

# Legislative Council

Wednesday, 19 November 1980

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 2.15 p.m., and read prayers.

## ADJOURNMENT OF THE HOUSE: SPECIAL

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [2.25 p.m.]: I move, without notice—

That the House at its rising adjourn until 11.00 a.m. on Thursday, 20 November.

Question put and passed.

## ABORIGINES

*Employment in Electorate Offices: Personal Explanation.*

**THE HON. PETER DOWDING** (North) [2.26 p.m.]: Mr President, I seek the indulgence of the Council, pursuant to Standing Order No. 75, to explain matters of a personal nature.

Leave granted.

The Hon. PETER DOWDING: Some time ago I asked a question in this House regarding an application that I had made at the request of the Commonwealth Employment Service for the employment of an Aboriginal trainee in my office under a scheme in which the Commonwealth Government pays the wages. That scheme is known as the NEASA scheme. Statements have been made in the Press about this matter, and those statements suggested that a political office is an improper place in which to train an Aboriginal trainee under the scheme. Since I made this application in good faith, at the suggestion of the Commonwealth Employment Service, I take some exception to that suggestion.

I have now received a copy of a letter from the Minister for Employment and Youth Affairs, and Leader of the House in the Federal Parliament (Ian Viner) dated 20 May 1980 in which he exhorts all members and senators of the Commonwealth Parliament to employ a NEASA trainee in their political offices. Indeed—

The PRESIDENT: Order! The honourable member is exceeding the authority that has been granted to him under Standing Order No. 75. A personal explanation means what it says—a personal explanation. That Standing Order does not permit a member to introduce debatable material or comments.

Whilst I am not suggesting I would like to curtail his opportunity to make a personal explanation, I prevail upon the member to make his point, on a personal explanation.

The Hon. PETER DOWDING: I will do so. I would be prepared to table this letter to save time.

The letter vindicates my position. I make this personal explanation because there has been some suggestion that a NEASA trainee ought not work in a political office.

I seek leave to table the letter to which I referred.

Leave granted.

*The letter was tabled (see paper No. 387).*

## PERPETUAL TRUSTEES W.A. LTD., AMENDMENT BILL

### Second Reading

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [2.29 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to effect the following changes to the Perpetual Trustees W.A. Ltd. Act—

to provide for the release of the Perpetual Trustees site at 89 St. George's Terrace from the statutory charge under section 29 of the Act, to enable a joint venture redevelopment to proceed; and

to provide for alternative security for beneficiaries of deceased estates under section 29 of the Act, the limits of which may be prescribed by regulation.

Under section 29 of the Act, the company is precluded from entering into any commercial dealings on the property without the prior consent of the Treasurer. Similar provisions are contained in the Western Australian Trustee Executor and Agency Company Limited Act 1893-1979.

However, it is understood that the West Australian Trustee Company does not wish to avail itself of corresponding amendments at this time.

Section 29 of the Perpetual Trustees Act was intended to provide a form of insurance, with the property as security, in the event of any beneficiary succeeding in legal action due to a loss on an estate administered by the company.

The company is currently negotiating to redevelop the property in partnership with the British Land Company Holdings (Australia) Ltd., on a 50:50 basis with one-half the land being sold to the joint venture company.

To compensate for the reduction in security resulting from Perpetual Trustees' decreased equity in the property, it is proposed that alternative security shall be required to be provided by the company to meet any claims arising from its operations under the Act.

This security will initially take the form of an insurance policy providing professional indemnity of \$300 000 and fidelity guarantee insurance for protection against defalcation by the company, its officers or servants, in an amount to be approved by the Treasurer, and authorised trustee investments of \$400 000.

However, it is possible that insurance cover may be difficult to obtain at a reasonable premium, and to allow for this contingency, the company will have the discretion to increase to \$700 000 the security to be provided by way of investments.

This security will be held upon trust for Perpetual Trustees by the Treasurer.

The limits of the security will be subject to review by the Treasurer who may, from time to time, prescribe new limits as he considers appropriate.

All information necessary for the conduct of these reviews will be required to be furnished by the company.

It might become necessary substantially to rewrite the Act at a later date to comply with the likely requirements of the national companies and securities legislation which is currently being drafted.

However, in view of Perpetual Trustees' desire to conclude negotiations with British Land Company Holdings (Australia) Ltd., and to proceed with the proposed redevelopment, it has been necessary to introduce this amending Bill as a matter of urgency.

Therefore, to enable the property to be redeveloped and to ensure that adequate alternative security is provided this Bill proposes to repeal and re-enact the existing section 29 to make provision for specific security for the beneficiaries of estates administered by Perpetual Trustees.

I commend the Bill to the House.

**THE HON. H. W. OLNEY** (South Metropolitan) [2.33 p.m.]: The Opposition does not object to this Bill. It is satisfied with the explanation of the circumstances given by the Minister in his speech.

There is only one comment we should like to make which concerns the following statement made in the Minister's second reading speech—

Section 29 of the Perpetual Trustees Act was intended to provide a form of insurance, with the property as security, in the event of any beneficiary succeeding in legal action due to a loss on an estate administered by the company.

It is common knowledge to anyone who has walked down St George's Terrace lately that the property concerned which used to have a rather distinguished-looking building on it, is now nothing more than a hole in the ground. One wonders whether the action of demolishing the building before attending to the legislative change may, in some way, have tended to disadvantage the particular beneficiaries for whom the security was intended.

I have no doubt that Perpetual Trustees W.A. Ltd. has other assets which would meet any other claims which may be made prior to the consummation of the new arrangements. However, I rise to point out that this company is one which has special powers under a Statute—powers which are enjoyed by only one other company and the Public Trustee in this State. The preservation of the security of the beneficiaries for whom the company is responsible ought to be a matter of prime importance.

We support the legislation and invite the Minister, in the event of it becoming necessary to rewrite the Act as he suggested, to give proper attention to ensuring the beneficiaries cannot be deprived of their security accidentally.

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [2.35 p.m.]: I thank the Hon. Mr Olney for his indication of the Opposition's support for the Bill. As far as the demolition of the building is concerned, I understand the hole in the ground is worth as much as the block with the building on it. In fact, it was a terrible building.

**The Hon. H. W. Olney:** It looked nice.

**The Hon. I. G. MEDCALF:** The building had no historical value apart from the fact that it was rather old. It had no value from the point of view of historical buildings in this State. The only advantage of the building was that the tenants paid relatively low rentals and they were a little upset when they had to leave. Mr Zeck, who repairs my watch, used to be a tenant of the building. He is now a tenant of another building which is also about to be demolished. He is no doubt unhappy that, having moved once from the Perpetual Trustees W.A. Ltd. building, he must now move again.

Apart from the low rentals it afforded, the building had relatively no value and the security remains until Parliament changes the legislation.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

*Third Reading*

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

**LAND AMENDMENT BILL (No. 2)**

*Second Reading*

Debate resumed from 13 November.

**THE HON. J. M. BROWN** (South-East) [2.39 p.m.]: Following the Minister's second reading speech on the Bill, we did not have a great deal of time to study the amendments before us. However, we acknowledge the legislation is derived from the Jennings report which was presented to the Minister, approximately 17 months ago, in April 1979. As a result of that comprehensive report, this Parliament has accepted some of its recommendations and, no doubt, they formed the guidelines for the amendments with which we are dealing at the present time.

The 11 provisions in the Bill cover a vast area of our State, and as the Minister has pointed out, we must pay a tribute to the pastoralists and pioneers who were the early developers of our huge continent. We on this side of the House acknowledge their contribution.

We are more sympathetic to the people in the outback than we are given credit for by those people who live in remote areas. Because these people live in isolation and often without amenities we have a responsibility not only to develop their areas, but also to help them carry out that development.

The provisions of the Bill—which are based on the Jennings report—provide extended powers to the pastoral board. The representation on the board will be increased to five members. The Surveyor General will be the chairman and the Director of Agriculture will be an *ex officio* member. Three other members will be appointed; one will represent the beef industry, and another will represent the wool industry.

There is no doubt that the selection of the members to be on the board will be of great importance to the industry as well as to the Minister and the Government.

The Opposition concurs with the composition of the board and hopes that the members who will represent the producers will be satisfactory to them.

It has not been spelt out fully in the legislation, but there must be careful consideration given by the Minister to appointments to the board because it is considered that this responsibility will play a very important part in the functions of the pastoral industry.

It was reported in the Press that the chairman of the pastoral committee (Mr Colin Pearce) was disappointed that the Minister had not conferred further with him in response to the Jennings report. Mr Pearce thought the inquiry into the industry could have gone a little further as could have the amendments. He believes the proposed four-year period for the term of reappraisal of rentals should be seven years. The period was 10 years in the past.

Members of the Opposition discussed this matter at great length following the publication of the Jennings report. After considering the comments of the Minister, the Opposition agreed that the four-year period would be satisfactory. The reasons for our agreement are spelt out in the Minister's second reading speech. We also considered that period would be suitable because an executive liaison officer would be appointed and therefore there would be a greater day-to-day liaison between the industry and the department. We also felt that with dramatic fluctuations which occur in the industry, it could be in the interests of the pastoralists to have that consideration over four years, rather than over seven years.

This time period would also help the Government to ascertain the needs and requirements of the industry and also when it considers the short-term measures such as the rebate of rent.

I am not aware of the reasons for the Pastoralists and Graziers Association having suggested a seven-year period. Perhaps the Minister is aware of its reasons. I look forward to hearing the Minister's comments when he replies to the debate. The Opposition members did consider the four-year period would be more appropriate.

Another provision in the Bill relates to an appeal against the rental rate. The pastoralists are now able to have a rental reassessment after two

years, but not more than three years, from the date of reassessment. We believe that this is acceptable and see no reason that it should not be supported.

There is also a provision for the reduction in rent where stock numbers have to be reduced because of the prohibition placed on grazing in a particular area. This will be of additional assistance to the pastoralists.

Section 101(a) and (b) of the Act provides that the Government is able to give rental relief in times of drought, cyclone, fire, or flood. We note that this is to be extended to the loss of beef or wool. This is a move in the right direction and will strengthen the claims for relief by the pastoralists.

The loss of a pastoralist's stock is of great significance because stock are the mainstay of his operations; unless of course he is an entrepreneur and goes out pegging land or carries out other activities.

There are many mining activities which take place in the pastoral industry, particularly in the eastern goldfields. I can remember when Mt. Keith Station was to be sold some years ago, but as things improved the sale did not take place. There are other diversified activities within the pastoral industry, but I am not aware of the total background or whether pastoralists have incomes from other pursuits they might follow.

There are only 417 pastoral businesses as outlined in the Jennings report. Whilst the number is not large, the businesses and the people concerned are of vital importance to the State. When we consider the people in the industry who may need assistance, we realise there may be other avenues in their business ventures which could maintain them within the industry.

Anyone who had read the Jennings report, and who had studied the representations that have been made over the years, would realise that the situation is parlous. We do not want to hear the continual cry about "the grizzling cockie".

The PRESIDENT: Order! The level of conversation is far too high, and I ask members to tone down their conversations, and perhaps to move out of their seats if they want to have a meeting.

The Hon. J. M. BROWN: I was just saying that we want to try to eradicate the term "grizzling cockie" from our community. We realise that every industry has its ups and downs, and that there should not be a continuation of handouts from the Government. We do not want to adopt a handout mentality. I made that comment to the Chairman of the Pastoralists and

Graziers Association, and I believe he agreed that that is in line with the thoughts of the association.

So the existing provisions will give rental relief, and the new provisions will provide for a reduction in rental where stock numbers must be reduced because of certain conditions. The amendments will also permit the board to waive a five-year development plan submitted by the lessees where development is completed within that period. This is a logical proposal because, as it was pointed out, experience has shown that many leases have reached the stage of full development. Apart from general maintenance and the replacement of established improvements, no further capital improvements are required.

Another amendment provides that plans for development are to be submitted directly to the board and not to the Under Secretary for Lands as at present. Annual stock improvement returns will be submitted directly to the board also.

Section 105 of the Act which refers to restrictions imposed on pastoral leases is to be repealed and a new section substituted. This section will give wider powers to the Minister to approve the cultivation of soil and the growing of non-indigenous pasture species under very stringent controls. That amendment is in the best interests of the industry, particularly if those stringent controls are exercised. We could see a danger if that does not happen. Obviously the area is very susceptible to erosion and approval for such cultivation can be made only after careful examination and assessment.

The Bill proposes also to repeal section 107 which relates to ring-barking of trees on pastoral leases. The proposed new section will allow for the clearing of shrubs for the growing of pasture species. We can see no reason to object to this new section, and we support it.

The controlled practice of chaining down thick, useless, or unpalatable scrub to allow useful natural pasture species to proliferate to permit increased stocking capacity is the reason for the repeal of this section. While we hope that this new provision will improve the stocking capacity, more importantly, we hope it will increase stability in the pastoral industry. Nothing but good can result to the industry if this provision is implemented properly.

If the industry is to survive and to develop a progressive outlook, in spite of the recent downturn that it has experienced, we must all work together.

We do not agree with the proposal to increase the area of tenure. I make this comment after studying both the report and the minority report,

and also, after consultation with people associated with the industry. I hasten to say that I have had no consultation with representatives of the Pastoralists and Graziers Association, and this was because the Bill was introduced only last week. As a matter of fact, I was prepared to make my comments to the debate last evening, but we did not proceed with this Bill until today.

It is true also to say that no representative of the industry has sought to consult with the Opposition, so it is really a two-way affair. Obviously the industry did not feel it was necessary to consult with us, and it is more likely it will achieve success by consulting with the Government than by consulting with us. However, the industry must remember that we are the alternative Government and it is better for everyone to know what the problems are in the pastoral industry.

As I have said, we do not agree to the proposal to increase the area of tenure. I have mentioned already the minority report, and in the Committee stage I intend to clarify this matter. We are of the opinion that one million acres is sufficient for a pastoral lease, and that any greater area would prove unmanageable. Indeed, we do not believe that many pastoralists are satisfactorily managing leases of one million acres at the present time. Admittedly, the proposal to increase the area was put forward after knowledgeable men had given the matter considerable thought. However, after considering it, and after consultation with pastoralists in the industry—although recognising there has been no consultation with the Pastoralists and Graziers Association—we are of the opinion it would be better to be left as one million acres.

We do know the Minister has not accepted the recommendations of the Jennings report to increase the area to 2.5 million acres; the Minister has chosen the area of 500 000 hectares, or 1.235 million acres. We are of the opinion it would be better if the area were maintained at its existing level.

We are also concerned at the proposal to treat husband and wife, each as a single entity, with separate entitlements which, together, give a family a total beneficial interest of 2.470 million acres. This appears to be a back-door method of circumventing the proposed limit of 1.235 million acres.

The Opposition will be making further comments on clause 16 during the Committee stage; however, we will look forward to the Minister's reply in relation to the area of tenure.

The term "pastoral lease" is more precisely defined in this Bill. Section 98B of the Act has become redundant, and is to be repealed. In addition, certain monetary penalties are to be increased from \$10 to \$100, to keep them in conformity with today's prices.

It is fair to say that the Jennings report has been a valuable contribution to this legislation, to members of Parliament, and in particular to the industry itself. It has laid down guidelines, which we have discussed on previous occasions.

It is not the first time we have mentioned the effect of the Jennings report on the legislation which passes through this House. Only recently, we considered the matter of vermin control in the area; we looked at rural reconstruction for pastoralists and graziers. By examining these matters, the Jennings report has been of great assistance to members of Parliament; no doubt it has also been of assistance to the Minister and his department in framing the Bill.

I take this opportunity to pay tribute to the members of the Jennings Committee. I refer not only to Mr Jennings, the chairman of the committee and director of the Rural and Industries Bank but also to Mr R. F. Johnson, Chief Pastoralist Inspector from the Department of Lands and Surveys, who submitted a minority report. I refer also to Mr D. G. Halleen, from Elder Smith Goldsbrough Mort Ltd.; Mr A. T. Burnett from Western Livestock Ltd.; Mr D. G. Wilcox, senior adviser from the Department of Agriculture; and, Mr L. R. Hearn, chartered accountant. Two members have subsequently retired from the committee due to other commitments, and they have been replaced by other persons. Their investigations and presentation have been invaluable to those who have the responsibility as legislators.

In the main, the Opposition supports the Bill. However, during the Committee stage we will be opposing those matters to which I have referred.

**THE HON. P. H. LOCKYER** (Lower North) [3.05 p.m.]: I too support the Bill; however, I should like to raise some points which I believe should be brought to the Minister's attention.

I make it clear from the outset that I appreciate the Minister's efforts over the last couple of days in having consultations with members of the pastoral industry. It is important that such consultations take place because this legislation greatly affects these people.

The Pastoralists and Graziers Association has expressed concern about the Bill, and about three areas in particular. The first area of concern is contained in clause 5, proposed subsection (2) (a),

where the appointment of the industry representative to the pastoral board is not clearly defined to include people from the industry. The Pastoralists and Graziers Association believe the wording of this subsection should be such that there is no grey area. The association's suggested wording is, "Two persons to be appointed, each of whom must either hold or have held an interest in a pastoral lease or is or has been a shareholder in an incorporated company holding beneficial interest in the pastoral areas." I ask the Minister to give this matter some consideration prior to the Committee stage. I know the Minister has given an undertaking to the pastoralists that the people appointed to this board will be representative of the industry; I merely pass on the concern of the industry that the matter should be more clearly defined.

The Pastoralists and Graziers Association is also concerned about the proposal to reduce the reappraisal of pastoral properties from a 10-year interval to every four years. Mr Brown touched on this matter and asked the Minister for some explanation as to why the pastoralists were requesting reappraisal every seven years. In fact, the pastoralists would like to leave it at 10 years. However, they accept there must be some room for compromise, and they have settled on a period of seven years as the minimum which is satisfactory to them. I ask the Minister to consider granting the industry's request.

Under this legislation, reappraisal will take place every four years, and the Kimberley and other pastoral areas are to be brought to a common date. This is not a realistic interval. The pastoral industry is a long-term industry and is not necessarily in a position to rapidly recover after a drought. All sorts of problems can create economic setbacks in pastoral areas and it is important that the industry is given time to recover. It does not recover as quickly as some other areas; it could take up to four years to recover after a drought. The industry believes a four-year reappraisal would cause the industry considerable problems.

If the Minister accepted the industry's request to have reappraisal carried out every seven years, it would fit in neatly with the lease period, which began in 1965 and is due to expire in 2015; it would leave only one year to spare.

History has shown that the weather pattern in our pastoral areas works on a seven-year cycle. I believe the pastoralists have a strong point, and this is not too much for the Government to concede.

For instance, in the Kimberley, most cattle are marketed as seven-year-old beasts; that is accepted practice. If a calf is dropped in the year of appraisal, under the present practice of modern farm management, it will be marketed in the year of the next appraisal, if the industry's request is acceded to.

The pastoral product will thus have come to maturity before the appraisal. These are small points, but I am sure the Minister will concede that they are worthy of consideration and I am sure the pastoralists would appreciate his doing so.

My next point refers to clause 12 which is amending section 102 of the Act which requires the lessee to reduce his stock numbers proportionately to the carrying capacity of the land assessed for rental purposes. In layman's language that means that should the Department of Agriculture suggest a pastoralist has too many stock he should voluntarily reduce his numbers. I believe the department would take into consideration the fact that a pastoralist might do so without direction from the department. The Pastoral Appraisal Board should show consideration to that man by offering a reduction in rent.

The part of the Bill relating to the cultivation of non-indigenous pasture brings into question the matter of compensation. I know the Minister would have some difficulty in changing the current situation, but I ask him, perhaps in the next session of Parliament, to take a look at this matter. Compensation is a matter of considerable concern to pastoralists and has been so for a long time. It is not a matter which will fade away overnight. It has to be dealt with, but I do not believe it can be dealt with properly by this Bill. There would probably be no real benefit in our removing this part of the Bill, but I ask that the Minister in due course give consideration to the question of compensation.

We are all aware there is a form of mining boom in pastoral areas at the moment and a lot of pastoralists are suffering when they should not be because people have the right to move around the countryside very freely. I know this matter will be covered by regulations to be drawn up under the new Mining Act, but some power will rest with the Department of Agriculture.

I believe the Bill goes some way towards implementing the Jennings report recommendation to increase pastoral leases to 1.25 million acres. It is on this matter that the Hon. Jim Brown and I will have to differ. He made the statement that pastoralists cannot look

after their one million acres at present and perhaps that is right in certain circumstances. However, I can personally name a number of one-million-acre land holdings which are extremely well run. If he meant his statement to be an across-the-board reference, which I do not think he did, he is quite wrong.

It is very necessary that the pastoral industry be made more viable to enable it to operate at lower costs. One way to accomplish this is to allow pastoralists to operate larger holdings. People should be given this opportunity. I welcome that part of the Bill which allows a husband and wife each to have a 500 000-hectare holding. It is a step in the right direction and it allows a family unit to be kept together. It removes the ludicrous situation where a fellow with a 500 000-hectare property who marries the lady next door who has a similar property, forces his wife to sell the property. In this respect the Bill is a step in the right direction and this provision is welcomed by the industry.

I am indebted to the Pastoralists and Graziers Association which went to the trouble this week of inviting me to address its meeting. This association has acted in a responsible manner throughout its negotiations with the Government. Its members would like more of the Jennings report recommendations to be put into effect; but they are understanding people and realise they cannot expect to get everything they would like.

I would like to pay tribute to the association's president (Mr Samson), the chairman of its committee (Mr Colin Pearse), and the executive officer (Mr Saville). These men have conducted their negotiations with the Minister in a right and proper manner. Far too often we have pressure groups in the community which are inclined to apply massive pressure to departments. The association was impressed by the hearing it received from the Minister. It has a right to have some reservations about various areas in the Bill; but I ask the Minister to take into consideration the points I have raised.

I commend the Bill to the House. I believe it is a step in the right direction.

Debate adjourned until a later stage of the sitting, on motion by the Hon. M. McAleer.

*(Continued on page 3703)*

## POLICE AMENDMENT BILL

### *Assembly's Message*

Message from the Assembly notifying that it had agreed to the amendments made by the

Council, subject to a further amendment, now considered.

### *In Committee*

The Chairman of Committees (the Hon. V. J. Ferry) in the Chair; the Hon. G. E. Masters (Minister for Fisheries and Wildlife) in charge of the Bill.

The CHAIRMAN: The amendment made by the Council was as follows—

Clause 4, page 2—Delete all words in lines 15 and 16 and substitute the following—

- (a) inserting after the section designation "34" the subsection designation "(1)";
- (b) deleting "or felony" and substituting the following—  
"felony, or civil emergency"; and
- (c) inserting the following subsection—  
"(2) In this section, "civil emergency" includes a natural or man-made disaster which causes or threatens to cause loss of life or property or injury to persons or property or distress to persons."

The further amendment made by the Assembly is as follows—

Substitute for the word "includes" in proposed new subsection (2) the word "means".

The Hon. G. E. MASTERS: I move—

That the further amendment made by the Assembly be agreed to.

The amendments before the House have been agreed to by the responsible Minister in another place. I know considerable debate took place here over a long period, but in the Minister's wisdom after careful consideration of the comments made and the arguments put forward he decided the amendments would be desirable. Therefore I put them before the House for its support.

The Hon. H. W. OLNEY: Of course, the Opposition approves of the proposal that emanated from the Legislative Assembly because it is in line with the amendment the Hon. Joe Berinson unsuccessfully moved in this Chamber. I hope in the further consideration of this matter by the responsible Minister his attention was not directed to Mr Masters' third reading speech which seemed to be directed at casting some sort of slur on people who follow Mr Hassell's profession. I am glad to know that when the matter went down to the other Chamber, Mr Tom Jones, the member for Collie, who is not a lawyer, was able to explain in a short time with cogent

and logical arguments what three members of the legal profession have been unable to explain in this Chamber to Mr Masters. Accordingly we welcome the additional changes to be made.

The Hon. G. E. MASTERS: I will make a brief comment. Certainly I did not cast any doubts about the ability of the lawyers in this place although at times their views seem to complicate matters, and that is perhaps supported when one refers to the discussion last night of the Bill dealing with apprenticeships. The board considered that the bringing in of legal aid may slow down or even complicate a further decision.

Certainly, I am pleased by the Opposition's support of this measure.

Question put and passed; the Assembly's further amendment to the amendment made by the Council agreed to.

#### *Report*

Resolution reported, the report adopted, and a message accordingly returned to the Assembly.

### **TOWN PLANNING AND DEVELOPMENT AMENDMENT BILL**

#### *Second Reading*

Debate resumed from 18 November.

**THE HON. NEIL OLIVER** (West) [3.26 p.m.]: I will endeavour to speak up so that other members will hear me. Last night when I was referring to some anticipated problems in regard to legal practitioners and relating that to local authorities—that they could use the Crown Law Department—several legal practitioners said, "Would you speak up?" Under those circumstances I will speak up so that they can hear what I have to say.

In regard to the Bill before us, in a developing area such as the province which I represent, more problems are encountered with the Town Planning Board than is normally the case. Other members may care to comment on that later.

Frankly, the problems that I at times have with my constituents complaining about the Town Planning Board make me wonder whether it is actually assisting people in the place in which they live or actually fighting against the individual who endeavours to facilitate his desire to live where he would like. In fact, to some extent I often consider whether we really need a Town Planning Board.

I am particularly concerned about the relationship of the amendments to the structure of the board, a matter about which the Hon. Fred

McKenzie spoke last night. Section 4(2) of the Town Planning and Development Act states—

The Board shall consist of the Commissioner who, *ex officio*, shall be a member and the chairman of the Board . . .

The proposal before us is that the commissioner shall not also be the chairman of the board. The section of the Act goes on to say—

. . . and three other members to be appointed by the Governor, such members being an architect, an engineer or a surveyor, and . . .

What concerns me is that in the replacement of a chairman of the board, we could have a situation in which we have a duplication of an architect, and engineer, or a surveyor. It would appear to me that we should be quite clear as to what credentials a chairman of the board should have. It should be noted of course that the present commissioner of the Town Planning Board has agreed to this amendment. It would appear obvious to me that if we are to have a chairman but not have a description of his qualifications it is preferable that he be experienced in matters of town planning. While the commissioner is an *ex officio* member of the board, we would require somebody on the board experienced in town planning matters.

The next section of the Act to which I would like to draw attention is section 5 which states—

The functions of the Board shall be to advise the Minister in the administration of this Act, and to hold such inquiries, and do all such matters and things, as are in the Act and the regulations provided for in that behalf, or as may otherwise be properly required of it, or as may be necessary for effective administration, under the Minister, of this Act.

Frankly, I wonder how many times members in this House have found that the functions of the board to advise the Minister are not brought into effect. We have a multitude of by-laws by which the Minister can override the board's decisions although it is clearly stated in section 5 that the functions of the board shall be to advise the Minister. That is another matter of concern to me.

In his second reading speech, the Minister said—

For example, within the metropolitan region the Metropolitan Water Supply, Sewerage and Drainage Board and relevant local authorities are invariably consulted.

I draw attention to "invariably consulted". The Minister's remarks go on—

After it has received the replies to its consultations, the board approves or refuses the application and, in the case of approval, may affix conditions to be carried out before the survey documents will be approved.

I will refer to the parent Act. Section 24 (2) reads—

(2) Any such local authority, public body, or Government department receiving such plan or copy thereof shall, within thirty days, forward it to the Board with a memorandum in writing containing objections or recommendations (if any), to the whole or part of such plan.

I would like to know whether there is any member in this House who can tell me of any such local authority, public body, or Government department which has received such a plan or copy of a plan which has been replied to within 30 days. To the best of my experience, I do not know of any which have been replied to in under three months, and I have examples of some which have gone up to a period of five years. The parent Act was passed in this Parliament and assented to on 11 December 1979.

The next matter I want to mention relates to paragraph 9 of the Minister's second reading speech. I believe the action set out in that paragraph is unwarranted and is not explained properly. The explanation under the heading "Reservation of land for water supply and sewerage purposes" is a clear argument for part of the amendment in clause 10, which will amend proposed section 27A(b)(ii) and (iii). The provision of a reservation in these instances is a waste of land which would otherwise be incorporated into the area of residential allotments. That actually means that in the situation of a cul-de-sac, because of the requirement to reticulate the water supply, a pedestrian access is required at the end of the cul-de-sac. But, why? Why should the Metropolitan Water Board impose, through the Town Planning Board, a requirement for an access way? It is not an access leading to anywhere in particular; it is to be provided purely for a water pipeline.

The Hon. Robert Hetherington would know that in South Australia and in Victoria, provision is made for easements. There is no reason land should be utilised in the way proposed by the creation of reserves purely for water pipelines for the benefit of the Metropolitan Water Board when an easement would be quite adequate.

Section 20A of the parent Act reads—

20A. When the Board has approved, under this Act, a subdivision of land subject to the condition that certain portions of that land

shown on a diagram or plan of survey relating to the subdivision

shall vest in the Crown for the purpose of a pedestrian accessway, right-of-way or reserve for drainage or recreation, if, after the commencement of this section, the diagram or plan of subdivision of the land as so approved is received, registered or deposited in the Office of Titles or Registry of Deeds and is approved by the Inspector of Plans and Surveys or other officer appointed for the purpose, the Registrar of Titles or the registrar of Deeds shall, in accordance with the condition, on the date of the last mentioned approval, vest in the Crown

any land shown on the diagram or plan as being reserved for the purpose of a pedestrian accessway, right-of-way or reserve for drainage or recreation

without any conveyance, transfer or assignment or the payment of any fee.

It is well known that at the creation of the diagram areas of public open space, roads, access ways, and cycle ways are vested in the Crown, in the same manner as the legislation covers the rights of local authorities to impose easements. The basis of those amendments, or the practical result, is that reserves for water supply and sewerage will be provided free to the Metropolitan Water Board or the Public Works Department. The board will be able to obtain sewerage and pumping sites free of cost and as of right.

A person could own two acres of land within an area of 10 acres, which it has been decided to subdivide. If the area of two acres happens to be at the highest point of the subdivision, the owner of that land will be required to surrender it to the Metropolitan Water Board without any transfer, assignment, or payment. If that is equitable, I will have no part of it.

I do not intend to read further from the Minister's second reading speech which sets out the guides which will be applied. All I can say is that our town planning procedures already are difficult enough. I have quoted examples of subdivisions being held up for a period of five years. I do not know whether we will reach the stage which has been reached in Victoria. For example, in that State if one wants to plant a tree or a series of trees to landscape a garden in a display centre, one is required to set out the plans

in detail and name the plants by their botanical names.

I wonder just how long this frustration will continue. Already Western Australia provides far more facilities for recreation and far more regional open space than any other State in Australia.

How can we get the message across? These conditions apply, in the first instance, to the owner of the land, but in many instances the conditions which are imposed could not be sustained in a court of law. They apply purely because of extraneous circumstances, and because of the desire for peace of mind by the subdivider who does not want to become involved in delays and costs he often accepts reluctantly.

He does that so the work can continue and the project will not be delayed. Therefore, the person who ultimately pays for all these conditions imposed by the Town Planning Department in conjunction and collusion with the Metropolitan Water Board is the individual purchaser. As with any other commodity, he is the person who ultimately must pay.

Frankly, I am disappointed with the Bill. I am in full agreement with many of its clauses, but I would have liked to have more time to research it. However, the circumstances facing us at this time of the session do not allow that. I trust the matters I have raised will be considered by the Leader of the House and passed on to the Minister for Urban Development and Town Planning, and that we may see further amendments in due course.

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [3.41 p.m.]: I thank honourable members for their support of the Bill. I know they support the Bill, although each raised issues which are in a sense extraneous to it. The Hon. F. E. McKenzie indicated he is opposed to clause 4, but otherwise he is quite happy with the Bill. As the Bill has several clauses, I take it that, generally speaking, he supports it.

In relation to the chairman, Mr McKenzie felt the Town Planning Commissioner ought to be the Chairman of the Town Planning Board compulsorily and permanently, and that we should not give him the opportunity which he wants of not being the chairman. The commissioner wants no longer to be the chairman; he wants to retire from that position, and that has been his desire for some time.

The effect of this clause will be to give him that opportunity, at the same time leaving flexibility for the Government so that at any future time the Government of the day can appoint the then

Town Planning Commissioner as chairman of the board if it so desires. In other words, there will be flexibility and the commissioner, by virtue of his office as commissioner, will not necessarily have to be the chairman of the board.

At the same time we are taking the opportunity to make him exclusively a member of the Public Service. Although he is already a member of the Public Service, he also has a special appointment under this Act, and we are removing his special appointment so that he will be a normal member of the Public Service, just like other senior members of it. I think this is really a progressive step.

I assure the honourable member this has nothing to do with the other matter about which he spoke; the Environmental Protection Authority has nothing whatever to do with this. In fact, this move has been contemplated for some time, and the Government finally has made a decision.

**The Hon. F. E. McKenzie:** Has the Chairman of the EPA made the same request?

**The Hon. I. G. MEDCALF:** I never discuss other Ministers' portfolios.

The Hon. Neil Oliver spoke about the Town Planning and Development Act, generally, and voiced his disapproval of some of the practices which occur, and of some of the delays which we know occur from time to time and which, of course, are regrettable. It is a fact that the Town Planning Board has very wide powers to impose conditions on subdivisions under section 20 of the Act. The Bill before us does not change those powers in any way whatever. It does not give the board any additional powers in regard to imposing conditions by way of reserves, easements, or anything else; but it facilitates the actual arrangements for creating reserves and easements in the Titles Office.

So it is a facilitating Bill so far as the creation of easements and the vesting of reserves in the Crown are concerned. Instead of the large amount of documentation which is now required possibly simple vesting orders and memorials will enable easements to be created without formal conveyance or documents or transfers, and without payment of fees to the Titles Office. That will be a saving both in time and in money, and in that respect the Bill effects a big improvement.

I assure the honourable member that particular aspect has been examined carefully and we have in fact copied the procedure which has applied for some time in relation to the creation of private rights-of-way. When private rights-of-way are created in a subdivision the subdivided lots automatically acquire the private right-of-way

without any actual documentation other than the lodgment of the plan. That is a tremendous saving; and it saves all the private owners concerned from having to pay fees.

The Hon. Neil Oliver: It avoids the matter of reciprocal rights.

The Hon. I. G. MEDCALF: Yes. That is already in the Transfer of Land Act, and we have extended the principle to the Town Planning and Development Act so far as the creation of easements are concerned for local authorities and various other public authorities named in the Act. I refer to the Metropolitan Water Board, the State Energy Commission, and so on. This really represents a big advance, and it is a wonder somebody has not done it before. Just think of all the time and money that will be saved, and all the documentation which will become unnecessary because this will be set out in the plan and anyone can search the plan.

By virtue of the amendment an easement may be created automatically. It has to be done with the approval of the owner; it cannot be done by compulsory acquisition because the owner must accept the conditions of the subdivision. If he does not accept the conditions, he does not proceed with the subdivision. That is the position at present under section 20 of the Act. We are not changing that, but creating a way to facilitate the settling up of easements and reserves.

I assure the honourable member this does not in any way add to the burden; in fact it lessens the burden considerably, and it will lessen the cost both to public authorities and subdividers.

I thank members for their support of the Bill.

*Sitting suspended from 3.47 to 4.00 p.m.*

Question put and passed.

Bill read a second time.

#### *In Committee*

The Deputy Chairman of Committees (the Hon. R. Hetherington) in the Chair; the Hon. I. G. Medcalf (Leader of the House) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 4 amended—

The Hon. F. E. McKENZIE: Despite the explanation given by the Leader of the House there does seem to be an inconsistency with respect to the appointment of persons as chairmen of certain boards when we consider the persons we appoint to this board. If one believes what one reads in the Press one knows there will be a

change of the Chairman of the Environmental Protection Authority.

It may well be that the Town Planning Commissioner does not want to be the chairman of the board. It may have been convenient for him at this time to indicate that he did not want the job and so give the Government the opportunity to soften attitudes. We are opposed to the change.

A further point I should mention is that the Hon. Neil Oliver brought up a very good point and said that the person being replaced should be someone other than a surveyor or an engineer. I agree with that. The chairman ought to be a town planner and this should be stipulated in the Bill. I do not want to take away any thunder from the Hon. Neil Oliver, but if he would like to move an amendment to the effect that the person to be appointed must be a town planner, I most certainly would second that amendment. It is sensible that the chairman be a town planner.

The Hon. NEIL OLIVER: It is not my intention to move an amendment, but I would like the Attorney General to examine the situation; that is, that if we appoint an engineer as chairman we will have two engineers on the board and if we appoint a surveyor we will have two surveyors on the board.

The Hon. D. K. Dans: What about the community-minded citizen?

The Hon. NEIL OLIVER: Town planning is very complicated as the Hon. Des Dans would know.

The Hon. D. K. Dans: It has been made complicated by our having town planners in that position.

The Hon. NEIL OLIVER: I would like to see an examination made of the qualifications necessary of someone to be appointed as chairman. I believe he should be a town planner.

The Hon. I. G. MEDCALF: I suppose in a sense it was a red herring when I said the present commissioner was not interested in the job of chairman, because when all is said and done it is for the Government to make a decision; it should be decided in the light of the particular requirements of that job. There really is no inconsistency in this when we look at it properly. There may be a guiding principle here and there which we can find, but there are so many different duties involved which must be considered.

I could not help thinking the other day when the Hon. Des Dans asked a series of questions in relation to all sorts of permanent heads, that there were so many different committees mentioned

that in fact some of them had no relevance whatsoever to the kind of matter in which we were interested.

For example, there were references to the Under Secretary for Law who is the deputy chairman of the rate of imprisonment committee. He is there because he is on the Board of Management of the Institute of Criminology; he is interested in that field. He is also a key administrator in the Crown Law Department and therefore has access to all the available information. That is only a temporary committee set up for a particular purpose and it may well be dissolved.

The Solicitor General is the Chairman of the Barristers Board as the delegate of the Attorney General. We cannot compare this kind of thing. It involves a specialist role for someone relatively independent and certainly politically independent. The chairman of a body of professionals needs to be a person who has a high standard of professional expertise himself.

Here we are talking about a situation where we may or may not use the Commissioner of Town Planning. Although he does not want the job he obviously would have to stay there until a successor was found. It was made clear by the Minister in another place that it may not be easy to find a suitable successor. It is not easy to find suitable people to fill these positions, because they must be highly skilled people; but they do not have to be experts.

I come back to the point made by the Hon. Neil Oliver. These people do not need to be experts, but we have traditionally taken the view that we need experts. I suppose this is because over the last 50 years we in Western Australia have been emerging from a fairly primitive state of administration; we are emerging into a bigger field. We have been using experts, who often came from other places, because they had letters after their name. We became mesmerised with this fact and thought they must be very top people. We have come a long way and realised that that situation does not always apply. It is not the qualifications but the man or woman involved and how he or she can in fact do the job. We never know in any walk of life when we look to appoint someone just how he or she will do the job until we see his or her performance.

That is the great risk we take all the time. I suppose a lot can be said for the further consideration of this matter. I most certainly will draw it to the attention of the Minister, and I am sure she will give it careful attention.

Clause put and passed.

Clauses 5 to 9 put and passed.

Clause 10: Section 27A inserted—

The Hon. NEIL OLIVER: I draw attention to proposed section 27A(b) which states—

it is shown on the plan or diagram that any land comprised therein is subject or intended to be subject to an easement in favour of—

- (i) the local authority in whose district the land is situated, for the purpose of drainage or access to drainage works;

The reason I draw attention to this proposed section is that in the area of Maida Vale, some 1 900 allotments currently are being developed under a town planning scheme. It is a requirement that the Shire of Kalamunda—as the local authority—provide sewerage. The sewerage will be provided not under the regulations of the Metropolitan Water Board, but under the Health Act. Therefore I seek an assurance—because the Bill states, “the purpose of drainage or access to drainage works”, when referring to the local authority in whose district the land is situated—that we will have no problems associated with the provision of sewerage or access to sewerage under the Maida Vale town planning scheme.

The Hon. I. G. MEDCALF: Do I understand the member to be asking whether sewerage works will be covered by proposed section 27A(b)(i)?

The Hon. Neil Oliver: That is correct.

The Hon. I. G. MEDCALF: It does not include sewerage. It refers to “the purpose of drainage or access to drainage works” only. Sewerage is not included under that proposed subsection.

The Hon. NEIL OLIVER: The point I am making is that under the regulations of the Metropolitan Water Board, sewerage works are provided for but in this instance the local authority will be required to provide sewerage, and, particularly, in the instance of the Shire of Kalamunda, that sewerage will be provided under the Health Act. The same situation may well apply to the City of Bunbury or the Town of Busselton.

The Hon. I. G. MEDCALF: I am not familiar with the particular subdivisional scheme, but I imagine the local authority would be required to bear the cost of the sewerage. Rather than supply the land it would have to bear the cost of the sewerage, but the sewerage would go across the land of the private owners. If an easement were required it would be still in favour of the Minister responsible for sewerage and drainage. However, the cost would be borne by the local authority, and we are reducing the cost of conveyancing.

Clause put and passed.

Clause 11 put and passed.

Title put and passed.

### *Report*

Bill reported, without amendment, and the report adopted.

### *Third Reading*

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

## **LAND AMENDMENT BILL (No. 2)**

### *Second Reading*

Debate resumed from an earlier stage of the sitting.

**THE HON. N. F. MOORE** (Lower North) [4.17 p.m.]: I take this opportunity to congratulate the Government on its bringing this Bill to the Parliament. As members will know, as a result of the Jennings report which was a detailed study of the pastoral industry and took some years to compile, recommendations were provided to the Government last year. I am pleased now to make the point that the Government has decided to implement many of the recommendations of this report. Over a number of years the Government has been a great supporter of the pastoral industry, as members will be aware from many speeches made in this House. The pastoral industry has suffered from many years of drought, some five years in several places, and the Government made available as a result of the Jennings committee report drought loans to pastoralists who were unable to carry on under the existing circumstances.

The loans were made available to keep the pastoralists going in a hope that in the future the industry would recover from the drought situation. It is tremendous to note that throughout most of the pastoral industry this year rains have fallen and the industry is now looking towards a reasonably secure future, bearing in mind it is located in a drought-suspect area.

During the drought the Government also provided transport assistance for agistment purposes—sheep were carted to other areas—and for the transporting of fodder to the pastoral areas. When the drought broke it was important that some assistance be given to pastoralists to enable them to restock. When we consider there had been five years of drought—most of the stock had been transported away for agistment or had died because of the conditions—we realise the stock numbers had declined considerably. One

must bear in mind that during this time the pastoralists did not receive a great deal of income. It was necessary for the Government to provide some assistance to enable pastoralists to restock.

I was delighted when the Government recently announced its scheme for restocking pastoral areas. The basic difficulty that the pastoral areas face, as I have mentioned on several occasions, is the rise in costs and the fall in incomes due to inflation. One must bear in mind that the return for wool produced by pastoralists in my area has not increased dramatically in relation to the rise in costs. Most costs are rising, but the incomes have remained static. It stands to reason that the pastoralists will go broke if this continues.

Endeavours are being made to reduce costs for pastoralists, first of all by the Federal Government by trying to reduce inflation and, secondly, by the State Government by providing assistance to enable pastoralists to maintain their operations. It has to be remembered that 40 per cent of Western Australia is covered by pastoral properties; perhaps even a greater area. We have to decide as a Government, or as a people, whether we want people to live in the pastoral areas. The Government has decided, very wisely, that we have to support the pastoral industry. It is the only industry which can, in effect, populate the vast outback areas of Western Australia—sparse though that population may be.

The Government has adopted the approach that the pastoral industry must survive. Therefore, it is incumbent on the Government to provide assistance where necessary to enable the industry to survive. If that does not happen, vast areas of Western Australia will be unpopulated and, in my opinion, that would be a most undesirable state of affairs.

The Bill now before us will implement some of the recommendations of the Jennings report. I notice that there are to be some amendments to the Bill. My support of the Bill relates to the amendments proposed by the Minister for Lands. The Pastoralists and Graziers Association has spent a great deal of time discussing the legislation with the Minister following the publication of the Jennings report. Since the Bill has been drafted, it has been decided that additional amendments are preferred. I am very pleased to see the Minister is prepared to accept the amendments which have been put forward.

The original Bill set out a period of four years for the review of pastoral rents. However, the Minister has agreed that the assessments will take place every seven years. The Act sets out a period of 10 years, so we will have a compromise

arrangement which will be satisfactory to both the Government and those involved in the pastoral industry. It has to be borne in mind that pastoral rents are not very high considering the areas of land involved. The concession granted by the Government will be welcomed by all pastoralists.

Similarly, the Bill as presented to us provides for a pastoral board, which is a new initiative by the Government as a result of the Jennings report. The wording of the Bill suggests that two persons with some experience in the pastoral industry should be on the pastoral board. The pastoralists were concerned that this provision could mean any two persons with pastoral experience, and did not provide that those two persons would be actively engaged in the pastoral industry. The amendment proposed by the Minister will make it quite clear that the two industry representatives on the pastoral board will be practising pastoralists. That alteration indicates the Government is prepared to accept the industry point of view. The pastoralists want it spelt out that two practising experienced pastoralists will be on the new board which will replace the existing arrangement, and it is something which was suggested in the Jennings report. The board is designed to allow the pastoral industry to look into its own particular problems.

The pastoral industry is distinctly different from other industries. It is felt by the people in the industry that in the long term the new board may be able to solve many of the problems facing the industry. The amendment will make it quite clear—even though the intention always was there—that two practising pastoralists will be on the board. I expect one representative will be from the beef side of the industry, and one will be from the sheep side.

A question of some concern is that of compensation. Under the provisions of this Bill pastoralists will have a right to sow non-indigenous pasture. Up until this time they were not able to do that in pastoral areas. As a result of the proposed new conditions, pastoralists will be able to increase the carrying capacity of their properties.

The Bill also sets out that in the event of a pastoral property, or a part thereof, being resumed, no compensation will be payable to the pastoralist for non-indigenous pasture. The Pastoralists and Graziers Association, together with members of Parliament representing that area, discussed this matter at length. It was pointed out that compensation relates to many other matters affecting pastoralists. It carries on to compensation in respect of mining companies moving into pastoral areas, roads passing through

pastoral properties, gravel pits, and a whole host of other matters relating to damage to pastoral properties which necessitate the payment of compensation.

The Minister has indicated he is prepared to conduct an inquiry into the whole aspect of compensation to pastoralists. I assume the inquiry will include compensation for mining activities, gravel pits, roads, indigenous pastures, and also non-indigenous pastures.

The Pastoralists and Graziers Association also has suggested there should be an alteration to the provision of a maximum area of 500 000 hectares for a lease. I am pleased that the association has decided to withdraw its objection. The Minister quite rightly and quite sensibly has decided to change the basic concept whereby under the old system a husband and wife were regarded as one entity, and between them they could have a pastoral property to a maximum of one million acres. Under the new provisions a husband and wife will be regarded as separate entities, as will their children. Each member of a pastoral family will be able to hold 500 000 hectares.

The new proposal will enable pastoralists to take advantage of the recommendations of the Jennings report, and will enable pastoralists to get bigger if bigger is better. Bigger may be better in some cases, when pastoralists are able to combine their leases with part of another lease to make them more viable and more economical units.

The pastoral industry must become more viable and more competitive. It must become more efficient in its attempt to survive in the economic world in which we live.

The pastoral industry has been in existence for a long time, and it has been waiting for something to happen. When the Court Government came into office it appointed the Jennings committee to investigate the problems of the industry. The pastoralists saw in that decision the possibility of something happening which would assist them in the future.

We have a great pastoral industry in Western Australia which has contributed enormously to the economy of Western Australia over many years. It has fallen on hard times. As I have said, the State Government has a commitment to the conservation of the industry. The Jennings committee put forward a number of suggestions. The Minister, wisely, has not agreed to every suggestion, but he has adopted what probably could be described as a fairly conservative consideration of the report. He has presented to Parliament a Bill which represents a fairly conservative approach to the decisions in the

Jennings report. I think that is a wise and sensible way to handle the matter.

The Bill before the House puts forward certain amendments to the Land Act, which we all hope will be of great benefit to the pastoral industry. I have no doubt that as the amendments are put into practice they will be seen to be beneficial to the industry. If other amendments are seen to be required in the future I am sure the Minister will, as he has in this case, give sympathetic consideration to what is put forward by the industry; and perhaps further amendments will be made to the Act as time goes by.

A large section of my province is taken up by the pastoral industry, and I am very pleased the Government has taken these steps which I hope will help to make the pastoral industry a much more viable concern and ensure that the sparsely-populated areas of Western Australia will remain at least sparsely-populated and will not become waste areas with no people living in them.

I support the Bill.

**THE HON. D. J. WORDSWORTH** (South—Minister for Lands) [4.31 p.m.]: I thank members for their support of the Bill and the manner in which they have spoken to it. Obviously a considerable amount of study has been done on the measure and the proposals contained in it, and it is gratifying its importance is recognised.

While the proposed amendments to the Act do not appear extensive, nevertheless they have major ramifications. Together with the administrative changes that have taken place and others that have been forecast, one can rightly assume far-reaching changes will be made in the industry. I believe without doubt the stage has been reached when the industry may have renewed confidence in its future. Not this legislation, nor any other legislation—nor any Government for that matter—will reduce the risk of drought and poor prices. Undoubtedly those are two of the major limitations which will always be with the pastoral industry.

Another limitation must be the degradation of the resource—the pasture. This is where we have seen a major change in principle take place. We have given a financial inducement to pastoralists by way of a reduced rent when they undertake reduced stocking for regeneration purposes. The pastoralists, by wishing the Government to become more involved in their industry, are themselves accepting that more rangeland management will be necessary.

The Bill provides the opportunity for the legal sowing of indigenous pastures. Hitherto, this has been a gray area. One of the difficulties is that

while the Act does not allow for the sowing of such pastures it has been practised in the past for soil conservation in many areas such as the Kimberley. Where it has been practised, pastoralists are reaping the benefit of an increase in carrying capacity. That has occurred not only in the Kimberley, but also in places such as Marble Bar with the spread of Buffet grass and kapok.

Therefore, we have an opportunity to ensure that pastoral areas will have an increased carrying capacity. I for one have great hopes for the future of the industry; I am not as concerned about its future as perhaps many others are. I have to admit it is all very well for me as an administrator to say that; and it is a different matter for those who are in the industry and who have their money at risk in isolated areas. However, I take a strong personal interest in the industry and I believe I have an understanding of it, and although I have not a financial interest in it, this close relationship has made it easier for me to do the work which has had to be done.

I have been egged on by the members of Parliament who represent the areas in question, and it is always good for one to know one has that support. In this House we have the Hon. Norman Moore who has been with us for three years, and now he has a new supporter in the Hon. Phil Lockyer, who has already spoken strongly on various aspects of the pastoral industry in the short time he has been here. In addition, I have behind me the Hon. Bill Withers who has always shown a keen interest in the industry in the Kimberley; in fact, he is on the land in that area.

I believe I should respond to the article in *The West Australian* because probably that is the only public response to the Bill apart from the comments of members of Parliament. At the outset I must repeat that the Jennings committee produced an extensive report. I thank the members of the committee; we lost some along the way, and others carried on. It took them a long time, and they produced a valuable interim report in respect of what was affecting the industry at that stage. I am thinking in terms of the drought and the difficulty experienced with wild dogs.

However, the final report of the committee was not entirely acceptable to the pastoral industry itself. Members of the Pastoralists and Graziers Association carried out extensive research and travelled widely to obtain information before making a decision on some of the recommendations. The Government was not in a position to be able to accept all the recommendations. In that regard the Government

has not acted contrary to the industry. Probably we are on common ground in respect of most aspects.

Perhaps the first matter on which the Government differs from the committee concerns the board, and it is one many pastoralists had thought was possible, because it was recommended by the Jennings committee. I refer to the recommendation that the pastoral board should be an autonomous board like the APB. I do not believe the Jennings committee did sufficient research on that matter. It preferred not to interview those who were concerned with pastoral administration. Perhaps it can be argued that one of the members was the chief pastoral inspector (Mr Dick Johnson) and that he should have provided the input from that sector. However, the fact is that he made a minority report indicating that he disagreed with many of the comments in the report. I refer to administration, the viability of leases, and more particularly to vermin control.

Mr Johnson made a valuable contribution. I have pasted his comments adjacent to every page of the report to which they apply; and they provide a valuable foil. I am glad he had the confidence to make a minority report in spite of the fact that he was a Government employee. He was outspoken in his views, and he was prepared to have them recorded.

On the matter of autonomy, it was suggested that a pastoral board should be set up in the same manner as the APB. Personally, I do not believe that is possible. While one can separate rabbits, weeds, dingoes, or whatever and work on them without affecting greatly other sectors of Government, I do not believe land administration can be divided up in the same manner.

One has to appreciate the various stages that land tenure goes through. When the pastoral areas were first settled, the land was put into pastoral leases. It was issued in larger areas than normally would be allowed, particularly when one realises that in the Kimberley a person could take up one million acres with 40 inches of rainfall. That would never have happened in the south. However, that was one way of utilising the land until such time as it could be used for other purposes or be subdivided. Therefore, a pastoral lease was a holding lease.

As other, more intensive uses for the land developed, changes in tenure took place. The Lands Department always has been involved in enabling the more intensive uses for the land as required for mining, housing, dam sites, roads, and the like. Before the land can be used for other

purposes it must be alienated from the pastoral lease. However, it is not possible to divorce this movement of land tenure from the administration of the pastoral industry.

I have travelled extensively around Australia, looking at the bodies controlling the pastoral industry in the other States. In New South Wales the Western Lands Commission, which is the closest thing to an autonomous body one could find, was formed. In fact, that commission is a mini Lands Department which administers the western region. It does subdivisions for housing, and the like, as the Lands Department here does. In fact, as New South Wales is a State with a much larger population than our own, one finds that the Western Lands Commission is about as big as the Lands Department in Western Australia. Really, New South Wales did not achieve an autonomous body for pastoralists in that State by setting up the commission.

Under the Bill we have got as close as we could to an autonomous body. As I said, no Government would give up the right to control the land. I do not believe any Government would set up an autonomous body that would determine such matters as closer settlement for agriculture, and Aboriginal reserves. It would not give up control of such matters as overseas ownership. Those are the sorts of matters that the Minister for Lands spends a considerable amount of time in deciding. The Minister could not give up such decision-making to an autonomous board which had, as its chief aim, to care for the pastoral industry. There are other uses for land, and they have to be taken into consideration.

No matter what its colour, the Government of the day would require the land to be held in a way that still allowed the Government to do the decision making. The setting up of a separate pastoral branch within the Lands Department, and the establishment of a liaison officer, as suggested by the Jennings report, should nevertheless achieve most of what is desired.

I indicate that advertisements will be placed in the major newspapers on this coming Saturday advertising the new position. It is a fairly well paid position. It is not a Public Service position, but the appointment will be made on a contract basis. It should attract the right sort of person who will give to the industry the sorts of things for which it is looking.

Certain tasks which were previously carried out in the name of the under secretary have been transferred to the new pastoral board. I refer to stocking rates and to development plans. Recommendations regarding rental reductions,

and recommendations for transport subsidies, and the like, are already the province of the board.

The new board will have two pastoralists as members. They should be able to bring new benefits to their industry and be able to make it pulsate in the manner that the industry desires.

There were four points on which the pastoral industry requested amendments. It could perhaps be argued that we have gone overboard in meeting those requests. The first request was that the representatives on the board be pastoralists. The members in the industry have always been concerned that, on the past wording, they were not necessarily entitled to one member on the board. The Act did not specify that the representative was to be from the pastoral industry, or even to be a person who had experience in the pastoral industry. The Pastoralists and Graziers Association requested that the definition be a lot stronger.

There are difficulties in making the definition stronger, because one does not want to exclude the right people by making the definition too restrictive. I recommend that the pastoralists seek legal advice regarding the wording of that clause; and the amendment is now on the notice paper. It should not exclude the sort of person the pastoralists want on the board or, indeed, that the Government would want to represent the pastoral industry. If it gives pastoralists some assurance, I am quite happy to accept that change. The pastoralists were more concerned about ensuring their representation in the long run. Certainly they were not concerned about the short term, as I had given them such assurances.

The second request was for a reappraisal. In its recommendations, the Pastoral Appraisement Board carried out a reappraisal of the pastoral areas south of the Kimberley in 1977; and recommended that, because of inflation, shorter intervals would be advisable. It was suggested that if the pastoralists did not wish to experience a sudden rise in rentals it would be better to look at the reappraisals more often, so as to ensure more gentle changes.

When the appraisal of the Kimberley was made in 1979, a four-year term was recommended. It was on that basis that I included a four-year term in the Bill. When I addressed the pastoralists' conference at Meekatharra this year, I indicated that that would be the case. Not one person spoke about it.

Since that time, at the last moment before the Bill was introduced into the House, the pastoralists requested a change. I believe that most pastoralists should have enough confidence

and faith in the Government to realise that a four-yearly interval would not be used to take advantage of making unreasonable increases in rent. Many pastoralists felt that if recovery did take place, future Governments would sock them with increased rentals, thereby creating an added burden.

Recently when I approved a transport subsidy for a particular pastoral lessee, I realised that he had been granted, in transport subsidies alone, 12 times the rental that he had paid in the last year. That gives members an idea of the generosity of the Government.

As can be seen from the amendments, we have attempted to do as the pastoralists and graziers requested. They wanted a seven-year reappraisal and we have accepted that, taking the first seven years from the date on which the area south of the Kimberley was reassessed. That will give the pastoralists in the Kimberley itself only five years before they are reappraised and their next reappraisal will take place seven years after that. This was necessary, because of the difference in dates in their last reappraisal which meant that one district had to be different from the other initially.

The other matter referred to concerned compensation. If it was felt desirable to be able to plant pasture in order to lift the carrying capacity the pastoralists believed they should receive compensation for it. This is a difficult matter and one of the reasons the Government has not previously made it lawful to develop pastoral leases is that, needless to say, when Governments are involved in a resumption, they have to buy back the increased value. Who knows whether the increase in carrying capacity will be permanent? Indeed, after a drought much of it might be lost.

I have agreed that, because of the other problems faced by the pastoralists in regard to the degradation of their leases as a result of renewed mining interest, we will look at the whole matter of compensation. Obviously pastoralists are being affected by the renewed interest in the mining industry and, in particular, they are affected by the use of hand-operated mineral detectors which have caused a great influx of people onto pastoral properties.

The only other matter raised concerned beneficial interests. At one stage I believe it was recorded in the original Press release of the pastoralists and graziers in *The West Australian* that they believed the 2.5 million acre recommendation to the Jennings committee should have been implemented. What the pastoralists and graziers did not perhaps

appreciate was that whilst the Jennings committee said there should be bigger beneficial interests, it stated also that the size of the lease should remain the same. When that was pointed out to the pastoralists and graziers yesterday, they withdrew their objection.

I believe I have covered the various points raised, and I thank members for their support.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Deputy Chairman of Committees (the Hon. R. J. L. Williams) in the Chair; the Hon. D. J. Wordsworth (Minister for Lands) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Clause 98 amended—

The Hon. D. J. WORDSWORTH: I move an amendment—

Page 3, lines 5 to 7—Delete the passage “have special knowledge of, or experience in, matters relevant to the pastoral industry” and substitute the following—

“either hold, or have held, an interest in a pastoral lease, or are, or have been, shareholders in an incorporated Company holding, or beneficially interested in a pastoral lease”.

The Hon. N. F. MOORE: I support the insertion of these words, and the removal of the existing passage, which is not satisfactory to the Pastoralists and Graziers Association. That passage provides for two members of the pastoralists' board to be people who have special knowledge or experience in matters relevant to the pastoral industry. That means it could be any two people who know something about the pastoral industry, but have not been involved in it.

As a result of the insertion of the words referred to by the Minister, the two persons who are to be industry representatives on the pastoralists' board will be practising pastoralists or people who have had pastoral experience. They are the people the board requires.

I support the amendment.

The Hon. J. M. BROWN: During his second reading speech on the Bill, the Minister went to great lengths to explain what the pastoralists and graziers said to him. However, he did not bother to consider the comments made to him by the Opposition.

I asked the Minister when I spoke during the second reading stage to explain some points when

replying. The Bill was presented to us only last Thursday and considerable time was needed to examine it fully and comment in an informed manner. Therefore, we asked the Minister for explanation of some matters during the second reading stage. I do not believe I received the courtesy I deserved, bearing in mind the amount of energy I expended examining the Bill.

I made my observations without being aware the Minister intended to move this amendment. We acknowledge that the two industry representatives should be involved in the industry and we are pleased this will occur.

However, I believe the amendment should have been given to us as soon as possible so that we could consider it.

The Hon. N. F. MOORE: I believe the Minister has been very quick in getting his amendments before the Chamber. He did a tremendous job.

The Hon. J. M. BROWN: As I said earlier, I believe the Minister has not shown the courtesy he should have extended to the Opposition. I am disappointed with the way in which he neglected to explain the matters raised during the second reading debate.

Yesterday I was ready to make some comments on the amendments and I provided every courtesy to the Minister in charge of the Bill. I made several observations and asked for a reply before the Committee stage of the Bill. I did this because I thought he would provide an answer and thus save some time during the Committee stage. However, I have not received the courtesy I deserved. Perhaps other members in this Chamber have received that courtesy and perhaps they have received the greatest consideration from the Pastoralists and Graziers Association.

It should be remembered that the members of the Opposition are just as interested in this State of Western Australia as everyone else. During the years 1971 to 1974 a great deal of consideration was shown to the pastoral industry by David Evans who was then the Minister for Agriculture.

We acknowledge the importance of the industry. Far too often industries are overlooked when consideration is given to appointments on boards which are related to them. The Opposition supports the amendment.

The Hon. P. H. LOCKYER: I take note of Mr Brown's comment about the amendment being presented late but I must support Mr Moore's comment when he said that the deliberations with the Pastoralists and Graziers Association over the last couple of days did not allow the Minister to bring forward these amendments any sooner. I do not believe the Minister has been discourteous.

Mr Moore and I were not aware of the amendments before they came to this Chamber but we knew that suggestions had been made to the Minister and I stated this fact when speaking to the second reading of the Bill.

I believe Mr Brown has over-reacted a little because the concessions in the amendment are very small; they are just clearing up a gray area.

The Hon. J. M. Brown: It is spelling it out.

The Hon. P. H. LOCKYER: I am surprised Mr Brown thinks this is a major change. The original clause provided that the two persons to be appointed to the pastoralists' board should have special knowledge of, or experience in, matters relevant to the pastoral industry. The Minister has agreed to the amendment so as to allay the fears of the Pastoralists and Graziers Association. He has agreed that it be now two members who either hold, or have held, an interest in a pastoral lease, or are, or have been, shareholders in an incorporated company holding, or beneficially interested in a pastoral lease.

This defines very clearly what the pastoralists and graziers wanted. Mr Brown could quite easily have rung the Pastoralists and Graziers Association and members there would have been quite happy to speak with him.

The Hon. R. HETHERINGTON: I think I have the advantage that I do not know a great deal about the Bill. It seems to me, when reading the amendment—

The Hon. N. F. Moore: Like most of your party.

The Hon. R. HETHERINGTON: —the actual words say that the members have to be shareholders in an incorporated company holding. It would seem that a person with no knowledge and experience in the industry could have a pastoral holding. In other words, I am suggesting to the Minister that the words do not say exactly what he wants them to say. No doubt we will have in due course a minor amendment to sort this out. We will have some kind of amendment which will use the original words and these words as well.

If at some future date there is a Government which does not like pastoralists, that Government could, under this legislation, appoint someone who has a very tenuous knowledge of and association with the pastoral industry. I am not saying that it would happen but I have no doubt that with this amendment, when it is carried and if it does what the Government wishes it to do, the pastoralists will be happy. The words look as though they have been put together in a hurry.

Amendment put and passed.

The Hon. D. J. WORDSWORTH: I move an amendment—

Page 4, lines 17 to 19—Delete the passage “1983, and again on 1 July in each of the years 1987, 1991, 1995, 1999, 2003, 2007 and 2011” and substitute the following—

“1984, and again on 1 July in each of the years 1991, 1998, 2005 and 2012”.

The Hon. J. M. BROWN: During my speech at the second reading stage I mentioned the Opposition felt the Government was taking some action when it reduced the term for the reappraisal of rentals from 10 years to four years. The only information we have had from the Pastoralists and Graziers Association was that which was reported in *The West Australian* this week.

I rise to say that we have no particular objection to extending the period to seven years, but we accepted originally the reasons given by the Minister for a four-year period. We would have liked the opportunity to discuss this at length in our party room. We wonder why the change has been made.

The Minister did not give us any reason for extending the period to seven years. We believe the Government should be trying to put the pastoral industry on a very sound footing. The Minister pointed out that the position of liaison officer will be advertised next Saturday, and that a very skilled person will be selected. Particularly in view of the short notice we have received of this amendment, perhaps the Minister could inform us of the reason for it.

The Hon. D. J. WORDSWORTH: We are trying to encourage the industry to “psyche” itself into action. At present it appears to be very depressed psychologically. As I said, economically the amendment will not be one of great significance. The total amount received by way of rent in no way equates with the money spent on the industry.

If the contention is that the Government is knocking the industry, then let us get it out of the way. It is important that we clear the deck so that the industry cannot argue that there is any Government hindrance to their viability.

The Hon. N. F. MOORE: The Government saw the wisdom of the proposal put forward by the Pastoralists and Graziers Association, and it agreed to extend the period to seven years. This will give a longer period between assessments.

The Hon. W. R. WITHERS: I also agree with the amendment. There may have been some misunderstanding on the part of pastoralists in the

Kimberley. However, I would like to point out that the proposition put forward by the Minister is reasonable. I support his thinking.

The pastoral leases in the Kimberley were reassessed in 1979, whereas other leases were reassessed in 1977. In effect the amendment will mean it will be five years only before the next assessment in the Kimberley, but seven years in other places. I consider it is a reasonable proposal to bring all the assessments into line and in the event that Kimberley pastoralists should read *Hansard*, I would like them to know that I have supported the Minister in this matter. My comments may explain to those pastoralists why their next assessment will take place after a period of only five years. However, after that assessment, the interval will be seven years.

Amendment put and passed.

The Hon. N. F. MOORE: I would like to refer to proposed new subsection (2a) of new section 98 which relates to the chairman of the pastoral board. Whilst I accept the present Bill which provides that the Surveyor General shall be the chairman of the pastoral board, I hope that in the future the Minister may give consideration to making the fifth appointee to the board the chairman of it. By that I mean that the chairman would not be the Surveyor General, the representative of the Department of Agriculture, or the other industry representative. The person who will take up the fifth place on the board must have undoubted entrepreneurial skills, and he must be someone who will provide what the industry perhaps needs in the way of drive and initiative, to pick the industry up by the bootlaces and carry it forward into the future.

Clause, as amended, put and passed.

Clauses 6 to 15 put and passed.

Clause 16: Section 113 amended—

The Hon. J. M. BROWN: During my second reading speech I indicated to the Minister that I wanted to expand on my comments about this clause during the Committee stage. I invited him to comment on the reason for the amendment.

The Minister referred to the minority report and the substitution of the term "five hundred thousand hectares" for the term "one million acres". I remind the Minister of the very short time we have had to understand the implications of this measure, and the clause we are discussing contains probably the major amendment in the

Bill. The amendment does not go as far as the recommendation contained in the majority report.

The Hon. N. F. Moore: In a way it does.

The Hon. J. M. BROWN: That recommendation suggested 2.5 million acres. The Hon. Norman Moore interjected and said that the Bill goes as far as the majority report.

The Hon. N. F. Moore: You read the report very carefully.

The Hon. J. M. BROWN: I have asked the Minister to comment on this amendment, and I have said that we intend to oppose it as no satisfactory explanation has been given for it. I referred also to the situation of a husband and wife receiving dual allocations of land.

The Hon. D. J. WORDSWORTH: I think it was the honourable member who drew attention to the fact that the minority report did not agree with the report of the Jennings committee on this point. From my travels and conversations with pastoralists, I found that the bigger companies were able to overcome some of the disadvantages of the limitation of a lease to one million acres. However, a person who did not wish to become involved in a company structure was not able to do so. This seemed to be the major problem.

I remember at one particular station I spoke to about 30 or 40 pastoralists and their wives. I noticed that the women felt very strongly about this matter, and they voiced the opinion that in arid areas it was necessary to have more than one million acres. For instance, in the Pilbara, where the carrying capacity of the leases is very low, it was felt that a pastoralist should be able to have also an interest in a lease in a higher rainfall area.

Clause put and passed.

Clause 17 put and passed.

Title put and passed.

### *Report*

Bill reported, with amendments, and the report adopted.

### *Third Reading*

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

**BILLS (8): ASSENT**

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

1. Transport Amendment Bill.
2. Acts Amendment (Motor Vehicle Pools) Bill.
3. Door to Door (Sales) Amendment Bill.
4. Acts Amendment (Transport) Bill.
5. Western Australian Overseas Projects Authority Amendment Bill.

6. Electoral Amendment Bill.
7. Wildlife Conservation Amendment Bill.
8. Parliamentary Superannuation Amendment Bill.

**QUESTIONS**

Questions were taken at this stage.

*House adjourned at 5.25 p.m.*

### QUESTIONS ON NOTICE

#### WATER RESOURCES: METROPOLITAN WATER BOARD

##### *Office Chairs*

456. The Hon. D. K. DANS, to the Minister representing the Minister for Works:

- (1) Is it correct that the Metropolitan Water Board has purchased approximately 900 office chairs from Europe through an import company?
- (2) Are the chairs of the special gas lift type?
- (3) Is this type of chair produced in Western Australia or Australia?
- (4) Who was the import company?
- (5) What was the cost of the chairs?
- (6) Is it correct that Western Australian made office furniture is exported to Germany, the United States, and the Eastern States of Australia?

The Hon. G. E. MASTERS replied:

- (1) No.
- (2) to (5) Not applicable.
- (6) I am informed by the Department of Industrial Development and Commerce that Western Australian made office furniture is exported to the United States and the Eastern States of Australia, but not to Germany, although negotiations are taking place with that country.

#### WATER RESOURCES, SEWERAGE, AND DRAINAGE

##### *Subdivisions: Contributions to Headworks*

457. The Hon. NEIL OLIVER, to the Minister representing the Minister for Water Resources:

- (1) Has the Metropolitan Water Board ever requested or consulted with the Town Planning Board in order that the Town Planning Board would exercise discretion in favour of the Water Board in applying conditions to applications for further subdivision in developed areas where the utilities water and/or sewerage and/or drainage already exist, in order to acquire financial contributions to headworks?

- (2) If the answer to (1) is "Yes", under what statutory powers are these conditions being enforced?

The Hon. G. E. MASTERS replied:

- (1) The Metropolitan Water Board does approach the Town Planning Board, not for favours, but for incorporating in their approval the condition of contribution for headwork charges.
- (2) If the Town Planning Board applies a condition, it is enforced under the provisions of section 24(3) of the Town Planning and Development Act.

#### DEPARTMENT OF LABOUR AND INDUSTRY

##### *Inspectors*

458. The Hon. D. K. DANS, to the Minister representing the Minister for Labour and Industry:

- (1) Is it correct that Department of Labour and Industry inspectors have been told not to carry out checks on buildings once they have exceeded their travel allowance for the month?
- (2) Is it also correct that the inspectors have since withdrawn their personal transport for use at work?
- (3) If "Yes" to (2), what alternative arrangements have been made?
- (4) Is it correct that the instructions to ignore inspections once travel allowances had been exceeded were not issued in writing, but duly filtered down to members of the construction safety branch from more senior levels in the department?
- (5) If "No" to (4), will he table any written instructions and explain how the instructions were issued?

The Hon. G. E. MASTERS replied:

- (1) No.
- (2) Yes.
- (3) Inspectors are proceeding with their normal duties.
- (4) No.
- (5) No such instruction was issued, but it was explained to inspectors at a meeting with the deputy chief inspector that inspection priority must be given to major work.

## LOCAL GOVERNMENT

### *Superannuation Fund*

459. The Hon. J. M. BROWN, to the Minister representing the Minister for Local Government:

What is the amount of funds proposed to be transferred from the provident fund to the new Local Government Superannuation Fund from—

- (a) Reserve account (No. 1);
- (b) Reserve account (no. 2); and
- (c) (Local Governing Bodies Employees) funds?

The Hon. I. G. MEDCALF replied:

- (a) to (c) I do not know the amount of any funds that would be transferred to the proposed new local government superannuation fund.

460. *This question was postponed.*

## HEALTH

### *Department of Health and Medical Services*

461. The Hon. N. E. BAXTER, to the Minister representing the Minister for Health:

- (1) Who occupies the following positions in the Department of Health and Medical Services—
  - (a) Director, Hospital and Allied Services;
  - (b) deputy director;
  - (c) assistant director;
  - (d) secretary; and
  - (e) assistant principal medical officer?
- (2) If several of these positions are vacant, what is the reason, and what effort has been made to fill the vacancies?
- (3) Who is carrying out the duties of the director of administration who retired some time ago?

The Hon. D. J. WORDSWORTH replied:

- (1) (a) Dr W. D. Roberts;
- (b) Mr H. H. McGrath;
- (c) vacant—duties being performed by Mr G. H. Henley;
- (d) vacant—duties being performed by Mr A. E. Reid;
- (e) vacant—duties being performed by Dr C. R. Joyne.
- (2) Posts will be advertised within the next few weeks.

- (3) The duties have been divided between the Director of Hospital and Allied Services and the Deputy Director of Hospital and Allied Services.

## TOWN PLANNING: SUBDIVISIONS

### *Contributions to Public Utilities Headworks*

462. The Hon. NEIL OLIVER, to the Minister representing the Minister for Urban Development and Town Planning:

- (1) Has the Town Planning Board, through its statutory powers, assisted the Metropolitan Water Board to acquire headworks contributions as a condition of approval for further subdivision of allotments in developed areas where the utilities water and/or sewerage and/or drainage already exist?
- (2) Has the Town Planning Board ever consulted with the Metropolitan Water Board regarding what conditions should be applied in respect to applications for further subdivision in developed areas where the utilities water and/or sewerage and/or drainage already exist?
- (3) If the answer to (1) is "Yes", are the Town Planning Board's statutory powers still being enforced to assist the Metropolitan Water Board in these circumstances?
- (4) If the answer to (1) is "Yes", will the Minister seek Crown Law opinion as to the validity of the use of such statutory powers in favour of another public instrumentality?
- (5) If the answer to (1) is "No", did such a policy previously exist, and if so, when was this policy discontinued, and for what reason?

The Hon. I. G. MEDCALF replied:

- (1) Section 24(3) of the Town Planning and Development Act 1928-79, provides that the Town Planning Board may affix to its approval of any application placed before it "such conditions as it sees fit". The board does impose conditions requiring the land subject to the

application to be provided with adequate services, including those within the purview of the Metropolitan Water Supply, Sewerage, and Drainage Board. In such cases, the condition requires the services to be provided to the satisfaction of the Metropolitan Water Supply, Sewerage, and Drainage Board. The provisions of the MWSS & DB Act allow that board to acquire headworks contributions under certain circumstances when such a condition is imposed.

- (2) Section 20(1) of the Town Planning and Development Act 1928-79, provides that when, in the opinion of the Town Planning Board, a plan of subdivision may affect the powers or functions of any local authority or public body other than the board, or any Government department, then it shall forward the plan or copy of it to that body for objections or recommendations. As required by this section of the Act, the Town Planning Board consults with the MWSS & DB and other authorities, as part of its normal procedure in dealing with applications and as a result of objections or recommendations so received, it uses the powers available to it under section 24(3) described in my answer to question (1).

- (3) On 9 October 1979, the Town Planning Board adopted a policy not to impose standard water supply-sewerage conditions which allowed the Metropolitan Water Supply, Sewerage, and Drainage Board to recoup headworks charges in respect of applications relating to land within a developed area where existing water-sewer mains are known to be available.

On 16 November 1979, the Town Planning Board resolved that if the Metropolitan Water Supply, Sewerage, and Drainage Board has specific reasons for the imposition of such conditions in developed areas, then these would be considered by the board in making its determination.

- (4) Opinions on this issue were provided by the Crown Solicitor on 8 August 1979, to the Chief Engineer, MWSS & DB

and on 23 October 1980, to the Acting General Manager, MWSS & DB. The fourth paragraph of the Crown Solicitor's 8 August letter reads, in part, as follows—

"The general rule is that a statutory body, in exercising its statutory discretion, must have regard only to considerations which arise from within the ambit of its own statute; anything else is extraneous and must be disregarded. There is nothing in the present situation to displace this rule so far as the Town Planning Board is concerned. The only direction to the Town Planning Board contained in Part VIIB of the MWSS and DB Act is that in s.71K(2), there is no suggestion that the imposed planning conditions which are referred to in ss.71G(1) and 71H(1) may be directed by the M.W.B. or will be the result of anything but the Town Planning Board's consideration of what is required in the interests of town planning. If the Town Planning Board imposes a planning condition against its own judgement, and to oblige the M.W.B., then it is acting unlawfully and its conduct may be impeached by legal action."

- (5) Answered in (1) to (4).

## RECREATION

### *Publication: "Servicing Sport"*

463. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Recreation:

- (1) What was the cost of producing and distributing the booklet from the Western Australian Institute of Sport *Servicing Sport*?
- (2) Did Alcoa Australia contribute anything towards the cost?
- (3) How much did the Department of Youth, Sport and Recreation contribute towards the cost?

The Hon. D. J. WORDSWORTH replied:

I am advised as follows—

- (1) Production costs, \$5 750;  
distribution costs to date, \$317,  
with an estimated future cost of  
\$500.
- (2) Yes.
- (3) Nothing.

## APPRENTICES

### *Females*

464. The Hon. LYLA ELLIOTT, to the Minister representing the Minister for Labour and Industry:

Further to my question without notice on 2 September 1980 regarding the number of female and male apprentices registered in the State for the financial years ended June 1979 and 1980, and in view of the information given to me in his reply—namely, that for the year ended 30 June 1979 out of a total of 13 074 registered apprentices only 923 were females, 793 of these in ladies' hairdressing, and for the year ended 30 June 1980 out of a total of 13 138 registered apprentices, only 992 were females, 828 of these in ladies' hairdressing, and the fact that females would be quite capable of performing the great majority of the 147 trades listed in addition to ladies' hairdressing, and the fact that unemployment among teenage girls in this State is extremely high—I now ask: What action is the Government taking, or does it intend to take, either through the Minister's department or the Education Department, to—

- (a) encourage girls to apply for trades other than ladies' hairdressing; and
- (b) encourage employers to take them on as apprentices?

The Hon. G. E. MASTERS replied:

- (a) and (b) The Minister has informed me that the Industrial Training Act 1975 and accompanying regulations make no distinction between males and females entering apprenticeship or industrial training trades.

The provisions of that legislation have been reinforced by the Government in its direction to Government departments and instrumentalities that advertisements for vacant positions be

framed in a manner to confer a male-female connotation.

Field staff engaged in the promotion of apprenticeship employment encourage this type of thinking amongst employers and prospective apprentices alike.

Consistent with this principle the Minister was pleased to have recently announced that Western Australia's nomination for the Australian Apprentice of the Year Award was a young lady who will soon complete an apprenticeship in the trade of motor mechanic heavy duty, a trade predominately undertaken by males.

The Government supports and encourages the intake of females into apprenticeships. Notwithstanding, it does not alter the fact that the ultimate decision regarding the employment of apprentices remains with the employer.

Females themselves with the encouragement of parents may need to be more responsive towards accepting that trades traditionally covered by males are suitable for females.

## TRANSPORT: BUSES

### *Age and Linc*

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

- (1) What is the total number of linc buses in the MTT fleet?
- (2) What is the total number, including linc buses, in the MTT fleet?
- (3) How many are—
  - (a) more than 20 years old;
  - (b) more than 15 years old;
  - (c) more than 10 years old;
  - (d) more than five years old; and
  - (e) less than five years old?
- (4) What is the recognised life span for a bus operated by the MTT?

The Hon. D. J. WORDSWORTH replied:

- (1) 19.
- (2) 912.
- (3) (a) 10;  
(b) 163;  
(c) 215;  
(d) 231;  
(e) 293.
- (4) 18 years.

## COURTS

*Legal Aid Commission*

466. The Hon. J. M. BERINSON, to the Attorney General:

- (1) Has the Legal Aid Commission requested amendments to its Act to enable assistance on a means test basis to be given in all serious criminal cases and without reference to the likelihood of conviction?
- (2) Especially in view of the recent acquittal of defendants whose applications for legal aid had been rejected by the commission on its judgement of the evidence, will the commission's request be given urgent attention and when can the Government's response be anticipated?

The Hon. I. G. MEDCALF replied:

- (1) Yes.
- (2) A number of amendments have been requested by the commission and are being considered at present. It has not been possible to introduce amending legislation during the current sitting.

## TRANSPORT: BUSES

*Fleet: Increases*

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

- (1) Does the Government intend to increase the size of the existing MTT bus fleet during the next three years to cater for—
  - (a) additional services due to metropolitan area development; and
  - (b) anticipated increased patronage due to a trend back to public transport?
- (2) If so, will the Minister supply details?
- (3) If not, why not?

The Hon. D. J. WORDSWORTH replied:

- (1) (a) and (b) Yes.
- (2) The MTT capital works programme submitted in March 1980 provided for 55 buses in each of the next three years.

Of these, 45 were for replacement purposes and 10 for increased requirements. The programme is reviewed and adjusted annually in accordance with latest trends.

- (3) Not applicable.

## COURTS

*Legal Aid Commission*

468. The Hon. J. M. BERINSON, to the Attorney General:

What was the cost to the Legal Aid Commission of the various proceedings by Brian Leslie McInnis arising from the initial rejection by the commission of his request for legal aid?

The Hon. I. G. MEDCALF replied:

The Legal Aid Commission represented Mr McInnis on two occasions. In the Court of Criminal Appeal the cost was \$1 246.00 and in the High Court of Australia \$1 245.75.

## EDUCATION: HIGH SCHOOL

*John Forrest*

469. The Hon. LYLA ELLIOTT, to the Minister representing the Minister for Education:

- (1) Is the Minister aware—
  - (a) that the John Forrest Senior High School hall-gymnasium is badly in need of a proper ventilation system;
  - (b) that in addition to sporting activities and school examinations, this building is constantly being used for functions including concerts, school plays, etc., attended by large crowds;
  - (c) that at such times the air becomes oppressive;
  - (d) that it is suspected the building may not comply with the Health Act regulations;
  - (e) that the school's parents and citizens association drew the attention of his department to these problems as long ago as May 1979; and

- (f) that the parents and citizens association has offered to contribute to the cost of any work carried out?
- (2) If (1) (a) to (f) are "Yes", why has no action been taken by his department to correct the poor ventilation in this building?

The Hon. D. J. WORDSWORTH replied:

I am advised as follows—

- (1) (a) to (c) When large numbers of people occupy this hall for extended periods of time, some ventilation difficulties have been experienced.
- (d) Prior to construction, the plans of the building were checked and approved by the Public Health Department.
- (e) Yes.
- (f) The parents and citizens' association has offered to contribute to the cost of improving the ventilation of this hall, but the extent of its assistance has not yet been determined.
- (2) The Education Department does not have funds available at present to enable any corrective action to be taken with capital works moneys. A dollar-for-dollar subsidy, up to a maximum \$10 000 contribution by the Education Department is available if the PCA so wish. Any suggestions the PCA may care to make will be fully considered.

## TOWN PLANNING

### *Inner Suburban Low Density Development*

470. The Hon. J. M. BERINSON, to the Minister representing the Minister for Urban Development and Town Planning:

- (1) Has the Minister noted a feature article in *The West Australian* of 15 November 1980 drawing attention to the high cost to individuals and the community of the low density development in inner suburban areas?
- (2) Since 1974 what action, if any, has been taken by the Government to initiate and co-ordinate a selective move to higher densities in these areas?

- (3) Whether action has so far been taken or not, what is the Government's attitude to the desirability of such a development?

The Hon. I. G. MEDCALF replied:

- (1) No, it has not been possible to identify the feature article referred to. If the member will supply more details, the matter will be investigated.
- (2) The Government in its assessment of local authority town planning schemes, is monitoring the issues of housing density and population change in relation to the planning of the Perth region as a whole.
- (3) The Government believes that land use planning should provide the opportunity for the provision of a full range of housing types appropriate to community demands. For this reason, it does not favour any particular housing density over any other. Certain statistical information indicates that inner suburban areas in which considerable redevelopment has occurred in the form of higher-density housing have experienced a decline in population.

Excessive concentration in particular areas of one form of housing may not be in the interests of the community as a whole.

## TOWN PLANNING

### *Whiteman Park*

471. The Hon. LYLA ELLIOTT, to the Minister representing the Minister for Urban Development and Town Planning:

- (1) Has a decision been reached yet in respect of the organisations that will be given permission to lease land at Whiteman Park?
- (2) If so, when will they be informed of this?
- (3) If not, when is it anticipated a decision will be made?

The Hon. I. G. MEDCALF replied:

- (1) No.
- (2) Not applicable.
- (3) When a solution to legal problems related to ongoing management of regional open space is resolved. The matter of management of regional parks and related powers is complex and an early solution cannot be anticipated.

## COURTS

*Legal Aid Commission*

472. The Hon. J. M. BERINSON, to the Attorney General:

- (1) On 3 July 1979 the Attorney General was reported in *The West Australian* as saying that he would recommend an amendment to the Act to permit the Legal Aid Commission to publicly answer unfair or inaccurate statements about its work?
- (2) What is the present status of that proposal?

The Hon. I. G. MEDCALF replied:

- (1) and (2) The member is referred to Act No. 106 of 1979. This Act was assented to on 17 December 1979.

## UNITED STATES OF AMERICA

*Interception of Australian Communications*

473. The Hon. LYLA ELLIOTT, to the Minister for Federal Affairs:

- (1) Did he see the article in the *National Times* of 16 to 22 November headed "How Australians are Kept in the Dark (While the U.S. Listens-In)"—in which it was revealed "Every day the U.S. Government intercepts masses of Australian phone calls, telex messages and computer data apparently illegally."?
- (2) If so, as this represents a serious threat to the basic human right of privacy of citizens of this State by a foreign power, will he take the matter up with his Federal counterpart who has responsibility for both human rights and security affairs, and demand an inquiry into this matter with a view to action to protect the rights of Australian citizens?
- (3) If not, why not?

The Hon. I. G. MEDCALF replied:

- (1) Yes.
- (2) and (3) Whether or not this represents any such threat depends on the truth or otherwise of the allegations.

I shall make some inquiries of the Federal Attorney General.

## HEALTH: ALCOHOL

*Alcoholic Rehabilitation Fund*

474. The Hon. LYLA ELLIOTT, to the Minister representing the Treasurer:

- (1) Prior to the establishment of the Alcohol and Drug Authority, was there ever a fund established or funds made available for the rehabilitation of alcoholics in this State?
- (2) If "Yes"—
  - (a) where did the money come from;
  - (b) was there any special legislation governing this; and
  - (c) what has been the position in respect of such fund/s since 1974?

The Hon. I. G. MEDCALF replied:

- (1) Prior to the establishment of the Alcohol and Drug Authority, convicted inebriates were catered for by the Department of Corrections at Byford Inebriates Centre—now renamed Quo Vadis—Karnet, and Bartons Mill. Non-convicted inebriates were catered for under normal hospital and health services.
- (2) (a) Funds were provided in the budgets of the respective departments;
- (b) Convicted Inebriates Rehabilitation Act 1963 and part 6B of the Prisons Act 1903-1979 in the case of convicted inebriates;
- (c) The funds have been absorbed into the operations of the Authority. Byford Inebriates Centre—Quo Vadis—was transferred to the Alcohol and Drug Authority. In addition, the authority operates the Aston and Ord Street hospitals and funds for the running costs for these facilities are provided for in the medical division of the Estimates. The costs of operating all other activities including the Carellis Street and William Street centres are provided for in the Public Health Division of the Estimates.

475. *This question was postponed.*

## PENSIONERS

*Dependent Children: Transport*

476. The Hon. LYLA ELLIOTT, to the Minister representing the Premier:

- (1) Is he aware that pensioners with dependent children attending school, are suffering economic hardship?

- (2) If so, will his Government, as a first step towards ameliorating this hardship, provide free travel for such children?
- (3) If the answer to (1) is "No", will he have the Minister for Community Welfare provide him with a report on this matter?

The Hon. I. G. MEDCALF replied:

- (1) If the member knows of specific families suffering particular hardship, and supplies the details then the plight of these families will be looked into.
- (2) There are no funds to extend the subsidised travel scheme at this time.
- (3) See answer to (1).

## STANFORD INSTITUTE

### *Report*

477. The Hon. PETER DOWDING, to the Minister representing the Minister for Resources Development:

- (1) Is the Minister aware that the contents of the Stanford Research Institute report on the hills area were revealed in a newspaper article in *The West Australian* of 30 September 1980?
- (2) In view of the fact that the report is available for public perusal, what reasons justify its continued suppression by the Government?

The Hon. I. G. MEDCALF replied:

- (1) The member for North Province is referring to a newspaper article which discusses a stolen document.
- (2) The Government does not consider it is a public document and has already commented at length that, after considering the advice it received, it has acted to establish appropriate machinery to guide research and investigate land use matters in the Darling Range.

## EDUCATION

### *Aborigines: Language*

478. The Hon. PETER DOWDING, to the Minister representing the Minister for Education:

- (1) Is the Minister aware that the common language of communication for some

Aboriginal students attending schools in the Kimberley and Pilbara is not English, but an Aboriginal language?

- (2) Will the Minister say why no such language is taught in any high school or primary school in the Kimberley or Pilbara?
- (3) Will the Minister accept that it would be desirable for such languages to be made available as part of the teaching curriculum?
- (4) What steps, if any, will the Minister take to encourage the creation of such programmes?

The Hon. D. J. WORDSWORTH replied:

I am advised as follows:—

- (1) Yes.
- (2) Many Aboriginal languages are spoken in the Kimberley and Pilbara. Linguistic analysis is incomplete in most languages. There is a lack of Aborigines who are literate in their own language and capable of teaching it. Nevertheless Aboriginal teacher aides, in areas where English is not the children's first language, carry out a vital function as a communication link.
- (3) Yes.
- (4) Steps have been taken at Derby, La Grange, and Kewdale to introduce the elements of the teaching of particular Aboriginal languages. Two non-Government schools are also known to be active in this area.

## CONSERVATION AND THE ENVIRONMENT

### *Enderby Island*

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

- (1) Is it intended that the reserves of Enderby Island and others in the archipelago, should be managed and/or policed by an officer of the department?
- (2) If so, which officer, and what time will be spent managing and policing the reserves?

The Hon. G. E. MASTERS replied:

- (1) and (2) The nature reserves of the Dampier Archipelago, including Enderby Island, will be managed by an officer of the Department of Fisheries and Wildlife.

J. Phillips  
L. P. Prindiville  
A. Van-den-Berg  
P. M. Silva-Rosa  
M. Nagle

paid by K.E.M.H.  
Level 2, 1st year  
paid by R.P.H.  
Level 1, 3rd year  
Level 2, 1st year

Karratha (0)

Roebourne (1)

K. Kwa

Level 1, 1st year

Wickham (0)

- (2) Answered by (1) above.

## HEALTH: MEDICAL PRACTITIONERS

### *North-west Towns*

480. The Hon. PETER DOWDING, to the Minister representing the Minister for Health:

With reference to the Minister's answer to question 414 of Tuesday, 11 November 1980—

- (1) What level is each medical officer referred to?  
(2) What year of service within each level is each officer?

The Hon. D. J. WORDSWORTH replied:

- (1) Wyndham (3)

A. Forward Level 1, 1st year  
J. Sowden Level 2, 1st year  
E. Venables Level 3

Kununurra (2)

W. Lax Level 2, 3rd year  
M. Martyn Level 1, 1st year

Halls Creek

C. P. Schindler Level 2, 2nd year

Derby (11)

W. Beresford Level 2, 4th year  
(Senior medical officer)

E. Cunaway Level 1, 3rd year  
G. Clothier Level 2, 1st year  
M. Collins Level 1, 2nd year  
G. Goodier Level 2, 2nd year  
E. Guy Level 1, 2nd year  
C. Kelly Level 2, 2nd year  
A. Noonan Level 3 (Surgeon)  
A. Polakiewicz Level 1, 1st year  
R. Spargo Level 3  
K. Sesnan Level 2, 1st year

Broome (3)

R. Sherwood Level 1, 1st year  
T. O'Sullivan Level 2, 4th year  
P. G. A. Reid Level 3

Fitzroy Crossing (1)

G. R. Jones Level 1, 1st year

Port Hedland (13)

N. Bain Level 2, 4th year  
R. Binns Level 1, 1st year  
D. Foulner Level 1, 1st year  
D. Kawcran Level 1, 1st year  
W. Robinson Level 1, 1st year  
D. Thurley Level 2, 1st year  
I. Tin Level 2, 4th year  
D. Wilson Level 3

## TRAFFIC: MOTOR VEHICLES

### *Wickham*

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

- (1) Are there vehicle inspection facilities existent in Wickham which could be used by the Road Traffic Authority vehicle inspection unit?  
(2) Will the RTA use these facilities for vehicle inspections for the Wickham area on a regular basis, and if not, is it proposed to instal same, if so, when, and at what cost?  
(3) If "Yes", on what basis?  
(4) If "No" to (2), why not?

The Hon. G. E. MASTERS replied:

The Minister for Police and Traffic advises as follows—

- (1) Originally full vehicle inspection facilities were provided at Wickham Police Station; due to lack of demand these were returned to Perth and only a concrete pad remains.  
(2) No.  
(3) Answered by (2).  
(4) If sufficient demand exists and a suitable applicant is available, an authorised inspection station will be established early in 1981.

## ABORIGINES

### *Reserves*

482. The Hon. PETER DOWDING, to the Minister representing the Minister for Community Welfare:

With reference to the Minister's answer to question 419 of Tuesday, 11 November 1980—

Since—

- (a) Aboriginal communities sometimes require at short notice the right to permit entry on to their reserve as in the case of maintenance workers, truck drivers, polling booth scrutineers, and members of political parties to hand out how-to-vote cards; and
- (b) technically permits can be issued only by the whole trust which meets each quarter—

will the Minister give consideration to delegating his power for such routine matters to a member or members of a community such as its chairman or council in session?

The Hon. D. J. WORDSWORTH replied:

The Minister for Community Welfare advises as follows—

Permits are a vital means of protection for a community and any wide delegation of power weakens this protection. However, it is accepted that greater flexibility would be advantageous and this aspect is under consideration.

At present the chairman exercises the role of the trust in the matter of routine permits as mentioned in paragraph (a) of the question to facilitate the issue of such documents.

## ELECTORAL

### *Postal Votes: Malpractices*

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

With reference to the Minister's answer to question 418 of Tuesday, 11 November 1980—

- (1) What is the evidence of postal voting malpractices in the Kimberleys?
- (2) If there is evidence, why were charges not laid?

The Hon. G. E. MASTERS replied:

The Minister for Police and Traffic advises as follows:—

- (1) and (2) on the evidence of postal voting malpractices in the Kimberley charges were laid against five people.

With respect to four of the people charged the charges have not yet been withdrawn and therefore the matters sought in question (1) are *sub judice*.

## ELECTORAL

### *Postal Votes: Investigations*

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

With reference to the Minister's answer to question 409 of Tuesday, 11 November 1980, how many postal voters were questioned altogether?

The Hon. G. E. MASTERS replied:

The Minister for Police and Traffic advises that 129 postal voters were questioned.

## POLICE

### *Dunham River Station*

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

With reference to the Minister's answer to question 400 of Thursday, 6 November 1980, why was the CIB not called in on this investigation?

The Hon. G. E. MASTERS replied:

The Minister for Police and Traffic advises as follows—

No criminal offence was revealed.

## HEALTH: MEDICAL PRACTITIONERS

### *Broome Hospital*

486. The Hon. PETER DOWDING, to the Minister representing the Minister for Health:

- (1) What gratuity would Dr Peter Reid of Broome be eligible for if he terminated now?
- (2) What is his accumulated sick leave entitlement?

- (3) Is his wife employed by the Health and Medical Services Department?
- (4) If so, at what salary, and on what conditions?

The Hon. D. J. WORDSWORTH replied:

- (1) Gross \$49 070.44; nett \$48 285.27.
- (2) 116 days on full pay;  
80 days on half pay.
- (3) Yes, in the department's extended care services on a 40-hours-per-fortnight basis.
- (4) On \$245.90 for 40 hours per fortnight as per the nurses' public hospitals award.

intended to be used by the doctor for purposes of—

- (a) private use;
- (b) non-medical use;
- (c) business use; and
- (d) shire use?

The Hon. D. J. WORDSWORTH replied:

- (a) to (d) A vehicle is provided for Government business and reasonable private use.

## PUBLIC WORKS DEPARTMENT

### *Employees: Retrenchments*

487. The Hon. PETER DOWDING, to the Minister representing the Minister for Works:

With reference to the Minister's answer to question 412 of Tuesday, 11 November 1980—

- (1) Have efforts to relocate these men been successful?
- (2) If so, what jobs have they been offered, and in what towns?
- (3) Do any occupy GEHA housing, and will they be permitted to remain there?

The Hon. G. E. MASTERS replied:

- (1) Efforts have been generally successful.
- (2) Three have obtained employment at the Wyndham Meatworks;

one with the State Energy Commission, Port Hedland;

one has private employment in Kununurra;

one is on leave; and

two have left the area.

- (3) No.

## HEALTH: MEDICAL PRACTITIONER

### *Broome Hospital*

488. The Hon. PETER DOWDING, to the Minister representing the Minister for Health:

With reference to the terms of employment of Dr Peter Reid of Broome, is the car provided for him

## MEMBERS OF PARLIAMENT

### *Rail Travel Fares*

489. The Hon. N. E. BAXTER, to the Minister representing the Premier:

Further to the reply to question 440 of Tuesday, 18 November 1980—

- (1) What portion of the funds in item No. 6 in division 8 of the CRF Expenditure 1979-80 represented rail travel fares for Western Australian members of Parliament, their wives and families, and retired members on a Railways of Australia gold pass?
- (2) What was the value of fares for Western Australian members of Parliament and their wives on book passes, who travelled to Sydney to attend the parliamentary bowling carnival in January 1979?

The Hon. I. G. MEDCALF replied:

- (1) Portion of the funds in item No. 6 in division 8 of the CRF expenditure 1979-80 represents rail travel fares as follows—

	\$
Western Australian members of Parliament	5 320
Wives and families	3 894
Retired members—gold passes	11 300

- (2) As members of Parliament do not list the purpose of their visits to the Eastern States, it will not be possible to provide the information sought by the member.

QUESTION WITHOUT NOTICE

LIQUOR

*Tavern: Karratha*

146. The Hon. D. K. DANS, to the Minister for Lands:

- (1) Have objections been received regarding the siting of a proposed Tavern at Pegs Creek, Karratha?
- (2) Do these objections include—
  - (a) that the siting is opposite a future women's refuge; and
  - (b) close to the primary school?
- (3) Has a suggestion been made that a better location would be near the Galbreith Road shopping centre?
- (4) Is it likely in view of the local objections that the site will be relocated?

The Hon. D. J. WORDSWORTH replied:

- (1) to (4) I thank the Leader of the Opposition for some notice of his question. The Lands and Surveys Department does not have any record of

objections, because those objections are made to the Licensing Court. I understand that in any regard, it does not normally inform people of such objections. However, if the member wishes to ask further questions in that direction, I suggest he ask them of the Minister representing the Chief Secretary.

The tavern site was advertised by the Lands Department in February, 1980, and re-advertised on 24 April 1980, with amended release condition which stipulated that the successful applicant would be required to obtain a provisional certificate for a tavern license issued by the Licensing Court of WA.

The site was allocated to Pennant Hotels Pty. Ltd. by a Land Board sitting at Perth on 14 August 1980.

Following a Court hearing in Perth on 29 September 1980, and at Karratha on 15 and 16 October 1980, the court granted a provisional certificate to Pennant Hotels Pty. Ltd. on 10 November 1980.

