

Legislative Council

Wednesday, the 26th April, 1978.

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

QUESTIONS

Questions were taken at this stage.

METROPOLITAN REGION TOWN PLANNING SCHEME

Disallowance of Amendment: Motion

THE HON. R. F. CLAUGHTON (North Metropolitan) [4.44 p.m.]: I move—

That, in accordance with the provisions of Section 32 of the Metropolitan Region Town Planning Scheme Act, 1959-1976, the proposed amendment No. 138/31 to the Metropolitan Region Scheme relating to Herdsman Lake and environs, made pursuant to Section 33 of the Act, published in the *Government Gazette* on Friday, the 17th March, 1978, and laid upon the Table of the House on Tuesday, the 21st March, 1978, be and is hereby disallowed.

Mr President, in moving this motion I should like to begin by reminding members that, due to the foresight and work of previous Governments and planners in setting aside significant areas as Crown land or for reserve purposes, Perth has enjoyed considerable flexibility in its planning options. That situation is rapidly disappearing and we have reached the stage of taking back land which has already been alienated to ensure that reasonable areas of open space remain within the metropolitan region.

I remind members of this House of the debate which took place only a few years ago in relation to the area around Bold Hill and Perry Lakes in Floreat Park and the general support that proposal received from members of this place. Almost all members at that time went on a tour to inspect the land and finally supported efforts to ensure that the greatest area possible was retained.

At about that time I suggested that Herdsman Lake was another area in which members should interest themselves because of the encroachment being made into the area which had been originally set aside. In moving this motion for disallowance I am drawing members' attention to the gradual encroachment into the lake to the extent that whereas the original area shown in the

1963 Metropolitan Region Town Planning Scheme was approximately 1 000 acres, the area of lake mentioned in the most recent of the Metropolitan Region Planning Authority's reports is only about 320 acres—a considerable reduction in the area that was originally available.

As an aside, I should make a small protest that only one plan of the amendments was made available for inspection by members. The copies I have were made by the Clerks, to whom I am most thankful. When plans are tabled more than one copy should be made available, because tabled papers may not be removed from the Chamber, which makes the situation extremely awkward for any member who wishes to study them.

I hope that some members have taken the trouble to examine this amendment, because an examination of it shows that what appear to be rather small changes are taking place around the periphery. A portion is to be used for residential purposes, a portion for industrial purposes, some for road reserves, and so on. Looked at individually, each of these appears to be somewhat insignificant until the trouble is taken to examine what was proposed in the first place for the region, particularly the northern corridor.

It is my contention that the whole northern corridor is becoming extremely short of public open space and areas available to provide options for recreation purposes in future years. This sort of statement was made, for example, at the public meeting with regard to Star Swamp which was held recently in North Beach and at which about 250 members of the public were present. It was suggested that areas such as Hamersley Golf Club and Karrinyup Country Club were public open space.

This was very strongly contested, because the area is not available to the general public. It is available only to those persons who are members of the Karrinyup Country Club or to those members of the public who are interested in playing golf on the public golf course. However, areas such as that were set aside.

There is a marked shortage of land in the area set aside for public open space. A continual complaint of organisations in the area which are seeking land for sporting purposes is that such land is not readily available.

I should like first of all to refer members to the Stephenson-Hepburn Report of 1955. If members examine that report they will see in the northern corridor, while there may not have been large areas of public open space as was the concept in the regional scheme produced in 1963, there was

a broad strip of land running through the area which was set aside as urban farmland. It was a reasonably broad, continuous strip of land running from Herdsman Lake to north of Lake Joondalup. When we look at the maps of today we find nearly all of the area which was formerly urban farmland has been alienated for residential purposes or for industrial purposes. Therefore, the concept contained in the Stephenson-Hepburn scheme of 1955 which was that there would be a broad strip of open land, which was not alienated for close development, has completely disappeared. Had that plan been adhered to I do not believe it would be necessary for me to be standing on my feet today protesting about the proposed amendment to the Metropolitan Region Scheme relating to Herdsman Lake.

I have a map here which, of course, cannot be recorded in *Hansard*. It outlines in yellow, for the interest of members, the location of the strip of urban farmland, and Herdsman Lake is at the extreme southern portion of that strip, slightly north-east of the area now reserved around Bold Park. In the 1963 scheme marked changes were made to the 1955 concept; but the whole of the Herdsman Lake area was bounded by Pearson Street on the north and east, Herdsman Parade on the south, and by some private properties on the west. The eastern boundary remains much the same in the current scheme. However, all of that area within those boundaries was set aside for regional open space.

Subdivisions for a group settlement scheme were made in the 1920s or earlier along the northern, western, and southern boundaries. The area was divided roughly into 10-acre lots. These lots were privately owned or held as Crown grants.

In order to secure a portion of that land for regional open space the local authority granted applications for development in return for ceding the remaining area of the holding to the shire for public open space purposes. I supported that concept, because only a small portion of the total area was involved at that particular time.

At that time we saw a marked contraction of the urban farmland north of Herdsman Lake, which is designated now as urban deferred, described in the 1963 plan. A large amount of that area is being used for industrial development in the Osborne Park industrial zone, as well as being used for residential and industrial purposes further north. A portion of it, of course, is taken up with the regional road reserves and I should like to mention that aspect also.

The intentions of the City of Stirling in respect of the industrial land to the north of the lake, including the boundaries of the Osborne Park industrial zone, were presented in March, 1968. That plan in fact showed the industrial zoning at that time coinciding with the alignment of Pearson Street. That plan was dated the 26th March, 1968.

Not long after that we find something has happened in respect of land south of Scarborough Beach Road, between Scarborough Beach Road and Herdsman Lake. On the 5th February, 1971, which would be shortly before a State election, the area zoned for industrial purposes was increased. It appears this was done as a result of Government action and not on the initiative of the local authority.

An area of land at the northern end of Herdsman Lake, which at that time was a Crown grant, was handed over to the Industrial Lands Development Authority. This occurred on the 9th December, 1974, again subsequent to another State election. The value of the title which was exchanged at that time was \$395 000. I believe the land would now have a much greater value.

It is interesting to note that the people involved in that transaction were represented by a group called Herdsman Nominees which is a company registered on the 19th September, 1973. The papers of the company were lodged at the Companies Office on the 2nd October, 1973. It appears also that 100 000 \$1 shares were provided for in the prospectus. There were three subscribers each holding one share—three shares were held—and they were Mr John Fairchild, Mr Francis Quilty and Mr James Murray. At a later time other shareholders were involved, each with 500 shares. I am taking this from the return furnished by the company on the 23rd October, 1975. The other shareholders were Mercury Press, Hester Properties, Passiona Bottling, M. J. Bateman, Lewis Berger, Mr Geo Moss, Overseas Corporation of Australia Limited, and West Australian Transformers. Some of those companies at present occupy business premises on Scarborough Beach Road and they would be interested in increasing the land available to them for expansion purposes.

The point I am making is that without any public discussion this land was alienated for industrial purposes and has become the property of a very small group of people.

We have reached the point where the whole of Herdsman Lake has been set aside, under the Metropolitan Region Scheme. The local authority recognised that in 1968 by setting the boundary of

the industrial zone on the alignment of Pearson Street.

However, in 1971 we saw the process of alienation starting to take place for industrial purposes. On the map that was tabled with the current amendment we see there is a road alignment coloured in blue; but this road is not named, because it is a new road which does not exist, and it is to replace the proposal to run Hale Road across the centre of the lake. I think that was an uneconomical proposition, and is one which would have done a very great deal of damage to the lake environment. That road has been moved north.

The amendment before us seeks to include in the industrial zones the portion of land between the new road alignment and the existing extensions to the industrial land. I fail to see why it is necessary for that to be done. On a map it might appear to be the tidy thing to do, but there is no reason for further alienation of the regional open space for that sort of purpose.

There is a large amount of land already set aside for industrial purposes in the northern corridor. There is still land available in the Osborne Park area which is available to businesses which wish to be established there. There is land available in the Balcatta industrial zone, and an industrial area has been set aside by the Wanneroo Shire. So, it cannot be claimed that any company would be disadvantaged in not allowing the land in question to be set aside for industrial purposes. I believe there is a very strong argument to indicate that the public of the metropolitan area, and particularly of the northern section, would be disadvantaged by further alienation of these recreational lands.

In 1970 there was a proposal to use the area of Herdsman Lake as a rubbish tip. This caused a great deal of public consternation, to the extent that the proposal was not proceeded with. The City of Stirling gave assurances that the use of the lake for rubbish tipping purposes would not pollute the lake because of the methods to be used. However, the conservationists at that time prevailed.

Mr Tom Riggert was very prominent in the opposition to the proposal. An article appeared in *The West Australian* of Friday, the 26th June, 1970, headed "Lake Rubbish Tip Scheme Attacked" in which he said that he estimated there were some 20 000 birds on the lake. I am not sure what his estimate of the number would be at the present time.

He went on to say that Monger Lake was already full of silt, and was only about a foot

deep; in other words, he did not hold a very high opinion of the quality of Lake Monger as a bird refuge, because it was already under considerable stress. The problem of botulism arises. At that time there were suggestions that the lake should be dredged to provide deeper sections, because it is the depth of the water that creates the temperature difference and the circulating pattern of the water. At one time Monger Lake was very much deeper than it is, and at that time yacht races were held on the lake. However, this is not the type of activity that can be contemplated to take place on the lake at the present time.

This shows that the purpose for which the lake has been used has changed its nature. For a long time a rubbish tip was located there, but the lake was also used as a compensating basin for a drainage system. I would suggest that its use for that purpose has caused considerable silting to take place.

One of the proposals contained in the plan is that when the lake is created it should be used as a compensating basin. The Minister said that, but there is nothing contained in the plan to indicate that. In *The West Australian* of the 21st March a comment of the Minister for Urban Development and Town Planning (Mr Rushton) appeared—

Mr Rushton said that the lake would be retained as a flood-plain system collecting surface water run-off from Woodlands, Innaloo and Osborne Park.

It would then fulfil the same functions as the other lakes in the northern suburbs of Perth.

An item in the *Government Gazette* of the 19th June, 1970, which contains a plan, shows that Lake Gwelup, Lake Karrinyup, and Lake Carine are all connected in a drainage system formulating compensating basins. This is another area in respect of which we should ask the planners to pause, if the consequence of the use of these lakes is to cause them to be silted, like Lake Monger. We need to examine what can be done to prevent that from happening. However, there are no reservations shown on this plan for that purpose.

Attached to the item in the *Government Gazette* I have just referred to is a rough plan which was tabled during Mr MacKinnon's time as the responsible Minister. It shows the road system, which is roughly drawn in, and also a lake of approximately 500 acres. This indicates the sort of changes that have taken place. There was no setting aside of lands for industrial purposes at that time. It was only a concept plan. When we take into account the fact that the current plan is

for a lake of approximately 320 acres we see how rapidly these changes have taken place.

A mining exploration permit on the lake was taken out in the name of Esther Holdings. I think originally the Mallina Mining Company was interested; I am not sure of the relationship between Esther Holdings and the Mallina Mining Company. The permit was current for the September-October period of last year. When I rang the Mines Department to inquire about this matter, the officer to whom I spoke was most aghast that this should have occurred. The property owners received notices of this exploration permit, and they were somewhat concerned of what might happen.

If we are considering how the lake may be developed, we should bear in mind the possibility of mining activities being combined with a deepening of the lake, and improving the lake under control. This is something we should not cast aside, simply because it relates to mining. I am sure the conservation groups would not be happy about this matter. I do not know whether that exploration permit has been extended, or whether the company involved thinks it will create too much of a public relations problem to continue with its proposal.

In 1975 following on the proposals put forward by Mr MacKinnon, as the responsible Minister, to which I made reference earlier, some public concern was aroused, in addition to the concern that had been aroused in respect of the proposal to use the lake as a rubbish tip.

There was further consideration of the future of the lake by the Metropolitan Region Planning Authority. A seminar was held in August, 1975, to which some reference is made in the 1975 annual report of the authority. At page 22 of that report appears a map which sets out the conceptual planning that was being considered. This shows a series of roads within the lake, and it would seem to me that the construction of these roads would be impracticable. We have no idea whether that remains as the concept which the authority still entertains.

The alignment of the regional road is somewhat different from that appearing on the map accompanying the present amendment. Shown on it is Moondyne Drive to which some reference is made in the report accompanying the amendment. There is some objection to it and there is some support for it. However, there is nothing on that plan to indicate the degree of alienation that was to follow this year.

In 1976 the local authorities involved were circulated with plans which were said to be the

outcome of the seminar and the discussions with the technical advisory committee that had been set up by the MRPA. I should imagine they would include groups such as the Naturalists Club which was particularly interested in the future of the lake. The request put forward was that these plans should be advertised, and objections should be lodged.

The plans which accompanied the letter to the local authorities, dated the 15th December, 1976, included a map outlining the proposed amendments. Unfortunately, these are not coloured, so we cannot readily see what changes were proposed; but when we look at the area of the regional road we see a plan which is quite different from the one now before us.

The area on the north-west corner which, under the 1963 scheme, had been set aside for regional road purposes was very much reduced, and the land not required was to be taken back into regional open space. That would have been a very good plan to follow, but one or two people were affected by it—Mr McKenzie will make some reference to that—and there was a change in the alignment.

In the new alignment drawn up on the map, instead of the land not wanted for the regional road reverting to regional open space, it is now to become urban residential land. So a fairly significant section between the line of the regional road and the current line of Pearson Street is now available for development. I am sure the landowners will be delighted, but this is not in the long-term interests of the general public, because it means more people will live there, and there will be more pressure on the land which remains. The new alignment shown on the plan takes a very hefty slice of regional open space from the north-west corner—far more than I believe is necessary even to provide for the interests of individuals who are already living along the margin of the lake.

I question the necessity for the regional road to be located there at all. Not long ago the local authority spent about \$1 million on the upgrading of Pearson Street. It is now a dual carriageway of some significance which is capable of taking a sizeable proportion of the traffic. I would think it is quite sufficient to cater for the needs of any future north-bound traffic in that particular section.

Even if it were felt it should be larger, there is no reason that the road reserve could not be enlarged by doing what was done when it was upgraded recently. The road reserve boundaries were increased and the owners were compensated.

If need be, that process could be repeated, with the owners being compensated, the small amount of land being taken from the margin of the lake area, and the rest of it remaining for regional open space requirements.

Along the western section a number of people are engaged in activities connected with horses, providing clubs or stables where people can keep their own horses. It is the only area within miles of this part of Perth where such facilities are available. If we allow the amendment, those activities will cease and there will be no other area so conveniently located for the people who live in the western section of the metropolitan area.

On a personal level, I have a daughter who stabled her horse there for a period, and she was able to have much greater use of the horse than she had when it had to be moved out to Wanneroo. She was no longer able to use the horse daily if she so desired.

The Hon. M. McAleer: Is there not provision for a riding school?

The Hon. R. F. CLAUGHTON: There is no reference to it. Some such reference is made in the MRPA report of 1975 but it is a very small area compared with the land which is now available to be used for this purpose. It is designed to cater for the pony club which operates at the northern end of the lake in an area which is now industrial. In any case, it is north of Pearson Street and just outside the lake area itself. The pony club could not cater for all the other facilities which are available to people who merely want a place to stable a horse.

I have made representations to the MRPA and done my best to get the councillors on side. Dr Stark, when he was president, was sympathetic to retaining those establishments there, so they have been able to remain until now.

Plunketts had an interest in land on the western and south-western section of the lake until recently. I have not the report with me, but it was reported in the Press that the land was sold for \$4 million. For as far back as I can remember, Plunketts had been trying to undertake development there, but it was unsuccessful. It had a very frustrating time. The company was held up time after time, until the stage was reached where it was uneconomical for the company to proceed. Yet it was able to sell that land for \$4 million.

I am not normally suspicious but it seems to me the buyer of that land may have been aware of the changes involved in this amendment, with considerable extension of the urban open space, and he may believe he will be able to use the land

for high density development. I hope that is not so but, knowing the time that Plunketts was involved and the problems it had in trying to get development, I find it hard to believe any investor would want to spend \$4 million on the land unless he knew some change was about to take place.

I would like to conclude with a couple of quotations. First of all, I remind members that on page 4 of the report accompanying the amendment there is reference to Plunketts, but paragraph 20 states—

During the course of the hearings the Authority was advised that the Hon. Minister for Urban Development and Town Planning had upheld an appeal and allowed the development of 96 flats on the front portion of Lot 153 Herdsman Parade. Part of this frontage had been proposed in the Amendment to be included within the reserve for parks and recreation as an option for providing road access to the lake.

We can see how planning is pre-empted by these kinds of decisions. Reference is made in paragraph 21 to the changes in the alignment of a regional road in the vicinity of Hale Road and the way that has affected the scheme.

If members agree to support this disallowance of the amendment, they must remember that the whole of the planning will go back into the melting pot, but I think that would be preferable to agreeing to what is now proposed.

The Hon. G. C. MacKinnon: Do you know when the argument about Herdsman Lake first started? It was in 1925.

The Hon. R. F. CLAUGHTON: It was a long time ago.

The Hon. G. C. MacKinnon: And you want to send it back again.

The Hon. R. F. CLAUGHTON: That must have been about the time the lake was first drained. Of course, we must be responsible about these matters, but there is a considerable need for recreation land in the northern suburbs. It has become extremely scarce. Some landholders will be upset about not being able to proceed on the basis of the proposals in the amendment, but they cannot say they will be injuriously affected because the amendment is not law at this time. They have very limited rights to development, as Plunketts found out. So no-one should be able to complain about that aspect of it. Members must be very much aware of the needs of the wider public.

Another quotation to which I would like to refer members is in *Australian Productivity*

Action, Volume 3, No. 1, of February, 1978, which refers to physical fitness and work performance. It is an article in which businessmen should be very interested. It indicates in a table proneness to heart disease graded on various rates of activity. A graph shows how heart disease is job-related. Farmers do much better than nonfarmers. Farmers, miners, and labourers, are very much less prone to heart disease than executives, judges, lawyers, and physicians. There is a very significant difference. Then there is a table of deaths per 100 men by degree of exercise in selected age groups. In the 60 to 64 age group, where there is no exercise the incidence of death is 4.9 per 100, whereas with heavy exercise the incidence is 0.92 per 100. The incidence of death for those who do no exercise is four times greater than for those who engage in heavy exercise. Even for a person who does moderate exercise, the chance of contracting a coronary complaint is significantly smaller.

A few figures comparing expenditure on industrial development and recreation are given in the annual report for 1976-77 of the Community Recreation Council of Western Australia. I will quote the figures, because they are very pertinent to this argument. On page 2 of the report it is stated—

One very conservative estimate indicates that Western Australians spent nearly \$300M on leisure in 1976/77 excluding the cost of fuel and transport to leisure activities.

So it is rather big business. It continues—

In Australia the leisure industry ranks as the fifth most important employer of labour and in WA employs a large work force of over 22 000.

Recognition of these facts is reflected in the substantial growth of the budget, staff and services of the Community Recreation Council since the Council's inception in 1973, and there is little doubt that if projected demands for leisure services are anywhere near accurate, an even greater emphasis will be placed on the provision of open space for leisure, recreation management, provision of services, facilities and programmes in the years ahead.

I should like to conclude on that note, because I think it sums up what I am trying to say; namely, that the alienation of these lands for residential and industrial purposes is nowhere near as important as the need to retain as much of this space as possible for providing options for recreational purposes to the people who live in the area.

[Resolved: That motions be continued.]

THE HON. F. E. MCKENZIE (East Metropolitan) [5.32 p.m.]: Mr President, I second the motion, and rise to speak in its support. My reasons for entering this debate are different from those of the Hon. Roy Cloughton; however, I feel that what he put forward was reason enough to disallow the proposed amendment to the Metropolitan Region Scheme.

Members will recall that during my remarks in the Address-in-Reply debate I referred to a constituent of mine who was refused the opportunity to be heard by the Metropolitan Region Planning Authority when the various submissions relating to this amendment were being considered. That person was Mr Uren, of Bayswater. I rise to speak in support of the motion, hoping that when the spokesperson for the Government replies some of my questions will be answered.

Does any individual still have the right to object to a proposed amendment, and to be heard without prejudice, or is that no longer a citizen's right? Mr Uren went to great lengths to prepare a submission and to put it before the authority, but was denied the opportunity to be heard. Is the right to be heard now completely subject to the decision of the MRPA or the Minister? That is precisely what happened in Mr Uren's case; the MRPA decided it was not going to hear him, notwithstanding the fact that, in accordance with the Act, he had put forward a submission outlining his objection.

The right of citizens to object and to be heard before their homes are resumed is preserved in sections 31 and 33 of the Metropolitan Region Town Planning Scheme Act. These sections also confer the right to approach Parliament before a final decision is made by Parliament. In this case, I am hoping Parliament will uphold the right for those sections of the Act to apply, because I do not think they have been applied in this case.

In support of that contention, I refer members to paragraph 11, on page 2 of the Metropolitan Region Scheme Amendment No. 138/31 (Herdsmen Lake) Report on Submissions, where the following statement appears—

Twenty two submissions related to the omission from the Amendment of Moondyne Drive as a firm road proposal. The basis of all these submissions was that Moondyne Drive which has been a proposed road for many years is not included in the Amendment. Its omission would result in Herdsmen Parade and other local residential roads having to carry excessive traffic,

including that moving to and from the Mitchell Freeway.

The residents of Moondyne Drive were given the opportunity to be heard, despite the fact that Moondyne Drive was not included in the amendment. I content the same right should have been extended to Mr Uren, notwithstanding the MRPA's contention that Mr Uren's submission had nothing to do with the amendment.

The Hon. M. McAleer: What was Mr Uren's submission about?

The Hon. F. E. McKENZIE: It related to problems which had occurred some years ago and which have been debated in this House previously.

The Hon. J. C. Tozer: At Herdsman Lake?

The Hon. F. E. McKENZIE: He was referring to the Herdsman Lake concept. He maintained there was no need to amend the scheme, and that the authority could invoke a clause 15 plan, because it related to the relocation of a roadway. However, regardless of what his submission contained, he was not heard by the authority.

The Hon. M. McAleer: Yes, but was his submission not on a procedural matter?

The Hon. F. E. McKENZIE: I have seen Mr Uren's submission, and I must concede the honourable member has a point; it did relate only to a procedural matter. Perhaps that is a moot point; after all, the people in Moondyne Drive do live in the locality. However, irrespective of what was contained in his submission, it is possible that, given the opportunity, Mr Uren may have elaborated on his prepared statement, and may have dealt with the area concerned.

The Hon. M. McAleer: You have seen the submission?

The Hon. F. E. McKENZIE: Yes.

The Hon. M. McAleer: And you could not imagine that Mr Uren was going to discuss anything specifically relating to the amendment?

The Hon. F. E. McKENZIE: No, I concede I did not see anything in the submission which related to the area, as such. However, it certainly related to the procedures being adopted, and Mr Uren made it quite clear he wanted to be heard on the procedures being adopted. However, the authority simply decided it was not going to hear him.

I refer members now to schedule 2 of the report, which summarises the submissions put forward. The summary of Mr Uren's submission, which appears on page 3, states as follows—

The submission claims, in essence, that the amendment under Section 31 procedures is a

pretence and that the Authority has in hand a Clause 15 amendment which it will publish on receipt of cogent objections to the current amendment. This is what he claims happened in respect of his objection to the 1974 Amendment.

I intend later to show how the Main Roads Department in fact put in a clause 15 plan at a later date.

I return now to the early part of this report, where at page 2 the following statement appears—

These discussions culminated in a seminar held on 14th August, 1975, from which evolved a report representing a technical assessment on obtaining a satisfactory balance between the wide variety of interests and aiming to re-evaluate the present and potential uses of the Herdsman Lake area.

The Authority endorsed that report and adopted the Concept Plan as amended as a guide for the future development of the Lake. At the same time the Authority at its meeting on the 2nd June, 1976 resolved to amend the Metropolitan Region Scheme to reflect the changes contemplated in the Concept Plan and report.

The Main Roads Department was involved in that seminar and surely would have been aware when the amendment was published of where its road was to be located. Notwithstanding that fact, the Main Roads Department put forward an objection which is summarised in schedule 2 of the report as follows—

Objects to the alignment of the Stephenson Controlled Access Highway between Empire Avenue and Scarborough Beach Road as this did not conform to the Department design requirements.

After the first hearing took place on the 16th June, apparently the authority went back to the drawing board and came up with a plan, a copy of which I have in my hand. It is dated the 22nd June, 1977, only six days after the first hearing.

The idea behind that plan was to enable Mr Daniele and Marist Brothers College to retain the buildings which had been built on their land; I do not argue with that principle. However, I am attempting to highlight the injustice perpetrated on my constituent. After the first hearing, the plan was changed so that the road would not cut through the existing buildings.

The Hon. M. McAleer: It does seem a practical idea.

The Hon. F. E. McKENZIE: I cannot argue

about that, but I wonder what is behind the idea. The plan can be changed to accommodate one section of the community but not another. In fact, what the authority has done is to publish a clause 15 plan. Clause 15 of the Metropolitan Region Scheme schedule states as follows—

15. (1) Where the Authority relocates or alters the route of a regional highway or road or railway or the boundaries of any other reservation under this Part the Authority shall prepare copies of a plan showing such relocation or alteration and the land to be excluded from or included in the altered reservation, and the plan shall indicate the zone or zones in which any land no longer required for the reservation shall be included.

(2) Such plan shall be certified and sealed with the seal of the Authority and when the plan is approved by the Minister it shall be certified by him and, subject to subclause (3) of this clause, the plan shall become part of the Scheme without any further action being necessary under the Scheme Act.

(3) Notice of any such relocation or alteration shall be published in the *Government Gazette* as soon as practicable after the plan relating thereto is so certified, and the relocation or alteration shall take effect and have the force of law on and from the date of such publication.

Further, clause 34 provides that any person subjected to clause 15 has the right of appeal to the Minister. That is precisely what happened in Mr Uren's case some years ago, and it is only natural he should prepare a submission now; he has a grievance which has never been satisfied.

The Hon. M. McAleer: Perhaps this is an appropriate moment.

The Hon. F. E. McKENZIE: From memory, Mr Uren's submission to the Metropolitan Region Planning Authority was to the effect that the authority intended to invoke one of these plans and that he had a foresight—whether it was because of his previous experience, I do not know—that certain important points needed close consideration. In this instance, the amendment was to the advantage of the Marist Brothers College, but it may well have been to the disadvantage of those people who wanted more public open space.

The Hon. M. McAleer: The whole idea is to see if there are objections to the plan.

The Hon. F. E. McKENZIE: That is right. The idea of having these things dealt with under the scheme Act is good but I do not agree with having them attended to under the clause 15 plan. This

latter idea is a bad concept. However, that is what happened in 1976, besides many other things. I was not here in those days. I am trying to understand these things; I can see faults. I can see where people can be deprived of their rights, because the authority can switch from one concept to another. The authority can determine whether it is going to utilise the scheme whereby people have a right to object or whether it will utilise the clause 15 plan once an area has been reserved.

The Hon. M. McAleer: The MRPA was in error in regard to that particular objection, because the road had already been surveyed and negotiations had been conducted about the land.

The Hon. F. E. McKENZIE: That is very true. Knowing those facts, why was the plan prepared? If the Marist Brothers' people had built their college on that spot when this amendment was being drawn up why did the plans encroach on those buildings?

The Hon. M. McAleer: In the submission from the Main Roads Department it said that during the meetings and discussions which had taken place the new alignment had not been mentioned.

The Hon. F. E. McKENZIE: There is a fault here somewhere; the person who drew up the plan was at fault and the situation should be explained to us. There are many things that appear to be wrong. I heard Mr Claughton speaking about Plunketts owing the land and then Herdsman Nominees buying it. It seems to me that people with inside information are for financial gain in possession of many determinations that affect people.

Some of the problems I have mentioned were picked up while listening to Mr Claughton. Certain aspects of the matter create suspicion and I think the best way to get rid of this suspicion is to have people to come up with the answers.

The Hon. M. McAleer: Mr Claughton created the suspicion.

The Hon. F. E. McKENZIE: I think I have covered fairly conclusively the problem in respect of the plan. I see the matter as a complete contrast to what took place in 1974. For my benefit I would like to know why these things took place. I would like to know why this matter at one time is dealt with by amendment; and at another time, because of certain reservations, is dealt with under clause 15.

One of the two procedures ought to be quite specific and we ought to know where we are going. People have a right to object and they should have the right to be heard. It is the democratic right of anyone to be heard in relation

to this plan. It should not be up to the Metropolitan Region Planning Authority to determine who shall be heard. All factors concerning a submission cannot be adequately covered in a written submission and it would not take a long time for someone to make a verbal submission to the authority.

Under section 31 subsections (h) and (k) of the scheme Act we are told that if substantial modification of a scheme takes place then it is to be available for inspection. I believe the Main Roads Department plan 7721/36 was in fact a substantial modification. It realigned the highway so that Marist Brothers College could remain. The plan meant that public open space was taken away. The point I am making is that members of the public who wanted to object to this public open space being taken away, because of the relocation of the access highway being moved downwards, were not given the right to object after this plan had been drawn up. The plan should have been deposited and made available for public inspection.

The plan was not submitted for inspection; it came out as this amendment. No-one was given the right of inspection, yet section 34 gives people the right to appeal. I am having difficulty in understanding how they can do this. The matter is very confusing and I hope I will get an answer from the Minister when he replies and perhaps then I will be satisfied.

Mr President, I think I have covered the matters to which I wanted answers. My prime concern is why was not Mr Uren given the opportunity to be heard. I do not want to see other members of the public faced with this situation when similar plans are adopted. I have mentioned one or two other points to which I would like answers.

Debate adjourned, on motion by the Hon. R. J. L. Williams.

BILLS (2): INTRODUCTION AND FIRST READING

1. Railways Discontinuance and Land Revestment Bill.

Bill introduced, on motion by the Hon. G. E. Masters, and read a first time.

2. Western Australian Marine Act Amendment Bill.

Bill introduced, on motion by the Hon. V. J. Ferry, and read a first time.

POLICE ACT AMENDMENT BILL

Receipt and First Reading

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

Second Reading

THE HON. G. C. MacKINNON (South-West—Leader of the House) [5.55 p.m.]: I move—

That the Bill be now read a second time.

The amendments to the Police Act contained in the Bill can be placed under four main headings—

Discipline of the Police Force;

Police districts;

Detention of ships and boats; and

Obstructing lawful activities.

Dealing with each of these in turn, part II of the Police Act currently provides that the Commissioner of Police may enforce discipline only upon constables and non-commissioned officers of the Police Force and may fine, reduce in rank or dismiss any of those members. The avenue of appeal to the Police Appeal Board is available to persons aggrieved by any decision of the commissioner in such cases.

Under the act the only way a commissioned officer may be dealt with is before a board appointed by the Governor.

It is proposed by this Bill to make provision for the commissioner to enforce discipline upon commissioned officers and to allow such officers the right of appeal also to the Police Appeal Board. However, any dismissal or reduction in rank of a commissioned officer will need the confirmation of the Governor.

The Bill also allows for police cadets to be brought within the scope of the disciplinary provisions. At present the only disciplinary action the commissioner can impose is dismissal, however trivial the offence.

The second proposition concerns procedure whereby the Governor may, by notice in the *Government Gazette*, proclaim police districts. It has been found that existing requirements are unnecessarily cumbersome and the Bill makes provision, for purposes of administration, for the Commissioner of Police to divide the State, or any part of the State, into regions, divisions, subdivisions, sections, branches or subbranches, wherein portions of the Police Force may be stationed or carry out duties. Under the arrangement uniformity with the Statistical Co-ordination Committee, which is endeavouring to

obtain a standard area system for Western Australia, will be easier to achieve.

A further amendment to the Act provides for an officer or constable who has reasonable cause to believe that any ship, boat or vessel likely to be used for a voyage, the purpose of which is to do or attempt to do an act which if done within the State would constitute an offence, may without warrant enter into and take charge of or secure any ship, boat or vessel in order to prevent that voyage.

It is considered that such powers are necessary in view of the offences which are taking place in our off-shore areas, such as drug trafficking and fisheries matters, which are a cause of concern to the Government, especially the area of drug trafficking.

Provision is included for an appeal to a magistrate, who will be empowered to order the release of the vessel unconditionally or on terms and conditions, or order that it be detained and make other appropriate orders.

Finally, it is intended to make provision in the principal Act for a new offence to be created in that a person shall not compel another to abstain from carrying on or prevent or obstruct any activity which pursuant to the law of the State or the Commonwealth that person is permitted to carry on by virtue of being the holder of a licence, permit or other authority. This is a general offence which will have the object of preventing coercive interference with activities which are being carried out under a State or Commonwealth licence. It is felt that the Government has a duty to protect a licence issued by it, and that the person acting under its authority is free to go about his authorised business.

I would like to add that, as a result of an undertaking given by the Minister for Police during debate on this Bill in another place, the proposed amendment to section 67 of the principal Act is currently being re-examined to ascertain if any modification is necessary to the wording as now appearing in the relevant clause of the Bill. I will inform the House in this regard in due course.

I commend the Bill to the House.

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

COMMUNITY WELFARE ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. V. J. Ferry, read a first time.

Second Reading

THE HON. V. J. FERRY (South-West) [6.01 p.m.]: I move—

That the Bill be now read a second time.

THIS Bill is designed as an important step towards the Government's previously announced undertaking to establish advisory committees for increased community involvement in welfare work.

The Community Welfare Act prescribes wide powers and functions for the Community Welfare Department and enables the department to work towards improving the general well-being of individuals and groups in the community. In section 10 of the Act the main functions of the department are spelt out. The Act requires the officers of the department to carry out these functions. In some ways it might be concluded from the present Act that delivering welfare services is the task only of Government officers for the Act makes no reference to the important role that individuals and groups from the non-Government sector can play in the welfare field.

However, for several years now the department has been increasingly allowing for a greater participation of private individuals and welfare agencies in all phases of welfare work. In anticipation of the forthcoming changes to the Act, deliberate steps have been taken to include representatives from the private field in planning the provision of new services and in examining the operation and effectiveness of existing programmes.

The proposals contained in this Bill have been fully discussed with those representatives from the various non-statutory welfare agencies and they have indicated support for the overall intentions which are now before this House.

All over Australia, and elsewhere in the world, there is a movement towards spreading the base of welfare and reducing the barriers between those who provide the services and those who use them. In this process the community comes to play a greater role in contributing towards the planning for services and in sharing in their delivery. The community should not just be the passive recipient of whatever is decided by Government officers, however well trained they are and however well intentioned their actions are. The community, and by that it is meant

community groups and organisations and individuals, must have a real role to play in evaluating what is delivered, and also in undertaking some functions on behalf of the Government. In no State in Australia is welfare service the sole prerogative of Government. There is a varying degree of shared responsibility between the Government's responsibility and the field catered for by private welfare services.

In the last few years a deliberate effort has been made to ensure that people from the private sector are drawn in on the work of the Community Welfare Department. Already there are a number of advisory committees assisting in the review of current legislation, and there are management committees taking major responsibility for providing child care services, particularly in the residential field. These amendments to the Community Welfare Act will now enable proper legal recognition of these developments and provide a basis in the Act for a continued partnership between the principal Government department responsible for welfare services and the many agencies, groups and individuals whose contribution is vital to the development of an effective community welfare service throughout the State.

In essence, this legislation aims at increasing community involvement in welfare matters. It will allow for the Minister to form committees and similar bodies, and encourage community representation to guide and advise the Government on welfare matters and actively participate in community based programmes.

Turning to the provisions of this Bill, I referred earlier to the functions of the department as described in section 10 of the principal Act. Those functions cover a wide range of methods and measures to do with the sort of welfare services that are needed in today's society. Section 10(c) particularly refers to the department's involvement with outside bodies. I quote—

To co-ordinate, assist and encourage the provision of social welfare services to the community and for that purpose to confer and collaborate with other bodies and instrumentalities who offer or may offer, a social welfare service.

Section 10(g) also speaks of the need to encourage the greatest possible degree of service at the local level and the need to emphasise preventive measures.

In order that the intentions of these two sections in particular may be implemented in the most effective manner and with an official recognition of the equal partnership of the

community bodies, it is now necessary to provide some machinery by which the non-departmental welfare expertise may be used.

It is intended to include a provision in the Act which will allow the director to delegate all or any of his powers to various kinds of community bodies. Any such arrangement must naturally be approved of by the Minister. This will thereby enable the department to draw in the private sector in a variety of ways to assist in the implementation of the functions of the department as set out in section 10 of the principal Act.

The kinds of tasks that private bodies could undertake will range from the purely advisory, to consultative, through to the managerial. In the former two—advisory and consultative—the department and the Minister will mostly be seeking to make better use of the knowledge and ideas of people in the community interested in welfare. In the latter—managerial—privately organised welfare services will actually be providing a service to the community on behalf of the department. It is necessary in these circumstances to ensure that the services are properly delivered within the terms and conditions agreed upon and that accountability is not lost sight of. The Bill therefore also includes provision for the application of penalties where bodies have failed to properly carry out a service knowingly and intentionally. It is not considered that this provision would be used in any but the most extreme circumstances where outright malpractice has occurred. However, as such services are likely to be conducted largely through the use of public funds made available under contractual arrangements with the department, then there needs to be some avenue of legal recourse if things go wrong, just as there is when the service is delivered solely by a Government officer and default of some kind occurs; there the penalty provision of the Public Service Act may be used.

A description of the method of officially recognising the bodies with whom arrangements are to be made when boards, committees or councils are set up has been included in the Bill. As indicated this is to be done by the Governor by Order-in-Council and the matter is to be published in the *Government Gazette* where full details of the arrangement are to be given. The Bill points out that the boards, committees and councils are responsible to the Minister for the way they undertake their tasks. As an example, last year the Government conducted an inquiry into the problems of the residential child care institutions. One of the outcomes of that inquiry

was that an interim advisory committee was set up to advise the Minister in a continuing manner concerning the needs and problems of the private residential child care field. When this current legislation is passed it will be possible to give that committee a permanent official status, and its role and contribution will be properly and fully recognised.

Provision is made for the usual protection of immunity covering the Minister and officers of the department where actions are conducted in good faith, to be extended to members of boards, councils or committees with whom the Minister has made an arrangement. This is obviously necessary so that persons on these bodies, acting on behalf of the Minister, can go about their business in confidence. It does not of course disturb any of the final liability of the Minister as the body corporate as outlined in section 6 of the principal Act.

The Bill recognises the need to make regulations covering a wide variety of matters that bear upon the establishment and operation of the boards, councils and committees. Things such as the structure and membership of the bodies, how the members are to be selected, when and where they conduct their meetings, how they operate, when they report, what their specific tasks are, etc., are obviously numerous and detailed. These things are best provided for in regulations.

In conclusion I would like to provide members with some illustrations of the future use of these proposals. Mention has already been made of the advisory committee on residential child care.

It is envisaged that steps will also be taken to establish an advisory body that informs the department more widely on general welfare issues other than those specifically concerned with residential care. The special problems and needs of women, and particularly supporting mothers, and the welfare needs of the aged, are two such fields of welfare that could find improved expression.

The department has in recent years encouraged community groups and bodies to accept responsibility for providing locally-based child care services for children that require shelter or a small group home or group foster care in their own community. Facilities of this kind have been established, particularly in country towns—Collie, Roebourne, Broome, Kalgoorlie to name a few. At present, the department contracts with these local groups to provide the service. These management committees will obtain a clearer identity standing and recognition, and I hope that

we thereby encourage a continued development of this kind of locally-based and locally-delivered welfare service.

Another example is the community service training college. Members will probably be aware of that facility which provides vocational training for staff working in the child care field. There is a substantial participation of people from the private child care field. The department is therefore anxious to seek advice from those out in the community interested in the "care" side of welfare, to assist in deciding how the college is to operate most effectively so that it best meets the needs of clients and employers, and complements but does not overlap the training responsibilities of other establishments. It would also be expected that the body set up to advise on the operation of the college would progressively become involved in management matters affecting the college so that sufficient freedom of view develops.

There are of course many other areas of welfare such as research, special and experimental programmes, co-ordination exercises, etc., which will make for a better and more economical welfare service if the best use is made of the joint interest and responsibility of both the Government services and private services.

As the need shows itself in the future it is hoped to be able to provide a stronger recognition of the need to ensure community participation by flexible use of the provisions of this Bill which I commend to the House.

Debate adjourned, on motion by the Hon. Grace Vaughan.

Sitting suspended from 6.12 to 7.30 p.m.

INVENTIONS ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. I. G. Medcalf (Attorney-General), read a first time.

Second Reading

THE HON. I. G. MEDCALF
(Metropolitan—Attorney-General) [7.32 p.m.]: I move—

That the Bill be now read a second time.

Legislation was enacted in 1975 to enable assistance to be provided to persons undertaking the development or exploitation of inventions.

The Inventions Act, 1975, sought to provide assistance in the form of finance by way of a grant of loan, or other appropriate practical assistance, which could lead to the establishment of an industry in this State, be of significant

benefit to industry already established, or be of advantage to the State in any other way.

The Inventions Advisory Committee, which was established under the provisions of the Act in 1976, has been required to examine and evaluate any invention referred to it by the Minister and to advise him in relation to the exercise of powers conferred on him by the Act.

To date the Minister has approved financial assistance recommended by the committee for six projects, and other practical assistance has been given to inventors.

New applications for assistance are being received at an increasing rate.

The Act requires, however, that assistance be restricted to only those new developments for which a patent under the Patents Act, 1952, has been granted or for which a patent application has been lodged.

It is now recognised that there are circumstances where the definition of "invention" limits the commercial development of concepts not qualifying for the granting of a patent.

The purpose of this Bill now before the House is to enable a broader range of inventions to be eligible for assistance under the Act. It is, therefore, proposed to include in the definition of "inventions" those designs which are registered under the Designs Act, 1906, as subsequently amended, so that assistance may be given to facilitate the commercial production in this State of products which are not patentable under the Patents Act.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. Hetherington.

THE FREMANTLE GAS AND COKE COMPANY'S ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. I. G. Medcalf (Attorney-General), read a first time.

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [7.35 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to amend The Fremantle Gas and Coke Company's Act of 1886 to make provision for a revision of the limits of the area south of the Swan River within which the company may lawfully exercise its rights.

The Act originally set limits for the company to operate at all places within a circle of five-mile radius of the Fremantle Town Hall.

The practical difficulties of giving effect to a boundary which is merely a curved line on a map having no necessary relevance to any development by way of building lots or streets was first revealed by subdivisional development north of the Swan River in the Cottesloe-Peppermit Grove and Claremont municipalities through which the boundary curve passed.

To overcome the difficulties in that case, the Act was amended in 1938 to enable the boundary line to vary from place to place within an area north of the Swan River and specified in the schedule to the Act.

By recourse to that provision the limits of the company's supply area were redefined by a proclamation made on the 12th May, 1939.

It has become evident by reason of similar development now taking place in areas south of the Swan River that provision for readjustment of the company's supply area has again become a matter of practical necessity for the very same reasons which prompted the 1938 amendment. Such action is also necessary to allow a practical line of separation between gas service systems of the company, and the State Energy Commission.

The proposal contained in this Bill will enable effect to be given to such rationalisation by means of empowering the Governor to vary the boundary limits within a half kilometre either side of the radius boundary south of the Swan River.

Any such variation would be instituted upon the recommendation of the Minister after consultation with both the company and the State Energy Commission.

The Fremantle Gas and Coke Company is in complete agreement with the proposal and I commend the Bill to the House.

Debate adjourned, on motion by the Hon. D. W. Cooley.

CEMETERIES ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. I. G. Medcalf (Attorney-General), read a first time.

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [7.38 p.m.]: I move—

That the Bill be now read a second time.

Sections 13 and 16 of the Cemeteries Act, 1897-1972, currently provide for the division of a cemetery according to religious denominations. The trustees of the new Pinnaroo Valley Memorial Park Cemetery being established in the Wanneroo district have submitted a proposal that cemetery trustees should not always be obliged to set aside sections of a cemetery for the various religious denominations.

They are anxious to develop this cemetery in a parkland setting and believe that this concept and its overall administration would be hindered if it were necessary for burials to take place in scattered sections of the cemetery grounds.

The Pinnaroo Valley trustees also administer the Karrakatta Cemetery and have been very mindful of the need to respect the wishes of the different religious faiths.

A survey which was carried out, showed that the nondenominational development of the Pinnaroo Valley Memorial Park was favoured by a majority of the religious faiths in Western Australia. The trustees have received confirmation from most faiths, including the Roman Catholic, Anglican and Uniting Churches, that the concept is acceptable to them.

The trustees found that over 90 per cent of the burials at Karrakatta took place in either general sections or sections allocated to churches which favoured the development of Pinnaroo as a nondenominational cemetery.

The trustees have advised that adequate land is available at Karrakatta for the other religions which wish to continue using special denominational sections.

The Bill provides that cemetery trustees may decline to set aside denominational sections only if the Governor approves. This should allow adequate control to ensure that denominational sections are not unreasonably withheld from any public cemetery.

An amendment is also sought in respect of search and registration fees which at present are limited to 10c and 25c respectively. The Bill proposes the removal of these limits and for the fees involved to be prescribed by by-law, subject to approval by the Governor.

Finally it is proposed to increase the maximum penalty for acts of vandalism to cemetery property from the present \$40 to \$200.

Members will no doubt agree that the maximum penalty of \$40 is totally inadequate for such a despicable act.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. Hetherington.

LOCAL GOVERNMENT GRANTS BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. I. G. Medcalf (Attorney-General), read a first time.

Second Reading

THE HON. I. G. MEDCALF
(Metropolitan—Attorney-General) [7.41 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to provide for the establishment of a body to be known as the Western Australian local government grants commission which will have the responsibility of recommending the allocation of that portion of the Commonwealth funds which is not distributed on the formula basis.

The Commonwealth Local Government (Personal Income Tax Sharing) Act, which came into operation in 1976, provides for the payment to the States of funds for distribution as general purpose grants to municipal councils.

The Commonwealth legislation requires a minimum of 30 per cent of the amount allocated to each State to be shared amongst councils on the basis of a formula, with the balance being distributed on the recommendations of a State grants body.

This State received funds under the scheme in 1976-77 and 1977-78 and in both years 80 per cent was divided amongst councils on the basis of a formula. The distribution of the remaining 20 per cent has been made in accordance with the recommendations of a committee which was formed for the purpose and which is known as the Western Australian Local Government Grants Committee.

The committee of five has comprised an independent chairman, a nominee of both the Local Government Association and the Country Shire Councils' Association, and an officer from both the Local Government Department and the Treasury Department.

The scheme has operated very satisfactorily and has generally been well accepted by councils. It has been a satisfactory demonstration of the operation of the federal system. The Commonwealth has spelt out broad guidelines for the disbursement of the funds, but responsibility for determining allocations to individual councils rests entirely with the State.

One of the requirements which is specified in the Commonwealth legislation, is that each State

must constitute its State grants body by legislation prior to the 30th June, 1978.

The Bill proposes the continuation of the arrangements which have operated so successfully to the present.

It provides for the composition of the Western Australian local government grants commission to be the same as that of the present Grants Committee and provides for funds, initially at least, to be apportioned 80 per cent on a formula basis and 20 per cent on the recommendations of the Western Australian local government grants commission.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. F. Cloughton.

BILLS (5): THIRD READING

1. Legal Aid Commission Act Amendment Bill.
2. Legal Practitioners Act Amendment Bill.
3. Evidence Act Amendment Bill.
4. Public Trustee Act Amendment Bill.
5. Listening Devices Bill.

Bills read a third time, on motions by the Hon. I. G. Medcalf (Attorney-General), and transmitted to the Assembly.

ROAD MAINTENANCE (CONTRIBUTION) ACT AMENDMENT BILL

Second Reading

Debate resumed from the 19th April.

THE HON. F. E. McKENZIE (East Metropolitan) [7.47 p.m.]: The Labor Party supports this Bill in principle. However, I note that during his introduction of the Bill, the Minister told us he intends, during the Committee stage, to move an amendment in regard to the definition of the word "owner". During the Committee debate on the Bill the Opposition will have the opportunity to express its view in relation to the Minister's proposed amendment.

In supporting the Bill in principle, I feel I ought to bring to the attention of the House a fairly lengthy article which appeared in the latest edition of *Truckin' Life*. I was able to obtain a copy of this magazine, but unfortunately it is not yet available in the Parliamentary Library. The library staff is endeavouring to obtain this magazine for future reference, and it may be possible even to obtain this particular edition. The article to which I refer commences on page 4; it is headed, "Straw companies axed", and it indicates

clearly the position in this State to which the Minister referred.

I would like to quote some passages from this article which I believe will be of interest to members. On page 6 we see the following—

The attitude expressed at A.T.A.C. was that if the "straw company" problem could be overcome then all the road maintenance tax problems would be resolved.

If one reads the complete article thoroughly, one realises that that will not be the position, and, in fact, a little later the author has this to say—

The intent, however, is quite explicit. No longer will the actual operator of a vehicle be able to hide behind the anonymity of a registered company, registered in a State other than those in which they operate.

Then on page 7 the author sets out the previous position in relation to "straw companies", and he says—

In the previous situation a person could register a vehicle in, say, South Australia. That vehicle might then never see South Australia.

However, the company has South Australian directors, etc., and ostensibly the person does not own the vehicle.

He then proceeded to operate on the basis that he was not going to pay road tax.

Eventually, the law catches up and a prosecution goes ahead. Service of the summons is done, but it is found that the company is so registered that directors are in South Australia and don't take part in the operation of the company in the other States.

This then is purely a question of law and responsibility, because the previous Acts placed the responsibility for payment of such charges on the owner of the vehicle.

The problem was that if a company was registered in a State other than the one in which it was operating, the various State Governments had great difficulty administratively in trying to recoup the moneys owing to them.

The Hon. O. N. B. Oliver: Tell us what ATAC is?

The Hon. F. E. McKENZIE: The Australian Transport Advisory Council, a body comprised of the various State Ministers plus the Federal Minister.

In summing up the situation, the author stresses that one of the problems in this type of situation where we have these "straw companies" is that some operators are paying the road

maintenance charges and others are not. I believe the measure before us will tighten up the previous loophole, but I do not believe it will solve all the problems. These will not be solved until the State Government—and indeed Governments throughout Australia—come to grips with the question of the collection of road maintenance charges. A thorough investigation is needed. I notice that the National Country Party has now put forward a new type of policy, because obviously it is concerned with the ineffectiveness of the present legislation and the problems associated with the collection of road maintenance tax.

The Hon. H. W. Gayfer: It is the same policy we have had since road maintenance tax was first mooted 12 years ago.

The Hon. F. E. McKENZIE: It has recently come to the surface again.

Might I say that the Labor Party will look at this matter. The legislation is not as effective as it ought to be. There have been no increases in road maintenance tax in this State, for obvious reasons, since 1966.

The Hon. J. C. Tozer: What are the obvious reasons?

The Hon. F. E. McKENZIE: The Commissioner of Transport (Mr Dyson) has made remarks about the collection of the fees. Costs have increased tremendously since 1966, but there has been no increase in this tax.

The Hon. J. C. Tozer: Do you think charges should be raised?

The Hon. F. E. McKENZIE: I am not making any comment as to whether or not charges ought to be raised. That is a question which needs a great deal of thought and I have not given sufficient attention to it yet. As the Bill was before the House, I took the opportunity to investigate some of these issues, and I have informed the House of my views on certain aspects. However, I point out that I have not made any decision on that point. All I can say from my research is that there are some faults in the present legislation and it is quite obvious that all State Governments have just let this matter roll along. All the States have retained the tax.

The Hon. G. C. MacKinnon: Do you think there might have been a good reason for that?

The Hon. F. E. McKENZIE: There is a good reason; votes, that is the reason.

The Hon. G. C. MacKinnon: Nothing to do with it. The petrol levy you are talking about is just impossible of implementation constitutionally.

The Hon. F. E. McKENZIE: I beg to differ.

The Hon. G. C. MacKinnon: You argue it out with the best constitutional lawyers in the country, because they disagree with you.

The Hon. D. K. Dans: Something like the tobacco tax.

The Hon. F. E. McKENZIE: Perhaps the experts would disagree, but surely this is a case where common sense ought to be applied.

The Hon. G. C. MacKinnon: You should have stayed back in the railways!

The Hon. F. E. McKENZIE: The Minister could perhaps agree that I am diversifying! Maybe I am not as expert in road transport matters as in rail matters, but that will come with experience.

The PRESIDENT: I ask the honourable member to direct his remarks to the Chair.

The Hon. F. E. McKENZIE: Yes, Mr President. I am almost finished. I am pleased that members opposite are taking notice.

The Hon. G. C. MacKinnon: We always take notice of you.

The Hon. F. E. McKENZIE: We support the Bill in principle, but we will watch very closely the Minister's proposed amendment in regard to the definition of the word "owner". Recent Press articles referred to some legal advice received by the Transport Workers' Union, so obviously this matter deserves our close attention.

Finally, if the Government believes that this measure will solve all the problems surrounding road maintenance tax, it is wrong in that view.

THE HON. H. W. GAYFER (Central) [7.56 p.m.]: I did not intend to speak on this issue, but primarily the essence of the measure will be supported by all the people who pay road maintenance tax legitimately in this State. The people who are paying the tax are unhappy about those who are escaping it because their vehicles are registered in other States. It is abhorrent to those in this State paying road maintenance tax to know that others are escaping it, because of a loophole.

The question is whether or not there should not be more sweeping amendments to the legislation. It is felt that investigations should be made into some other means of obtaining the tax, and if this course were adopted the measure now before us would be unnecessary for the protection of interstate hauliers who may come into our State. Be that as it may, road maintenance tax is with us.

Mr McKenzie said that there have been no increases in road maintenance tax since 1966. I feel I should remind him that quite recently the regulations in relation to dual-axle trucks were amended so that these vehicles could carry more than had previously been the case. However, these trucks then became eligible to attract road maintenance tax if they carried the extra weight they were entitled to. In fact, if such a vehicle was purchased after a certain date, the owner was obliged to pay road maintenance tax. So that was an increase in road maintenance tax, because more vehicles were brought within the scope of this tax.

In my opinion the Government should investigate this matter straightaway with a view to effecting in the immediate future the total elimination of road maintenance tax in regard to all single axle dual-wheel trucks. The owners of these trucks are being penalised when compared with the owners of two-axle and three-axle trucks. I am referring here to the vehicles commonly known as 8-tonners, which are now permitted to carry 9 tonnes under the new regulations. I believe the owners of such vehicles are paying road maintenance tax at a rate which is not comparable with the amount of damage their vehicles cause to the roads. The Government should examine this matter and particularly road maintenance tax as it affects different categories of vehicles, and the number of axles on such vehicles. I support the Bill.

Debate adjourned, on motion by the Hon. T. Knight.

ADJOURNMENT OF THE HOUSE

THE HON. G. C. MacKINNON (South-West—Leader of the House) [7.59 p.m.]: I move—

That the House do now adjourn.

Education Facilities at Albany

THE HON. R. HETHERINGTON (East Metropolitan) [8.00 p.m.]: I want to make some reference to high school developments in Albany. On the weekend of the 15th and 16th of this month a seminar was held which was organised and encouraged by the headmaster of the Albany Senior High School. The seminar was on developments to take place in Albany and was attended by the Director-General of Education (Dr Mossenson) and a number of his officials. I was fortunate enough to be able to go down for a day to look at what was going on. I want to give the Government full credit—bearing in mind the efforts of last weekend when 3 000 teachers were complaining about lack of consultation, and I

believe this is a question we have to look at more closely later on—for sending its officers down to Albany to discuss with parents and teachers the problems facing the development of the school system in Albany. I only hope this will continue.

I asked a question of the Minister today as to whether he would continue with this kind of co-operation, and unfortunately I received the usual kind of answer, “Yes”. Whether that means “Yes, if we are asked”, or “Yes, if we are pushed into it”, or “Yes, if we think it is sufficiently important enough”, or “Yes, as a matter of policy we will try to encourage people”, I do not know. I certainly hope it is the last one; and certainly were I the Minister for Education I would encourage officers of the department to consult as much as possible with people.

I hope this is the beginning of greater things, because it does distress me—to allude again to Sunday—to see for the first time since 1969 when a National Country Party Minister in a Liberal-National Country Party coalition Government is Minister for Education we have school teachers coming out publicly in opposition to their Minister. It seems to me something is wrong here, and the wrong might be put right if more of the kind of co-operation and consultation that occurred at Albany took place.

The Hon. A. A. Lewis: Don't you think Dr Mossenson has been doing this ever since he has been in the position?

The Hon. G. C. MacKinnon: And before.

The Hon. R. HETHERINGTON: Not all people seem to think so, and very rarely is there smoke without a fire.

The Hon. A. A. Lewis: You had better check the facts.

The Hon. R. HETHERINGTON: I will check the facts, and I will have more to say about this later in the session; honourable members need not worry about that. However, I do want to stress the good side, and I will continue to do so if I may.

There are some things that worried the people at Albany, and for this reason I placed a couple of questions on the notice paper in order to receive answers. One was to the effect that Albany people were concerned that a rumour was going around that the proposed site of the new high school was not big enough to contain adequate playing areas. That question was answered by the Minister. The other matter, to which I felt I did not receive a satisfactory answer, was in respect of how big was the site occupied by the technical college at Albany. I was told the total area of the high school, the technical college, and the primary

school; and when I asked the Minister whether he would consider retaining the high school site for further expansion of the technical college I received a straight, "No."

I hope the Minister will reconsider this. He may, of course, still decide that the answer is "No", but it does seem to me that there is some problem of how best to use some 48 acres. It seems to me that the expansion of technical skills is desirable, and we have to take the technical education system very seriously. I am sure the Government is doing this by the appointment of a new assistant director in charge of technical education. However, I hope we will be developing technical schools during the next 20 years, and some of them in country towns will become community colleges. It may be that 48 acres would be a desirable campus for such a community college, and I think the Government should plan ahead.

One of the things that worried me about the Albany operation was that most of the projections seemed to be to 1984, which is a rather unfortunate date, of course, although I am not suggesting it was chosen because of that. However, it did give me a slight chill. I think perhaps we need to plan ahead further than that and to push our projections further. I would be glad if when the Minister is fit and able to do so—and I hope it is not too long—he will think about this and wonder if we should plan more fully.

One thing that I found unfortunate is that proposals were put forward to the people of Albany that their town should have a senior college. One such proposal was part of the Liberal Party policy some years ago. None has yet been built; but I am not cavilling about that. What did perturb me was that when I asked a question at Albany about the nature of the proposed college, although there was a proposal for a college as one of the options, I could get no clear answer as to what kind of college was proposed other than that it would be a sort of liberal arts college. I asked a question, and I still do not know. In other words, the Government is proposing something but it does not quite know what.

I do not think the department will go on with this idea, but if we are to have senior colleges we should think about the matter rather more carefully than we have so far. Certainly I was told by a number of school teachers at Albany that the Albany High School—and I was quite delighted to find this—has an education committee of about 70, consisting of parents, students, and teachers. There is active community participation in the school and people are highly interested in it and

its further development. The seminar was well attended, and I think this is something for which the people of Albany are to be congratulated.

However, they were perturbed because if a senior college had been established the Albany High School would have been reduced to a year 8 to year 10 high school; and at present teachers in Albany in fact teach lower and upper school, which I think is highly desirable, although I do not know what the Minister thinks about it. The teachers down there seemed to think it was desirable; they thought it was good for the teacher and good for the students, and that it was educationally desirable. I, too, think it is educationally desirable. It seems to me that in Albany another senior high school is ultimately what is required. Although it may be planned publicly—and no doubt it will be—perhaps we should look at some of the proposals in the Schools Commission report about regions with different kinds of schools so that people have a greater choice than they have now.

Certainly I do think very careful consideration will be given, the present very excellent senior high school will not be destroyed, and something will be built up which will be useful; because the other thing that would have happened had there been a senior college would be that by 1981, 1982, or 1984 the school would have about 1 200 year 8 to year 10 students. This is highly undesirable, and I do hope that the Government will soon adopt a policy of trying to restrict its high schools to about 1 000 students, and certainly that it does not do anything that will produce any more high schools from years 8 to 10 with over 1 000 students.

I was also perturbed by the attitude of one of the departmental officers. I do not want to name him, because I am not referring to him specifically. However, it did seem to me there was a feeling that we have to worry about under-utilisation of schools that are already in existence; and that perhaps the officers have a pre-occupation with utilising sites fully, which might mean that in fact we over-utilise sites, because if the rooms are available there might be the temptation to continue to use them whether they are in good or bad condition, and that may not be in the best interests of the school or the students.

I want to say no more about this, except that it was a good exercise. I learnt a great deal at Albany, and I think the departmental officers learnt something. I think they had less to learn than I had, because they have been at it longer; but I think they learnt something. I certainly hope we can see more of this in future and that we will get more co-operation and more consultation as a

norm. I do not want it to be thought of as the right or the non-right of the Minister and the director-general to have to stand on their dignity and say, "We will make the final decisions." Of course they will. However, if consultation with teachers and parents wherever possible, and with the broader community, is the norm, then I think we will have a better Education Department, a better education system, and a better Government in this State.

THE HON. G. C. MacKINNON (South-West—Leader of the House) [8.11 p.m.]: Under normal circumstances I would not have been very happy—I would join with Mr Dans on this—about Mr Hetherington bringing up this subject. I would refer honourable members to a speech made by the Hon. Des Dans which is recorded at page 3384 of *Hansard* for the 29th Parliament, in which he deplored the use of the adjournment debate for this sort of discussion. However, as it happens I am delighted that Mr Hetherington raised the matter.

The PRESIDENT: Order! Does the Leader of the House realise he is closing the debate?

The Hon. G. C. MacKINNON: Yes, Sir; I have every intention of closing the debate.

The Hon. R. T. Leeson interjected.

The Hon. G. C. MacKINNON: If Mr Leeson had wanted to speak, he could have got to his feet.

The Hon. R. T. Leeson: I said you want to remember where this business of speaking on the adjournment originated.

The Hon. G. C. MacKINNON: I am aware of that; I am just reminding the honourable member of what his leader said. His leader is a very intelligent fellow.

Mr Hetherington is carrying on this idea that Dr Mossenson does not confer. He has jumped onto a bandwagon which happens to be quite an incorrect bandwagon. I have known only a few Directors-General of Education; but I have not known anyone more open and more ready to go out and discuss things than Dr Mossenson. Indeed, any fair person should be fully aware of his reputation in this regard, right throughout his career.

The exercise at Albany was nothing unusual; it happens quite frequently. It is not difficult for officers of the department, if they are so requested, to go out and discuss things at all sorts of meetings. The number of matters which have been started by discussion with teachers and which have originated between teachers and the department are too numerous to mention.

The Hon. R. Hetherington: I know, and I have mentioned it.

The Hon. G. C. MacKINNON: Mr Hetherington mentioned the senior college.

It was in discussion at Hamilton Hill that the experiment of schools within schools originated. I suppose that would be quite a good solution to the problem in Albany. That possibility has not escaped notice.

One of the problems at Albany High School is that the school wins all the interschool sports in the country high schools competition, because it is so big that no other high school can touch it. Of course, there are two high schools in Geraldton and two in Bunbury, but only one in Albany; and Albany tends to win the sports, and does it particularly well. But that is not reason, of course, to establish another high school; the establishment of another high school must be based on scholastic use. I suggest that the word ought not to be "maximum" use of schools but "optimum" use of schools.

The Hon. R. Hetherington: I accept that word.

The Hon. G. C. MacKINNON: As taxpayers, parents, grandparents, or whatever, we are entitled to expect that. Recently while watching the television programme "This Day Tonight" I was incensed that I actually telephoned a comment, a thing I had never done previously. I was so upset, because I knew that the Teachers' Union has parking spots outside the offices of the Department of Education. There is no objection to them coming to the offices and talking with whomsoever they have made arrangements to see. I should be hard pushed to remember a teaching week in which there were not at least two occasions on which delegations from the Teachers' Union visited the Education Department headquarters.

The situation became such a worry that we discussed the necessity, in the interests of the children, of holding meetings from 3.30 p.m. onwards. Most executive members of the Teachers' Union are practising teachers and if they came at two o'clock it would mean that classes would have to be rearranged. They were at the offices so frequently that we gave serious thought to that. Indeed, I asked Mr Bennett whether he and Mr Lloyd could come now and again to stop this disruption of classes.

There has been some argument about the holiday during the week of the Royal Show. The proposition for the reduction in holidays in Show Week came from the teachers to me. It was not sprung on the teachers by the department; it was a proposition put to me after a meeting of a group

of teachers in the metropolitan area who pointed out that nowadays the show runs over the weekends, when children can attend the show, and the children also have two days during the week to attend—People's Day when the teachers get a holiday and Children's Day when the children get a holiday.

The Hon. Lyla Elliott: Did you meet a group from the Teachers' Union or a group of teachers?

The Hon. G. C. MacKINNON: A group of teachers within the Teachers' Union. It was a legitimate approach from a group of teachers who put the proposition to me; and I floated it about.

The Hon. Lyla Elliott: They cannot speak on behalf of 9 000 teachers.

The Hon. G. C. MacKINNON: They can speak on behalf of teachers and children. They did not put it forward as an industrial matter but as a matter of common sense, because they were interested in the education of the children.

The Hon. F. E. McKenzie: But it is representative of a minority viewpoint.

The Hon. A. A. Lewis: Who says it is a minority viewpoint? Because the union says it is a minority point of view, you are agreeing to it.

The Hon. G. C. MacKINNON: Where is Mr Hetherington?

The Hon. R. F. Cloughton interjected.

The PRESIDENT: Order!

The Hon. A. A. Lewis: Let us have a referendum.

The Hon. G. C. MacKINNON: I am trying to speak to the member who raised this issue.

The Hon. D. K. Dans: We are in a full-scale debate on the adjournment motion.

The Hon. G. C. MacKINNON: It was a sensible viewpoint put to me so that I could give consideration to it; and I floated the idea around. Is it fair for a person who lives in the city to have two days off in that particular week when a person who lives in Greenbushes does not have any days off that week? Is that fair industrial relations? Is it a fair educational proposition? Of course it is not. I draw members' attention once again to the very worthy warning uttered by Mr Dans on page 3384 of that copy of *Hansard* which I mentioned earlier.

The matter raised by the Hon. Bob Hetherington is so important that he could well have moved a motion so that we could have had a full-scale debate on it instead of this short talk at the end of the day. This does not seem to be a worthy way of handling such an important subject. I think it is important even if he does not.

Perhaps he was just sounding off, because he happened to attend a conference in Albany and wanted to let a few people know about it. It is more important than that and the least he could have done was to move a motion instead of belittling Dr Mossenson and riding on the back of a current issue. Dr Mossenson is a great man; he will prove to be a great Director-General of Education.

Question put and passed.

House adjourned at 8.20 p.m.

QUESTIONS ON NOTICE

POLICE

Special Branch

106. The Hon. D. K. DANS, to the Leader of the House representing the Minister for Police and Traffic:

Is it correct that Special Branch files contain written reports stemming from surveillance, press cuttings and letters published in newspapers, and photographs taken at demonstrations?

The Hon. G. C. MacKINNON replied:

I wish to group together questions 106, 110, 113 and 115 and to advise the Council that it is not in the public interest to continue to answer questions dealing with the subject matter of these and similar questions which have been submitted by the honourable member at recent sittings.

HOUSING

Rental Accommodation: Maintenance

107. The Hon. F. E. McKENZIE, to the Attorney General representing the Minister for Housing:

- (1) Is it the policy of the State Housing Commission to sand floors for tenants when it can be shown that the flooring of a commission rental home has deteriorated to such an extent that the laying of new lino will be damaged as a result?
- (2) Does the Minister not consider that in these circumstances it should be the responsibility of the Commission to meet this type of expenditure, and not the tenant?
- (3) If not, why not?

The Hon. I. G. MEDCALF replied:

- (1) Yes.
- (2) and (3) Answered by (1).

EDUCATION

Albany High School

108. The Hon. R. HETHERINGTON, to the Minister for Transport, representing the Minister for Education:

- (1) What is the area of the site set aside for a high school in Anson Road, Albany?
- (2) Can the Minister give an assurance that the site is suitable both in size and shape for the provision of adequate sporting facilities, in particular a football oval?

The Hon. D. J. WORDSWORTH replied:

- (1) Reserve 29114 Plantagenet Location 6991, with a total area of 48 acres, 0 roods, 4 perches, (19.425 hectares) has been set aside for the purposes of a combined site for a technical college, secondary school and primary school. The secondary school would be established on the eastern portion of this site.
- (2) Yes.

CONSERVATION AND THE ENVIRONMENT

Warnbro Beach Road

109. The Hon. I. G. Pratt, to the Minister for Conservation and the Environment:

- (1) Will the Minister give details of the Department of Conservation and Environment's involvement in the Warnbro Beach Road improvement referred to in the *Sound Advertiser* of Wednesday, the 5th April, 1978?
- (2) As the Shire of Rockingham has expressed a desire for the Minister to inspect the work when in progress, would he be prepared to visit the area with the Hon. Neil McNeill and myself for the purpose of making such an inspection?

The Hon. G. C. MacKINNON replied:

- (1) The Department of Conservation and Environment and the Soil Conservation Service of the Department of Agriculture have agreed to contribute to a beach management project, which complements the Rockingham Shire's plans to realign Warnbro Beach Road.

The joint Departmental involvement relates to an area of approximately 1.5 hectares extending south from the foot of Hilda street and described as Zone 3 in the report by Kinnaird de Rohan and Young Pty. Ltd., consultants to the Shire.

Officers from the Departments have spoken with the consultants concerning the plans and have commented on certain features including extension of car parking facilities at the foot of Hilda Street, use of grass and natural species on road verges and the recontouring of dune slopes to acceptable profiles.

Commitments by the Government Departments involve:

Technical advice when requested but particularly when earthmoving works are being carried out.

Re-vegetation of bare sand areas within Zone 3, giving special attention to the stabilisation of recontoured dune slopes. This will involve an intensive programme of brush matting and planting with marram grass.

It is understood that the Shire will provide two car parks each of approximately 20 bays within Zone 3. They will define car parks, paths for pedestrian access to and from the beach, and the margins of the project area by fencing with pine log rails.

While undertaking earthworks to realign Warnbro Beach Road, the Shire will carry out recontouring of the dunes where necessary as agreed by Departmental officers.

Responsibility for maintenance of the dune revegetation programme will be transferred to the Local Authority after a period of three years.

This project is considered a valuable contribution to coastal management in the metropolitan area. The Department of Conservation and Environment involvement relates to its practical contribution to coastal management at the local level that is believed to be vitally important to the implementation of the types of policies set out in the Environmental Protection Authority's Coastal Policy Guidelines.

When completed the project should show whether the methods used are

suitable for the location, and this information may be used to benefit other coastal shires with similar problem areas.

- (2) With the greatest of pleasure.

POLICE

Special Branch

110. The Hon. D. K. DANS, to the Leader of the House representing the Minister for Police and Traffic:

Will the Minister for Police confirm or deny whether—

- (a) most of the names on the special branch files of the W.A. Police are left-wingers; and
- (b) people on the files include those who oppose Australia's involvement in the Vietnam war and organised civil liberties groups?

The Hon. G. C. MacKINNON replied:

See reply to question 106.

HEALTH

Aerial Medical Services

111. The Hon. T. McNEIL, to the Minister for Transport representing the Minister for Health:

- (1) Is the Minister aware of a confliction between the Royal Flying Doctor Service and the St. John's Ambulance Aerial Service?
- (2) If so, is the Minister prepared to adjudicate in the duplication of services and the efforts of both groups to attain the maximum share of medical evacuations regardless of the enormous waste of public money?
- (3) If the reply to (2) is "No", will the Minister undertake an investigation of both groups to ensure that there is no duplication of services, and that the most economical method of evacuating and returning patients is the foremost consideration in the operation of such services?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes.

- (2) Yes. The introduction of the St. John's Ambulance Aerial Service has naturally posed problems in regard to possible duplication of services and every effort is being made to obtain maximum efficiency and ensure there is no waste of public money.
- (3) Not applicable.

EDUCATION

Albany Technical College

112. The Hon. R. HETHERINGTON, to the Minister for Transport representing the Minister for Education:

- (1) What is the area of the site at present occupied by the Albany Technical College in Anson Road, Albany?
- (2) In view of the likely expansion of technical services over the next 20 years, will the Minister give consideration to the reservation of the Anson Road High School site for the future expansion of the Technical College?

The Hon. D. J. WORDSWORTH replied:

- (1) Reserve 29114 Plantagenet Location 6991, with a total area of 48 acres, 0 roods, 4 perches, (19,425 hectares), has been set aside for the purposes of a combined site for a technical college, secondary school and primary school. The Albany Technical College is located on the western position of this site.
- (2) No.

POLICE

Special Branch

113. The Hon. D. K. DANS, to the Leader of the House representing the Minister for Police and Traffic:

- (1) Is it correct that Special Branch members who observe demonstrations, watch for their prime suspects and note people who come into contact with them?
- (2) If so, do people who come into contact with prime suspects have their names noted and kept on record, if their names are ascertained?

The Hon. G. C. MacKINNON replied:

See reply to question 106.

EDUCATION

High School: Albany Facilities

114. The Hon. R. HETHERINGTON, to the Minister for Transport representing the Minister for Education:

As one proposal for the expansion of high school facilities in Albany is for the building of a Senior College—

- (a) what would be the precise nature of the college;
- (b) would it include all Year 11 and 12 students; and
- (c) would provision be made for alternative courses, or would Year 11 and 12 alternative courses remain with Albany High School?

The Hon. D. J. WORDSWORTH replied:

- (a), (b) and (c) This proposal was discussed at the recent meeting in Albany and no precise details have yet been formulated by the Education Department.

POLICE

Special Branch

115. The Hon. D. K. DANS, to the Leader of the House representing the Minister for Police and Traffic:

- (1) (a) Have officers of the Special Branch ever been present at anti-strike marches in Perth; and
- (b) if so, why?
- (2) (a) Were officers of the Police Special Branch present at a meeting of waterside workers held last week to protest against the use of non-union labour on wharves; and
- (b) if so, why?

The Hon. G. C. MacKINNON replied:

See reply to question 106.

EDUCATION

Albany High School

116. The Hon. R. HETHERINGTON, to the Minister for Transport representing the Minister for Education:

- (1) Is the Minister for Education aware of the following—
 - (a) that staff at the present Albany Senior High School teach at both upper and lower school levels;
 - (b) were a Senior College to be established in Albany, the number of Year 8 to 10 students in Albany High School in 1984 would be in excess of 1 200;
 - (c) that many of the staff of the school regard (a) above as educationally desirable, and (b) as educationally undesirable?
- (2) Will the Minister make sure that all these factors are taken into consideration before a decision is made on the nature of a new high school at Albany?

The Hon. D. J. WORDSWORTH replied:

- (1) (a) Yes.
- (b) Yes.
- (c) No.
- (2) Yes.

EDUCATION

High School Developments Seminar

117. The Hon. R. HETHERINGTON, to the Minister for Transport representing the Minister for Education:

- (1) Has the Minister's attention been drawn to the highly successful seminar on future high school developments held in Albany on the 15th and 16th April?
- (2) Will the Minister consider continuing this kind of seminar to enable community participation in the provision of new educational facilities and changes in the utilisation of old ones?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes.
- (2) Yes.