyla Elliott.

SMALL CLAIMS TRIBUNALS ACT AMENDMENT BILL (No. 2)

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. G. C. MacKinnon (Leader of the House), read a first time.

Second Reading

THE HON. G. C. MacKINNON (South-West—Leader of the House) [4.58 p.m.]: I move—

That the Bill be now read a second time.

This Bill is designed to correct an area of conflict which has become apparent between the Small Claims Tribunals Act and the Stipendiary Magistrates Act, and also to validate decisions given by the referee since the 24th January, 1975.

Section 7 of the Small Claims Tribunals Act provides that any person who is admitted and entitled to practise as a barrister, solicitor, attorney and proctor of the Supreme Court may be appointed and hold office as a referee.

Section 7(3) of the Stipendiary Magistrates Act provides that no stipendiary magistrate shall practise as a legal practitioner, barrister, or solicitor.

Mr R. H. Burton, S.M., was appointed in November, 1976, as a referee to constitute a Small Claims Tribunal. However, as a result of action in the State Full Court, the validity of Mr Burton's appointment was queried by the Chief Justice. This has now given rise to the situation that all orders made by Mr Burton could possibly be declared invalid. On the advice of Crown Counsel an amendment to the Act is therefore necessary to validate decisions made by Mr Burton for the period of his appointment.

This Bill will achieve that purpose and, in fact, has been made retrospective to the 24th January, 1975, when the Small Claims Tribunals Act first came into operation.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. D. K. Dans (Leader of the Opposition).

TEACHERS' REGISTRATION ACT REPEAL BILL

Third Reading

Bill read a third time, on motion by the Hon. D. J. Wordsworth (Minister for Lands), and passed.

YOUTH, SPORT AND RECREATION BILL

Second Reading

Debate resumed from the 7th September.

THE HON. R. F. CLAUGHTON (North Metropolitan) [5.00 p.m.]: The Labor Party opposes this proposed legislation. The Government has in fact provided very little justification for the changes it is making. Members will recall that the Community Recreation Council was formed under an Act passed by this Parliament in 1972 which combined the activities of several organisations existing at that time. You, Mr President, had a good deal to say about that Bill and I will take the liberty of quoting some of your remarks during the course of my speech.

I think the Government would have to admit that the council has functioned extremely well and there have been very few complaints about it. I would not be so bold as to say there have been no complaints, because that does not happen in any area of government, but unquestionably the Community Recreation Council has functioned well and has been fulfilling a very useful role in the community. Through the manner in which it was established in the legislation it gave a significant role to representative groups in the community, which have an established place in the scheme of the legislation. I believe the Government would support that concept, because it is very vocal in promoting its party philosophy and saying it supports voluntary organisations, as does the Labor Party which proved it with the legislation. However, it seems the Government gives only lip service to this matter, because it is about to change the existing situation.

The 1972 legislation established a single body to deal with a multi-problem area. I believe there was no other way to deal with a grab-bag of matters such as youth, sport, and recreation. The legislation was an attempt to deal with a number of problems in the community which it was felt could be somewhat satisfied by the scheme of arrangement of the council. In my view, the scheme of appointing recreation officers to local authorities which was then developed was one of the most significant administrative arrangements

which grew from the activities of the Community Recreation Council, and it established a pattern which could be instituted in other areas of government where local authorities are also involved.

The PRESIDENT: Order, please. Will members please refrain from audible conversation? It is becoming a habit and I will have to be quite firm about it.

The Hon. R. F. CLAUGHTON: Thank you, Mr President. The system of appointing recreation officers to local authorities established a link between the two bodies operating at State Government and local government levels, which gave benefits to both and created a feeling of co-operation which would be difficult to improve upon.

The Act related to three areas. The first was youth, and largely uncommitted youth, which is a very difficult section of the community to deal with, because if young people do not wish to be committed it is very difficult to persuade them to become committed. But from what I have seen of what has happened, in every way possible the activities of the council have encouraged and increased the degree of participation of youth.

The Act also deals with organised sport and it has helped to co-ordinate the activities of the various groups in the community and has provided a pool of material which is available for hire or loan. That system enables the community's resources to be used more effectively. Not every piece of equipment is needed all the time by any particular group, and the pooling of equipment enables it to be used by a large number of groups, with financial benefit. In the general field of recreation, again the work of the council has been most beneficial.

The Act reduced the number of people directly involved in the pre-existing organisations, and you made some reference to this, Mr President. I will quote your remarks on page 4 538 of *Hansard* for 1972. You said—

The thought crosses my mind that currently 37 individuals serve on the National Fitness Council and the Youth Council. These people have been chosen because of their expertise to organise the leisure time of young people, in particular, and of people, generally, in Western Australia. Of the 37 individuals, 25 serve on the National Fitness Council and 12 on the Youth Council. The measure before us provides for a maximum number of 24. In my opinion we could be losing the services of a number of dedicated people who have put

in a great deal of time over the years on this sort of work. Are we casting aside those who still have a great deal to contribute in this field? I have made the comment because the measure will cut down on the size of the council.

You went on to say it was interesting to note that the National Fitness Council had 13 subcommittees recorded in its last annual report, and each subcommittee comprised eight to 10 individuals.

Obviously, large numbers of volunteers were working with the council existing at that time, and although the number directly involved on the Community Recreation Council was reduced, many of the volunteers found themselves involved on the various subcommittees. I think you, Mr President, are one who would regret that the number of persons—24—is to be further reduced to 13 on the advisory committee to the department. I can quite imagine what you would say if you were still on the floor of this House and were criticising the proposals we have before us.

On page 73 of the annual report of the Community Recreation Council for 1976-77 the council had something to say which is very significant in deciding what should be our attitude towards the Bill now before the House. It is unfortunate that in so many pieces of legislation which come before this Chamber we see the numbers marshalled on each side of the House and the Government back-benchers disciplined to vote in support of the Government's legislation. This is one piece of legislation which I consider they should seriously consider opposing. The council had this to say in its 1976-77 annual report—

Councillors and staff are very aware that the provision of leisure services is an area of Government activities which requires in-built safeguards against institutionalisation and bureaucracy.

The Bill we are considering in fact moves further towards bureaucracy than did the existing legislation. It proposes to repeal the existing legislation and set up a department in which the voluntary workers will have a very subsidiary voice in what takes place. If the council felt this matter was so important that it should be stated in its annual report, it is sensible for us to take note of those words.

If there is a danger of institutionalisation and bureaucracy in the present system, how much greater will it be in the new proposal? No group of citizens will be keeping a watch on what is happening or proposing policies for the

department. These areas will be totally departmentally dominated, which I do not believe is the best way to deal with the youth, sport, and recreation activities of the community.

When we look at the functions of the committee and of the existing council, we find they are similar but those of the council are more widely expressed because, in the nature of the council, its powers and functions had to be more fully laid down. Section 7 of the Act says—

(1) The functions of the Council are—

- (a) to advise the Minister on such matters relating to youth activities, cultural activities, community recreation, or national fitness as the Minister may refer to it or as the Council thinks necessary or desirable;

It continues on over a page. In clause 8 of the Bill the functions of the advisory committee are set out as follows—

8. The functions of the Committee are—

- (a) to advise the Minister on matters pertaining to community recreation including sport and youth; and
- (b) to examine and report to the Minister upon any matters referred to the Committee by the Minister.

The functions are the same in both cases but are worded slightly differently. The functions of the council as laid down in the Act continue on for almost two pages, and I do not propose to read all of them. However, section 7(1)(b) states—

to initiate, promote, co-ordinate and assist such activities as the Council thinks desirable and to give effect to the purposes of this Act, and in particular . . .

Then it lists a whole range of things that the council may do, and paragraph (c) states—

to nominate a person for appointment by the Governor to act as the representative of the State in the Commonwealth Council for National Fitness . . .

We see no mention of who will have that responsibility under the new legislation. Perhaps the Minister will advise us how that position will be decided under the Bill.

The Hon. O. N. B. Oliver: Whom might you suggest?

The Hon. R. F. CLAUGHTON: I am not suggesting who it might be; I am asking who will decide who the person will be.

The Hon. O. N. B. Oliver: What I am trying to suggest to the honourable member is this: Could

he make a contribution in respect of who will make the appointment?

The Hon. R. F. CLAUGHTON: The present Act states that the council will nominate that person.

The Hon. O. N. B. Oliver: Sir, could you make a contribution?

The Hon. R. F. CLAUGHTON: This Bill sets up a department, and one has to assume that the department will make the nomination; but the department will be a different body of persons from those on the council. The Minister will look either to the department or to suggestions from organisations or groups of organisations outside the department. I am asking the Minister what will happen.

The Hon. D. J. Wordsworth: I missed your point. What is this person nominated to?

The Hon. R. F. CLAUGHTON: He is the State's representative on the Commonwealth Council for National Fitness.

The Hon. O. N. B. Oliver: Sir, have you given any consideration as to which people might contribute to it?

The Hon. R. F. CLAUGHTON: I must confess that I have not really given any consideration to the matter.

The Hon. O. N. B. Oliver: My apologies.

The Hon. R. F. CLAUGHTON: There is no need to apologise; it was a reasonable question. However, it is not a matter in respect of which I felt I should put forward a proposal. The Minister and his officers would have access to much wider advice than I have myself. I am simply asking how this appointment will be handled under the new legislation.

Subsection (2) of the same section of the Act sets out the powers of the existing council to do certain things in the discharge of its functions, and I will not read them out. However, it can be seen that the functions of the new department are to be similar to those of the existing council, and when we read what the Attorney General had to say in his introductory speech we wonder just why the Government is introducing this change. I propose to proceed through the speech of the Attorney General paragraph by paragraph and to raise some questions as I go along.

The Hon. O. N. B. Oliver: What you mean is that you will give us your points of concern to those particular relevant matters?

The Hon. R. F. CLAUGHTON: If the member likes to listen, he will hear what I have to say.

The Hon. O. N. B. Oliver: I will be delighted to listen to you, but you will be giving us your relevant points of concern?

The Hon. R. F. CLAUGHTON: In his speech the Attorney General said—

The Bill acknowledges that clear ministerial responsibility and accountability for the State's recreation service should be established.

We must ask why the Attorney General believes that because, as I have indicated, the differences in the functions of the council and those of the proposed department are not all that great; so in what way is that changed significantly? I think we should ask what are the deficiencies in the present arrangement between the council and the Minister which have caused that statement to be made? Is there not a clear ministerial responsibility? The Minister is mentioned expressly in the Act; there is no question under the Act that the Minister is responsible. Therefore, what are the deficiencies that caused the Attorney General to make that statement, and how are they being overcome in the changes that are being made? There is no way we can judge the matter unless it is made clear to us by the Minister; certainly it is not clear either in the Attorney General's speech or in the proposed legislation. I would like to hear from the Minister in respect of that matter.

In his speech the Attorney General went on to say—

This Bill seeks to repeal the Youth, Community Recreation and National Fitness Act of 1972, to create a youth, sport and recreation advisory committee, and to establish a small departmental structure under the Public Service Act.

In fact there is in existence what could only be called a small departmental structure; that is, the permanent officers of the Community Recreation Council. I assume—and it is a point I intended to check—that under the present Act they are employed under Public Service conditions. Therefore, when considering the statement made by the Attorney General we can only ask in what way it is different from what exists now. There is already a small departmental structure, and I believe the difference is only in the terminology. The council acts as an advisory body to the Minister, as required under the Act.

The existing council is a body of 24 members which the Minister is proposing to reduce to 13. We can say that the new body will be smaller, but "small" is a relative word, as was pointed out to us when the original legislation was introduced in

1936. No reason has been given for the introduction of this change.

Then the Attorney General went on to refer to the functions of the proposed department, and we have seen they are similar to those of the existing council. The advisory committee will consist of seven members—I realise I said 13 previously—and they will be appointed by the Governor and nominated by the Minister for their knowledge, experience or association with the administration or development of recreation, local government, sport, and youth. That situation is not different from what exists now, with the exception that the Government will not be able to include amongst seven people all the expertise that it could include amongst 24 people. That seems to be a point against the legislation rather than a point in favour of it.

The Attorney General went on to say that the proposed committee will have the power to form advisory committees relating to particular areas of concern, and such committees would reflect the individual expertise or interests of their constituent members. That is no different from what exists in respect of the present council with the exception again that there will be fewer members to reflect experience in all these matters. Certainly there are fewer subcommittees of the existing council than there were under the arrangement prior to 1972. Here again we can see very little change is being made. The only change is that fewer people are likely to be involved and the bureaucracy is likely to become more dominant.

The Attorney General went on to say—

The new structure will establish formal ministerial responsibility for the State's recreation service. At present, Western Australia is the only State which operates its recreation service through a statutory council.

Under the existing Act the Minister has a clear responsibility and to suggest that we should change our arrangement in this field simply because other States do not have the same arrangement is a very dubious basis upon which to introduce legislation. We have often heard Ministers on their feet in this House saying that in Western Australia we do things differently and we are proud of it. In my opinion the existing Act is a good example of that, because we have involved the community and given it a role which is not just a token role.

Therefore, we in the Labor Party can only discount those sorts of remarks as not being

significant reasons for the proposed change. The Attorney General went on to claim—

The smaller advisory council will also increase the effectiveness of the present organisational machinery and improve its responsiveness to community needs.

I would contend that is extremely doubtful; I suppose it is one of those arguments which are highly subjective. A committee of one is often said to be the best sort of committee.

The Hon. O. N. B. Oliver: You are very correct.

The Hon. R. F. CLAUGHTON: But that is said in relation to getting things done because a committee of one does not have to obtain the consensus of opinion of many people, and things can be done in a dictatorial fashion because a committee of one has no-one else to answer to. However, when we are talking about being responsible to community needs, I think that is a misuse of language.

The Hon. O. N. B. Oliver: I can agree with you. However, I have followed your argument through, and you have gone from 21 to 13 to seven members. What is the number?

The Hon. R. F. CLAUGHTON: Had the member been following my speech—

The Hon. O. N. B. Oliver: Sir, I have been following it very clearly. I am wondering whether the number is 21, 13, or seven.

The Hon. R. F. CLAUGHTON: I must confess that the honourable member often tries my patience. However, to answer his question, I have consistently referred to 24 people.

The Hon. O. N. B. Oliver: Twenty one.

The Hon. R. F. CLAUGHTON: If the member checks *Hansard* he will see I have consistently referred to 24.

The Hon. O. N. B. Oliver: I wrote down "21".

The Hon. R. F. CLAUGHTON: All right, Mr Oliver is saying I said 21. I am saying I said 24. If he disagrees with me he can check *Hansard* subsequently. I refuse to argue that point.

The PRESIDENT: Order! The honourable member is to ignore the interjections and the questioning and direct his comments to the Chair. The other member will cease interjecting.

The Hon. R. F. CLAUGHTON: Thank you, Mr President. I concede the other point that Mr Oliver made. I did refer to 13, but had he been listening he would have heard me correct that subsequently.

The Hon. O. N. B. Oliver: I was only trying to follow you—

The PRESIDENT: Order! I have already asked the honourable member who is interjecting not to do it, and I have suggested to the member who is speaking that he should direct his comments to the Chair.

The Hon. R. F. CLAUGHTON: Thank you, Mr President. I was doing my best to recognise the member's position in this House and not to be rude to him. I hope that the member will allow me to continue.

The Hon. O. N. B. Oliver: I was following your speech with great intent.

The Hon. R. F. CLAUGHTON: I mentioned the number "13". It was a figure I had earlier quoted from the remarks of the President when he spoke of the 13 members of the previous body.

The Hon. O. N. B. Oliver: Thank you.

The Hon. R. F. CLAUGHTON: When I was speaking on the Minister's notes, I noted that while I had been saying "13", it should have been "7". Now I have made that correction.

The Hon. O. N. B. Oliver: I appreciate your apology. Thank you.

The Hon. R. F. CLAUGHTON: I was talking about the responsiveness. Obviously a smaller group cannot possibly be as responsive to community needs as a body which is more representative. For that reason, we must oppose the Bill.

We contest the arguments of the Minister. The Minister said—

The Government is aware of the increasing importance of leisure time, and the provision of leisure opportunities as a means of improving the quality of life for the individual and the community.

We will not argue with that. That is simply a statement. It is not an argument for or against the Bill. The Minister went on to say—

It is the Government's belief that involvement in leisure activities which improves the quality of living, improves the total health of the individual and the community, and that it is necessary to take a positive approach at this time.

We will not argue with that, but it is not an argument for the Bill. The Minister said—

The Government recognises also the economic significance of the leisure industry to the Western Australian economy, which is presently conservatively estimated at \$400 million per year.

We do not argue with that, but simply note that, since the recreation council's previous annual

report, that sum increased from \$300 million. That is a significant increase.

That annual report also pointed out that the leisure industry was the fifth largest industry in Australia, and it employed approximately 22 000 people in Western Australia. It is an important industry, and there is no question about that. However, that is not an argument for changing this legislation. The Minister went on to say—

Recreation has become an increasing responsibility of both State and local government and it is now essential for the Government to improve the necessary organisational machinery.

Here the Minister has failed completely in explaining how this is an improvement, by reducing or cancelling the statutory role of the recreation council and replacing it with the seven-member advisory committee. There is no explanation of how that improves the efficiency. I believe it does not improve efficiency at all. In fact, it will reduce the committee's responsiveness to the community.

If we adopted that line of argument, we would cancel all existing boards—the Museum, the Library, and the Art Gallery, just to name a few. Members here will recall that last week we were increasing the numbers on the Art Gallery Board, not reducing them.

The Hon. O. N. B. Oliver: You are talking about the import—

The Hon. R. F. CLAUGHTON: That is right. I think all members will agree that the members who serve on those boards make a very significant contribution to them. The members are not without fault, but no member of any organisation is without fault.

The Minister for Recreation who introduced the Bill in another place said in his second reading speech—

Finally, let me acknowledge the splendid pioneering and developmental work carried out by all who served with the Community Recreational Council and its predecessors, the National Fitness Council and the Western Australian Youth Council. The community and the Government are deeply indebted to them.

We can only agree with that. We express our regret that those people will no longer be able to fulfil the role they have had in the past.

When it comes to obtaining substance from the Minister's speech, there is very little to be found. I have had to refer to some of the Minister's

comments reported in the Press to try to get more substance. There is an article which appeared—

The Hon. O. N. B. Oliver: That is a very dangerous way to get the substance of it.

The Hon. R. F. CLAUGHTON: It is a pity, Mr President, that more information is not given in the second reading speeches of Ministers. If more information is given we would not have to introduce outside sources which seem to be regarded as more important than Parliament itself.

In *The West Australian* of the 14th September there was an article headed, "Change to meet recreation needs". This is a report of an address given by the Minister to a meeting of the Western Australian Association of Recreation Personnel, which was held at Yanchep. The report is as follows—

Mr Jones said that the new structure would mean a department of youth, sport and recreation, and an advisory committee of seven to replace the present Community Recreation Council.

The new committee would make the system more responsive to community needs and would increase the effectiveness of the Government's role in recreation.

If we are looking for further explanation, we do not find it there. I would simply remind members of the remarks about bureaucracy that were made in the council's annual report. Mr Jones went on to say—

It would allow more participation by local government, which had the responsibility for providing much of the facilities for recreation.

Now, in what way is more participation by local authorities being provided in this Bill? As I said previously, the system of recreation officers appointed by local authorities is one of the best schemes that could be adopted. It is a very effective one. What is there in this proposal that says that scheme is going to be improved? Will there be one representative of local authorities on that seven-member advisory committee? That would hardly be much of an improvement! There is more scope to obtain representatives from local authorities as well as from the wider community with a 24-member committee than with a seven-member committee.

If we are looking for more explanation, we have not found it in that article. The report continues—

He said that the Government was aware of the increasing importance of leisure time and

activities to improve the quality of life for the individual and the community.

That is just a generalised statement, I am afraid. Apart from the reference to local government, little further explanation is given.

I have dealt with the situation that existed before, and I have dealt with the speech that the President made as a member on the floor of the House, in which he told of the changes that had previously taken place. I have dealt with the Act and the amending Bill. The area of involvement of individuals from the community will be significantly reduced. There will be very little difference in the functions to be carried out by the department as against the council, except that the council will now perform the very effective role it is now performing.

We have looked at the Minister's speech to find some reasons for what the Government is proposing. We have ended up finding none. We have found assertions and statements of the situation as it is, but we have found no reasons anywhere.

If the members of this Chamber were more independent than they are allowed to be, I believe they would not support this Bill. They would wish to see the existing legislation retained, and they would be on their feet demanding more justification for the Bill from the Government.

We very strongly oppose the legislation.

THE HON. T. KNIGHT (South) [5.40 p.m.]: I support the Bill, with some minor reservations. I note that in his second reading speech the Attorney General said that the purpose of the Bill was—

to create a youth, sport and recreation advisory committee, and to establish a small departmental structure under the Public Service Act.

Further on he said—

The functions of the new committee will be to advise the Minister on matters pertaining to community recreation, which includes sport and youth activities, and will examine and report to the Minister on any matters referred to it by the Minister.

At the end of his speech, the Minister said—

Recreation has become an increasing responsibility of both State and local government and it is now essential for the Government to improve the necessary organisational machinery.

I wish at this stage to offer some constructive criticism. I hope that the suggestions I put forward will be noted by the Government.

I have the guidelines laid down by the Community Sporting and Recreation Facilities Fund for 1978. I wish to discuss some of these guidelines. The objectives of the fund are as follows—

The Fund is to financially assist local government authorities and their communities with the provision of a wide range of community sporting and recreation facilities.

The fund is intended to supplement the work of local government and community organisations and it is a condition of the grant that local government makes a substantial contribution to the project.

The criteria of the fund are as follows—

The facilities should be designed to increase active participation in sporting and recreational activities.

The facilities must be for amateur activities.

The management arrangements must ensure that the community generally will have adequate use of the facilities.

Where possible the proposed facility should meet the dimensions required for a variety of sports and activities.

Applicants must indicate that at least two thirds of the cost of the proposal is available from local sources.

I move on to the requirements to be fulfilled by a group in the local community applying for this funding. The requirements are—

Locality plan, preferably on a scale of 1 to 4000, indicating the relationship of the site to schools and existing recreational facilities in the area.

Site plan, preferably on a scale of 1 to 1000, indicating the position of the existing and proposed improvements.

Schematic drawing, showing the nature and extent of the project and, where stage construction is proposed, indicating future development.

Management/control proposed for the facility. This should show the local authority's position in relation to other organisations which may have involvement, and clearly define the responsibilities of each. The responsibility for the financial operation of the facility should also be stated.

If we look at the expenditure that a local authority or a group requiring funding would be involved in, I believe that these costs should be

refunded to those groups after the expenditure has been made on attaining the information required.

When we move on to the planning guidelines, we find that a project should be self-contained. The guidelines state—

A complex may be planned for development in self-contained stages with each stage being a separate item in the Council's priority list. The approval for an allocation for any one stage does not necessarily mean a continuing commitment to successive stages.

Further on the guidelines set out—

When appropriate the design should be capable of having additional components added at a later stage.

In relation to finance, the guidelines state—

The amount of assistance will be determined within the limits of funds available to the Community Sporting and Recreation Facilities Fund in each year.

As stated earlier in the guidelines, the project must be financed in the proportions of two-thirds by the group concerned and one-third by the fund.

Over the years the money contributed by the Government for the purpose of these recreational facilities has been totally inadequate to cater for the needs. From memory last year approximately \$2 million was made available. Approximately 170 applications for finance were received, of which 30-odd were approved. It can be seen 140 groups applying for these facilities were refused. It was not the fault of these groups that they were refused. The money was not available. However, the groups still had to foot the bill for the high overhead costs of preparing drawings, making surveys, and following up the background of the matter. They received no refund for this expenditure on plans, research, and engineering fees, the cost of which is very great today. The local authority, or the group concerned, must pay for these items and they do not receive a refund. As a result, the finance they expend cannot be used by the community for other purposes.

As I have already suggested, I believe the funds spent on the work required to prepare an application for finance should be recoverable. I received minutes from the Finance and General Purposes Committee meeting of the Esperance Shire which referred to community youth recreation. The shire clerk, winding up his report, said—

I can see nothing in the proposed Bill of special significance to this Shire. The only

suggestion would be that a Local Government member be included in the seven member advisory committee, as of right . . . the Bill makes no provision for Local Government representation. However, I think this is something that the G.S.C.A. Exec. should raise.

I believe the Minister should look at this matter and he should include a provision in the Bill so that local government members may be represented on the committee.

As I understand it, regardless of the sporting organisation and other bodies from which applications are received, they must go through the local shire. If this is the case, a great deal of responsibility is on the heads of those shire members. As there is no representation of the shires on the committee, I believe we should have a look at the matter and see if such representation may be included.

I support the Bill. I believe, as I have already mentioned, that refunds should be made of moneys expended on the presentation of unsuccessful applications. In that case the moneys may be used to provide another facility in that particular area. I believe also that we should include local government representation on the committee and the Minister should allow for local government bodies to present a panel of names from which to select. With those few words I support the Bill.

THE HON. TOM McNEIL (Upper West) [5.47 p.m.]: This is an extremely important Bill. I have listened with interest to the comments of the Hon. Roy Cloughton. I cannot see a suggestion in the Bill that members from the department only would be involved in the structure of this new advisory committee. From my close reading of the Bill, I believe the director would be responsible; but a cross section of people would be represented on the advisory committee. These people would represent local government, recreation and sport. Therefore, I do not see anything sinister within the Bill itself.

The honourable member mentioned your involvement, Mr President, some years ago. At that time you expressed concern at the reduction in the number of people represented on the council, as it was to be structured then.

Clause 8(2)(c) of the Youth, Community Recreation and National Fitness Bill, reads—

not less than fifteen nor more than twenty other persons appointed by the Minister as representatives of interests likely to be affected by the operation of this Act.

The need for improvement is certainly obvious to me. This Bill can only streamline the situation. Whilst some concern has been expressed at the small number of people who will be on the committee and there will be a degree of lobbying as to who will have a say in the actual structure, the age and the background of the people forming the committee are extremely important to the validation of its aims. The Hon. T. Knight expressed concern that a person may be localised in his sporting beliefs. For example, he may have cricket interests. The people who represent other sporting interests may feel they would be disadvantaged by a man who was concerned with one sport only.

I should like to refer to the concern you expressed, Sir, some years ago. These committees should be made up of people who represent all sports. If the Western Australian National Football League members had some doubts about the televising of finals for country areas, they could have come to the Legislative Council last year when we expressed concern about the matter. We felt people in the country were being disadvantaged, because the finals were not being televised. In touching on this point, it is only fair to point out to the members of this Chamber who supported the televising of the finals last year that I feel we have been validated completely in our stand. There have been three final games, the attendance at which has been 11 500 in excess of the previous year's attendance, in spite of the fact that the people in the north and the north-west have seen these games on television. It is only the poor disadvantaged people in the eastern wheatbelt and the south-west who still do not have the advantage of televised final games.

It is time we wrote to the Western Australian National Football League asking them to promote the game as it should be promoted and suggesting television coverage be extended not only to the country areas which are not presently serviced, but also to the metropolitan area. In this manner we would be promoting what we consider is our national game. I say this in passing only and I will return now to the Bill itself.

Matters concerning the youth of today are of considerable concern. A number of points on this matter spring to mind; for example, lack of educational facilities; lack of leisure facilities; lack of entertainment facilities; possibly the lack of money, because a number of youths are out of work resulting in delinquency and vandalism; and lack of parental control. Also a great number of the problems experienced today in regard to youth can be related back to the breakdown of the family unit.

We have all expressed a great deal of concern about a number of issues; for example, the effects of alcohol and drugs. In our endeavour to promote the health of the people in the community, we are greatly interested in the youth, sport and recreation advisory committee. As I have already mentioned, the representation on the committee could be enlarged. However, the streamlining of the Act is of benefit and is well worthy of the Minister's attention. It will bring us into line with the other States and it means the responsibility for recreational activities in this State will come under the direct control of the Minister. I believe this will benefit the State as a whole.

In the course of looking at the needs of youth of today, it can be stated that the educational aspect could become an academic gimmick. We should concern ourselves not with those who have the wherewithal, the brains, and the ability to express themselves; but with those who have not had the advantage of a good education. We should go to the poorer communities where a number of children find school boring. We should develop the skills these people possess by giving them the right opportunities. By that I do not refer to vocational guidance counselling; but rather we should look at the wide support accorded to the work experience programme which was very worth while.

Greater use should be made of school facilities in order that students, parents, and the community as a whole are involved in the activities taking place there. It has been stated in the Bill that the youth, sport and recreation advisory committee will increase also the effectiveness of the organisational machinery. This is an important aspect. As a result of this new concept, the welfare of the people involved in the organisation will be protected by statutory authority. There will be a structure whereby these people will receive recognition for their work and promotion will be on the basis of their performance, their involvement, and also the fact that they have a "top-to-the-tree" whereby the correct manipulation of the funds at their disposal is utilised in the correct direction.

I support the Bill.

Debate adjourned, on motion by the Hon. G. E. Masters.

INDUSTRIAL LANDS DEVELOPMENT AUTHORITY ACT AMENDMENT BILL

Second Reading

Debate resumed from the 12th September.

THE HON. R. HETHERINGTON (East

Metropolitan) [5.55 p.m.]: The Opposition supports this Bill. There is nothing in the Bill which I want to oppose and there is much on which I should like to congratulate the Government. It is desirable that the Government should have the power to develop land and factories in areas where that is necessary. It reminds me of legislation that has been introduced and activity that has taken place in other States in order to carry out industrial development. The only matter I have noticed is there is a little ritual nod to the private sector.

The Hon. G. E. Masters: More than a ritual nod. It is something in which we have believed over the years. We believe in private enterprise.

The Hon. R. HETHERINGTON: Of course, if private enterprise can carry out all these functions, the authority will probably not be needed; but I do not mind that reference being included to any great extent if it makes Government members any happier. Without further ado, I commend the Bill and support it.

THE HON. J. C. TOZER (North) [5.57 p.m.]: It was only two years ago that another Bill to amend this Act was introduced into Parliament. We remember very well when you, Sir, sitting in that seat over there, made a very impassioned plea to this House. On that occasion we had applause and cheers from the gallery when you finished speaking. That must have been a moment of great gratification to you.

The Industrial Lands Development Authority has continued to serve a useful purpose since that time and I hope the people at Canning Vale have been satisfied also with the solution to the problems they experienced—the problems which you, Sir, espoused so ably on that occasion.

In essence tonight we are being asked to amend the Act in order that the responsibilities of the Industrial Lands Development Authority may be expanded to make provision for buildings as well as for the development of industrial land.

There are some matters in the Minister's introductory speech on which I believe comment should be made. Mr Hetherington referred to the private sector carrying out this work. There is no doubt that I, along with other members of my party, would like to see all land developed in this manner. In the metropolitan area and in the provincial cities, where most of the land development work is being carried out, the land being subdivided is private land which must be purchased by the authority before it can be developed. Therefore, there is every good reason that the very excellent development companies which have grown up in Western Australia in the

post-war years should in fact undertake this function. We wonder, therefore, why it is necessary to have the Industrial Lands Development Authority.

I suggest its function should be to fill the gap and to provide encouragement where there is some reason—no doubt it will usually be some economic reason—that it is not particularly attractive to private enterprise to do the work. I think members will realise that land development of any sort, but particularly land that will not sell quickly, is a very difficult and expensive task. The cost of engineering works is great, and possibly something like \$40 000 an acre will be spent in the provision of sewerage, roads, water supplies, and other services associated with land development. That is a considerable sum of money to have lying around for some time—in many cases for several years. Therefore, it is desirable that we have this authority in the metropolitan area to supplement the work of the private developers.

On the question of the operation of the ILDA, the Minister referred to the commercial basis upon which the organisation has worked well and persistently. In point of fact, it is interesting to note that in the Auditor General's report for 1976-77, at page 208, it is shown that the excess of income over expenditure in the current account was, in fact, \$817 906.

Sitting suspended from 6.02 to 7.30 p.m.

The Hon. J. C. TOZER: Before the tea suspension I explained that, in essence, what we are doing tonight in this debate is approving of the expansion of the power of the Industrial Lands Development Authority to enable it not only to develop land but also to develop the accommodation required to house industry, and I suggest, more particularly, to house light industry.

In passing I referred to the commercial basis upon which the ILDA has worked, and of course, in his speech the Minister alluded to the fact that this commercial-type operation would continue.

I would like to refer to the revenue account for the year 1976-77 of the ILDA and I have here the Auditor General's report for that year. On page 208 we notice that the revenue from the sale of land, from rentals received, from interest, and from other sources, amounted to \$1 176 810, while expenditure in administration, interest, and other items, amounted to \$358 904. That gave an excess of income over expenditure in the current account of \$817 906.

I would like to draw attention to the second paragraph of the Minister's speech where he says—

The proposals are intended to implement that part of the Government's policy platform in respect of improved incentives for industry through the acquisition or lease of land or buildings for industry at reasonable cost.

I would now like to refer to page 3 of the Minister's notes, and it is quite strange that he then says—

The Government wishes to see this commercial approach continue and does not see the authority as the vehicle through which any more generous incentives might be offered to attract industry, such as help with land purchases or with the construction of factories.

Those two statements might seem to be in complete contradiction to each other, and perhaps the first paragraph I quoted may well have read, "improved facilities for industry".

The alternative to the incentive, which the ability of the ILDA to develop factory space does not give, is the incentive provided by the Department of Industrial Development. Of course it is inevitable that this causes something of a horse laugh from people in remote areas where we feel the incentives to assist industry are of precious little value in helping to overcome the disabilities to which people are subjected in these areas. I would like to develop this argument a little further. However, firstly, I quote the Minister's remarks on the role of the Department of Industrial Development. He had this to say—

This is more correctly the role of the Department of Industrial Development, which already administers a range of incentives available to country based industry which is expected to be expanded in the future, subject to finance becoming available.

Of course we are delighted to see that it is expected these services will be expanded in the future, but we are a little sad about the rider, "subject to finance becoming available". Naturally we will read with great interest the documents being presented in another place tonight.

I would like to refer to the incentives offered to decentralised industry, and I have a small document here which is published by the Department of Industrial Development, and which lists five particular concessions. The first concession is a 30 per cent reduction given on rail freight for selected industries, both for bringing

raw materials into a factory and for sending out the finished product. Members will notice that incentive is orientated towards the manufacturing industry, and that there is a maximum of \$15 000 a year. It is an incentive, but it is of precious little value to people in the North Province, in the Pilbara and in the Kimberley.

The next incentive is a rebate on pay-roll tax. I have spoken on this matter a number of times in this House; a company would have to be almost broke to gain benefit from this rebate.

Financial assistance can be made available in the form of a Treasury guarantee. However, the total budget for this item is also extremely limited, and the guidelines are such that most small industries in decentralised areas would be excluded. The guidelines state that the borrower must have an equity of between 50 and 75 per cent in the business concerned. The borrower must borrow his money from his normal borrowing source and the Treasury issues a guarantee. The business concerned must have a sound chance of success, and if another competitor in the field is not drawing a similar subsidy, the borrower is disqualified from drawing it.

There is also a subsidy on interest rates; that is, up to 5 per cent of the interest on money borrowed for the purchase of capital plant, etc. The maximum on this item is \$15 000, and it is phased out over five years.

We often speak about preferential tendering, and a concession of a 10 per cent preference is offered to a local contractor under certain circumstances. Tenders for Government buildings or renovating contracts may attract a 5 per cent preference up to the value of \$20 000 but no more, and this does not include State Housing Commission contracts. This is a critical point for small builders in decentralised areas.

Additional assistance is given in the way of liaison generally and advice with managing, marketing, and allied activities. So there is little real incentive associated with any of the policies we offer currently to attract industries to really outlying and remote areas, and particularly the Pilbara and the Kimberley. However, we are encouraged by the Minister's comments in his speech, and we will be observing what incentives are included in the Budget. Unless we offer real incentives, we will not make any significant progress with decentralisation.

The Minister then went on to describe how the ILDA is the best vehicle through which factories, etc., can be built, if the Government is required to take part in this particular aspect of industrial

development. I do not think we would argue with this, and if we refer back to the Auditor General's report, we see that the administration figure was only \$53 000, while the turnover, or the amount of money handled, can be as high as \$12 678 640 in one year. The report indicates that land at present held by the ILDA has a value of well over \$8.5 million, and there is another \$3 million in the form of bank accounts with the Treasury, etc. This is a very big deal indeed, and it is remarkable that the administration charge is as low as \$53 000.

On page 7 of his notes, the Minister then said—

The first is the situation where there is a need identified for general factory accommodation and the need is not being serviced by the private sector, a situation more common to country centres. The need is usually for rental space in small factory units.

This certainly is the experience that I have found in my province. The Minister then drew specific attention to the fact that opportunity would be given for the private sector to service the need, and he drew attention to the fact that he will call tenders to prove whether the private sector has the ability to go into this field to compete with the ILDA. With this I must agree. It is not, as Mr Hetherington suggests, a question of ideological dogma at all; it is a question of plain common sense. In this way we introduce the economies and the efficiencies which private industry can bring with it.

During the 1976 debate I referred to 18 industrial estates being developed by the ILDA at that time. It was interesting to see the answer given a week or two ago to the member for Ascot in the Legislative Assembly which listed Armadale, Baldavis, Bayswater, Canning Vale, Henderson, Jandakot, Kewdale, Kwinana, Mandogalup, Munster, Osborne Park, Rockingham, and Spearwood. Of course Kewdale was an original part of the ILDA development from which the authority grew, but it is interesting to note that these are the same 18 names I used in my speech in 1976.

In addition, he goes on to give the country centres, which are Bunbury, Geraldton, Katanning, Merredin, Narrogin, Northam, and Pinjarra.

The Hon. R. J. L. Williams: What page is that in *Hansard*?

The Hon. J. C. TOZER: I am reading from page 2598 of *Hansard* of the 23rd August, 1978. Strangely enough, in the case of two of those country projects—at Northam and Albany—where there were buildings erected on

the property when it was purchased by the ILDA—there was nothing wrong with the authority renting out those premises and, in point of fact, it has done so; but when it comes to the construction of buildings, there was no such authority and there will not be such authority until such time as the Bill we are considering tonight becomes law. In the case of Northam and Albany, it is interesting to note that even the question of maintaining those existing buildings was thrown into doubt. It was doubtful whether the ILDA did, in fact, have the authority to do this.

I am satisfied that the Industrial Lands Development Authority does have an important function in the metropolitan area, but I wonder if, in fact, we should not be relying and encouraging and even assisting in some measure private enterprise to carry out this work. I am sure that by permitting these private developers to show their ability to develop industrial land we will get a higher standard of service from these groups.

I would also suggest that possibly the ILDA does have a function in the important provincial towns to which I just referred. However, Sir, I should draw your attention—as I did two years ago—to the fact that there is not one of those seven country towns which is north of Geraldton. No-one can tell me that the need does not exist in those northern areas.

In the north, all new subdivisions are on Crown land and, therefore, responsibility for subdivisions becomes that of the Lands Department. I think the Lands Department probably is a very good department to make designs for subdivisions, and physically survey and subdivide the land. I do not believe that it is equipped to be a land developer. But this is, in fact, what we are making it become in the northern part of the State.

We have the situation where this statutory authority—the Industrial Lands Development Authority—is working in an area in the metropolitan area and in the major provincial towns in the southern part of the State where I doubt that there is a need for it. We do not find it at all in places like Port Hedland or Karratha or anywhere else in the north. We do not have an efficient alternative in the north, but we do not have the ILDA either.

The Hon. I. G. Medcalf: There is nothing to stop it going there. The Bill would allow it to go there.

The Hon. J. C. TOZER: There has never been anything to stop the ILDA going to the north, but it never has. I believe this is an unfortunate aspect of the thinking of Government and, particularly,

of the thinking of Government officers. They do the easy ones first. I have spoken on many occasions of the Urban Land Council and complained bitterly that the Urban Land Council works only in the metropolitan area. There seems to be something to suggest that Government officers seem to think that "metropolitan" is synonymous with "urban". That is not the case. We have big urban communities and growing urban communities in the north and these Government instrumentalities which have the authority to develop land—whether industrial land or residential land—fail to accept the challenge and do not go there.

The Hon. W. R. Withers: Possibly this is why we are expanding quicker and better in the north!

The Hon. J. C. TOZER: That may be the answer.

The Hon. D. J. Wordsworth: Any land which is made available in the north is charged for only on the basis of the work which is put in; no charge is made for the land component.

The Hon. J. C. TOZER: Mr Wordsworth has just become Minister for Lands. He has to be in that portfolio a long time before he can start telling me much about this part of the problem. Of course, we do not pay for the land component, but we pay for the cost of servicing the land, and the cost of engineering services in a subdivision in Port Hedland is two times or 2.5 times the cost of the same engineering services when they are installed in the Perth metropolitan area.

In Port Hedland and Karratha some assistance is given to the Lands Department by way of the Townsite Development Committee. This is a committee of senior officers from various departments — various service-type departments — and they have a role of co-ordinating land development activity. But essentially the task is that of the Lands Department.

I suggest that until such time as we can attract private land developers to the north, the ILDA should be given the task. Perhaps then we will get greater efficiency than I believe we are achieving now. At present the Lands Department is forced to depend on the Public Works Department to do the engineering, the sewerage, the water supply, and the drainage works; the Main Roads Department to build the roads; and the State Energy Commission to install power; whereas I believe that the ILDA as specifically referred to in the Bill and in the Minister's speech is enabled to make use of private contractors and outside people.

I suggest also—again, I said the same thing in 1976—that it would be an admirable thing to see joint ventures between the local authority concerned and the Industrial Lands Development Authority. Again, provision for this to happen is specifically made in the Act we are amending tonight. I quoted the example then—it is still valid—of the remarkably successful work that was done by the Shire of Wanneroo.

It is not only in Port Hedland, Karratha, Wickham and Roebourne where I am interested in getting this improved standard of industrial land development; it is also places like Broome and Kununurra. There is a pressing demand in these places and it would be so much better if we had a recognised authority that had the ability to ensure that serviced land was available as and when it was required. In addition, places like Newman and Tom Price are moving quickly towards "normalisation" and this trend is going to accelerate in the years immediately in front of us. Members should go and look at the unsatisfactory light industrial areas that are there, with their topsy-turvy layouts. It needs an authority such as the ILDA to go in there and provide an organised, well-established, properly serviced and designed industrial subdivision; so, in this transition, we can see an orderly movement from the hotchpotch the companies have permitted to develop on their industrial leases to an organised, permanent, "normal" community set-up.

I believe the demand for industrial land is great now; but the demand during the coming few years is going to be colossal in the Pilbara and places in the north generally. In advocating the activities of the Industrial Lands Development Authority with its new-found power to go into factory accommodation as is provided for in the Bill before us tonight, I suggest what I would like to see is a self-terminating project. I suggest in 10 years' time perhaps we can get our cost structure down to such a degree that we can get private enterprise to participate, and I would certainly aim for this objective.

There is one more thing I would like to suggest regarding the ILDA in the north, and that is housing for industry. I wonder whether the ILDA's charter cannot be expanded to embrace industrial housing. A factory is just no good if it has not got accommodation for its work force. While we provide for the development of the land and the construction of factory accommodation, I suggest we have to seriously look at the franchise the ILDA has and see if we should not be expanding it to meet the needs of the factory worker also. So, I repeat what I have said on several occasions from my place in Parliament:

The demand for accommodation for the work force—these are people employed in the light industrial areas in places like Port Hedland and Karratha—is great. There are still something like 1 200 families living in caravans on a permanent or semi-permanent basis, between Port Hedland and the conurbation around Karratha.

Most people fail to recognise that of the community at Port Hedland, perhaps only one person in five is employed by one of the two major iron ore companies. That means that the other four out of five people are absorbed into the service and support industries which are in the region now. The need for industrial housing is tremendous, and I would ask our Ministers if they would please advocate that the ILDA's charter be expanded to look after industrial housing.

During the last year or so, the Commonwealth Government set up the Decentralisation Advisory Board. The Commonwealth came up with this scheme which seemed to give hope for decentralised industry. Last year, \$6 million was provided to be spent throughout Australia on this concept. A further \$6 million was allocated this year. In fact, the money was not spent last year and was transferred to a trust. Currently, there is about \$10 million sitting in kitty, waiting to be used to assist decentralised industry. I must point out that this money is not a grant; it is made available by way of repayable loans at the normal long-term bond rate. Without spending too much time on this subject I would like briefly to refer to the document associated with this project. It is under the heading of, "Decentralisation Advisory Board—Guidelines for the Provision of Assistance". The preamble commences with the following statement—

The objectives of decentralisation are to encourage non-metropolitan economic and population growth and the creation of opportunities to reduce economic and social disparities between metropolitan and non-metropolitan regions and centres.

That is very commendable.

Under the heading of, "Guidelines for Assistance", we see a subheading of "Eligible Centres"—I will excuse Mr Withers if he sniggers in a moment. The document states that assistance will be limited to non-metropolitan centres which, "(i) show sound long-term growth prospects". I will not read all of this but part of it is as follows—

(These centres will be selected in consultation with the States and will be revised from time to time. Initial selection criteria are:

One of them is as follows—

non-metropolitan centres above 15 000 which have grown at more than 1 000 in total over the last five years. Such centres have generally demonstrated an ability to sustain growth and attract employment;

I will move to the next document produced by the same Decentralisation Advisory Board. On page 3 of the Project Evaluation Manual it says—

A schedule of non-metropolitan towns accepted as meeting the "sound long-term growth projects criteria" follows as Table 1.

Table 1 is headed, "Centres meeting initial Commonwealth criteria". Under Western Australia the towns of Bunbury, Geraldton, and Albany are mentioned. Presumably they are centres of 15 000 and over which have had an acceptable growth rate of more than 1 000 in total over the last five years.

Port Hedland and Karratha have both increased in population by over 1 500 in each of the last five years; they have surpassed the criteria six or 10-fold. However, we do not find Port Hedland or Karratha included in the Commonwealth list.

I suggest this scheme, admirable in concept as it is, is clearly a hangover of this quite objectionable way of thinking that has developed in Canberra over the last decade by which all wisdom seems to be found in the national capital.

Mr Knight referred to the submissions presented on recreation. There is a mass of submissions, recommendations, reports, and questionnaires filled in by every applicant, local authority, and other sort of authority. They are prepared in great detail and sent off to Canberra where they are finally rejected or the applicant is told to resubmit a further case.

The work by the authorities preparing these submissions is colossal but it is left to the know-it-all wise men of the east to make a decision on whether to support something in Albany in preference to Wyndham, Port Hedland, or Karratha. There has been one success in Western Australia where the Albany Computer Bureau was given a loan of \$150 000. It looks as though a second success will also go to Albany with a loan to Southern Ocean Fish Processors, if it can afford to borrow that amount of money; the figure quoted to me is \$450 000.

The Hon. D. J. Wordsworth: We hope to give northern members a few tips.

The Hon. J. C. TOZER: The allocation of this money to promote development of decentralised industry is a good idea, but if people in Canberra

really want it to work effectively there is no doubt in my mind they have to give \$1 million to the State and let the State Government expend it so as to really assist in developing decentralised industries. Then those incentives given by the Department of Industrial Development can have a budget which will sustain reasonable allocations to help in the fine objectives they have.

It may well be that the Industrial Lands Development Authority would be the appropriate State instrument to give effect to the State Government's policy. Perhaps this is something we should be working towards.

I have pleasure in supporting the second reading of the Bill.

THE HON. I. G. MEDCALF (Metropolitan—Attorney General) [8.05 p.m.]: I thank honourable members for their support of the Bill. I think it should be borne in mind that this Bill deals with industrial land development and is a departure from previous practice in that for the first time it authorises the authority to subdivide and develop land for industrial purposes. This means it will be able to do things it has not been able to do before.

In that context one has to appreciate there are certain limitations and one cannot expect the authority to be a comprehensive body which is going to perform all the tasks that some members might require of it. There are other authorities in this State and they will have their own respective tasks to perform.

I appreciate that the comments of the Hon. J. C. Tozer were largely directed at supporting the Bill, but at the same time he was critical of the fact that the Industrial Lands Development Authority does not own more land in the north.

The Hon. J. C. Tozer: Any land.

The Hon. I. G. MEDCALF: I gather he is critical of the fact there has not been any activity in the north of the State by that authority. This Bill will enable the Industrial Lands Development Authority to do things throughout the length and breadth of the State which previously it had not the power to do. Therefore, it is in that respect a very advanced Bill which will give the authority powers it has not had before and which it can exercise wherever the need is felt. In that respect, therefore, it will enable the authority to do some of the things Mr Tozer wants it to be able to do.

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.

ADJOURNMENT OF THE HOUSE

THE HON. G. C. MacKINNON (South-West—Leader of the House) [8.07 p.m.]: I move—

That the House do now adjourn.

Stock and Fauna: Attacks by Predators

THE HON. A. A. LEWIS (Lower Central) [8.08 p.m.]: I will not keep the House for long but as a matter of urgency I think the Government's notice should be drawn to the terrific numbers of stock and, I believe, natural fauna being killed in an area extending through Collie, Cordering, and Bokal.

There have been some Ministers who have virtually rejected the suggestion that the animal doing these killings is an American mountain lion, or cougar. It is amazing that Ministers sitting here in their glory can damn a bushman living in the area.

The Hon. G. C. MacKinnon: They have yet to get one.

The Hon. A. A. LEWIS: That is the sort of comment we are used to. There are many reliable people who have seen an animal which moves with great speed. There has been one hit upon an animal but the shot did not kill it.

The stock losses are great enough for this Government to take some note. The Government should bring in an expert on these animals to indicate how they can be hunted so as to cope with the situation, because despite what the Leader of the House says here and in public I believe this is a serious problem. The loss of stock is well over the 400-sheep mark at the moment.

The Hon. G. C. MacKinnon: I am only worried they might overlook the domestic dog.

The Hon. A. A. LEWIS: I realise that domestic dogs and even feral cats and pigs are a nuisance. Some of the bushmen in the area have lived there all their lives and they say this is an animal they have not seen before. They have all seen feral cats and pigs and most sorts of dogs and dingoes. It is all too easy to dismiss their ideas, except that one cannot dismiss killings which are happening at the moment.

The Hon. G. C. MacKinnon: We allow Alsations in now.

The Hon. A. A. LEWIS: Red herrings must come very cheap at some dinners parliamentarians attend! This is a matter of great

significance to the people living in these areas. When I first heard that a cougar, or a great cat with immense speed, was thought to be in the area I too had my doubts, but since then there have been too many sightings; there have been too many animals killed. It has got to the stage where a 90-kilogram kangaroo has been bitten right through the back. I do not know of a feral cat or dog that has attacked a kangaroo at the middle of its back.

This is an important matter and the Minister concerned should take positive steps. I congratulate the Minister in charge of the APB as he has sent professional experts down to the area but they are as baffled as the local farmers. I believe it is about time the people who say they cannot accept this story got off their tails and proved to those farmers how such an animal cannot exist, because deaths to stock will continue. People in the area are worried that in future a human life might be lost.

The Hon. H. W. Gayfer: Have there been many sightings?

The Hon. A. A. LEWIS: Up to 30 sightings.

The Hon. H. W. Gayfer: Of a common description?

The Hon. A. A. LEWIS: There is more than one animal, because reported colourings are different and marks have been seen in clay pans indicating it may be a mother with a couple of cubs.

The Hon. N. E. Baxter: Then it definitely seems to be a feline type.

The Hon. A. A. LEWIS: Yes, and in one stretch of clay pan there were three different sizes of paw marks. I believe the Government should do something about this, and do it soon before a tragedy occurs.

Question put and passed.

House adjourned at 8.15 p.m.

QUESTIONS ON NOTICE**TRAFFIC LIGHTS**

Great Eastern Highway-Abernethy Road Junction

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

Referring to the answer to question 291 on the 13th September, 1978, could he give details of the expected traffic changes, particularly in relation to an increase or decrease entering or leaving

Abernethy Road at the Great Eastern Highway intersection?

The Hon. D. J. WORDSWORTH replied:

It is not possible to forecast with any accuracy what changes in traffic volume will result from the change in traffic patterns except that a reduction in volume is expected in Abernethy Road at its junction with Great Eastern Highway.

HEALTH

Chiropractors, Dentists, and Medical Practitioners: X-rays

310. The Hon. T. KNIGHT, to the Minister for Lands representing the Minister for Health:

- (1) Further to the answer to question 294 on the 13th September, 1978, regarding X-ray operators, when in the past, and on what basis was it found that excessive doses of radiation were being used on patients?
- (2) What comparable studies have been carried out amongst dentists, medical practitioners and country hospitals?
- (3) What is being done to implement a standard examination of all persons in this State who operate X-ray facilities?
- (4) What reports are available in regard to misuse of equipment and overdoses of radiation?
- (5) Can these reports be made available for study?

The Hon. D. J. WORDSWORTH replied:

- (1) Inspections of facilities where X-rays are used are carried out routinely by departmental officers. It is during these inspections that the occasional unsatisfactory use of X-ray equipment and the consequent excessive dose of radiation to patients, is levelled.
- (2) The inspections include all X-ray facilities.
- (3) Nothing. As indicated in the answer to question 294, radiographers, radiologists and chiropractors are already examined and it is not considered that examination of other groups is warranted.
- (4) The reports of the inspections referred to in (1) and (2) are in the files kept under the provisions of the Radiation Safety Act.

- (5) The Radiation Safety Act places restrictions on the disclosure of information obtained under the Act.

QUESTIONS WITHOUT NOTICE

TRANSPORT

Taxi Drivers and Fares

1. The Hon. R. F. CLAUGHTON, to the Minister for Lands representing the Minister for Transport:
 - (1) Is the Minister aware of the average hours worked per week by a taxi driver?
 - (2) What is the average income per week of a full-time taxi driver?
 - (3) Has approval been requested for an increase in taxi fares?
 - (4) If so, when will this take effect?
 - (5) Has an examination been made of the increased cost to taxi drivers as a result of increases in petrol prices?

The Hon. D. J. WORDSWORTH replied:

- (1) It is thought that the average hours per week spent working on the road by a taxi driver would number 56.
- (2) This information is not available to me.
- (3) Yes.
- (4) The 1st December, 1978.
- (5) Yes.

TRANSPORT

Taxi Drivers

2. The Hon. R. F. CLAUGHTON, to the Minister for Lands representing the Minister for Transport:

What is the average increase in costs to full-time taxi drivers as a result of petrol price increases?

The Hon. D. J. WORDSWORTH replied:

I think the honourable member will have to put the question on notice as I am unable to give the figure.

CIVIL RIGHTS

Legislation to Safeguard

3. The Hon. R. F. CLAUGHTON, to the Attorney General:

To assist the Attorney General in answering my question I shall read to him the question I asked last week as follows—

(1) Is the Government planning to introduce legislation to safeguard civil rights?

(2) If so—

(a) Is consideration being given to the protection of individual rights that are threatened by information contained on automated data equipment?

(b) Is it planned to introduce legislation for this purpose this session?

The Minister replied as follows—

(1) and (2) Questions 1463 to 1480 in the Legislative Assembly also relate to this matter.

In response to those questions the Premier indicated that the information being sought was of a wide-ranging nature and would involve considerable time in its collation. It is intended to provide a written response to those questions as soon as practicable and I will ensure that the honourable member receives a copy of that reply.

As the Minister has just indicated that he recalls the question, could he now say if he is aware that only one of the questions he referred to touched on civil rights issues, and that is question 1475?

The Hon. I. G. MEDCALF replied:

No.

COMPUTERS

Legislative Assembly Questions

4. The Hon. R. F. CLAUGHTON, to the Attorney General:

Did the Attorney General personally examine the questions and answers to determine whether they touched on the matters asked by myself?

The Hon. I. G. MEDCALF replied:

I understand they all related to the use of computers and, hence, it was appropriate they be answered at the one time.

COMPUTERS

Legislative Assembly Questions

5. The Hon. R. F. CLAUGHTON, to the Attorney General:

The Attorney General has not indicated whether he personally examined those questions. Would he now do so?

The Hon. I. G. MEDCALF replied:

I was aware of the general nature of the questions. They were not directed to me, so I had not personally examined every word in them.

CIVIL RIGHTS

Legislation to Safeguard

6. The Hon. R. F. CLAUGHTON, to the Attorney General:

Is the Attorney General satisfied his answer to me was related to the question I asked which was, "Is the Government planning to introduce legislation to safeguard civil rights?"

The Hon. I. G. MEDCALF replied:

Yes.

CIVIL RIGHTS

National Human Rights Commission

7. The Hon. R. F. CLAUGHTON, to the Attorney General:

Is the Attorney General aware of the Press report in *The West Australian* dated the 16th September, referring to Senator Durack's statement on the formation of a national human rights commission?

The Hon. I. G. MEDCALF replied:

Yes.

The PRESIDENT: Order! I would recommend that the honourable member prepare a question prior to coming into the House. It seems to me that the line of questioning I am permitting—and I do not intend to stop this—is taking the form of a cross-examination. Whilst the Attorney General is apparently prepared to answer them, I would suggest the honourable member ask all his questions in relation to this particular subject.

CIVIL RIGHTS

National Human Rights Commission

8. The Hon. R. F. CLAUGHTON, to the Attorney General:

Before I ask my question I indicate that I understand your feelings about the questions I am asking, Mr President. I had placed my question on notice and in my view had received an unsatisfactory reply. The questions I have asked today relate to the Minister's portfolio and I believe he should be able to respond the way he has done so far. I now ask if the Minister will confirm that Senator Durack had held long talks with this State to ensure active participation between the Federal and State Governments as is suggested by the Senator's statement?

The Hon. I. G. MEDCALF replied:

I do not quite understand the question and I ask that it be placed on notice.

CIVIL RIGHTS

National Human Rights Commission

9. The Hon. R. F. CLAUGHTON, to the Attorney General:

Were talks held between the Attorney General and Senator Durack relating to the question of a human rights commission?

Point of Order

The Hon. G. C. MacKINNON: In my 23 years I have not seen this sort of cross-examination in this Parliament. I know there are some Parliaments in which it does happen, where a Minister stands in the appropriate place and fields questions like a little boy playing French cricket just as we played when we were boys. Mr President, I am sure you recall the game. I feel this sort of questioning could reach the stage where it would be an embarrassment to the Minister. I felt you, Mr President, might have wished to make a ruling on this matter.

The PRESIDENT: Order! I have been through the Standing Orders and I must admit I am unable to find where this sort of questioning is specifically banned.

The Hon. G. C. MacKINNON: Certainly it is not customary and it would seem to me, therefore, to be a matter which might be considered by the Standing Orders Committee at some time.

The PRESIDENT: Members will recall that I have already indicated to the honourable member asking the questions that perhaps his method of pursuing the information was somewhat strange; nevertheless I did go further and indicate that the Attorney General was continuing to agree to answer the questions. Therefore I can only take it that the Attorney General is happy to receive the questions. I am not the Attorney General, but if I were I know the way I would deal with the questions. As I understand the Standing Orders they leave me no alternative but to prevail upon the honourable member to perhaps quickly reach the end of this line of questioning.

Questions (without notice) Resumed

The Hon. R. F. CLAUGHTON: I am glad everyone agrees that what I am doing is within Standing Orders.

The Hon. G. C. MacKinnon: It is specific—

The Hon. R. F. CLAUGHTON: The question I ask, I hope without rude interjections, and which the Attorney General might care to answer is—

Were talks held between the Minister and Senator Durack on the question of a national human rights commission?

The Hon. I. G. MEDCALF replied:

I ask that the question be placed on the notice paper.

CIVIL RIGHTS

National Human Rights Commission

10. The Hon. R. F. CLAUGHTON, to the Attorney General:

Will the implementation of the Federal Government's proposal for a national human rights commission require complementary State legislation?

The Hon. I. G. MEDCALF replied:

I ask that the question be placed on the notice paper.

QUESTIONS

Use of "Questioner"

11. The Hon. D. W. COOLEY, to the Leader of the House:

I refer to an answer to my question 305 of the 14th September which states *inter alia* "The questioner asks about matters etc".

My question is:

- (1) Is it in accordance with normal practice or Standing Orders to refer to an honourable member as a questioner?
- (2) If so, can the Leader of the House recall any occasion when he has referred to a member of his own party as a questioner?
- (3) If not, is this title reserved for members of the Opposition only?

The Hon. G. C. MacKINNON replied:

- (1) Yes.
The word "questioner" would appear to be an adequate definition of a person asking a question and I

doubt whether normal practice or Standing Orders has much bearing on when the word should be used. It surely bears no disrespect.

- (2) No doubt I have, but I cannot be specific offhand.
- (3) No.

QUESTIONS

Use of "Answerer"

12. The Hon. D. W. COOLEY, to the Leader of the House:

Would it be in order, in accordance with Standing Orders and the procedure in this House, to refer to the Minister as "an answerer"?

The Hon. G. C. MacKINNON replied:

Yes. I can see nothing wrong with that. It would bear no disrespect and would, in fact, be factual most of the time.