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

Ayes—20

Mr. Bertram	Mr. Jamieson
Mr. Brady	Mr. Jones
Mr. Brown	Mr. Lapham
Mr. Bryce	Mr. May
Mr. Burke	Mr. Moller
Mr. Cook	Mr. Norton
Mr. Davies	Mr. Taylor
Mr. H. D. Evans	Mr. A. R. Tonkin
Mr. Fletcher	Mr. J. T. Tonkin
Mr. Hartrey	Mr. Harman
	(Teller)

Noes—20

Mr. Blaikie	Mr. O'Connor
Mr. Court	Mr. O'Neil
Mr. Coyne	Mr. Reid
Mr. Gayfer	Mr. Rushton
Mr. Grayden	Mr. Stephens
Mr. Hutchinson	Mr. Thompson
Mr. Lewis	Mr. Williams
Mr. W. A. Manning	Mr. R. L. Young
Mr. McPharlin	Mr. W. G. Young
Mr. Nalder	Mr. Mensaros
	(Teller)

Pairs

Ayes	Noes
Mr. T. D. Evans	Sir David Brand
Mr. McIver	Dr. Dadour
Mr. Bickerton	Mr. Ridge
Mr. Sewell	Mr. I. W. Manning
Mr. Graham	Mr. Runciman

The CHAIRMAN: The voting being equal I give my vote to the Ayes.

Clause thus passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. J. T. TONKIN (Melville—Premier) [6.01 p.m.]: I move—

That the House at its rising adjourn until 11.00 a.m. on Wednesday, the 26th April.

Question put and passed.

House adjourned at 6.02 p.m.

Legislative Council

Wednesday, the 26th April, 1972

The PRESIDENT (The Hon L. C. Diver) took the Chair at 11.00 a.m., and read prayers.

QUESTIONS (3): ON NOTICE

1. STATE ELECTRICITY COMMISSION AND MAIN ROADS DEPARTMENT

Collaboration

The Hon. CLIVE GRIFFITHS, to the Leader of the House:

(1) In connection with the information passed to me by the Leader of the House contained in an undated memo from the Acting Minister for Electricity to the Leader of the House, and particularly in relation to the fifth paragraph thereof, would the Minister consult with his colleague, the Minister for Electricity, and explain to the House the manner in which the collaboration between the State Electricity Commission and the Main Roads Department took place?

(2) Was the collaboration in the form of a meeting, by correspondence, or some other form?

(3) If the collaboration was in the form of a meeting, were any minutes kept of the meeting or meetings held between the two authorities?

(4) If minutes were kept, would the Minister impart to the House the contents of such minutes?

(5) If the Departments corresponded on the matter, would the Minister make available copies of letters written and exchanged?

(6) In fact, will the Minister make available for perusal all minutes and correspondence dealing with collaboration between the two authorities on the subject matter of the memo concerned?

The Hon. W. F. WILLESEE replied:

(1) to (6) A general statement is more appropriate than individual replies to the six questions.

The collaboration between the State Electricity Commission and the Main Roads Department in this matter consists of discussions and meetings between senior engineers associated with the respective proposals. This dates from August 1970 when the two Authorities became aware of each other's proposals.

In this case the only collaboration required is in respect to positioning of towers and clearances from conductors to road level.

The Main Roads Department and State Electricity Commission are maintaining the liaison to cover points of detail associated with actual final tower positions; the proposals of each authority could be amended slightly to meet the detail requirements of the other.

No minutes are kept, but individual officers keep notes and the plans of proposals record the progress being made.

The State Electricity Commission formally informed the Main Roads Department of its intention to construct the line and the Department formally acknowledged.

With your permission, Mr. President, I will table the remaining answer so that the letters may be seen by any interested member.

The letters (Paper No. 110) were tabled.

2. LIQUOR ACT

Licenses

The Hon. R. J. L. WILLIAMS, to the Leader of the House:

(1) How many applications has the Licensing Court received since the coming into operation of the Liquor Act for premises requiring dual licenses, i.e. restaurant and cabaret?

(2) How many have been granted?

(3) How many have been refused?

(4) What is the average amount of time taken to grant these licenses?

(5) What reasons has the Court for delaying hearings and decisions for longer than two months?

The Hon. W. F. WILLESEE replied:

(1) One.

(2) Nil. The applicant was the holder of a Cabaret License and applied for a Restaurant License. At the hearing of the application the applicant voluntarily decided to surrender the Cabaret License, as he considered the operation of a Restaurant License would fulfil his needs for the service he desired to give the public.

(3) Answered by No. (2).

(4) If an application is not objected to, the license is granted or refused immediately after the evidence has been completed.

In such cases, the hearing of the evidence and the preparation and delivery of the decision would occupy on the average one and a half hours.

The hearing of applications which have objections lodged usually require two (2) days to complete the taking of evidence.

(5) There are a variety of reasons for the delay of hearings after an application has been lodged:—

(a) There is a statutory requirement of 30 days delay after an application has been received by the Court.

(b) Frequently delays occur through the applicant or his solicitors not lodging the required documents to enable a hearing date to be set down.

(c) Since the Liquor Act was passed, the Court has given consideration to 414 new applications for licenses, granted 2,497 Function Permits, 3,318 Occasional Permits, dealt with the Renewal applications for 1,163 existing licenses, dealt with approximately 150 Transfers of Licenses, apart from its administrative duties of discussions, interviews, correspondence and examination of reports.

Delay in Decisions.

The only decisions that may be delayed longer than a week or a fortnight are for applications for licenses in an area where more than one person has applied for the same type of license in other premises.

It is considered fair to hear all other applications for an area before giving a decision for any, in order to decide which is the most suitable application to serve the area.

If an application is not objected to, a decision is given immediately the evidence has been completed.

In cases where objections have been lodged, the Court has recorded up to 140 foolscap pages of evidence, which has to be considered before a decision is given.

3. TOTALISATOR AGENCY BOARD

Kununurra and Wyndham

The Hon. W. R. WITHERS, to the Minister for Police:

(1) When will Totalisator Agency Board premises be erected in Kununurra, and services offered in Kununurra and Wyndham?

(2) If there are no definite plans for the provision of services in these towns during 1972, will the Minister advise—

(a) why smaller country towns have taken precedence over Wyndham and Kununurra; and

(b) what are the requirements of the Board to allow precedence?

The Hon. J. DOLAN replied:

(1) Agency No. 176 was opened in Wyndham on Saturday, 25th March, 1972. Plans and specifications for an Agency at Kununurra are being drawn at this time.

(2) Answered by (1) above.

KWINANA-BALGA POWER LINE

Dual Route: Motion

THE HON. CLIVE GRIFFITHS (South-East Metropolitan) [11.14 a.m.]: I move—

> That this House deplores the decision of the Government to adopt a dual route for the 330kV Kwinana-Balga power line resulting in environmental desecration and personal hardship to a greater number of people than would lines installed along one route. We ask that the Government reconsider the decision after a report is made by the Environmental Protection Authority and that, in any event, they adhere to the clear recommendation of the Metropolitan Regional Planning Authority not to construct the lines through, or near, the Guildford Grammar School.

In moving this motion I would like to say at the outset that many people in the community have expressed concern at this Government's apparent disregard for their point of view, and its disregard for the protection of the environment.

The motion is in three parts: Firstly, it expresses the view that the Government's action in splitting the route is deplorable; secondly, the motion asks the Government to refer the matter to the Environmental Protection Authority before reconsidering it; and finally, the motion asks that the Government adheres to the Metropolitan Region Planning Authority's clear recommendation that the lines should not be constructed through Guildford Grammar School.

It is important to remember that the State Electricity Commission originally proposed that the two lines should follow one route—over the escarpment and through the valley behind the hills. This route was decided upon after many lengthy discussions with the various local authorities involved. Finally, agreement was reached, and if my memory serves me correctly, this was in about 1968. I understand, early in 1971, the M.R.P.A. was requested to examine the proposal and report to the State Electricity Commission.

After a meeting on the 25th August, 1971, the M.R.P.A. recommended to the State Electricity Commission that a practical and alternate route be considered instead of the route crossing Guildford Grammar School—possibly a route to the east of Guildford. So this was the clear recommendation contained in the M.R.P.A. report arising from a decision at this meeting.

Mr. President, you will also recall that in this M.R.P.A. report it was announced that the route should not pass behind the hills but should follow a line through the foothills at a contour level of approximately 200 to 300 feet. There was an uproar from the community when this announcement was made. The populace let its feelings be known—letters were writen to the editors of newspapers and protest meetings were held throughout the hills district to express the opinion that the State Electricity Commission should not adopt the foothills route. As a result of this, at one of the public meetings the State Electricity Commission gave an undertaking that it would review the situation while bearing in mind its own proposals.

I have here State Electricity Commission plans Nos. E232 and E322. These plans indicate both the original State Electricity Commission proposal that the route should go across the escarpment and through the valley and also the suggested M.R.P.A. route along the foothills. After taking into consideration the cost factor and several other factors, the State Electricity Commission undertook to review the situation and to make a further decision.

The decision arrived at was horrifying, because originally the S.E.C. decided on two parallel routes contrary to the route suggested by the M.R.P.A. However, as a result of its review, it came forward with the fantastic suggestion of constructing one power line across both the suggested routes. So the S.E.C. was successful in upsetting all the people concerned, by making sure that everyone was to be disturbed by its latest suggestion for the route of the proposed power line.

In order to justify its novel approach to the problem, the S.E.C. put forward the argument that for security reasons this would be the best route for the line. It said that because of the possibility of bush fires, aeroplanes crashing, or other reasons, it was important not to construct the two lines parallel. Notwithstanding this, in answer to a question on notice in another place, the then Minister for Electricity categorically stated that two lines properly constructed along the one reserve would provide the necessary degree of security. That answer was not given off the cuff; it was given as an answer to a question on notice, no doubt following considered deliberation. Yet the S.E.C., to justify its twin-route proposal, brings forward the suggestion, at this late stage, that it is being done for security reasons.

I have here a newspaper article which verifies my statement that the splitting of the line has upset all the people. The following is a leading article published in *The West Australian* on Friday, the 26th November, 1971:—

> Twice as ugly.
>
> In determining the route of the State Electricity Commission's proposed Kwinana-Balga extension of Perth's power grid, the State Government had an unenviable task.

Because the choice lay between two highly controversial routes it could not possibly please everyone.

In the event, it chose them both—a decision unlikely to satisfy anyone. Power lines are ugly; they should go underground; it is a great pity that the community cannot afford the cost of burying them.

The article goes on to point out the absurdity of the decision to split the power line. Another article, published in *The West Australian* on the 29th November, 1971, under the name of D. B. Smith, reads as follows:—

Compromise hills route for S.E.C. power

By D. B. Smith

The State Government has approved new proposals by the State Electricity Commission for high-voltage power lines through the Darling Range and its foothills.

The decision is an attempt to appease hills residents who have been irate about original proposals for the transmission system connecting the Kwinana power station with the northern terminal at Balga.

The compromise plan is expected to add about $1.5 million to the cost, increasing the outlay to an estimated $14 million.

Instead of a single transmission route between Gosnells and Guildford there will be two—one along the escarpment east of Bickley and Kalamunda, and the other through the foothills.

So we have the diabolical decision that the Government has sanctioned a proposal to upset all the people.

At this stage I think it would be proper to mention that one of the reasons—indeed I think it would be the main reason—for the proposal to have two lines in the first place was to ensure security of supply to the whole of the metropolitan region. Bearing in mind that the majority of the power-generating equipment was located in the south where only 45 per cent. of the load existed, and that the remaining 55 per cent. of the load was in the north where there was no generating equipment, it is not unreasonable to expect that an authority charged with the responsibility to supply electricity should ensure that every effort is made to provide a continuity of electricity supply, in all circumstances, to the whole of the area served.

I have no argument with the S.E.C.'s desire to put two lines through, but the scene has changed since the original proposals were announced by the Government and were the subject of newspaper reports. One of these is contained in *The West Australian* of the 1st December, 1970. It reads as follows:—

New coast power site

The State Government has chosen a coastal site about 25 miles north of Perth for two future power stations.

The site is between Wanneroo Beach and Eglinton Rocks.

It replaces the site previously selected at Port Kennedy, on Warnbro Sound, which will now be developed for public recreation and housing.

So we now have a situation different from that which prevailed when the S.E.C. embarked on the plan to provide this twin route to the Balga area.

The Hon. R. F. Claughton: What year was that? Did you say 1970?

The Hon. CLIVE GRIFFITHS: No, the announcement about the new power house in the Wanneroo area was made in December, 1971. This being the case, I do not believe the necessity still remains to build two power lines in any case, bearing in mind that the State Electricity Commission is charged with acting responsibly on behalf of the community; to spend its finances wisely in the best interests of the community. So surely another look should be taken at the need for this proposal.

I suppose at this stage I could direct the attention of the House to a minute by Dr. O'Brien to his Minister, which was subsequently passed to the Premier. I quoted this minute to the House previously during the debate on the Address-in-Reply. However, to refresh members' memories I will read it again. Before doing so I would point out that this minute was tabled in Parliament at the request of the member for Dale, Mr. Rushton, M.L.A. The minute reads—

Following an inspection of the proposed route of the 330KV Transmission Line—Kwinana to Northern Terminal the Director of Environmental Protection submitted his verbal opinion to the Hon. Minister.

The Hon. Minister's submission to the Hon. Premier (In Cabinet) contained the following information:—

"Dr. O'Brien is of the opinion that the second route behind the ranges is acceptable and believes that this line should be built initially. At the same time effort should be made to survey a route for the second line in roughly the same path. However, the General Manager of the State Electricity Commission states the both lines must go in simultaneously.

In view of the explanations given to me, it appears there is little alternative but to agree to the present submissions which

> have been very carefully considered—particularly when it is recalled that the plan has been under consideration and investigation since 1968."

If Dr. O'Brien's recommendation is adhered to, the first line will be constructed and the other line will be left until such time as the problem can be reconsidered. Bearing in mind what I just said about the new power house site, it is not unreasonable to assume a second line would not be necessary at all, because if a power failure or breakdown were to occur in the line, the power station in the north would be capable of providing power to the north of the city, while power to the south could be provided by those power houses in the south. Therefore it seems to me the House should have no hesitation in supporting that part of my motion.

I have also previously spoken on the second part of my motion which relates to the protection of the environment, but I would remind the House that prior to the 1971 elections the Leader of the Liberal Party (Sir David Brand) gave a categorical assurance that he would submit this problem to the Environmental Protection Authority for examination before a final decision on the route was made. I underline that statement. Sir David Brand gave a categorical undertaking that if the Liberal Party were returned to Government after the 1971 elections this matter would be submitted to the Environmental Protection Authority for its recommendations prior to a final decision being made.

No-one can refute the statement that one of the major issues of the Labor Party in the 1971 elections was environmental protection. The Labor Party believed that the environmental protection legislation introduced by the Liberal Party and successfully passed through Parliament was not powerful enough. It stressed that it would introduce legislation with great big teeth to enable it to give absolute protection to the environment on behalf of the people of Western Australia.

The Minister said that the matter was urgent and because his Government's legislation had not been introduced it was impossible to refer the power line problem to an environmental authority. Nevertheless, the Government could have proclaimed the previous Government's legislation, but it did not. However because its big-teeth legislation had not been introduced no authority was available to which this particular matter could be referred.

However, on the 7th June, 1971, at a meeting in Kalamunda, Mr. Gillies said that the decision would be made in two months from that date. But the decision was not finally made until about the 24th January, 1972. By then, of course, the Government's big-teeth legislation had been introduced and passed, and so the Environmental Protection Authority was in existence prior to the final decision being made. Consequently this sort of argument does not carry any weight with me.

In a newspaper article of the 29th January, 1972, the Minister, who says he is so sympathetic to this cause and is endeavouring to do something about it for the people, is reported as saying, in relation to a deputation from the Kalamunda Shire which was making a last-ditch attempt to have the Darling Range route deferred, that whilst he would see the deputation, he held out no hope whatever that the Government would change its mind. He made that statement prior to the presentation of the shire's proposals. He was unaware of its arguments, but he indicated clearly that as far as he was concerned it did not matter much what the deputation said, the Government would not change its mind. This is the attitude to which I take strong exception.

The people are entitled to have their viewpoints considered fairly and without bias, and in the knowledge that if their arguments are sufficiently sound notice will be taken of them. In that newspaper article, the Minister has given the impression that this is not the situation at all.

We must bear in mind that the Minister said that because of the urgency of the matter, it could not possibly be presented to an environmental authority. I have already instanced how this was not the case, but the final evidence is contained in a newspaper report dated the 21st April, 1972. Even at this late stage the Minister for Electricity is reported as having made a statement on the matter. The article reads—

> POWER LINE MAY BE RE-ROUTED
>
> The Minister for Electricity, Mr. May, is to examine the possibility of re-routing the Kwinana-Balga power line to take it clear of future playing fields at Guildford Grammar School.
>
> He said yesterday after meeting a deputation from the Swan Shire Council that a final decision would be deferred while a new proposal was considered.

The reasons for the proposal not being submitted to the Environmental Protection Authority have disappeared because even last week the Minister said he would have a look at a different proposal. All my motion asks is that the Environmental Protection Authority be requested to consider the matter and make a report prior to a final decision being made, and apparently it is not too late even now. I do not think the House will disagree with that statement.

Of course, the Government might have second thoughts about the big teeth in the legislation concerning environmental protection. It is possible the Pacminex deal with all its implications is still ringing

soundly in the Government's ears and the Government might feel the big teeth are really too big and, consequently, they might bite deep into the Government's future actions.

Accordingly, the Government does not wish to refer the matter to the Environmental Protection Authority and, I suggest, that the House advise the Government it ought to do just that.

The final part of my motion deals with the section of the line which it is proposed to erect through the Guildford Grammar School grounds. The first thing I want to say about this aspect is that since the Guildford Grammar School first became aware of the possibility of this line going through the school grounds the school council objected to the State Electricity Commission indicating that the matter was viewed very seriously by that council. As I have said the council has made approaches to the State Electricity Commission ever since it became apprised of this fact.

On the 7th August, 1970, the school first wrote to the Electricity Commission asking for complete details of the proposal and an opportunity to discuss the matter. The school council again wrote to the Electricity Commission on 3rd May, 1971, in response to a letter it had received from the commission—this was apparently the first letter it received—which informed the school that workmen would be entering the property to carry out a survey of the proposed line.

To give the House some indication that the school has always violently objected to the commission's proposal, and it has made known its objection to the commission, I will read the letter written to the Manager of the State Electricity Commission on the 7th August, 1970. As will be seen from the letter the school first got its information from its architect. The letter reads as follows—

> We have been informed by our architect that the S.E.C. is considering taking a power line through our property between the Swan River and Great Eastern Highway.
>
> May we please be given information as to the route planned and when the work is scheduled, my Council would also appreciate the opportunity of discussing this matter with you.

This is a reasonable request and it certainly indicates that the school is most concerned about the situation. It also indicates that the State Electricity Commission did not supply the information; it was obtained from the school's architect. I will discuss this aspect later. The letter of the 3rd May, 1971, addressed to the Manager of the State Electricity Commission states—

> We have your letter of 28th April informing us that your workmen intend to enter our property to carry out a survey for a proposed new overhead power line.
>
> We would request that before you take any action that we be given the opportunity of discussing the proposed route of the line with you. The position you have indicated crosses land where we have planned future development at considerable cost. If a power line is constructed this could very seriously restrict our use of the whole area.

The letter then continues to mention other matters.

The Hon. J. Dolan: What is the date of that letter?

The Hon. CLIVE GRIFFITHS: It was dated the 3rd May, 1971. I am simply endeavouring to make the point that ever since it has been aware of the position the school has indicated to the State Electricity Commission that it was not at all happy about the situation; that it had a definite intention to use this land, and that the State Electricity Commission's proposed action would seriously interfere with the school's intentions and its proposals in connection with it.

There have been numerous discussions by way of deputations to the Minister and to a special committee of the State Electricity Commission. There is little doubt that there has been a tremendous amount of discussion on this matter, none of which seems to have got across to the State Electricity Commission; becaues it did not appear to appreciate the school's concern about the proposed action or that it viewed the whole situation most seriously indeed.

I do not know what precipitated the action finally taken by the State Electricity Commission, but it apparently came to the conclusion that the authorities of the Guildford Grammar School were serious in what they said, because we find that on Saturday morning the commission placed a full-page advertisement in *The West Australian*. From information I have gleaned it would seem that if I desire to place an advertisement such as this in that paper on Saturday morning it will cost me $957.

The Hon. J. Dolan: You would not miss it.

The Hon. D. J. Wordsworth: Why was it put in on Saturday morning?

Sitting suspended from 12.46 to 2.15 p.m.

The Hon. CLIVE GRIFFITHS: Prior to the suspension I was making the point that the Guildford Grammar School had vigorously opposed the construction of the power line ever since the State Electricity Commission had given the first indication of the line's construction. I desire to give some details of the manner in which the opposition was expressed.

It is important we understand that whilst the Guildford Grammar School authorities are professionals as far as

education is concerned, they are not experts in the presentation of cases to Government authorities which seek to invade their property from time to time. The people responsible for the operation of the school are not used to presenting arguments in opposition to proposals which seek to make inroads into their particular domain. For that reason it is a rather unfair contest for them to have to pit themselves against the professional people engaged by the State Electricity Commission. We ought to consider very deeply this aspect of the chain of events which has occurred. The State Electricity Commission, with the expertise available to it, presented a full-page advertisement which, in my opinion, was designed to belittle the Guildford Grammar School authorities in the eyes of the community.

The principals of the Guildford Grammar School have not employed that sort of tactic in their approaches. They have employed the tactics of graciousness and politeness at all times in the sincere belief that their propositions would receive a similar sort of treatment. For those people to be suddenly confronted with a full-page advertisement in *The West Australian* indicating that many of the statements they were making were untrue is, I think, a matter for condemnation as far as this House is concerned and as far as the population of Western Australia is concerned.

I will read to the House an extract from a minute, or a record, of a meeting between the deputation sent from the Guildford Grammar School and the State Electricity Commission subcommittee set up to look at this proposal. The minute, incidentally, lists the names of the individuals who were present at the meeting, and commences as follows:—

> Mr. Parker welcomed the Council representatives and said that the S.E.C. had appointed a Sub-Committee to discuss the proposed power lines with interested bodies and try to see if a solution could be achieved that was acceptable to all parties. He particularly requested that discussions be kept confidential and in particular that no information be given to press, radio or television.

Mr. Parker, who is on the S.E.C. subcommittee, asked the representatives of the Guildford Grammar School particularly to abide by these several requirements in regard to what would eventuate. Bearing that in mind I think the school can quite justifiably state that the S.E.C. has not stuck to that agreement.

I do not know whether the Guildford Grammar School has embarked on a campaign through the Press, television, or any other media. I suggest it has not done so. Letters have been written to the editors of newspapers by interested individuals, some of whom may be past students of the school and many of whom obviously are not past students; but surely criticism cannot be levelled at the school because people who are interested in the subject decide to make their point of view known in letters to the editors of several newspapers.

However, the S.E.C. spends nearly $1,000 in an attempt to discredit the school through the newspapers. I take strong exception to that action, and I think every fair-minded Australian will take strong exception to the use of such tactics.

The Hon. A. F. Griffith: Do you think if that advertisement had not appeared in the paper the electricity charges might not have been quite so high?

The Hon. CLIVE GRIFFITHS: I was about to mention that. We are told on the one hand that one of the reasons for all these short-cuts and the total disregard for the environment and the people's interests is the shortage of funds, and recently electricity charges were increased by 21 per cent.

The Hon. L. A. Logan: It was 27 per cent. in some cases.

The Hon. A. F. Griffith: Is that the amount over your way? I know people who pay more.

The Hon. J. Dolan: I am pleased to hear you arguing among yourselves.

The PRESIDENT: Order!

The Hon. CLIVE GRIFFITHS: The minimum increase was 21 per cent. Anyway, whether it be a 21 per cent., a 27 per cent., or a 5 per cent. increase, the reason given for it was the difficult financial situation in which the S.E.C. found itself. Notwithstanding that, and notwithstanding the undertaking by which the subcommittee asked the school to abide, the S.E.C. embarked upon a vicious attack on the school in a last-ditch attempt to justify its actions in the eyes of the people. The people of Western Australia will not fall for it. This is an instance which clearly shows the Government's loss of contact with the community.

The people of Western Australia will not swallow this because, firstly, most of the statements are not correct and, secondly, the people of Western Australia are fair minded and believe in the right of the individual to be given a fair go.

The Hon. R. F. Claughton: You might help us to understand if you tell us which statements are vicious and which statements are not correct.

The Hon. A. F. Griffith: Obviously the honourable member does not think there is anything vicious about it.

The Hon. CLIVE GRIFFITHS: Mr. Claughton seems to be under the impression that I have no intention of spending

much time on this advertisement. I intend to spend a good deal of time on it, during which I will do as he asks.

The Hon. R. F. Claughton: If you are going to be fair.

The PRESIDENT: Order!

The Hon. CLIVE GRIFFITHS: Mr. Claughton will have an opportunity to say something later on. He talks about being fair. I am making an accusation that this was an unfair attack by the S.E.C. on a body of people whose sole interest in the school was to preserve the property to the advantage of the students who attend the school now and who will do so in the future.

The Hon. A. F. Griffith: You cannot blame Mr. Claughton for thinking it is fair.

The Hon. CLIVE GRIFFITHS: He might think it is fair but I certainly do not and the people of Western Australia will not. The comments that have been made to me about this advertisement are so numerous that I suggest the day of reckoning will come much quicker than Mr. Claughton and the members of the Government seem to think. However, that is a different story. I will not be waylaid by that.

I think I will read the advertisement, just to keep the thing moving. It begins with the headline, "G.G.S.—the facts", in large black letters, and then it reads—

> It was in July, 1970, that the Commission first had consultation with the school's architects in regard to the proposed route. At this time they were involved with the school's development plan then being formulated.

That is the first paragraph. It may well have been in July, 1970, that the commission first had consultation with the school's architect, but I think it is important to understand how the school's architect got into the act at all, and what precipitated the inquiry that subsequently indicated that the installation of this line was envisaged.

The details of what occurred have been given to me by the school. The school has always operated under difficulties. It has always had problems with the playing grounds, traffic noises, a highway running through the centre of the school, trains, and aeroplanes. Despite the tremendous difficulties with which it has had to contend over the years, it has survived to the extent that it is one of the largest boarding schools in the country; it is certainly one of the most respected schools in the country, and a school of which Western Australia can obviously be proud.

The school has survived notwithstanding all those problems. In an endeavour to provide further facilities the school council, through its chairman, or the chairman of one of its subcommittees, approached a sympathetic architect—he may have been an ex-Guildfordian, I do not know—and suggested the school would be most appreciative if he would draw up a plan when he had some spare time, to give the school some idea for its future development. Members should bear in mind that the council is made up of people from all walks of life; its members are not planners, developers, or architects, they are merely ordinary people who serve on the school council and who are not expert in preparing future plans for the school. The council asked the architect to draw up a proposal for its consideration in order that it might have a basis upon which to plan future development.

[Resolved: That motions be continued.]

The Hon. CLIVE GRIFFITHS: The architect said he would do what he could when he had the time. Unfortunately he was called away—I do not know whether it was interstate or overseas—so he asked one of his colleagues in the office to draw up a plan to give the council some idea of how to go about developing the school property. I am told that the second architect, and I say this with no disrespect whatsoever, was also an amateur town planner. I do not use the word "amateur" in any derogatory sense; that is the word which was used to me. This architect went ahead and prepared, unbeknown to the architect who issued the instruction, a report of something like 80 pages. It is a most comprehensive report and in its compilation the architect made representations to the various Government instrumentalities, including the State Electricity Commission. That is when he discovered that it was proposed to take the line through the school grounds. Yet the advertisement states that it was in July, 1970, that the architect was involved with the development plan for the school. But this was not the school's development plan; it was a development plan put forward by an individual as he saw it, not knowing the circumstances and not being a member of the school board, but being simply a member of the first architect's office.

The Hon. R. F. Claughton: You are saying the advertisement is incorrect to that extent?

The Hon. CLIVE GRIFFITHS: Well, it is.

The Hon. R. F. Claughton: That is splitting hairs.

The Hon. G. C. MacKinnon: It is the first three lines of the advertisement.

The Hon. R. F. Claughton: It was a school development plan.

The Hon. CLIVE GRIFFITHS: It was not the school's development plan; it was an architect's proposal concerning what may be carried out. For the benefit of the honourable member I shall read from the preface to the report. It states—and the S.E.C. will be well aware of this because

it went to great lengths later in the advertisement to tell us it is in possession of the report—that "The report is presented for discussion rather than as a resolved scheme." Perhaps that may answer Mr. Claughton's interjection. I think that is an important point which we should bear in mind when we are talking about the credibility of the statements made by the S.E.C. in its advertisement, when it says—

> Indeed the chronological order of events that have occurred in the planning of the line where the school has been directly involved, indicates that the school council was broadly aware of the Commission's power line intentions before it acquired the additional land on the river flood plain which it now states is to be used for future development.
>
> Although it now transpires that a contract to purchase was entered into, presumably without investigation—

I do not know what that is supposed to mean. To continue—

> —some six months before the Commission's plans were announced, the land was not transferred by the previous owner to the school until October 1971. It is worth noting that it was at the end of April 1971 that the Commission advised the school of its intentions, nearly six months before the school's land negotiations were completed.

That is basically incorrect; it is absolutely incorrect; and it is designed wholly and solely to mislead the people of Western Australia, because the facts are not true. I will proceed to tell the House about that.

The Hon. R. F. Claughton: Facts can only be true.

The Hon. CLIVE GRIFFITHS: Well, the statements are untrue. I am given to understand that 25 years ago a gentlemen's agreement was reached between the Hamersley family and the school council of Guildford Grammar that the land known as the Hamersley land, to which I am referring, would eventually come to the school under conditions agreed upon at the time. That is the first point.

However, notwithstanding that, the date of the formal contract—which, incidentally, I have had a look at—for the sale of the land to the school was the 17th December, 1968, and the price was payable in 11 instalments with the vacant possession date being July, 1971, providing that both parties kept to their undertaking in the agreement. The agreement was made on the 17th December, 1968, and the vacant possession date was July, 1971. In July, 1971, the school's solicitors were instructed to prepare the formal transfer. That is the transfer referred to in the S.E.C. advertisement; and the S.E.C. makes a great fuss about the fact that the land was not transferred by the previous owner to the school until October, 1971. I fail to understand what that has to do with the issue.

The contract drawn up in 1968 gave July, 1971, as the date on which the land had to be handed to the school. The school's solicitors were instructed in that same month in 1971, to prepare the transfer. In fact, the transfer went through as transfers normally do; it takes a couple of months for a transaction such as this to be processed. The S.E.C. implied that the school entered into a contract to purchase without investigation. I repeat I do not know what "without investigation" means. What sort of investigation was the school supposed to make in regard to some land it had verbally agreed to take over some 25 years previously? In fact this is land in regard to which the school had entered into a contract in 1968. I do not know what investigations the school could be expected to make in 1968. We must bear in mind the first line of the advertisement states that it was in July, 1970, that the commission first had consultation with the school regarding the proposed route.

If the school had made some inquiries in 1968 what would it have been told? There were then no plans to suggest that this line would be put through. Indeed, if there were plans in existence then the S.E.C. is guilty of having hidden the facts for a couple of years from the people who would be detrimentally affected by its decision. I repudiate that statement completely and utterly. It is an unfair and vicious objection to make.

In the advertisement the following appears:—

> Since the first consultation there have been numerous discussions between the Commission, the school and the representatives of the school's interests. From these certain compromises in the route of the line have already been made.

I do not know about the compromises because I cannot find any, except that instead of two pylons being constructed on the school property I understand that the present proposal is to construct one pylon. However, this was brought about not by any effort of the S.E.C.; it was brought about because Guildford Grammar School, in its wisdom or otherwise, engaged a professional electrical engineer who had all the necessary qualifications, and also experience of these matters in Great Britain. He put forward a certain proposal in a comprehensive submission, which is contained in the document before me, but which is too lengthy for me to read. In the submission he said that failing everything else, if it were still absolutely imperative for the line to be constructed through the school property then

perhaps technically it was possible to do away with the two pylons, and build one instead.

The S.E.C. now says it has arrived at a compromise. Perhaps it is a half-hearted compromise. There may be some matters relating to this proposal of which I am not aware, but I know the story pretty accurately.

The next item in the advertisement of the S.E.C. to which I wish to make reference is as follows:—

> The school's announcement of its intentions to build a middle school in a flood area between fifteen and twenty feet below existing senior and preparatory school building seems hardly credible.
>
> Survey plans indicate that adequate high land would appear to be available away from the power line route. However it is not for the Commission to make site recommendations to the school.

I will deal with the last part relating to the making of recommendations to the school as to whether a site was suitable for buildings or development. If the installation of this line through the school property is not regarded as deciding for the school where buildings will be established, then I do not know what is. Certainly it decided for the school that buildings or development would not take place near this line. The S.E.C. says it is not a function of the commission to do that, but that is precisely what it is doing, because once the line is constructed the school will not be able to use the land affected. So, the decision is being made by the commission.

In regard to the first part of the advertisement I have just read out, that the school's announced intention to build a middle school in an area 15 to 20 feet below existing school buildings seems hardly credible, I have before me an aerial photograph which was presented to me by the S.E.C. through the Leader of the House. I do not know the real purpose of my being provided with that photograph which appears to be taken at the height of a flood. It shows the river completely flooded right up to the doorstep of the existing buildings of Guildford Grammar School. Perhaps it was supplied to me to emphasise the fact that this land is subject to flooding, and therefore is worthless.

The Hon. W. F. Willesee: Did I intrude on you by providing the map, or did you ask for it?

The Hon. CLIVE GRIFFITHS: I did not say the Leader of the House intruded on me.

The Hon. W. F. Willesee: It was supplied in accordance with your request.

The Hon. CLIVE GRIFFITHS: I did not request it.

The Hon. W. F. Willesee: How did you obtain it?

The Hon. CLIVE GRIFFITHS: I hope the Minister does not think I obtained it without authority.

The Hon. W. F. Willesee: Not in the least, but you should follow your conclusion through.

The Hon. CLIVE GRIFFITHS: I will. I am not trying to hide the situation. I intended to deal with that aspect later on in my speech.

The Hon. W. F. Willesee: You have already been going for an hour.

The Hon. CLIVE GRIFFITHS: I have a lot to say. The S.E.C. has been dealing with this matter for four years, so surely I should be given the opportunity to extend my speech beyond one hour.

The Hon. A. F. Griffith: That is a fair enough answer.

The Hon. J. Dolan: There has already been much said about this matter.

The Hon. CLIVE GRIFFITHS: I hope that the time taken up in interjections will be deducted from my time!

The PRESIDENT: I would request the honourable member to address his remarks to the Chair and to ignore the interjections.

The Hon. CLIVE GRIFFITHS: The circumstances surrounding my gaining possession of the photograph are as follows: During the course of the Address-in-Reply debate I brought to the attention of the House the situation as it affected Guildford Grammar School. I made several accusations and raised several points in my contribution to that debate, because they warranted airing in this House. At the same time I spoke on several other subjects. At the conclusion of the debate on the Address-in-Reply the Leader of the House indicated to members that he would not attempt to answer each of the propositions put forward by members in the House, but he would refer the points they had made to the various Ministers for their comments, and he would subsequently pass the information on to us. He did that very competently and very successfully.

The Hon. W. F. Willesee: And that is why the motion is before us!

The Hon. CLIVE GRIFFITHS: I was not being rude to the Leader of the House. Indeed I was going to compliment him for the manner in which he presented to me, in particular, the answers to the points I had raised, one of them being the construction of the power line through Guildford Grammar School. I am now being congratulatory in my remarks to the Leader of the House by pointing out

the comprehensive manner in which he prevailed upon his colleagues to provide the information that had been asked for. Included in the information given to me was this photograph. I did not ask for it, and I did not know it existed. However, I raise the question as to why the Minister for Electricity or the S.E.C. included this photograph with the information that was sent to me.

The Hon. R. F. Claughton: They were trying to be helpful.

The Hon. CLIVE GRIFFITHS: Of course they were, but they were not trying to help Guildford Grammar School. They were trying to help the department and its arguments that this flood land was useless, and to support the song and dance it had put up. They said that the objections were unfounded. That was why they gave the photograph to me. This photograph of the flooded area was taken several years ago, but the time does not really matter.

Where the photograph clearly shows water, the school, with its expertise, has now constructed a library. Therefore, the implication that the flooded plain cannot be used is not soundly based because it can be used with the right preparation. So the suggestion that the school intends to construct buildings on land 15 ft. or 20 ft. below the level of existing buildings does not stand up. Firstly, the area being discussed is not all subject to flooding and, secondly, it is the highest section of the land anyway. Land fill is available and negotiations have been entered into with various local authorities with a view to reaching some agreement.

The Hon. R. Thompson: The buildings are constructed below the high water mark?

The Hon. CLIVE GRIFFITHS: The land has been filled to a level above the high water mark.

The Hon. V. J. Ferry: Is the honourable member suggesting that their argument does not now hold water!

The PRESIDENT: Order!

The Hon. R. Thompson: Has the school got a title to the river?

The Hon. CLIVE GRIFFITHS: No; the school is building on its own property.

The Hon. R. Thompson: Is the high water mark shown on the map?

The Hon. CLIVE GRIFFITHS: I do not know about the high water mark. I do not know whether or not the area shown on the map is still part of the river. The area which is subject to flooding, whether from rain or from the river, is owned by the school and a library has been constructed on it. The proof of the pudding is in the eating. St. George's House has been constructed on part of the land which is considerably lower than that on which most of the buildings stand.

It has been mentioned that if one looks at that building from the road one can see through the third floor windows. That is correct; the building is constructed well below the level of the other buildings.

The policy of the school authorities, in the past, has always been to adopt the advice of its architect regarding a safe height above the high water mark. That policy will apply in the future. It is not impossible to fill the land, particularly in the area where the school authorities envisage the construction of a new building. The proposal to which the S.E.C. has referred is purely the recommendation of an architect, presented for discussion, and for no other purpose.

The Hon. J. M. Thomson: Was a suggested level mentioned in the report?

The Hon. CLIVE GRIFFITHS: It probably was.

The Hon. J. Heitman: Would it be 15 ft. of fill?

The Hon. CLIVE GRIFFITHS: Some of it, yes. However, we have to remember that the school authorities are stuck with that land. The school is situated in that particular area and the authorities have learned to live with the flooding which has occurred, and they have overcome the problems which have presented themselves.

It must also be borne in mind that the price originally paid for the land governs the amount of money that can be spent on it at a later date. The school authorities have assured me that the price they paid for the land enables them to go great lengths to fill it, while still enabling it to be a viable proposition economically.

I ask: How crazy would people be to negotiate over a period of 25 years and then enter into a contract to buy land which was virtually useless? That would not make sense.

The newspaper advertisement went on—and I do not know where this information came from—to say there are many misunderstandings and some misleading information given about this. The advertisement goes on as follows:—

> Among these is the opinion that the line would cut a 77 yard wide path between both sections of the school and that this would interfere with communications between the preparatory and senior school complexes. In fact as the land is flood land, and under grass and swamp, no clearing would be required and the overall width of the route under which there is full right of way with restrictions only on inhabited buildings and tree planting is 66 yards.

The S.E.C. is claiming that it is not inhibiting people from using an area 77 yards in width, but only an area 66 yards in width. I do not know what difference that is supposed to make. I have never previously seen any reference to a width of 77

yards, but the S.E.C. is attempting to use that figure as a means to discredit the Guildford Grammar School authorities: It will not inhibit the use of 77 yards, only 66 yards.

The Hon. R. F. Claughton: Is the honourable member saying that is vicious, or incorrect?

The Hon. CLIVE GRIFFITHS: Both.

The Hon. R. F. Claughton: Both are correct.

The Hon. CLIVE GRIFFITHS: I do not think the figure of 77 yards is correct.

The Hon. R. F. Claughton: It is correct.

The PRESIDENT: Order!

The Hon. CLIVE GRIFFITHS: The advertisement goes on to indicate that to move the line further to the east would cost some millions of dollars which the S.E.C. has not got, and which the community, as a whole, would have to find.

I have already pointed out when speaking earlier that it would cost an extra $1,500,000 to construct two lines instead of one. However, the S.E.C. is not perturbed about spending the extra $1,500,000. The expert professional electrical engineer engaged by the school has worked out that by deleting one of the lines completely, as I suggested because of the construction of the new power house, there would be a saving of $7,000,000; and yet the S.E.C. is suggesting that to move the line further east would cost more money. The S.E.C. already intends to spend an extra $1,500,000, if it constructs two lines. However, if another power house is constructed and only one line is required, there will be a saving of $7,000,000.

I think what I have said is sufficient to indicate to the House that the advertisement contains many inaccuracies raised purely to discredit the Guildford Grammar School.

The safety angle must be taken into consideration, and I think this is fairly important when it concerns a school catering for some 650 boys.

We know that in Great Britain there is an absolute rule that in no circumstances must power lines pass through school grounds. We believe that ought to prevail in Australia, certainly in Western Australia and, consequently, we put forward that argument.

I have here a State Electricity Commission plan which I will call plan STPC110. This is a plan of the proposed route through the Guildford Grammar School. The plan gives an indication of where the line will run in relation to the oval that is to be built at the school. It also gives an indication of the proposed height of the line above the ground at the school.

There is a code which requires minimum heights for different voltage lines. This is a standard set of requirements. Bearing this in mind, for this 330,000 volt line the minimum height is apparently something like 25 feet. The plan indicates that over the Guildford Grammar School the height will be 25 feet.

Let us stop and consider how high is 25 feet; bearing in mind that both the State Electricity Commission and the Minister suggest that this land is not suitable for anything to be done on it; it is flooded land, and nothing will be built on it. So we can only assume that when the line is put in the height will be 25 feet as shown on the plan and this will be the height above the ground as it is at the moment.

The school proposes to build an oval—if it is going to build nothing else it does propose to build an oval—which will require considerable filling. Immediately the school puts in any filling at all it will mean the line will be lower than the standard requirement set down in the code. Even if one foot of filling is placed in the area the requirement will no longer be accurate or sustained.

It is no good the Minister or the State Electricity Commission saying that they are allowing for this aspect, because they have provided for the heights on the Great Eastern Highway, and they have given all the levels including the tower heights, etc.

The Hon. J. Heitman: What are the tower heights now?

The Hon. CLIVE GRIFFITHS: The tower height inside the school is 170 feet and just outside it is 175 feet. The attached height of the line inside the school is 65 feet. It sags from 100 feet on the railway or outside the school down to only 65 feet inside the school. If we consider that the total distance between these pylons in the plan is 1,500 feet it will mean that the height of 25 feet will extend for quite a long way. It will not be just 25 feet in one area; it will be 25 feet for a considerable distance.

The Hon. J. Heitman: Would it not be an arc?

The Hon. CLIVE GRIFFITHS: Yes, but if that is spread over the distance to which I have referred and we have lines carrying 330,000 volts—the lines which are to be built—immediately the land is built up with filling the lines will be brought lower than the height the code requires.

So, as sure as I am standing here, what will happen is that immediately that line is installed a requirement will be placed on that aspect to the effect that no filling whatever shall be made on it. Permission will accordingly be refused, because if it were not refused the line would immediately be brought down to under the required minimum height.

The safety angle is considered important throughout the world. The main accidents that have occurred have been as a result of boys climbing pylons, then falling off and hurting themselves. The accidents do not generally occur as a result of electrocutions but as a result of boys climbing the pylons; yet we find this hazard is to be placed in a school containing 650 young boys. This will constitute a challenge to the boys and they will undoubtedly want to climb the pylons.

The Hon. J. Heitman: Do many of them climb the electric light poles around that area; there are a great number of them there?

The Hon. CLIVE GRIFFITHS: To climb an electric light pole is more difficult than to climb an electric pylon. These pylons are different from electric light poles and will certainly present a challenge to the boys in that school. We are told that barbed wire entanglements will be placed around the area, but these will take about 20 seconds for an enterprising boy to overcome.

These aspects must be considered, because I propose later to ask the Minister whether there have been any cases of boys climbing pylons in Western Australia. We will be only fooling ourselves if we say the boys will not climb the pylons, because they certainly will.

Principals of schools ought not to have this added responsibility placed on them; they should not be required to ensure that the boys do not climb these pylons; because they have enough to worry about now with 650 boys running around the place.

The suggestion has been made that this could be compared with boys trying to climb the chapel at Guildford Grammar School. This, however, is a responsibility which the school authorities know and accept; they know the problem must be overcome.

Why should the State Electricity Commission, or any Government instrumentality present school authorities with further responsibilities which have, in fact, nothing to do with them?

With 330,000 volts involved—and I am now talking about the minimum height of 25 feet—it is not necessary to touch a wire to receive an electric shock. Such a shock could be sustained if the steel wires attaching to a model aeroplane were to move within one foot or 18 inches of the line. If this happened the boy hanging onto the other end could possibly be electrocuted. He would certainly receive a severe electric shock.

Accordingly, if the ground is to be used for the purposes of recreation it is not unreasonable to assume that it is quite possible the wires attached to model aeroplanes will move fairly close to the mains. It is of little use saying that the boys will be told not to go near the wires, because these things will happen.

The Hon. J. Dolan: Is that a favourite sport there now; before the wires go up?

The Hon. CLIVE GRIFFITHS: I do not know whether it is a favourite sport.

The Hon. J. Dolan: You would think they would wait for the wires to go up and then try it.

The Hon. CLIVE GRIFFITHS: I do not think that has anything to do with the case.

The Hon. J. Dolan: Why not, you raised it?

The Hon. CLIVE GRIFFITHS: I am merely saying that if this were done there is little doubt of the danger that would present itself. Let us assume that the boys would for some reason suddenly want to do this—even if they have already not done so. Why should the State Electricity Commission inflict on the school for all time the restriction that model aeroplanes must not be used? Why should the power lines be inflicted on Guildford Grammar School when there is an alternate route available? If the route is taken further east, there will be no objections.

I could continue for a very long time, Mr. President, because I have a great deal of material here. However, I do not wish to weary the House and I simply ask members to support the motion and to give serious consideration to the points I have made. I believe Guildford Grammar School is entitled to consideration because of its contribution since its inception to the community and to the State of Western Australia. The Government should be condemned for its actions in regard to the power lines.

THE HON. R. J. L. WILLIAMS (Metropolitan) [3.12 p.m.]: In rising to second this motion I will not go into as much detail as my colleague, The Hon. Clive Griffiths. Indeed, I am not fitted to do so because I have not made a detailed study of the subject. However, I am profoundly disturbed about certain issues.

This Government is supposedly very concerned about environmental protection. It wanted an Act with big teeth. It seems to me the Government has discarded the Act and thrown the big teeth around in the form of electric pylons, which are a form of visual pollution.

A remark which has been made by many people on different occasions comes to mind, and I do not see when or how the statement can be refuted. The statement is, "The State Electricity Commission in this State is a law unto itself." I have heard it said this weekend, "No matter what the State Electricity Commission wants to do, it will do it when it wants to do it despite the colour of the Government."

When I look at the issues in this case, I am reminded of a quote of Shakespeare's—

O what a tangled web we weave
When first we practise to deceive.

I have seen many electric pylons in Europe. In 1935 when I was a boy I saw pylons spanning rivers and gorges. I remembered these when I heard of the idiotic remark made in another place—that pylons were things of aesthetic beauty. A clown who makes a remark of that type needs to have his eyes tested. They are not things of beauty, although they do serve a purpose. We cannot do without them. Power lines have to span gorges, rivers, and large tracts. However I wonder whether the present authority has studied the cost involved in putting the lines underground. The State Electricity Commission says that very little can go underground in this State. One only has to travel our streets to see the visual pollution and traffic hazards created by electric light poles.

It is not good enough for Government members to stand up and say, "What did the previous Government do about it?" That is beside the point. In 50 years' time our descendants will be able to see the results of our legislation today. We are here to legislate for tomorrow, not just for today. It may be practicable to take the wires underground in small stretches although possibly at great cost. The State Electricity Commission will say, "How will you dissipate the heat?" Power runs underground in the United States through aluminium cables sheathed in helium cases. So the State Electricity Commission cannot say it cannot be done. Electricity could be reticulated to large portions of the metropolitan area in this way. However, I suppose this would not suit certain people.

When a body such as the State Electricity Commission is created, technical experts are necessary. Any lay person appointed to the board can be thrown into confusion by technical expertise. The experts will stick together throughout the length and breadth of Australia. These men do not wish to seek an international opinion, as international experts would be amazed at the antiquity of our electricity supply system.

As a boy I gazed at the electricity supply system as my father did before me. The electricity supply system we have in the metropolitan area, including the street lighting, equates roughly to the standard at which he first looked in 1897—and this is the age of progress!

The State Electricity Commission wishes to desecrate a perfectly charming school and grounds. I do not care whether the school affected is Guildford Grammar, All Saints, Trinity, or a State school, but the school in question is in a beautiful setting which can be seen as one drives along Great Eastern Highway. It is even more charming when the boys are not there to distract one's attention from the scenery. Why desecrate this? Why create a pair of monsters to straddle the school grounds?

The Hon. Clive Griffiths mentioned the safety hazard. Every past or present schoolmaster knows that he can say to the children, "You will not," and the moment the words leave his mouth the children are determined that they will. At least a few will try and then a safety hazard is created.

This is what we are here to control. The State Electricity Commission is answerable to Parliament, and it has been ducking, bobbing, and weaving on this issue since 1968. In 1968 negotiations were entered into between the State Electricity Commission and the shires concerned, and the decision was made to route the lines behind the hills. That was four years ago. In January, 1971, the State Electricity Commission made a submission to the M.R.P.A. which in turn recommended that the lines go along the face of the escarpment and that no lines pass over or near Guildford Grammar School—that is a recommendation from another body.

On the 7th June, 1971, the General Manager of the State Electricity Commission said the decision must be made within two months. The decision was actually made in January, 1972. We have heard an ultimatum of this type in Parliament during the last session when it was said, "It is absolutely imperative that a decision be given by such and such a date." Six months later the decision was given. In between that time the Environmental Protection Act had been passed. This motion simply asks that we use the instruments we have created, and refer matters of importance such as this to the Environmental Protection Authority.

Let that body have a further look at it to ascertain how much the public does not want such structures. We sometimes think that we tell the public what to do, but our position is very simple; we are the servants of the people. No matter what colour a member's Government may be, if people in any particular area have some real objection to a proposal the Government should have another look at it. The Opposition should raise its voice in protest to let the authority created by a Government—in fact, specially appointed to investigate these matters—look at the angles of visual pollution, because pollution is not just a question of throwing things into rivers or chopping down trees. There are many other hideous features which the Environmental Protection Authority can look at. It is now properly constituted and has big teeth. Let it go ahead and put its big teeth into this question so that these power lines may be put elsewhere, because the people concerned do not want them erected along the suggested route.

Unless the Environmental Protection Authority or any other authority is requested by Parliament to investigate such matters, why bother creating them? Are we just creating them so that the Government appears popular as a result of pressures put upon it, or are they created to do a certain job of work? I deplore the fact that the planning by the State Electricity Commission is so devoid of ideas that it seeks to desecrate the area in question by erecting power lines on the suggested route when, as my honourable colleague has said, there is an alternative. Therefore, I have no hesitation in supporting the motion.

THE HON. I. G. MEDCALF (Metropolitan) [3.22 p.m.]: I wish to draw attention to certain questions I asked nine months ago and which still remain unanswered, unless one can say that the answers which I sought were given by the Premier (Mr. J. T. Tonkin) when he introduced the Environmental Protection Bill in September of last year. That was four or five weeks after I asked the questions.

The questions I asked then were: Why, in view of the non-proclamation of the previous Government's physical environment protection legislation which had been passed by Parliament, had Cabinet not taken upon itself the task of watchdog or custodian of the environment? As you are aware, Mr. President, it was in 1970, by Act No. 93, that the Government, under the leadership of Sir David Brand and Mr. Nalder, introduced what was known as the Physical Environment Protection Bill. That Bill was passed by the Legislative Assembly and by this House and became law except for the fact that it had to be proclaimed. It was not proclaimed by the previous Government before it lost the election of 1971, nor was it proclaimed by the present Government.

The point which I then made was: As the Act was not proclaimed there was a hiatus or gap in the environmental protection laws which the people of this State, through their Parliament, had decided must be part of the law. My point was that Cabinet should have made a point of examining the Darling Range power line and all the other environmental matters in accordance with properly-conceived notions of the protection of the environment. That did not happen, and that was the reason I asked the questions.

I was concerned on the 27th July, 1971—only nine months ago—because apparently the Government was not seeking the advice of any environmental protection authority in respect of the power line to be erected through the Darling Ranges. When I went back to read what I said in *Hansard* I was surprised at the mildness of my words. I would like to refer to the *Hansard* report of the 27th July, 1971. I do not propose to quote all of what I said. I propose to quote only the questions, because unless they have been answered by Mr. J. T. Tonkin when he introduced the Environmental Protection Bill later on, they still remain unanswered. My questions which appear on page 219 of the report of the proceedings of the first session of the 27th Parliament were—

> In view of the proclaimed statements of the Leader of the Government, has the Cabinet given this matter of the power line the full and adequate consideration which it should have from the point of view of environmental protection? I am not questioning the competence of the S.E.C., or the competence of the Minister for Electricity in putting forward his views, but I ask: Did the Minister for Electricity refer this matter to the Minister for Environmental Protection? Was that reference made? The reference was required to be made under the old Act.
>
> It might be said that the old Act was not proclaimed and, therefore, such reference does not have to be made. However, in the absence of the proclamation I believe it casts an obligation on Cabinet to show that it has done something and taken some action. If no action has been taken, then the equivalent precautions should be taken to ensure that this particular matter is referred—on an environmental basis—to environment experts for a report.
>
> I wonder if the Minister for Environmental Protection called for any reports from experts. I know the experts do not exist under this Act, because the Act was not proclaimed; but was a report called for from any experts as to whether or not the environment would be affected by the power lines? If a report was called for I wonder what it disclosed and whether it recommended proceeding with the power line as proposed.
>
> If no report was called for and there was no reference by the Minister for Electricity to the Minister for Environmental Protection, is Cabinet prepared to positively assert that the environment will not be affected by the power lines, and that alternative solutions have been thoroughly researched?
>
> I believe that is an important requirement. It is something that cannot be hidden; it cannot be obscured in any words. If, in fact, that consideration has been given; if the proper references have been made; if the proper reports have been given by persons qualified to do so, then I think the Government should come out and say so.

However, the Government has not come out and said so. Since this date in July of last year, has this matter been referred to the Environmental Protection Authority appointed by the Government's Bill which we

passed later in the same year, and which has been proclaimed and is in force? It was proclaimed in December, 1971.

I would now like to quote from a *Hansard* report which may be taken to be the answers to my questions. They are certainly the only answers I have seen anywhere—if they are answers. They are answers by implication and they appeared in the speech of the Premier (Mr. J. T. Tonkin) when he spoke to the second reading of the Environmental Protection Bill, on Thursday, the 23rd September, 1971. I propose to quote only brief extracts of this speech and should any member feel I am selecting extracts which could perhaps emphasise the particular point of view I am putting forward, then I will refer him to the *Hansard* which will disprove any suggestion that this is so.

As I do not want to take up the time of the House unnecessarily, I will quote only the barest of the extracts. The following is taken from page 1737 of the 1971 *Hansard*, and is a report of a speech made by the Premier (Mr. J. T. Tonkin):—

> I think it is fair to say that during the debate on the Physical Environment Protection Act of 1970 we were all agreed on the necessity for the introduction of legislation that would enable the Government to take effective steps to control all forms of environmental degradation.

I pause a moment to point out that the Premier, quite rightly, said that all parties were agreed on the necessity for legislation to enable the Government of the day to take effective steps to control all forms of environmental degradation.

I believe we are discussing one form of environmental degradation. Later, on the same page the Premier said—

> We felt then that the proposed legislation—

That is, the previous Government's legislation. To continue—

> —was not adequate to cope with the needs of the task.

That explains why the present Government introduced new legislation which, by implication, it believes is adequate to cope with the needs of the task; that is, to prevent the degradation of the environment. He said—

> The Bill, therefore, will enable the Government to—
>
> . . .
>
> establish environmental protection policies that will set acceptable standards for the present and for the future;

In other words, we are to have policies to set the standard of the future. Therefore presumably the policy in respect of power lines is to have power lines running across schools. That is, apparently, an acceptable standard for the future. The following is to be found on page 1739—

> As the definition of the Bill states, "environment" means the physical factors prevailing in the State, including the land, water, and the atmosphere. It also includes the social factor of aesthetics and all factors affecting animal and plant life.

That simply means the things of beauty in the environment and the things of interest and cultural attainment which appeal to the average human being. On the grounds of aesthetics we might then clearly be interested in the power line. Further, on the same page is the following—

> Cabinet will retain its constitutional obligations, while the environmental protection authority becomes a watchdog—

I pause there. Cabinet will retain its constitutional obligation, and in addition Cabinet has this watchdog. So we have two groups watching the environment. To continue—

> —and I would even say a watchdog with big teeth, since that phrase is fashionable today—in matters of environmental protection.

I am still quoting from the Premier's speech on the environmental protection legislation. The following is on page 1740—

> Provision is also made for the contingency where a project may not be known to the authority.

It is conceivable that the authority has not heard of the power line. I read a letter by the director of the authority to the newspaper the other day, and I do not think he mentioned power lines. He mentioned a number of other things and explained why he was unable to take action in certain matters. His explanation may have been a good one. The Premier continued—

> Provision is also made for the contingency where a project may not be known to the authority.

Maybe that contingency is the power line. Continuing—

> If there is a development of any type which has significance as far as environmental protection is concerned, the relevant Minister shall submit details of this to the authority for its recommendation.

I emphasise that the words used by the Premier were, "shall submit details . . . to the authority." The Minister in this case is the Minister for Electricity and he is required, according to the Premier's own words, to submit details to the authority for its recommendation. I am not aware this has been done. Perhaps I will be corrected in due course and I will be informed of the date and the time the

Minister for Electricity submitted this project to the Environmental Protection Authority. The Premier continues—

> This differs from the legislation passed last year—

That is, 1970—

> —where the Minister could, at his discretion, refer or not refer such matters to the council.

In his policy speech, Mr. Tonkin referred to the fact that the previous Government's environmental protection legislation lacked any real teeth and said he would introduce legislation with big teeth. He has referred to it again here, and I believe he was entirely and absolutely honest in his statement. I am not questioning his motive for a moment.

What strikes me as extraordinary is the complete failure of his Minister to submit this project to the authority, because this is completely contrary to the Act passed last year. I can understand the Director of the Environmental Protection Authority waiting for people to submit matters to him. Naturally he is not anxious to rush into all sorts of things at this early stage of the career of his new body.

Nevertheless, I believe the Minister should submit this and that if he does not submit it he is hoodwinking the public because it believes the environmental legislation will mean something. After all that is one of the reasons the people elected the present Government. It is quite clearly stated in the policy speech and they expect some action. Consequently I believe many people are disappointed at the present moment for this very reason; that is, that the Minister responsible in this particular case has been in no hurry to submit his project to the Environmental Protection Authority. In my opinion, he is required to do this. It was my understanding of the Premier's speech which we had before us before we passed the environmental legislation last year. I read it before the Bill was passed, and I was very impressed with it and told the Premier so. Unless the Government honours its undertaking it will be acting contrary to its obligations under that legislation which this Parliament passed.

I am aware the matter has been submitted to the Metropolitan Region Planning Authority because I read in the newspaper on Saturday an advertisement inserted by the State Electricity Commission. This advertisement has already been mentioned by Mr. Clive Griffiths. What was not said in the article and which I believe to be relevant, is that the M.R.P.A. is not charged with the task of deciding whether a power line should be erected across a school. This is not one of its tasks at all. The M.R.P.A. is a body established to carry out the original Stephenson plan, and the power line has nothing to do with that, unless it is in some way connected with the major plans of the metropolitan area. Whether the power line is erected across this field or that field, or over a road, is not terribly relevant to the M.R.P.A. I noticed in the Press statement that the M.R.P.A. declined to comment further after its first adverse report, which I think was appropriate. Had I been on the M.R.P.A. I, too, would have said this, because it would not have been my business. It is not the business of the M.R.P.A. It is the business of the Environmental Protection Authority.

Why do we have an E.P.A.? It is because we want to avoid degrading the environment. Nothing is more important than the environment. After all, we must all live in it as must our children and our children's children. This is why we have an E.P.A. and why a very good Act on the subject was passed in this House and in the other place. I am quite sure, from the comments I have heard over the last few months in another place, that if this House did not like the environmental legislation it would not have been passed. It would have been thrown out. Clearly we must have liked it because we passed it. I believe it is up to the Government to abide by it.

The whole power line question is predominently one of a clash between technology and the environment, and this is a very difficult situation. We have already seen that clash in connection with the Pacminex refinery on which I will not dwell. Obviously differences of opinion will occur on all these matters.

I do not wish to criticise the S.E.C. That would be the last inference I would want anyone to draw from anything I am saying. The S.E.C. has 120 or so engineers on its staff and competent administrators carry out its functions efficiently and in accordance with this Act and the regulations. However this is only one aspect of Government. There are many aspects of Government and Parliament is officially entrusted with the task of supervising all those aspects.

We know there will be a clash. The simplest illustration of a clash is when a road is built by the Main Roads Department and, the following day, the Water Supply Department comes along and rips up the road to put a main across. There are many other things which can happen when departments clash.

There must be co-ordination somewhere and I believe this co-ordination is provided for by the Environmental Protection Act, but it is not being invoked by the Government. This is what puzzles and astounds me. In justice to itself and to the community, the Government should invoke the Act and refer the matter to the E.P.A. for consideration. Let that authority decide whether or not, in fact, a power line across Guildford Grammar School will degrade the environment.

I ask the Government to put that question to the E.P.A. Let us obtain a fair and square answer from the people who are acknowledged to be experts in this field. If we do not ask the authority, how can we ever satisfy our consciences on this matter? I believe the Legislative Council should insist that the Environmental Protection Authority make a report on the environmental aspects of the proposed power line; in other words, the Government should use the authority that has been created for this purpose.

THE HON. C. R. ABBEY (West) [3.41 p.m.]: I join with The Hon. Clive Griffiths and other speakers in entering a protest against the decision of the S.E.C. and the Government to continue with the power line on the present site.

If we cast our minds back for some years we will recall that there has been much concern expressed and protest made about power lines and their routes. When speaking to the Address-in-Reply early in 1971 I made reference to the situation as it applied to the hills areas and as it concerned the siting of power stations in the Kwinana area and further south. To support my knowledge of the subject I asked the Leader of the House a question which appears in *Hansard*, No. 2 of the 20th July, 1971. My question was—

(1) In view of the very large body of public opinion against the routing of high voltage power lines along the suggested Darling Range routes to supply electricity to points north of the City, and the objectionable proposal to reserve a site for a power house at Long Point, south of Rockingham, will the Government, as a matter of urgency, initiate a feasibility study into the possibility of commencing a new power station north of Perth as quickly as possible to provide electricity for the northwards expansion of the City and industries that may be established in the area?

(2) As a power station sited north of the City would be well situated to take advantage of natural gas being piped from the north of the State, will this type of fuel be taken into account?

The Leader of the House replied—

(1) No. The establishment of a power station north of the City will not remove the need for the high voltage power lines referred to. The evaluation of power station sites is a continuing function, and at the present time a northern site has no special attraction.

(2) Yes. Available fuel is only one major consideration when siting a power station. Currently available quantities of natural gas will not support a major power station.

How quickly things change! At the end of 1971, just before Christmas, The Hon. H. E. Graham, Minister for Town Planning and Deputy Premier, made the statement that the area at Long Point, south of Rockingham, would not be used for a power station; one would be sited north of Perth. This about face came in a short period of six months.

Sitting suspended from 3.45 to 4.02 p.m.

The Hon. C. R. ABBEY: Before the suspension I was referring to the situation regarding Long Point and the intention to site a power station in the area south of Rockingham. I made the point that a decision to change the site from that area south of Perth to one north of Perth had been made by the Government.

I should interpolate here that it was the intention of the previous Government not to allow the S.E.C. to proceed with the building of a power station at Long Point. I mention this because I think it is very important. The S.E.C. is an autonomous body which, in the main, makes its decisions as they affect the running of its business, but it is quite obvious that Governments of different colours can and will change these decisions. They have repeatedly done so in the past.

While it may appear to the S.E.C. that, with the limited funds it has available, the power line route it has selected is the best one and suits its convenience, it does not suit the people of this State. Those responsible for Guildford Grammar School and those who live in the hills areas, in particular, and also many others, object very forcibly to this proposal. I hope that wiser counsels will prevail as far as the Government is concerned; that it will make available additional funds to the S.E.C., and that it will select a route for the power line on the eastern side of the Darling Range. Obviously, that is where it must go and that is where the people of this State demand it should go.

Originally, the S.E.C. proposed that another power station be situated south of Kwinana. It appeared to the S.E.C. that was where this type of installation would be needed. However, we now have the situation where the city is expanding rapidly to the north and, as indicated by the Deputy Premier, a power station is to be built north of Perth. That was a sensible and obvious decision. It will probably help to alleviate the pollution problem because it will be closer to gas supplies. It will be recalled that in reply to a question I was informed that at that point of time, early in 1971, it was believed the gas supplies would not be sufficient. That is not the case. Gas in abundance is being found in the north and it will be brought down to the metropolitan area for industrial purposes. It will be available in large quantities.

Therefore, the decision to site a new power station north of Perth was an obvious one to make and it will certainly overcome some of the pollution problems if natural gas is used, as undoubtedly it will be, for industries such as Pacminex. I hope the Government will have another look at that decision.

I do not think there is need for me to say more on the subject, because previous speakers—particularly Mr. Clive Griffiths—have spoken at some length on the matter. I think it behoves the Government, and particularly the Ministers in this House, to take note of the opinions we have expressed this afternoon because these are a measure of the opinions expressed by the people of this State and that is why we have risen to support this motion. I sincerely hope a good deal of notice will be taken of this debate. I support the motion.

Debate adjourned, on motion by The Hon. W. F. Willesee (Leader of the House).

RURAL RECONSTRUCTION SCHEME

State Government Policy: Motion

THE HON. D. J. WORDSWORTH (South) [4.08 p.m.]: I move—

> That this House is of the opinion that the rural situation is being aggravated by the policy of the State Government in relation to—
>
> (a) enlarging staff to speed the distribution of rural reconstruction funds;
>
> (b) the granting of emergency carry-on finance;
>
> (c) delays in announcing wheat quotas;
>
> (d) diversion of funds from rural works such as water supplies;
>
> (e) the veterinary school at Murdoch University and agricultural high schools.

I think it is a well-known fact of life that to harvest a crop one must first sow it. That is rather elementary but it is something which this Government has possibly forgotten. Perhaps I should say, more explicitly, that the Government has forgotten that time marches on.

Over the last weekend I found it was too wet in Esperance for me to put some of my crops in. At the same time, many people have not yet got even their fallow ready, apart from the fact that it might have been too wet for them to put their crops in. This situation is largely due to a lack of finance and for that reason I have moved my motion. I fully realise its implications.

I do not think I need to tell anyone about the difficult rural situation that exists today. It is hard enough to make money on the land when everything is going well with one, apart from being confronted with the added aggravation of finding one cannot raise the finance.

I think all those who fought seats in the last election, particularly in the rural areas, realise that rural finance was probably the hottest election issue. The Brand Government announced the commencement of rural reconstruction and the introduction of a Bill with the full cooperation of the Federal Government. Mr. Tonkin promised a review of wheat quotas and a guaranteed wage for all farmers. Because he made so many sweeping promises, farmers saw him as their salvation.

How the Labor Party won the election is perhaps history, but I think at this stage we should review the Labor Party's first half-year in Government. I say "half-year" intentionally because, in fact, farmers are now sowing their second crop under a Labor Government, and they will sow only three crops in this term, anyway.

Undoubtedly the difficulty, particularly for the new-land farmer, is to find a way to get his crops in, fertilise his pastures, feed his family, and somehow or other keep the creditors from the door.

I have moved—

> That this House is of the opinion that the rural situation is being aggravated by the policy of the State Government in relation to—
>
> (a) enlarging staff to speed the distribution of rural reconstruction funds;

Perhaps we could go back in history a little to the time of the election in February last year. I went through my file and picked out some of the more pertinent items, which give an indication of how farmers felt at that time. The first one was in the *Sunday Independent* of the 26th February, 1971, under the headline "Tonkin: Reprieve for farmers." It reads—

> John Tonkin's newly elected government will bring in early legislation to assist credit-strangled farmers in measures proposed soon after Parliament resumes . . .
>
> "Credit has tightened up considerably and the creditors might be tempted to foreclose.
>
> "The farmers are finding themselves in a position where they've got no cash.
>
> "I don't know how they're meeting their household bills," Mr. Tonkin said.

At least the farmers thought they had a champion. Other Cabinet Ministers gave their opinions of the day. In *The West Australian* of the 16th March, 1971, the Minister for Agriculture said—

> I intend to make a submission to the Premier and the Cabinet either tomorrow or in a week's time seeking a fairly early session of Parliament so

that the necessary legislation to implement rural reconstruction can be brought down with a minimum of delay.

At that time the pastoralists and graziers met Mr. Tonkin and in *The Gnowangerup Star* the following item appeared in the first week of April:—

> The following comments were made by the Premier, Mr. Tonkin, following a deputation from the Pastoralists and Graziers Association on Tuesday, March 23 . . .
>
> "The State Government appreciates the need for urgent remedial action, and we will implement our policies to extend relief to rural areas as quickly as possible."

That was the tempo of the times. Mr. Evans gave an assurance on farm problems. In *The West Australian* of the 24th March, 1971, the following appeared under the headline "No aid for farms till after May":—

> It was unlikely that funds for rural reconstruction would be available to farmers before the end of May, the Director of Agriculture, Dr. T. C. Dunne, said yesterday.

At that stage Mr. Tonkin decided an early sitting of Parliament was not necessary, because he said—

> The State Government has decided not to hold an early session of Parliament.
>
> The Premier, Mr. Tonkin, said yesterday that this decision had been made on the assurance of the Minister for Agriculture, Mr. H. D. Evans, that any assistance the State could offer to needy farmers could be made available without legislation.
>
> Immediate steps were being taken to assist farmers eligible for aid.
>
> No date had been set for calling Parliament together.

I think I have read enough to indicate the situation at that time. Members will appreciate from the questions I have asked in this House over the last week or so that 200 applications for rural reconstruction were approved before the Act was proclaimed. I wonder what farmers think of the record of the Government when they find that only 103 payments have been made to applicants. I asked the Leader of the House when the first application was approved and he answered that it was approved on the 31st May, 1971. In that case the payment was made seven months later. I also asked for a monthly split-up of the payments, but I was unable to obtain it. I gather such records are not kept.

However, I ascertained that in the first year this Government was in office it paid out $1,000,000, which would amount to less than 40 cases. I think that is hardly something we can be proud of. It is obvious to me and to everyone else that extra staff was not engaged to handle the task of distributing the funds. In fact, in answer to a question I was told that staff numbers had been added to as circumstances dictated, but that evidently I do not appreciate the difficulties involved. I think perhaps the Government does not appreciate the difficulties involved.

I should have thought that at least the Government would have approached a stock firm or a real estate agent in order to obtain some idea of the work entailed in distributing the large amount of funds available. I am amazed to find that the Government employed a security officer only last month to handle the documents involved. I feel sure that if you, Mr. Deputy President, or I had been given the duty of distributing $14,500,000 amongst needy farmers we would have been able to distribute more than $1,000,000 in the first year. The Federal Government granted Western Australia $14,500,000 as its share of the $100,000,000 scheme.

I admit that of that $14,500,000 an amount of $7,000,000 was required to be paid out by 1972, and the remainder was required to be paid over a longer period. But the Federal Treasurer announced that if the funds were distributed successfully and there was a need for more money the Commonwealth would find it. I understand from the Ministers' conference held recently that the Commonwealth is true to its word. The extra funds have been found and the whole programme has been rearranged somewhat in order that next year's funds will be made available this year. We now have the ridiculous situation in this State where $1,000,000 was paid out in the first 12 months and $13,000,000 is to be paid out in the next 16 months. That is 13 times the amount the Government has distributed in a little over a year. It appears quite obvious to me that we have to considerably speed up the process.

The Hon. S. T. J. Thompson: Cut out some of the red tape.

The Hon. D. J. WORDSWORTH: There could be a lot of red tape, but I am afraid that much of this problem rests on the head of the Minister concerned with the administration of the scheme. It is quite obvious that time must be the essence of the contract. Every time a farmer is unable to put in his crops he will either go broke or get that far behind that even rural reconstruction will not help him.

It is understandable that it took the Government a little time to get into stride after the last election; but two seasons have now passed and terrific anxiety and worry is being caused amongst the farming community as a result of the Government not passing out the funds. Farmers

know they are to be given the funds because their applications have been approved. I think in actual fact applications amounting to something like $7,000,000 have been approved. But this provides very little satisfaction to the farmers concerned.

They are experiencing great anxiety and wondering where they will get their next load of groceries, or what will happen if the car breaks down, or if their plant is repossessed when they are about to put in their crops. I know that the Act contains a protection order provision but this has obviously proved to be a failure because only eight orders have been applied for.

It is reasonably easy to understand that, because one can imagine what happens to a person who gets a protection order. Although it might keep his creditors away, he cannot buy anything on credit. No-one will allow that person in the door when he knows there is no hope of getting his money. No-one around the countryside will offer such a farmer credit. It is a distressing thing that these people have been told they are to receive money, yet they are waiting without any funds at all and unable to do anything—unable even to get their crops in—knowing full well that if they do not get the assistance soon—even today may be too late—there will be very little time in which to get their crops in before the next season.

I know of one farmer who had a crop lien on his property. The Rural Reconstruction Authority persuaded him to raise every penny he could to pay off the lien so that his loan could be documented. That was in May of last year, and he is still waiting for assistance. I assure members that if that man could raise funds he would. I hate to think of what he has lived on since. I know that amongst those living on the land the making of bread is now definitely in vogue.

The Hon. C. R. Abbey: Of course, there are always a few kangaroos.

The Hon. D. J. WORDSWORTH: Yes, but they are a bit tough.

The Hon. L. A. Logan: There is boiled wheat, kangaroos, and rabbits. That is a pretty good diet!

The Hon. D. J. WORDSWORTH: I guess people have lived on that before. But it is harder still to live without money.

Before moving on to my next point I would mention the allocation of funds. Many people are asking why have not more applications been made to the Rural Reconstruction Authority. They ask, "If there are 3,000 farmers who are broke why have only 1,000 applied?" I know that this matter is outside the prerogative of the Minister and that the authority distributing the funds cannot be dictated to; but I feel it should be raised. I think the easiest illustration is to consider a typical group of conditional purchase farmers who were granted their properties, say, five years ago.

We find the first person gets to work and develops all his property. He does this by making large borrowings. When he applies to the Rural Reconstruction Authority for a loan it is quite obvious the authority cannot prove he is viable with wool at 30c a pound. The Minister in another place has stated that the authority is using 34.5c a pound as the price for viability. Yet I think most farmers are fairly sure that they must prove viability at 30c as a result of the publicity given to that figure. I quote the following extract from an article in *The West Australian* of the 26th May under the heading, "Putting new life back in farming":—

> The authority is assuming a price of about 30c a pound for wool. This price is on the pessimistic side, as much for the sake of the farmers as for the taxpayers' money.

It is interesting that at this stage the Minister said that the authority is using a higher price as its basis.

The Hon. J. Heitman: At this time last year it was only about 20c.

The Hon. D. J. WORDSWORTH: I think those members who have been in the game appreciate that it is well nigh impossible to prove viability at 30c a pound if one has large borrowings, and particularly if one has paid $6 or $7 for sheep, which was the usual price when many of these farmers settled.

It is rather interesting to note that if the neighbour of the farmer I have mentioned cleared 700 acres and then approached the Rural Reconstruction Authority and said he did not have a viable unit, he could well show that he could buy another farm if his 700 acres were insufficient for a living unit. Perhaps he has not got himself greatly into debt, and so probably he would be given the go-ahead to buy another farm. Here is a comparison between a man who did very little with his land but who is given another farm, and a person who having cleared his land has no hope of getting the same treatment.

We also have the case of a person who clears his farm by doing contract work. Once again, the Rural Reconstruction Authority indicates there is no guarantee that he will continue to get funds and, therefore, he is not eligible. We also get the farmer who has cleared most of his farm but who has done nothing else and who has not put any sheep on his land.

This farmer can obtain a loan from the Rural Reconstruction Authority, because with wool at 30c a pound it is quite easy

for him to prove that his property is viable for on today's market he can buy sheep at $1 each.

It is interesting to note that the better farmer seems to be the hardest hit. I instance a case at Esperance where the farmer concerned is probably one of the best in the district. The adjacent block was available at a cheap price, and he applied for rural reconstruction assistance. It was not granted, because a well known stock firm said he was such a good risk that the firm would be prepared to lend him money at 10 per cent. interest per annum for five years. I ask: What sort of justice is this, as compared with getting a rural reconstruction loan at 6¼ per cent. over 30 years?

I have outlined some of the difficulties that are being experienced by farmers, particularly new-land farmers, in respect of the allocation of funds for new-land development under the rural reconstruction scheme.

My motion also refers to the granting of emergency carry-on finance. To illustrate this aspect I quote from the policy speech the then Leader of the Opposition (Mr. Tonkin) delivered on the 3rd February, 1971. The first part which is of interest is as follows:—

> Taxation
>
> The fair and equitable imposition of taxation will be our objective and we shall undertake a searching investigation and review of all State taxation and local government rating.

I think the Government has reviewed every tax, and has doubled it!

What I am more interested in are his comments on primary industries. In the Labor policy speech the following is stated:—

> Primary Industries
>
> The preservation and development of primary industry requires the provision of large sums of money which must be made available by the Commonwealth and the State between them with the Commonwealth contributing the larger share because of its far greater resources.
>
> An illustration of what can be done is shown in Queensland, where a sum of $50-million has been found for drought relief of which amount the State Government contributed $10-million.
>
> When Labor Governments were in office during 1933 to 1947, whether in times of bad seasons, depressed prices or serious circumstances caused by way of world-wide depression, the problems of farmers and pastoralists were faced up to with courage and to effect.
>
> Much legislation was passed to deal with the various situations. Labor brought hundreds of farmers' accounts into a state of solvency, land rents were remitted and farmers' debts adjusted. The successful Pastoral Debt Adjustment Scheme is an example. Marginal areas were re-constructed, consolidated and re-developed to the great benefit of the settler and the State.
>
> I pledge my Party to face up to all farmers' problems, especially debt problems.
>
> We propose to endeavour to institute a form of payment from the Treasury to the farmer to bring his nett income to a stated minimum. In this way, farmers with no real alternatives would not be forced to leave their farms or endure income-shrinking poverty.

In its place we find the following report which appeared in *The Countryman* of the 20th April, 1972:—

> Emergency finance available
>
> The State Government has agreed that assistance to farmers under the rural emergency carry-on scheme should be available again this year, the Minister for Agriculture, Mr. H. D. Evans, said last week.

I have endeavoured to analyse some of the conditions relating to the granting of carry-on finance and to illustrate how they compare with the comments in the Labor policy speech I have just read out.

First of all the applicant must be a married farmer; a single man is not eligible. He must be resident on the block. In other words, if his wife were a teacher and she took up teaching again and consequently he did not reside on the block, he would not be eligible. The farmer must not have other means of support. That means if he engages in contracting work or in making a living in other ways he is not eligible. He must also be refused all other sources of credit. The interesting point in these conditions is that there is no reference to a refusal of credit by the Rural Reconstruction Authority.

When severe floods were experienced in my electorate in November last, the Minister for Agriculture is reported in the *Gnowangerup Star* of the 31st January as having said—

> Flood relief for Eastern District Farmers
>
> The Minister for Agriculture, Mr. H. D. Evans, has announced the intention of the State Government to provide special assistance to farmers in those parts of the Shire around Jerramungup which had been drought declared in 1969 and 1970, and which had suffered further heavy losses due to unseasonal rain late in 1971. . .

> Farmers requiring Carry-On Finance should apply first to the Rural Reconstruction Authority, Central Government Office, Barrack Street, Perth. If the Authority considered the application non-viable, it could still be eligible for Emergency Carry-On Finance to a maximum of $2,500.

From that one presumes that carry-on finance is only available to those who have been refused rural reconstruction assistance. Straightaway that must limit the field of applicants.

Through questions I asked in this House I was able to ascertain there were 667 applicants who had been refused rural reconstruction assistance. I should say more explicitly they are applications, and not applicants. It was pointed out that of this number, 236 were resubmitted applications. So it turns out there were only 431 applications plus 71 successful reapplications. That means only 500 applicants were eligible for these funds, and they were farmers who had failed to obtain rural reconstruction assistance.

To continue with the conditions that are imposed in respect of the granting of loans; to be eligible an applicant must not have sought or have been granted drought relief the year before. That condition wipes out another 300 applicants, for the simple reason that this class of applicant cannot apply unless he comes from the Jerramungup district where a drought has been experienced for the past two years. If he applied during that time he would have to repay the loan plus another $500.

These are, indeed, harsh conditions, compared with the conditions applied in Queensland where $10,000,000 was made available for relief by what I believe was a non-Labor Government. However, that is beside the point.

The Hon. G. C. MacKinnon: You do not really believe that. You are sure it was made available by a non-Labor Government.

The Hon. J. Dolan: If he does not then he is politically naive.

The Hon. D. J. WORDSWORTH: Let us see how the few people who are eligible for emergency carry-on finance can utilise the funds. A maximum of $1,000 is to be used for the purchase of superphosphate. After purchasing it at the cheapest rate of $15 a ton, many farmers have to pay $6 to $7 a ton to have it carted to their farms. This means that farmers are able to apply superphosphate to about 800 acres of their properties. In a 2,000-acre farm the area that can be fertilised with $1,000 is less than half.

They are permitted a maximum allowance for seeding and harvesting their crops, but adequate provision is not made for the repair of machinery. I know of several farmers who were granted this financial assistance, but who were unable to have repairs effected when their plants subsequently broke down.

One interesting condition laid down is in respect of sustenance. An amount of $70 per month is provided, with a maximum of $560 per year. That is the amount on which a family is expected to live. I suggest there is not a member in this Chamber who does not get $560 in his monthly cheque.

The Hon. C. R. Abbey: Is that standard set by the State authority?

The Hon. D. J. WORDSWORTH: That is a condition laid down for the granting of emergency carry-on finance—a scheme instituted by the State Government. It has nothing to do with the Federal Government.

The Hon. S. T. J. Thompson: Are they permitted to give a first lien over their crops?

The Hon. D. J. WORDSWORTH: That is another difficulty. Before a person applies he must persuade every one of his creditors not to take any lien over his crop. That is a harsh condition for the State to impose, because many farmers are being financed far in excess of $2,500. Some banks have lent as much as $20,000 to farmers. It is unreasonable to impose a condition that they cannot have a lien. As a result of this condition some banks prefer to lend their clients more money, rather than put them into the hands of the Rural and Industries Bank.

If a person lends a farmer $1,000, then that farmer is not eligible for the $2,500 that may be granted by the State Government as emergency carry-on finance. An applicant must have been turned down by everyone before he is eligible.

I think I have said enough to illustrate the hollow words that appeared in the policy speech of this Government before the last election, but I think there is an important part to be played in the giving of advice to farmers. Few people will deny that some farmers will have to leave their properties. In this respect I was interested to learn of the experiences of a person who suffered a heart attack and was admitted as a patient to the Sir Charles Gairdner Hospital. He said that while he was at the hospital he received visits from several counsellors. They inquired as to the reason he had sustained the heart attack, as to his worries, and how he could live with the condition. It is interesting to note that these counsellors approach every patient in the hospital in an attempt to solve their personal problems.

I suggest the same system should be adopted in respect of rural reconstruction assistance. If applicants are refused rural reconstruction loans or emergency carry-on finance, we should send counsellors

around to such people to see whether there are ways in which they can be persuaded to leave the land, and whether housing and jobs can be found for them.

If such a system cannot be adopted, some form of pension should then be paid to these people to enable them to remain on their farms and to provide them with the hollow words that appeared in the policy sufficient food. If a person living in Perth is unemployed he is granted some form of financial assistance. However, there are farmers with properties which are heavily mortgaged in excess of their market value, but no financial assistance is made available to enable them to live.

The Hon. A. F. Griffith: The same applies to a man who has an unprofitable business.

The Hon. D. J. WORDSWORTH: That is right; I think there should be a comparison.

The Hon. W. F. Willesee: Or, a man who cannot get work.

The Hon. D. J. WORDSWORTH: Yes, a man who cannot get employment can apply for social service payments.

The Hon. R. F. Claughton: Not if his wife is working.

The Hon. D. J. WORDSWORTH: I am referring to farmers. They are not eligible for carry-on finance if the wife has gone out to work.

I now wish to refer to the matter of wheat quotas which has caused great anxiety and difficulty in rural areas and, more particularly, in new-land areas. The established farmer is well able to take a punt and estimate his wheat quota, and if he does overestimate he can still send 30 per cent. over quota wheat to the board and receive payment in, perhaps, 12 months' time.

A person who is trying to raise finance, however, cannot go to his bank manager and state that Mr. Tonkin has said that wheat quotas will be reviewed and that he expects to get a larger quota. What that man expects to get is of no help to him when he is trying to raise finance. It is illegal to sell wheat other than through the Wheat Board so if a farmer overestimates he will not receive any money for the extra wheat he has grown. For that reason it is imperative that those who are in a difficult financial situation should be told what their wheat quotas will be.

I can understand that after the last election it would take the Government some time to form a policy, although there was enough talk about wheat quotas before the election. However, after being elected as the Government the Labor Party wanted more time to make up its mind. We have had two seasons since then and the Government has still not made up its mind.

The application form for a wheat quota states that the applicant will be advised of his quota in September. That provision makes it difficult for a farmer to obtain a loan. I often wonder how a person who is applying to the Government for rural reconstruction finance is able to draw up a budget if he does not know what his wheat quota will be. I do not wish to go into the pros and cons relating to the granting of wheat quotas, but I merely point out that the policy of waiting has caused considerable hardship to those who are in financial trouble.

During the weekend I had an opportunity to speak to the past president of the new land farmers' association, and to the Ravensthorpe Shire Council and they expressed the opinion that the borrowing powers of farmers who were in difficulties had been depleted, and even if they did receive larger wheat quotas they would probably not all be able to utilise them. To back up that statement I discovered that one-third of the ratepayers in the Ravensthorpe Shire were in arrears in respect of their rates.

My motion refers to the diversion of funds from rural works such as water supplies, and I feel that this has also had some effect. Members will recall that on numerous occasions I have pleaded for water supplies for such places as Gnowangerup, Borden, Bremer Bay, Mt. Barker, and Tambellup. All those towns are hoping to receive water supplies within the next few years. I have used the town of Pingrup as an example, to the extent that one would think it was the capital city of the southern part of the State.

From the replies to the questions I have asked, members will appreciate the Government policy towards such works. I have actually cited the case of pipes being bought for a job, and then being removed and taken away from the project. I have asked questions, in particular, concerning Government employees who are living in State houses and who cannot get water. First of all I was told that the water from the town dam was not suitable, but that another dam was situated about three miles away. When I asked further questions concerning the other dam I discovered there were some farmers' dams from which the Government employees could get water.

I pointed out that the State houses, to which I was referring, each had only one tank which was connected to the kitchen sink. I asked what would happen if the people filled their tanks from a dam in which there was sheep manure. I was told that Government scheme water was available 45 miles away and if people put water which contained sheep manure into their tanks it would be from their own choice.

The Hon. L. A. Logan: Hobson's choice!

The Hon. D. J. WORDSWORTH: Yes, Hobson's choice. I think that is disgusting and a disgrace. However, it illustrates the Government's attitude towards public works in country districts.

I also asked what funds were available this year, compared with last year, for the extension of country water supplies. I was told that during 1970-71 a sum of $76,769,000 was available and that during 1971-72 an amount of $88,894,000 was available. This is an increase of $12,000,000 and yet we hear the cry that the Government has run out of money; that it is broke. I think that fallacy is well and truly disproved.

The final point in my motion refers to the Government's attitude towards education and, in particular, to the veterinary school at the Murdoch University and to agricultural high schools. The banks, and other lending authorities, are beginning to show some confidence in agriculture but the Government sees fit not to proceed with the veterinary school, and with agricultural high schools. That is most unfortunate. The Government considers that the $10,000,000 which could be tied up in agricultural high schools would be better used elsewhere. I wonder whether the money will be put back into agricultural education. The Government has not announced any alternative policy in connection with agricultural high schools.

With regard to the veterinary school, the States are vying with each other for this educational facility. The Federal Government has stated that it will pay half the cost but we have our Minister for Education (Mr. T. D. Evans) dilly-dallying around the place and it seems we might miss out.

I have previously stressed the need for a veterinary school in this State and I feel I can give yet another illustration. I refer to the testing of herds for contagious abortion, which has also been the subject of numerous questions asked by me. As a result of my questions I have discovered that 25 herds at Esperance have been tested, or have been partly tested. Three men are on the job though, admittedly, they are not working full time. However, they have been at it for three years. There must be some hundreds of herds which have no hope of being tested in the near future.

I have spoken to some of the people who have had their herds tested and where there has been a high incidence of disease. The contaminated cattle have had to be killed, and I know of one farmer who has lost 30 per cent. of his herd in an effort to eradicate the disease but the men who carry out the tests simply state they will return in two years' time to complete the job. Even so, they have looked at only 25 herds in the Esperance area and I wonder whether the tests will ever be completed.

It is rather frightening to realise that America will eradicate the disease by 1976 and I can imagine that the presence of the disease in Australia could stop the export of Australian beef to America. Our export market is essential and yet we are looking a gift horse in the mouth.

Even if we do construct a veterinary school in the near future it will not be completed until 1976, and it will not turn out its first veterinarians until 1980. The current thought in the farming community is that if one wants his cattle tested he will have to send his son to a veterinary school and wait until he is qualified. I have mentioned those points to illustrate the Government's attitude towards agriculture.

In conclusion, Mr. President, I have illustrated what is happening in the area of rural reconstruction, and the handling of funds. It seems to me that the Government is attempting to make a mess of the scheme because it is using Federal money. We have witnessed what has happened regarding the promises made to farmers during the last election campaign and what the carry-on finance actually means, and the limited number of people who have any hope of receiving it. I have pointed out what is happening with regard to water supplies, and also with regard to education. I hope my motion will receive the support of this House.

THE HON. C. R. ABBEY (West) [4.59 p.m.]: In seconding the motion I indicate my support of what has been said by The Hon. D. J. Wordsworth. The allocation of finance by the Commonwealth Government has provided the necessary fillip for the agricultural industry, and an incentive for the people concerned to apply some effort in the reconstruction of their industry.

We know the situation which now applies to the wool industry. I ask: Who would have thought, 12 months ago, that the wool industry would have recovered to the extent it has? It has made this recovery because the Commonwealth Government, and its advisers, had the moral guts—if I might use that expression—to back up the difficult situation which existed in the farming community. The result has been extremely good.

It is recognised throughout the world that the Commonwealth of Australia has by its very action prevented great distress in our country communities—and this is mainly so in the wool industry—by very effectively backing up the Rural Reconstruction Scheme.

As illustrated by Mr. Wordsworth, however, unfortunately a bottleneck has been created, and this is a real tragedy for those who are suffering as a result of it.

I am aware that the department is striking difficulties, but difficulties are there to be overcome, and the situation should be tackled with desperation to enable a desperate situation to be covered and remedied.

We must realise that in other countries agriculture has gone through situations very similar to those which we are facing in Australia today—and those which were faced up to 30 years ago. The people concerned are only now recovering by being helped out of their difficulties as a result of support programmes and the like. When we consider this aspect it seems fairly obvious that Australia is a very fortunate country as are the people in it.

It is essential, however, that the aid be given quickly; it is vital that such assistance be given quickly. I know very well, as no doubt do other members, the soul-destroying effect these things can have on people who have perhaps spent their entire lives attempting to make a business out of their farms and a career for their families, particularly when they are faced with a combination of circumstances such as adverse financial and weather conditions.

We all know that we have had three years of the most difficult weather conditions. During those three years some parts of the State have suffered all the time while others have suffered part of the time. Accordingly we had this combination of circumstances which has made it almost impossible for some to carry on, even though they might have the will to work really hard to achieve their objective. These are the people who are going to the wall, because the assistance which should be available is not coming forward.

Perhaps we have reached a position where the Commonwealth Bank should take over the distribution of finance. The Commonwealth Bank has many branches throughout the State in which there are people who know how to deal with these rural problems. I suggest this because desperate situations need desperate measures, and although we all abhor centralisation this might be one way to overcome the situation in which the State finds itself; where the State authorities handling the scheme either do not realise the urgency of the position or they are unnecessarily placing too many obstacles in the way of the scheme.

These things have been itemised by Mr. Wordsworth who has been intimately associated with all such aspects in the heart of an area in which new farms are being developed. We are faced with a major job, particularly when we consider the other difficulties in our midst.

Accordingly I trust the House in its wisdom will support the motion moved by Mr. Wordsworth, because it will indicate to the people of the State, and particularly to the Government, the extreme necessity to do something about the matter at a greater pace than is being undertaken at present.

I feel certain the majority of members will support the motion, because it is vital in its indications to the Government. Knowing the programme I will not say anything more at this stage, but again I do trust that members will, as I do, support the motion moved by Mr. Wordsworth.

Debate adjourned, on motion by The Hon. W. F. Willesee (Leader of the House).

ADDRESS-IN-REPLY

Presentation to Governor: Acknowledgment

THE PRESIDENT (The Hon. L. C. Diver): I have to announce that, in company with several members, I have waited on His Excellency the Governor and presented the Address-in-Reply to His Excellency's Speech agreed to by this House, and His Excellency has been pleased to make the following reply:—

> Mr. President and Honourable Members of the Legislative Council: I thank you for your expressions of loyalty to Her Most Gracious Majesty The Queen, and for your Address-in-Reply to the Speech with which I opened Parliament.

BILLS (6): RECEIPT AND FIRST READING

1. Town Planning and Development Act Amendment Bill.
2. Local Government Act Amendment Bill.

   Bills received from the Assembly; and, on motions by The Hon. W. F. Willesee (Leader of the House), read a first time.
3. Construction Safety Bill.

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

   Bill received from the Assembly; and, on motion by The Hon. J. Dolan (Minister for Police), read a first time.
5. Constitution Acts Amendment Bill.
6. Child Welfare Act Amendment Bill.

   Bills received from the Assembly; and, on motions by The Hon. W. F. Willesee (Leader of the House), read a first time.

TRAFFIC ACT AMENDMENT BILL

Further Report

Further report of Committee adopted.

MAIN ROADS ACT AMENDMENT BILL

Third Reading

THE HON. J. DOLAN (South-East Metropolitan—Minister for Police) [5.11 p.m.]: I move—

That the Bill be now read a third time.

THE HON. I. G. MEDCALF (Metropolitan) [5.12 p.m.]: I felt that some comment was appropriate on the third reading of this Bill. In view of some of the comments I made during the passage of the Bill it seems that one should make the observation that the preparation of the measure left much to be desired.

I say this because it appears that the Bill cuts across a number of other Acts and authorities which have already been set up—one being the Local Government Act. Apart from this the measure also cuts across the powers of the Commissioner of Police.

I believe this matter should have been adequately dealt with and explained by the Minister in his second reading speech. When the Minister gave his second reading speech it is quite true that he did refer to local authorities and said they had agreed to the proposal; at least he gave the impression that local authorities had agreed to proposals in the Bill. There was, however, no reference as to how the details of the Bill would be policed.

It was suggested that the Main Roads Department would give over its duties to local authorities in certain areas. This would be in accordance with, I believe, the wish expressed by some local authorities. They could continue to have the power to control advertising signs and other matters dealt with in the Bill. There was also a complete failure to refer to the Native Flora Protection Act. I believe this is also important, because as I have said earlier, the Bill has the effect of cutting across one of the provisions of that Act as it relates to the picking of wildflowers.

Whereas previously the picking of wildflowers was prohibited by the Native Flora Protection Act it is now permissible under this Act provided the permission of the Commissioner of Main Roads is first obtained.

I do not think this was the intention of the Bill. I feel sure that when he was introducing the Bill the Minister did not give any thought to the fact that he was appointing the Commissioner of Main Roads the conservator of wildflowers. This is, of course, the effect of the Bill insofar as main roads and their reserves are concerned.

Whilst we have passed the second reading of the Bill, I believe it is appropriate to observe that Bills which are introduced into this House should be properly researched and prepared. I believe in this case adequate research was not carried out.

I moved an amendment on a previous occasion and I am pleased to note that it was subsequently accepted by this House in a slightly altered form. That amendment was in connection with a right of appeal. I do not mean to be critical of the department, but I believe that the interrelationship of this and other Bills should have been fully researched by the departmental personnel who are responsible for advising the Minister, thus enabling him to present this Bill to Parliament.

The Main Roads Department, in assuming control over wildflowers, is in fact doing something quite laudable. As I indicated, I believe we should have greater control than we had previously. However, the Minister was unable to give any explanation in regard to an Act to properly protect and preserve the State's wildflowers. I realise the more one talks about this matter the more boring it may well become to many members, but it is an urgent matter. I first raised it in July or August, 1971, and I raise it again now. In view of the many other measures coming before us, an Act to protect the wildflowers should have been initiated.

All members must have experienced some difficulty in examining the rather complicated amendments which were proposed when the Bill was before the House in the Committee stage. Indeed, it is difficult to amend legislation which cuts across so many other Acts. We must act responsibly and it is often difficult to know what effect amendments will have on other Acts. Sometimes this is a very strong deterrent to the House. I hope that in the future more attention will be given to the background, researching, and preparation of legislation than has been given to this Bill now before the House.

THE HON. J. DOLAN (South-East Metropolitan—Minister for Police) [5.17 p.m.]: I feel I should make a brief reply to the remarks of The Hon. I. G. Medcalf. Under the provisions of this Bill it will now be the responsibility of the Main Roads Department to take over the care of the flora on road verges. As Mr. Medcalf suggested, this is laudable. Also, applications in connection with burning-off or tree removal will have to be made to the Main Roads Department. In circumstances such as these it is advisable that a member of the road board, or a subcommittee set up in these districts for the purpose, be approached.

I fully appreciate the concern of the honourable member as it relates to the protection of wildflowers and I assure him that I will convey his remarks to the Minister as soon as possible. I can give no assurance that a Bill will be brought before Parliament in this session because of the necessity for the research which he feels is so laudable. I hope that with such legislation the flora will be protected under the proper authority.

Having regard for his comments that the legislation was not fully researched, I must point out that this Bill was not mine—it was transmitted from another place. However, knowing these departments, I feel adequate homework is always carried out. If omissions have been noted by the honourable member I will direct the attention of the Minister to these and a necessary amending Bill will be brought in during the next session.

Question put and passed.

Bill read a third time and passed.

STAMP ACT AMENDMENT BILL

Second Reading

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [5.20 p.m.]: I move—

That the Bill be now read a second time.

This Bill is introduced as a measure simply to remedy defects, protect revenue, correct an omission, and resolve ratepayers difficulties. It breaks no new ground and I believe the Opposition would not have hesitated to have brought the Bill to the House were it still in power. All it does is to ensure that taxation which the previous Government thought it was imposing, but did not in fact impose, will be collected. This was the previous Government's intention and the Bill aims at giving effect to it.

The first of the defects now proposed to be remedied concerns insurance policies written outside Western Australia but covering risks in this State. In 1968 the Act was amended to impose duty on policies of this type. Prior to that year persons outside Western Australia who were writing policies covering risks in this State were avoiding duty and the State was losing a substantial sum annually because our law imposed no stamp duty on these policies.

When the amendment was enacted the word "property" was used and it has now transpired that this is not completely effective in that it does not extend to loss of profits protection, workers' compensation cover, public risk cover, and the like. This deficiency came to light when an Eastern States insurance company asked for a ruling on its obligation to pay stamp duty on liability policies, as distinct from property risk policies. This company claimed that under our Act liability policies written outside the State were not subject to duty.

A detailed examination of the position was then made and both the Commissioner and the Crown Law Department agreed with the company's contention. This means that where Australia-wide companies write policies outside the State to cover liabilities, as distinct from property risks in Western Australia, no duty can be legally collected by the State. It is estimated that on current levels of transactions the loss of revenue arising from this defect is $100,000 per annum.

As it is intended quite clearly that both property risk and liability policies should be subject to duty the Bill now before the House contains provisions to remove the present deficiency in the law.

The second defect concerns stamp duty imposed on securities. In 1963 following a court decision made in England, the stamp duty authorities in this State commenced assessing securities such as mortgages securing the balance of payment under contracts of sale or agreements as collateral securities. Under the provisions of our Stamp Act, collateral securities attract only one-fifth of the duty payable on primary securities.

The English case, which was the subject of an appeal to the House of Lords, was decided in favour of the argument that the unpaid balance of a purchase price secured under a contract of sale was, in effect, a primary security and any mortgages between the same parties following a transfer of the land was a collateral security to the contract of sale.

The Inland Revenue Commissioners quickly realised that this decision could have serious effects on revenue and in the same year, namely 1963, the Parliament of the United Kingdom amended its stamp duty legislation to overcome this prospective loss by requiring that unless the primary instrument of security had been stamped with the duty levied on primary securities, then the collateral instrument would have to be so stamped.

Apparently the amendment to the United Kingdom Act was overlooked here and therefore no action was taken in this State. This has resulted in increasing losses of revenue. One recent case was where a large company entered into a building agreement for the erection of certain works. This agreement attracted 25c only. Another company then executed a guarantee in favour of the builder, securing the amounts payable under the building contract. Normally a guarantee attracts full duty at the rate of 25c per $200, but because of the provisions in our law at present only $25 was payable instead of $125.

In addition to the foregoing, recent events show that what might be described as the "flow-on" from the defect I have described may well further erode our current revenues. The duty imposed on the discharge of a fully-stamped primary security is 10c per $200, whereas the discharge of a collateral security attracts 10c only, irrespective of the amount secured.

For many years it has been the practice of the stamp duty authorities in this State to levy duty on discharges of collateral securities at the *ad valorem* rate of 10c

per $200 where there is no fully stamped primary security. This practice has been challenged for the first time and the Commissioner may possibly lose the appeal. If the decision goes against the Commissioner there will be a further future loss of revenue.

It is difficult to assess accurately the loss of revenue arising from these loopholes in the law because statistics of security transactions are not designed to produce this information. However, a sample of security documents indicates that the loss could be of the order of $200,000 per annum. To overcome this loss and to remove the effects of applying a lower rate to some transactions because they involve the use of contracts or agreements, whereas others using transfers and mortgages pay full rates, it is proposed to amend our laws along the lines of the amendment made to the United Kingdom's stamp duty legislation. Provision is made accordingly in the Bill.

I now turn to the omission in our existing law. In 1967 the Stamp Act was amended by conferring discretionary power on the Treasurer to exempt from duty mortgages, debentures, and like securities given by charitable and similar bodies. This is complementary to the power he possesses to grant exemption from stamp duty imposed on conveyances.

A typical example would be a charitable institution purchasing property to establish a home for indigent persons paying part of the purchase price and securing the balance by mortgaging the property. Under the powers now contained in the Act the Treasurer can exempt both the transfer and the mortgage. However, the Act makes no provision to exempt the discharge of the mortgage when the amount secured has been paid. It seems quite clear that the original intention was to empower the Treasurer to exempt completely these institutions from all duties on securities they may provide. Therefore the Bill contains a provision to repair this omission by granting power to exempt discharges of this type of security.

The final purpose of the measure is to resolve assessing and payment difficulties. Under the current provisions of the Stamp Act, duty is imposed on certain insurance policies at a rate of 5 per cent. of premiums payable. This rate is applied to policies which cover goods being imported into the State. It is usual for these policies to form part of the document to be presented by the Western Australian importer to the agent for the supplier when seeking to obtain delivery of the goods. These documents are generally passed through banks because of financial arrangements made.

Under the existing law it is the duty of the person first receiving the policy in this State to have it stamped within 10 days. In the circumstances I have outlined, these persons are usually banks. Recently representatives of the Associated Banks have advised that their members are encountering almost insuperable difficulties in some cases in complying with the law and they have sought the Government's assistance in overcoming these problems.

In these cases, although the policies show the amount of cover there are no details of the premium given. Because the insurance companies concerned do not carry on business here and are located overseas it is virtually impossible to obtain details of the premium.

With the co-operation of the banks, the Commissioner has made an investigation into this problem and has concluded that a simple alternative method of stamping will on average yield approximately the same amount of annual revenue and will resolve the banks' difficulties.

It is proposed to tax these policies at a rate of 5c per $100 of the amount of cover. In this way a known sum will be used as the tax base. The banks agree with this proposal.

In order to do this it will be necessary to provide power in the law for the Commissioner to apply the alternative rate in cases where he is satisfied the premium cannot be fairly ascertained and to detail the alternative rate in the Act. The Bill now before members provides accordingly.

Debate adjourned, on motion by The Hon. I. G. Medcalf.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 11th April.

THE HON. R. H. C. STUBBS (South-East—Minister for Local Government) [5.30 p.m.]: This Bill proposes to amend section 12 (6) of the Local Government Act by deleting most of paragraph (i) which requires that in every case where a municipality seeks to be united with another or seeks the severance of portion of another district and the annexation of the portion to its district, and if the municipalities directly affected are unable to agree on the terms of the amalgamation or severance, the Minister shall refer the question to the commission for its consideration and report.

This paragraph has, in the past, ensured that not only the municipalities concerned, but all persons directly affected by a question before the commission have the opportunity to be heard thereon. This section, indeed, at present gives greater scope for submission to be made to the commission than is proposed in the Bill.

It is also intended to insert in paragraph (k) the requirement that the commission shall consult the municipalities which would be affected by the exercise of the power before making its report.

It is already provided in paragraph (j) that the commission shall afford each municipality and other persons directly affected by the matter before the commission for consideration the opportunity of being heard thereon and it is difficult to understand what different result will be achieved by the requirement that the Boundaries Commission shall consult the municipalities as distinct from giving them the opportunity of being heard thereon.

Paragraph (ka) of the Act is amended and is consequential upon the proposed new subsection (7).

The Hon. A. F. Griffith: Mr. Stubbs, I think members on the bench behind you are having difficulty hearing what you are saying. I can barely hear you myself.

The Hon. R. H. C. STUBBS: I am sorry; I will have to speak a little louder. It is proposed to add a new subsection (7) (a) to require that the power shall not be exercised by the Governor as recommended by the Minister for the amalgamation, abolition, or alteration of boundaries of municipal districts as recommended by the commission until the recommendation is laid before each House of Parliament.

Either House of Parliament may pass a resolution rejecting the proposed recommendation. The Minister is precluded from presenting to the Governor a recommendation which is required to be laid before either House of Parliament and is subject to rejection or has been rejected.

The proposal contained in the Bill is a reflection on the capacity of the Boundaries Commission to objectively arrive at a decision in respect of the matter referred to it. It is already a requirement of subsection (6) that where municipal councils do not agree to a proposal it must be referred to the commission. The commission recommends to the Minister on the basis of evidence submitted to it and it is still the prerogative of the Minister to determine whether the recommendation is submitted to the Governor.

The honourable member, in moving the second reading, stated that he disliked the tendency in regard to local government to regard the size of a municipality as a test of its value. It is not proposed to enter into argument as to the merits or demerits of small or large municipalities; suffice it to say that the trend throughout the world is for the reduction of the number of municipal districts. However, it is believed that generalisation on this question is not desirable and that each particular proposal submitted to the Boundaries Commission should be examined in the light of the particular circumstances pertaining to the case.

In the metropolitan area of the Perth region, there are no fewer than 26 municipal districts and in the State of Western Australia there are 140 with over 1,300 councillors involved. It is generally recognised that it is desirable that this number should be reduced and a report of an assessment committee which inquired into aspects of local government in 1968 recommended that the number of councils should be reduced to 89.

The proposal contained in the Bill that each recommendation in respect of boundary changes should be submitted to Parliament would have the effect of introducing political antagonism into a subject which is not in reality a basis for a political difference. It could be expected that if this amendment were passed difficulty would be experienced in obtaining the services of persons qualified and willing to act as a member of the Boundaries Commission under such conditions.

In his speech the honourable member referred to the act of uniting municipal districts "merely on the recommendation of the Local Government Boundaries Commission" and implied that such recommendations were not the result of proper investigation and examination. There has never been an instance of such a recommendation having been made by the Boundaries Commission without the municipality concerned having been given the opportunity of presenting its views on the question.

He also referred to a municipality being destroyed by breaking it up and distributing remnants to other local authorities. There is no question of a destruction of municipal government in any area of Western Australia. The whole of the State is covered and will be covered by municipal government and any changes will be a result of recommendations made with the objective of producing the most viable, economic, and desirable unit of local government, taking into consideration all relevant factors.

As stated earlier, this proposal would make the subject of boundary revision, which most thinking people agree is eminently desirable, the subject of political controversy and for this reason it is opposed. Should this Bill be passed, it is unlikely that many changes in the present structure of municipal districts in this State will ever take place, however desirable.

My opinion is that local government, if this Bill is passed, will become a political football. We often hear the cry, "Keep politics out of local government", but I think that if the Bill becomes law politics will be introduced into local government affairs.

THE HON. L. A. LOGAN (Upper West) (5.38 p.m.): On this occasion I find myself on the same side as the Minister. I recall that for 12 years, when I was Minister for Local Government, many attempts were made to amend the Local Government Act from the time the measure was introduced in 1961 and in particular to amend those sections dealing with this very subject.

I know that committees have been appointed to delve into this problem from time to time to try to find some alternative. Very often a committee produced an alternative, but when a further examination was made, it was found the alternative would not work towards the solution of some other problem, or that it could creat further problems. Therefore the answer has not yet been found and I am sure this Bill does not provide the answer, because as the Minister has said it would only become a political football.

The Boundaries Commission, on many occasions, has had requests put to it for the amalgamation of one local authority with another, the separation of a local authority, or the removal of a portion of one authority for the purpose of including it in the boundaries of another. I would point out that the Boundaries Commission consists of the Assistant Secretary for Local Government, a representative of the Local Government Association, and a representative of the Country Shire Councils' Association.

When a Minister receives a petition for, say, the amalgamation of one local authority with another, I know that these three men who have had their duties set out under the Act to examine such petitions would notify not only the local authorities concerned in regard to what is going on—because a copy of the petition is sent to the local authority in any case—but they would also advertise through newspapers that were published in the areas affected that evidence relating to the petition would be heard on a certain day or days as was required, and that any person concerned would have the right to come before the commission and give evidence. Then, as a result of the hearing of evidence by all concerned, the commission would arrive at its decision and make a recommendation to the Minister accordingly.

Further, if the decision of the Boundaries Commission were to be laid on the Table of this House it would be necessary that members gain a thorough knowledge of all the evidence presented and the reasons for its recommendations. Unless members of Parliament follow the same procedure themselves, which is not likely, I do not know any other way by which this can be done.

I do not know of any decision yet made by the Boundaries Commission that has been proved to be wrong. The only area that I know of that was the subject of some discussion and some criticism was in regard to portion of the Inkpen estate.

When I was Minister for Local Government I found that I was asked on many occasions to go out and inspect areas which were the subject of a decision by the Boundaries Commission. Generally I examined the decision made by the commission and realised there was no need for me to make such an inspection. Nevertheless, to create good public relations, on quite a few occasions I visited the areas in question and talked to the people and, after examining the evidence presented, in all instances I came to the conclusion that the decision made by the Boundaries Commission was the right one.

To my knowledge only one report that I received from the Boundaries Commission was referred back to it for further consideration, and after giving further thought to the matter it agreed that the submissions I had made were better than its own. It recommended accordingly and I accepted its further recommendation.

The Hon. A. F. Griffith: You mean to say that you sent your ideas back to the Boundaries Commission and it said they were better than its own and put forward a recommendation in support of them?

The Hon. L. A. LOGAN: Yes, because the commission had overlooked one point.

It could have forwarded me a reply stating that my ideas had no foundation. On this occasion, however, the commission accepted my ideas. No one is infallible, not even the Leader of the Opposition. Surely, after the commission has heard all the evidence, we are not going to lightly set aside its recommendations.

The Hon. G. C. MacKinnon: We do decide on matters that are of even greater importance.

The Hon. L. A. LOGAN: Not when the commission investigates matters such as this. We have never done that yet; not to my knowledge, anyway.

I would not argue the point as to whether local authorities should be large or small. I have never advocated a reduction in the number of councils already in existence just for the sake of reducing them, because I do not think there is any argument to support such action. However, if we look at the councils that have amalgamated over the last few years and the effect of such amalgamation on the areas concerned, we will find that the decision that has been made has been the correct one.

I could mention the situation that occurred at York. The York Shire Council and the York Town Council had their offices within 100 yards of each other, and they were fighting like Kilkenny cats, with the result that York and the York district were going downhill. Had that matter been put to a referendum, or brought to Parliament, I can imagine what would have occurred.

The same can be said about the situation at Gascoyne and Carnarvon, Boyup Brook and Donnybrook, Bridgetown and Greenbushes, and many more places. I could instance the Fremantle-North Fremantle situation. There again both councils had agreed and petitioned for an amalgamation, but I guarantee that had I not accepted that petition and made a decision immediately, within a fortnight I would have been receiving protests from some of the ratepayers. I know this because I was criticised anyway for acting too quickly. It was the best or only decision anyone could make.

Consequently, I am certain that the present commission, constituted as it is, is the best authority to carry out the functions of section 12.

The problem today has mainly been created by the Nedlands City Council endeavouring to have its area extended. The Subiaco and Claremont City Councils are concerned that they will be taken over in the process. I do not think anything is further from the truth. If the Subiaco and the Claremont City Councils can produce evidence to the commission that they are viable local authorities, they will remain as such.

I might mention that within the last two years the Bunbury council petitioned for further areas. That council hoped to have land taken from Harvey, Capel, and Dardanup, but the evidence presented by the Bunbury council was not accepted by the commission because Bunbury did not put up a sufficiently good case to warrant such a decision being made.

The Geraldton council petitioned to take some of the Greenough Shire Council area. Again, in the opinion of the Boundaries Commission the submissions of the Geraldton council were not sufficient to warrant any change, and so no change was made.

The commission does not accept these petitions willy-nilly. It examines them pretty thoroughly. I can assure members of that. It is perhaps unfortunate that in local government throughout the world, boundaries commissions endeavour to go too far in their recommendations. This has applied in New Zealand, New South Wales, Toronto, and England, with the result that none of the recommendations of those commissions has been accepted.

If alterations are to be made let them be made quietly and in the right manner provided for in the Act.

The Hon. A. F. Griffith: Quietly?

The Hon. L. A. LOGAN: What is wrong with doing it quietly?

The Hon. A. F. Griffith: There is nothing wrong with doing it quietly, but why do you think local authorities are objecting to the present method?

The Hon. L. A. LOGAN: They are not. They think someone will take them over without their knowledge. They are only presuming this; they do not know.

The Hon. A. F. Griffith: So they are objecting to the methods laid down in the Statute.

The Hon. L. A. LOGAN: If a request is made for a referendum—and I do not know whether that will be any better than the idea under discussion—

The Hon. A. F. Griffith: I would have liked a referendum.

The Hon. L. A. LOGAN: If it was necessary for a referendum to be held no alterations would be made in any boundaries whatever, irrespective of the merits of the case.

The Hon. R. F. Claughton: That is quite right, too.

The Hon. L. A. LOGAN: I would say that under this amendment we would not have much chance of altering any boundaries because I can imagine what would occur. I can imagine what the situation would have been had the proposal for the amalgamation of the Boulder and Kalgoorlie Shire Councils been presented to Parliament. It would have been a political issue—nothing more and nothing less.

The Hon. R. H. C. Stubbs: Now they say it is the best thing that ever happened.

The Hon. L. A. LOGAN: Of course it is. I can say that in regard to other amalgamations, too. It was the best thing for the ratepayers and for the local authorities.

The Hon. A. F. Griffith: I think the Minister for Local Government and the ex-Minister for Local Government are palsy-walsy all of a sudden.

The Hon. J. Heitman: They are both experienced.

The Hon. R. H. C. Stubbs: I happen to represent that area and I know.

The PRESIDENT: Order!

The Hon. L. A. LOGAN: I think I am in a position to talk with some knowledge of the situation.

The Hon. A. F. Griffith: You mean I am not?

The Hon. L. A. LOGAN: The Leader of the Opposition was not Minister for Local Government for 12 years.

The Hon. A. F. Griffith: No.

The Hon. L. A. LOGAN: I was, and therefore I think I know.

The Hon. A. F. Griffith: I gathered the idea that you know something about it—from you.

The Hon. L. A. LOGAN: Room does exist for a change of boundaries, but not necessarily to reduce the number of local authorities.

The Hon. A. F. Griffith: But do not give the people any say.

The Hon. L. A. LOGAN: We have one local authority which is .04 of a square mile while another covers 147,000 square miles. I know they are the extremes, but when a local authority considers that it does not have enough area under its control, but that a town next door is too large, I can see no reason to oppose some exchange of boundaries to allow both local authorities to act efficiently. So at times a need for a change of boundaries does exist, but I do not think that the decision should be made here. Therefore, on this occasion I must support the Minister for Local Government and consequently oppose this measure.

THE HON. N. E. BAXTER (Central) [5.53 p.m.]: I wish to comment briefly on this Bill. It is my intention to vote differently from my colleague and to support the measure. For a long time I have felt that the present system of the amalgamation of local authorities or the granting of portion of one local authority to another local authority has not worked as well as many people would like it to work. Mr. Logan quoted the combination of the York Town Council and the York Shire Council. I represented that area for a number of years, including the period when the amalgamation took place and I received no objection from anyone in the York area to that amalgamation.

The Hon. L. A. Logan: I received plenty.

The Hon. N. E. BAXTER: The previous Minister may have, but I received none. Not one person voiced any objection to the amalgamation in the York area. Even since that time, no-one has raised any objection to what occurred.

On the other hand I have heard of many objections concerning another proposal for amalgamation of two authorities in the area I represent. I myself object to it. However, under the present situation, the amalgamation could take place. The Boundaries Commission could take its evidence and recommend that the two local authorities be amalgamated. One is quite a big town, while the other is a rural area. In the big town, the ratings are mainly very high, whereas the ratings in the rural area and the small towns are reasonably low and fair.

The Hon. J. Heitman: There is a good reason for this, of course.

The Hon. N. E. BAXTER: There is?

The Hon. J. Heitman: The big city does all the work for the rural area.

The Hon. N. E. BAXTER: I will come to that in a moment. Concerning the amenities mentioned by Mr. Heitman, the shire area had an agreement in later years to pay money into the municipal town area to compensate for the amenities provided.

The Hon. J. Heitman: Ten thousand dollars.

The Hon. N. E. BAXTER: The year before last and last year it was $15,000 and this year it was $10,000. This shire council must also supply amenities in other areas of the shire. This must not be forgotten. Only one major town exists in that shire, but the amenities must be supplied there as well as in some of the smaller towns or villages, as we may call them. In a situation like this, if the Boundaries Commission did recommend amalgamation to the Minister and he accepted the recommendation, to whom would we make an appeal? Under the present legislation those concerned would not have the slightest right of appeal under the decision.

The Hon. L. A. Logan: You are only presuming the Boundaries Commission would do this.

The Hon. N. E. BAXTER: I said that if the commission decided the amalgamation should take place and recommended accordingly to the Minister and the Minister agreed, we would have no redress. We would have no right of appeal to have the decision altered. It would be a *fait accompli*. The proposal of Mr. Griffith does give some right of appeal through a member of the Legislative Council or a member of the Legislative Assembly representing the area involved. I know that in the debate which would follow, the municipal town council would be on one side and the shire on the other, and the honourable member concerned would find himself battling for one authority as against the other.

But, after all is said and done, right is right and justice is justice. I would take the view that if an honourable member did act under this Bill if it were passed, he would do so after considering all the pros and cons, together with the results of what had occurred before he moved his resolution in the House, and he would be given the opportunity to bring before Parliament the reasons for the objections to the amalgamation. In that way the matter would be thrown wide open and would be discussed on its merits.

Although it is not the perfect solution, this legislation would give the opportunity, as I have said, for objection to be raised in Parliament, and it would throw the matter wide open for discussion. I therefore support the Bill.

THE HON. R. J. L. WILLIAMS (Metropolitan) [5.58 p.m.]: I rise to support this Bill because in my opinion certain aspects have been overlooked. If my understanding of the matter is incorrect, then perhaps someone well versed in the Constitution will tell me so, but I believe the ultimate authority in any problem is Parliament. That is why we govern.

The Hon. J. Heitman: That is if Parliament took all the evidence the Boundaries Commission would take.

The Hon. R. J. L. WILLIAMS: It would do so if it were prepared to read the documents the Boundaries Commission will produce, but I will come to that in a moment. It is a valid point.

My objection is that the ultimate authority is the Minister, no matter what his political persuasion. In the first place this is not fair to the Minister because it shoulders him with a responsibility he should not want. He should not desire to be the ultimate authority. It is expedient for him to be the ultimate authority in some cases, but I still believe it is an essential part of our democracy that if a citizen has a complaint he has a chance to have it heard somewhere. As I see it, that is all the Bill attempts to achieve—nothing more, and nothing less.

I do not deny that in some cases the amalgamation of local government areas as such is good. I do not think the present Minister for Local Government has a mean bone in his body.

The Minister is a man who will listen to points of view. So, too, was the previous Minister for Local Government. I am casting no reflection upon these gentlemen but the words "political football" have been brought into this debate. Suppose a future Minister is politically minded and takes great exception to a certain area. Without appeal, this could be amalgamated.

Mr. Heitman brought up the point of the Boundaries Commission and all its evidence. If a constituent complained to a member under this Bill, as I see it, an interested member would have the opportunity to peruse the document and either advise his constituent or raise the matter in the House. As the position stands now, once the commission has made its report and it has been approved by the Minister for Local Government, that is it. There is nothing else.

The Hon. A. F. Griffith: And the ratepayers do not get a say of any kind.

The Hon. R. J. L. WILLIAMS: Yes, the very people who should have the say or the chance to object do not get it. As Mr. Logan has said to us, amalgamation of local authorities does not always work. However, in some cases it is absolutely necessary. When two authorities agree they can be amalgamated without any trouble at all.

The practice of democracy, as I understand it, is the rule of the majority with correct attention paid to the voice of the minority. This principle must go all the way through our system; otherwise it does not work.

Mr. Heitman brought up the fact that it is impossible to read straight through the Boundaries Commission report. I quite agree with this, because it is a very difficult task. How, in heaven's name, does the Minister do it? He is only one person but he must make a decision based on that report. This is what frightens me: Is the Minister a rubber stamp? Does he receive a report on Monday morning, thumb through it, and give his approval? I suggest he does not, but that each Minister conscientiously does his work. The Minister must go through it, so why is the opportunity not afforded any member of Parliament who wants to do the same? It should lie on the Table of the House.

For the reason that I believe in the protection of the ratepayer all down the line, I support the Bill.

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

Sitting suspended from 6.02 to 7.32 p.m.

COMMUNITY WELFARE BILL

Second Reading

Debate resumed from the 19th April.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [7.32 p.m.]: I appreciate the reception accorded this Bill by the House, and also the constructive criticism which went with that reception. I have a prepared reply which goes into considerable detail in order to explain to the House the points which were raised. Members will recall that the first speech in the debate was made by the Leader of the Opposition (Mr. Griffith), and I will deal with his speech in the first instance and then deal with the other speeches more or less as a batch.

The Leader of the Opposition made reference to the fact that he hoped all officers who are at present employed in the two departments will be kept contented in view of the proposed amalgamation. It is my desire and hope to assure him that careful staff planning has preceded the proposed amalgamation, involving both departments and the Public Service Board. In addition, the Civil Service Association has been kept informed of all proposed movements. I am satisfied that the amalgamation will be put into effect with a minimal amount of disruption. The occupations and classifications of the staff have been paid due regard, and the overall planning should receive widespread acceptance by, and achieve the satisfaction of, the staff of both departments.

The honourable member went on to deal with the qualifications and the authority of the deputy director. The qualification requirements of the deputy director was one point he raised.

The Hon. A. F. Griffith: The lack of classification and qualifications.

The Hon. W. F. WILLESEE: I think as I go on the honourable member will realise that he has qualifications. It has

been pointed out that the deputy director under clause 8(1) is authorised to exercise the same powers as the director; but whilst tertiary level qualifications are necessary for the director, no such provision is made for his deputy. Clause 9 requires that the present Assistant Director of the Child Welfare Department shall be appointed deputy director of the department for community welfare. The present director holds appropriate tertiary level qualifications, so there is no problem for the time being.

The Hon. A. F. Griffith: But the legislation should not be for the time being.

The Hon. W. F. WILLESEE: I am confident that in the future the Public Service Board, knowing that the deputy director has the same authority as the director, and that the director must possess tertiary level qualifications, will ensure that any person appointed to the position of deputy director will have appropriate tertiary qualifications. At this stage I am prepared to leave this to the administrative machinery of the Public Service Board.

The Hon. A. F. Griffith: If you do not put an amendment into your Bill which will provide for some qualifications for a man who has as much authority as the boss, I will do so.

The Hon. W. F. WILLESEE: So be it.

The Hon. A. F. Griffith: I will offer you an amendment.

The Hon. W. F. WILLESEE: The situation just does not arise because the first six men are equally highly qualified.

The Hon. A. F. Griffith: But that does not mean to say that in the future somebody with less qualifications could not be appointed

The Hon. W. F. WILLESEE: Personally I do not think that would happen. I will leave it at that for the time being. In relation to the proposal contained in clause 8 (1) authorising the deputy director to exercise any power or to perform any duty that the director may exercise or perform, I would like to comment as follows: Whilst agreeing that this provision is unusual, I believe it is necessary because of the very nature of a welfare department. In essence such a department deals with individual people; in fact, thousands of them. Every day decisions and actions need to be taken affecting the welfare of people in the community. It is not desirable that many of those decisions be delegated down the line, nor is it reasonable to expect the director to deal with all of them personally. An appropriate officer is needed to cope with the important administrative detail directly affecting the welfare of a human being, and to give prompt authorisation when the director is busy elsewhere and an urgent decision needs to be taken. As the director is charged with the general administration of the department under clause 5 (2) of the Bill, he is clearly vested with prime responsibility.

The Leader of the Opposition also dealt with the fact that there is no definition of "disadvantaged." This matter was discussed with the parliamentary counsel, and it seems that more problems would be produced by defining this word than would be resolved by offering a definition. We must bear in mind that the disadvantage relates to circumstances, and as the Bill stands a person over the age of 18 years and the director of the department for community welfare must both agree. The likelihood of a person being arbitrarily or harshly dealt with under these circumstances is difficult to envisage. However, a person under the age of 18 years is a different proposition, and some further safeguards may be needed.

The honourable member drew attention to the possible implications of the director declaring a person under the age of 18 years in disadvantaged circumstances without that person's consent. He may have a point here, and members may feel that some further safeguard is necessary. Perhaps an amendment requiring the consent of parents or guardian would be appropriate. On the other hand, the House may be of the opinion that the director is an appropriate person to act alone.

In addition, the point was made that where a person is disadvantaged the director should appoint someone specifically authorised—not merely an officer of the department—to carry out the intentions of clause 14. I would feel that in each particular case the most appropriate departmental officer would be used for particular actions that need to be taken. We also need to consider the problem of distance in this State. In reality many people in disadvantaged circumstances would need to be dealt with, requiring the involvement of more than one departmental officer.

The Hon. A. F. Griffith: When you talk about the distance within this State, if a person is considered to be disadvantaged—and we will not debate the use of that word—in, say, Kununurra as distinct from a person who is considered to be disadvantaged in Perth, who is going to certify that that man is disadvantaged? If the director is the man who is going to certify that the person in Perth is disadvantaged, will he do the same for the person in Kununurra?

The Hon. W. F. WILLESEE: I would say it would be done by delegation of authority.

The Hon. A. F. Griffith: That is not what the Bill says. The Bill says, "who is in the opinion of the Director a disadvantaged individual."

The Hon. W. F. WILLESEE: That is so. The Director would act on the information he received. Obviously the person on the spot would advise the director. We would not expect the director to fly to Kununurra or to all points north, south, and east to give individual attention to each person.

The Hon. A. F. Griffith: No, I did not say that; nor would I expect the director to get the word from some of his officers about a man he considers is disadvantaged, and merely sign a certificate.

The Hon. W. F. WILLESEE: What would the Leader of the Opposition do?

The Hon. A. F. Griffith: Give the man an opportunity to fly to a court to opt out.

The Hon. W. F. WILLESEE: He can opt out at any time. In the first instance he must request action before we take any action whatsoever.

The Hon. A. F. Griffith: Where does it say that in the Bill?

The Hon. W. F. WILLESEE: I do not know; but we cannot take action when a person is over the age of 18 years.

The Hon. A. F. Griffith: We are talking about those under the age of 18 years.

The Hon. W. F. WILLESEE: Then it goes to the court.

The Hon. A. F. Griffith: What court?

The Hon. W. F. WILLESEE: To the local court in most instances.

The Hon. A. F. Griffith: Where does it say that in the Bill?

The Hon. W. F. WILLESEE: I do not know, but that is the practice. Sometimes it is at the request of a guardian or a parent.

The Hon. A. F. Griffith: I am sorry to put you at a disadvantage, but your Bill does not say that a certified person has any method of getting out of the certification at all. This is the point I am making; he ought to be able to apply.

The Hon. W. F. WILLESEE: If the Leader of the Opposition is not satisfied with my explanation, I will get a further explanation. However, I am assured that there is no problem. I have gone to the point of having this recited carefully by the director himself for the benefit of the honourable member.

The Hon. A. F. Griffith: Maybe I am misunderstanding it.

The Hon. W. F. WILLESEE: No, I would not say that. I think I was about to say that the honourable member also raised the point of the possession of property and appeals for people under the age of 18 years. He expressed concern about the director taking possession of the property of a person in disadvantaged circumstances, and his authority to sell or dispose of such property. In relation to a person over the age of 18 years, the director or his deputy is acting on behalf of that person and with his consent. If a person must agree that he is in disadvantaged circumstances, he can always withdraw his consent if he is not satisfied or if he believes he is no longer in a disadvantaged situation.

The Hon. A. F. Griffith: What about a fellow under 18 years of age?

The Hon. W. F. WILLESEE: A person under the age of 18 years is in a different category. I think I have an amendment which will satisfy the Leader of the Opposition on that point. I feel we should come to grips on one point. What about a completely disadvantaged person who is derelict? Do we leave him in the gutter to die?

The Hon. A. F. Griffith: Nobody suggested that.

The Hon. W. F. WILLESEE: I think that is what the honourable member is leading to.

The Hon. A. F. Griffith: No I am not.

The Hon. W. F. WILLESEE: With regard to a person under the age of 18 years, I have indicated I would be prepared to accept an amendment requiring that the consent of his parents or guardian be obtained before the director may declare him as being in disadvantaged circumstances. If the person has no parent or guardian, where do we go?

The Hon. G. C. MacKinnon: In those circumstances the Child Welfare Department would be his guardian.

The Hon. W. F. WILLESEE: That is right, if he goes to court.

The Hon. G. C. MacKinnon: He would come under the other Act.

The Hon. W. F. WILLESEE: He would come under the Child Welfare Act, which we could bring in by a subsequent amendment. If members believe that a young person should have the opportunity to show that he is not in disadvantaged circumstances or have some avenue of appeal or someone to whom he could go, then his parents or guardian are the obvious choice. In that case the director and parents or guardian would all have to agree. If the individual under 18 years of age was still not satisfied he could not continue as a person in disadvantaged circumstances beyond 18 years of age without his consent.

His parents or guardian could at any time withdraw their consent and this would prevent the director acting on the person's behalf.

Here again it is a question of whether members feel that the director should act alone, bearing in mind that his prime motivation would be the protection and welfare of the individual.

The next point raised by the Leader of the Opposition was the question of an authorised person going to the place of employment and asking questions. It has been suggested that as a duly authorised person may go to a person's place of employment and ask questions of the person and his employer, a saving clause is necessary in view of the penalty for obstruction and to prevent a person divulging confidential information which may embarrass the employer.

I believe that it would not only be extremely difficult to determine what should be regarded as confidential information and what should not, but it is also necessary that all relevant information relating to the person in disadvantaged circumstances be known. On the other hand, although the employer is not the person with whom the legislation is concerned there is no need to cause unnecessary embarrassment. I am confident that any authorised person will handle the inquiries with tact and consideration for other people who may be involved.

Clause 16, which members will recall refers to an authorised person's appearance and participation in legal proceedings in any court where a person in disadvantaged circumstances is involved.

Some doubt has been implied as to whether this is a desirable departure from the normal court procedures and laws on evidence. In addition, the question is raised as to whether we perhaps unintentionally start legislation towards segregation when, in fact, we are trying to avoid it.

I agree with the thoughts expressed to the extent that we must look twice at legislation to ensure that our thinking is not based on sectional interests which were not intended.

In this legislation, however, I believe that we have allowed for people in disadvantaged circumstances across the board. I agree that some aboriginal people are quite capable of taking care of themselves. So are many of the people in other ethnic groups represented in the community.

On the other hand, individuals from each and every one of these subgroups may require special consideration from time to time.

These people need representation in a court of law. Ideally it should be by an appropriately qualified person but in situations and places where this is not possible then they should be represented by a person who at least has some knowledge and experience in these matters.

I appreciate the general support given by the Deputy Leader of Opposition to the measure, and the constructive way in which he has approached the matter. Mr. President, you will appreciate there was a series of speeches in the debate on the Bill on the following day. I have endeavoured more or less to group them together in order to give detailed replies, in view of the serious nature of this legislation.

Mr. Logan, has asked for information on administrative aspects and I will endeavour to clarify those issues he raises. It is not proposed to incorporate the Child Welfare Act with the Community Welfare Act when it is passed. There is nothing in the legislation before the House which abolishes the position of Director of Child Welfare or prevents him exercising those powers vested in him under the Child Welfare Act. It is, however, true that the Child Welfare Department, as such, will become the Department of Community Welfare. I can well understand the honourable member's disappointment that the Child Welfare Department will disappear; however, the Child Welfare Act, which I think we all agree is an excellent piece of legislation, will remain.

What will happen is this. This Bill proposes that a Department for Community Welfare be established and the director of that department will be the Director of Child Welfare. He will, as the honourable member suggests, administer the Child Welfare Act and the proposed Community Welfare Act. His deputy also will have a dual role for the time being.

Some consequential amendments at a later date will be made to the Child Welfare Act, redefining the appropriate Department under that Act as the Community Welfare Department and the director to mean the Director of the Department for Community Welfare.

I repeat that there is at this stage no legislation before the House which refers to abolishing the position of Director of Child Welfare or, for that matter, the Child Welfare Department. It is not unusual for a permanent head to be charged with the administration of several Acts without a specific department being set up for each Act. A case in point is the Adoption of Children Act which is administered by the Director of Child Welfare and, in this way, operates without the necessity for a department of adoptions or a director of adoptions.

In the near future it is intended to introduce legislation that will bring the machinery arrangements of the Child Welfare Act closer to those that operate in the above example.

Some employees of the Department of Native Welfare will be transferred to the Department of Community Welfare and some to the Aboriginal Planning Authority. I have already outlined to the House the likely effects on the staff of both departments.

Another comment was that it would have been much easier to retain the Child Welfare Act and amend it to make provision for a child and community welfare department.

Mention has already been made as to the intention to retain the Child Welfare Act. This Act is focused on the child and his family. It is an Act which has been frequently amended to keep pace with changing attitudes and needs. In my view it is a modern Act well worth keeping in its present form. On the other hand, the community welfare legislation has a wider orientation and should be kept separate. I hope that it will be expanded, strengthened and reviewed over the years and do for the community what the Child Welfare Act has done for children.

I believe that the other issues raised by Mr. Logan have been referred to elsewhere.

I gave an undertaking to Mr. Withers to look into the question of release for a person who had agreed with the director that he was disadvantaged but soon after wished to change his mind.

It was pointed out previously, when the Leader of the Opposition raised the point, that as far as the person was concerned he was in disadvantaged circumstances rather than being a disadvantaged person as a status. Accordingly, he has agreed that the director can do those things detailed in the Bill on his behalf. If, for any reason, he withdraws that consent then the director can no longer act on his behalf and he is no longer a person who is disadvantaged within the meaning of the proposed Act.

The Hon. A. F. Griffith: But the Bill does not say that he may withdraw his consent.

The Hon. W. F. WILLESEE: We will have a look at it more closely, but by implication and by usage it has been going on for years.

The Hon. A. F. Griffith: Unfortunately the basis of legislation is not the implication.

The Hon. W. F. WILLESEE: It is based on usage. Surely this comes under common law.

The Hon. A. F. Griffith: It is on this basis that lawyers are kept busy.

The Hon. W. F. WILLESEE: Unfortunately the lawyers came after the establishment of common law. In addition, Mr. Withers expressed the hope that the consequences of the Bill would allow me to give consideration to the problems which are at present experienced in the north. I hope that the proposals will allow for a more co-ordinated effort in that area and that an improved service will operate. I am sure, however, that he and other members will appreciate that the size and complexity of the problem mean that it will not be solved overnight—in fact for very many nights.

I have reflected on those comments made in the House last week by the member for the Lower West Province. His approach in discussing principles and talking about his experiences I believe has done much to clarify the concepts underlying the Bill. In addition it gives us an appreciation of many of the problems as well as pointing out the possible direction for future development of community welfare.

In my opinion this Bill should be viewed as a foundation stone in the construction of community welfare provisions. I agree with the honourable member that we will need to frequently review this legislation to consider extending and refining it to cover a wider scope of human well-being in terms of changing needs and the development of more sophisticated approaches and techniques. I appreciate the honourable member's sincerity as reflected in his comment that out of respect for humanity every one of us must forget any political overtones, and work together in attempting to solve what is almost an insoluble situation.

Next I would like to refer to some points raised by Mr. Medcalf. An explanation was given regarding the right of an individual who is disadvantaged, as the matter was raised by two previous speakers. I hope that I have now satisfied the House that a person who is declared disadvantaged can merely withdraw his consent and that is the end of the matter, so far as the director acting on his behalf is concerned.

The Parliamentary Counsel advises that clause 13 does not confer the status of disadvantaged on an individual but merely allows the director or his representative access if he thinks a person is in disadvantaged circumstances. The person concerned could be quite unaware that the director held that opinion.

However, clause 17 needs some explanation. It is not the function of this section to establish in a court that an individual is disadvantaged purely for the purpose of establishing it. That is a matter for agreement between the director and the person concerned, and does not require any involvement by a court. The purpose is to establish for the court that the director or his representative is legally empowered to act on behalf of that person—to carry out those responsibilities referred to in clauses 14 and 16. Apart from these there is no other reason why it would be necessary to establish for the court that a person is disadvantaged.

If, however, Mr. Medcalf and the other members still believe that some right of appeal is necessary I will not be dogmatic on the matter. Perhaps a general clause allowing the right of appeal to the Minister for any person who feels aggrieved may be acceptable.

The Hon. A. F. Griffith: The general clause will cover all the other matters that have been mentioned?

The Hon. W. F. WILLESEE: I am sure the Leader of the Opposition will be satisfied.

The Hon. A. F. Griffith: Will it cover the question of appeals to the Minister by a disadvantaged person, and the question of legal intent raised by Mr. Medcalf?

The Hon. W. F. WILLESEE: I do not want to widen the scope of my office. I can assure the honourable member that I spend endless hours in listening to people who believe they are getting a bad spin. However, when one looks at the whole case history one finds that in many instances one cannot help them. I am not convinced, however, that it is required because although the director can form an opinion that a person is disadvantaged he cannot act—if an amendment relating to a person under 18 years of age is accepted —unless there is agreement by that person, or in the case of a person under 18 by his parent or guardian.

He can establish for the purposes of a court that a person is disadvantaged but the motives for that have been explained.

I was asked by Mr. Medcalf to study clause 18 because he felt some concern in view of clause 10 (d) which requires the department to conduct, promote and encourage research. I understand that the honourable member's query was promoted by the fact that anyone could be asked to supply information and if they refused to disclose personal and private matters the penalty could be invoked.

If, firstly, I could deal with the question as it relates to research it is certainly not the intention of the legislation to impose a penalty on any person who refuses to co-operate in a research project. Apart from anything else, the reference to research is a generalised function of the department. To impose any penalty for failure to give information would defeat the intentions of some of those other functions listed under clause 10.

Secondly, the problem needs to be considered in relation to securing information from other people, having a bearing on the interests of a person who is disadvantaged. It is likely that personal information could be required and this would be warranted if the intention of the legislation is to provide for people who may need help to manage their affairs. If, for example, by requiring an individual to disclose say his financial position, it could be proved that he had exploited the individual with whom we are concerned, then such action would seem justified.

It was suggested that after the word "required" in line 2 of page 8, the words "unless it is of a personal or private nature" be inserted. My opinion is that this would go very much against the person with whom we are primarily concerned because in any inquiry a person could claim the information required was of a personal or private nature and refuse to divulge it, irrespective of whether the claim was true or not.

I do, however, appreciate the honourable member's expressed concern in relation to research, although I am confident that, with the skill of those authorised to conduct research and the additional protection of the courts, adequate safeguards would exist.

If, however, members feel that a limitation should be imposed the inserting of the words "Sections 13 and 14" after the words "execution of" in line 2 of clause 18 (2) on page 7 may be appropriate.

Mr. Williams, in his comments, referred to the use of "disadvantaged individual" and although the expression caused him some concern he offered a definition. When referring to the question of definition raised by the Leader of the Opposition in the Legislative Council, I pointed to the difficulties. I fear that any definition would not be all inclusive and would create problems. While the honourable member's definition does cover a wide area it does not allow for physical disadvantages for instance. I believe the difficulties prompted the comment by Parliamentary Counsel. In spite of the honourable member's doubts and the lack of definition, I assure him that such a person does exist.

I believe that many of those issues raised by Mr. White have been referred to when answering the previous speakers, apart from his comment regarding information in my second reading speech.

I congratulate him on the point he took. Probably, I endeavoured at the time to cut down debate but I can assure him I was not conscious of the fact that, by implication, I said I would be replying and introducing new material during the Committee stages. That was never my intention. To continue my prepared notes: Mr. Heitman has pointed to some of the basic problems experienced by families and poses the question as to whether there will be sufficient money for families in need to get help quickly. I sincerely hope there will. However, the pressure is always on departmental officers and finances to keep pace with the needs of welfare services.

The honourable member raises the question as to who will draw attention to people who are disadvantaged. I envisage that referrals would come from a wide range of sources and that social workers and welfare officers would be on the alert for people who are in need of help.

An important aspect has been referred to by Mr. Berry. This relates to the question of trained staff. It was pointed out by Mr. Logan that the Child Welfare Department and the Native Welfare Department have been gradually merging by the Child Welfare Department taking over functions previously carried out by the Native Welfare Department.

This, of course, facilitates the amalgamation. I am able to assure the honourable members that the staff of the department for community welfare will include officers with experience in both child and native welfare. Their particular skills will be used to the best advantage and, in addition to exchanging this knowledge with each other they will also be encouraged to pass it on to staff with less experience.

I am grateful to members for their support of this Bill which I believe to be an important piece of legislation which is, as yet, in the embryo stage. I believe that the helpful and constructive comments reflect a great deal of credit because it demonstrates that when the welfare of people in our community is being considered members put aside other considerations and focus squarely and sincerely on the issue.

That is the conclusion of my prepared notes. In view of the fact that we have not made the progress I would have liked with the complementary legislation I am not in a position to state a programme of our aims with regard to amalgamation. We have set a date on which we will hand over one section to community development, and slowly develop that section without overloading it and causing it to have too much work at one particular time.

I can assure members that it is a big operation and until we get our paperwork right here we have to take one step at a time. I repeat my appreciation of the way the legislation has been accepted in this House. The fact that we have had to iron out some difficulties is, I think, a good thing. Perhaps we will have to iron out some further difficulties so that in the ultimate we get the best possible piece of legislation.

The Hon. A. F. Griffith: I take it that this Bill, and the Aboriginal Affairs Planning Authority Bill, are two Bills the Leader of the House would desire to get through and to the Legislative Assembly during this session, and before the 11th May?

The Hon. W. F. WILLESEE: Yes. If possible we plan to hand over the housing section to the State Housing Commission on the 1st July, and other movements will follow within the next six months. However, man proposes and God disposes! Coupled with this legislation is the Aboriginal Heritage Bill.

The Hon. G. C. MacKinnon: The Aboriginal Heritage Bill is not closely related.

The Hon. W. F. WILLESEE: Throughout that Bill there is reference to the Bill now before us, and which has not yet been passed.

The Hon. A. F. Griffith: The Aboriginal Heritage Bill does not impose the difficulties confronted in the other two Bills.

The Hon. W. F. WILLESEE: I think the Aboriginal Heritage Bill is the least of the three, but it is necessary in conjunction with the Bill we are discussing.

The Hon. G. C. MacKinnon: Does the Leader of the House feel that with so much talk about Aborigines reference should just be to people?

The Hon. W. F. WILLESEE: I have not used the word "Aborigines" in the Community Welfare Bill.

The Hon. A. F. Griffith: Unfortunately, it is unmistakable although that is the aim of the Bill.

The Hon. W. F. WILLESEE: I am not conscious of that, but the Leader of the Opposition may see it from a different angle. I cannot see any reference in the Bill to Aborigines.

The Hon. A. F. Griffith: In the notes you have just quoted there was reference to disadvantaged Aborigines.

The Hon. W. F. WILLESEE: That is because the term was raised during debate.

The Hon. G. C. MacKinnon: It was an underlying thought.

The Hon. W. F. WILLESEE: I replied in the text given to me. As a matter of fact, we have taken certain aspects out of the Native Welfare Act.

The Hon. A. F. Griffith: I want to accept the Bill in the way the Leader of the House suggested.

The Hon. W. F. WILLESEE: We might have only one opportunity to get this set up on a fair and square basis and, for that reason, I am not adamant. My notes were a considered reply and I have had some of my top men looking at the matter for a long time. I do not profess to have a great knowledge of the machinations of the legislation. The more I grapple with it the more I realise just how big it is.

If we find the legislation is not adequate we can come back and admit we made a mistake. At least we have been able to study the experience gained in four other States and we have been able to benefit from their failures. The result has been the production of this Bill.

The Hon. A. F. Griffith: One can have all the good intentions in the world but find at a later stage that the Bill has to be amended.

The Hon. W. F. WILLESEE: All in all, I think this legislation has been given a fairly good reception and has received critical examination. As I have said, I am not adamant. I have not put any amendments on the notice paper but I am having some points examined by a member of this House at the moment.

The Hon. A. F. Griffith: In respect of this Bill, would the Leader of the House prefer that I put amendments on the notice paper?

The Hon. W. F. WILLESEE: I have no objections at all. If the Leader of the Opposition feels that the Bill is not acceptable I will treat proposed amendments on their merits.

The Hon. A. F. Griffith: Otherwise, we will not get very far. The Leader of the House has said it is not necessary to state the qualifications of the director, but I think that is necessary. We would not be able to get anywhere if we did not have anything to debate during the Committee stage.

The Hon. W. F. WILLESEE: On the question of qualifications, I have run up against a problem and found there is a necessity to write qualifications for the director into this Bill. I understand that in the upper echelons of the Child Welfare Department there are highly qualified people. Within the last few days I have given consent for three members of our staff to go on leave, without pay, so that they can travel overseas and train for a further 12 months. So, qualifications are improving.

The Hon. A. F. Griffith: I do not doubt what the Leader of the House has said, for a moment. However, that being the case, those three individuals would come into the class which requires some tertiary level of education.

The Hon. W. F. WILLESEE: I am not against it.

The Hon. L. A. Logan: It will not matter if the qualifications are not set out in the Act. He will have those qualifications.

The Hon. W. F. WILLESEE: That is right, otherwise he would not get the job. The Leader of the Opposition can place his proposed amendments on the notice paper, or he can make suggestions to me. I do not intend to proceed with the Bill tonight because I have a further amendment under consideration. I would be delighted to have further discussions with the Leader of the Opposition.

I think his point is well taken and it could be discussed further. I will be amiable and accept the decision of the House on any matter raised. We must accept that highly-qualified people are necessary in this field.

The Hon. A. F. Griffith: I am not suggesting the Bill should pass or fall on that one particular issue. I think there are one or two other important matters also.

The Hon. W. F. WILLESEE: We can probably leave it for now. I commend the Bill to the House and thank you, Mr. President, for your patience.

Question put and passed.

Bill read a second time.

EDUCATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 19th April.

THE HON. R. J. L. WILLIAMS (Metropolitan) [8.13 p.m.]: I rise to support this Bill which is to amend the Education Act. As the Minister stated during his second reading speech, the aim of the amendment is to increase the allowance for primary and secondary students who attend independent schools, according to the efficiency of the particular school.

The rise is from $20 to $30 for primary students, and from $36 to $40 for secondary students. I think I should draw attention to the fact that although we are grateful for what we can get, the increase, of course, is still not enough. I do not know of any member in this House who would not agree with what I have said. The allowances for children attending indepent schools could be increased quite considerably.

The Hon. G. C. MacKinnon: The honourable member is asking the question of us as parents or as taxpayers?

The Hon. R. J. L. WILLIAMS: I am telling the honourable member. Although it is a step in the right direction, it is still not enough. I wish to draw attention to a point which I think has been overlooked, and I hope the Minister handling the Bill in this House will report back to his ministerial colleague in another place on this matter. When one considers the role of the independent schools in this State, it is apparent the Government would be seriously embarrassed if those schools were to break down. The resultant strain placed on the State school system would be such as to create some doubt as to the capacity of the Government to cope.

At the present time 78 per cent. of the student population attend State schools, and they are attracting 25 per cent. of the State revenue. Twenty-two per cent. are at independent schools and they attract 1 per cent. of the State revenue, a figure which I hope the Government will look at closely in an attempt to increase it as and when circumstances permit.

It is one of the wonderful things about our State and our country that parents have a choice between State schools and independent schools in the education of their children, whether it be because of a religious conviction or for some other reason. I would like to see the independent schools continuing strongly and well supported by the Government of the day.

There is one other small matter to which I wish to draw the attention of the Minister; that is, I think perhaps a greater increase could have been given to the secondary level. Prior to the $30 for primary and $40 for secondary, there were three stages. The allocations were $20 at the primary school level, $30 for the first, second, and third years in the secondary schools, and $36 for the fourth and fifth years in the independent schools.

We must all be concerned about the retention of students at school for the fourth and fifth years because it is from those years that a great deal of knowledge and future benefit to the State will be derived. From those years the student progresses to the tertiary level. It is a well-known fact that the higher up the scale one goes the more highly skilled labour one has to employ. This is no less true of the school teacher. In this day and age I should think it would be mandatory for the teacher in the fourth and fifth years to have a degree. In fact, some of them have two or three degrees, and even four. Unfortunately, some of the independent schools find themselves in the position of having to employ lay teachers, whereas previously they had people of a religious persuasion who felt their calling was in education.

Last August—and these are the only figures I have been able to get hold of—there were 4,158 upper school students in independent schools. If possible, those 4,158 upper school students must be persuaded to go on to tertiary education. I would like to see the Government in the position where it could increase the $40 for the upper school students to $50. This increase of $10 would cost only $41,580 in a full year.

Sometimes a school has to reach a decision as to what it can afford. If it has a lesser number in the higher classes it might feel that to put on another teacher would overburden the school's finances. Therefore, if I have any criticism of this assistance to independent schools it is that perhaps the Government should consider reinstating the three-tier system of tuition grants and that the upper school student should be advantaged. It gives me great pleasure to support the Bill.

THE HON. J. DOLAN (South-East Metropolitan—Minister for Police) [8.19 p.m.]: I thank the honourable member not only for his support of the Bill but also for his comments. I can assure him I will draw the attention of the Minister for Education to the points he has raised and ask him to give serious consideration to the implementation of them, either wholly or in part, when the next Budget is being drawn up.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

PARKS AND RESERVES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 19th April.

THE HON. CLIVE GRIFFITHS (South-East Metropolitan) [8.21 p.m.]: This Bill to amend the Parks and Reserves Act contains two provisions, the first of which is to amend section 5 of the principal Act to allow the King's Park Board to lease a section of land on which a kiosk has been erected at the playground in King's Park.

I have no objection to this provision. I took the trouble to have a look at this kiosk in King's Park and I must pay tribute to the superintendent (Mr. Whitmee) who was most co-operative. He took me around and explained the purpose of the kiosk in the scheme of things in King's Park. It is interesting to know it will be called Bovell Kiosk, in honour of Mr. Stewart Bovell who was the Chairman of the Board when this facility was originally planned.

The kiosk will provide a very pleasant facility for families with young children. The playground area is very attractive and well designed, and I am told more than 2,000 people make use of it at times. Because of this large number of people it became necessary to build new toilet facilities, which necessitated bringing into the area services such as water, sewerage, and electricity. This had to be done anyway, so it did not cost much more to build the kiosk.

The area to be leased will allow for future expansion if desired. A bus stop has been provided near the kiosk so that people visiting the playground area will be able to get off the bus immediately adjacent to the playground. The area, generally, is very attractive and functional and will provide a great deal of enjoyment for many people in the years to come.

If any criticism could be made, it would be that I would have thought it preferable to obtain the permission of Parliament for the leasing of this area prior to building the kiosk, instead of presenting Parliament with a *fait accompli*. However, there may be some explanation for this. I have no objection and I think it will provide a worth-while facility in King's Park.

The second part of the Bill is interesting. It seeks to amend section 8 of the Act to allow for increasing from $20 to $150 the maximum fines which can be imposed by boards under this Act. When he introduced the Bill the Minister indicated that this proposal had been brought about principally because of the situation existing on Rottnest Island in regard to push

bikes. Apparently push bikes are frequently stolen or borrowed without permission of the owners, and this is causing some concern to the board. It is felt a fine of $20 is not an adequate deterrent and it is intended to raise this to a maximum of $150.

I have no quarrel with this proposal but if the Government expects a unanimous decision on this matter I think it might be disturbed to know that perhaps the decision will not be unanimous. It will be recalled that during a recent debate I asked the Minister for Police whether he thought increasing fines would deter people from committing crimes. He said he did not believe in that at all and he went on record on television and in the newspapers on many occasions asserting that increased fines would not serve as a deterrent. I think he would find it difficult to support this part of the Bill.

The Hon. J. Dolan: That matter concerned motor vehicles, not push bikes. There is a big difference.

The Hon. CLIVE GRIFFITHS: I am merely saying this in passing because I know he will not support it. I venture to say the Bill is worthy of support and I certainly support it.

THE HON. L. A. LOGAN (Upper West) [8.29 p.m.]: Like Mr. Clive Griffiths, I was concerned at seeing the kiosk ready for occupation before Parliament had given the board the right to lease it. My memory goes back to the slogan "Hands Off the Park" when Parliament refused to allow certain things to be done in the park. It could quite easily have happened in this case; that the money could have been spent on the park without approval being obtained. I would have thought permission for the present action should have been obtained during the previous session.

I agree it is a very nice building, but it will be received with mixed blessings. Do not think that everybody who uses this beautiful part of the park is happy that the kiosk is there. Many people take their families there knowing it is quiet and secluded and the children do not demand ice creams and drinks all the time. This is one of the reasons for visiting the spot—it is quiet. Therefore, do not think all sections of the community will welcome the kiosk. I know some will like it but there are others who do not want it.

Yesterday I happened to spend 3½ hours in the park. I was with two families and one family said it was all right and the other family would have preferred it not to be there. I am sure opinion will be divided.

However, the kiosk is there and I see no reason not to give approval. Whether the parents like it or not, the children will make use of the kiosk as will the adults. The architects and builders have done a first-class job to keep the kiosk in harmony with its surroundings. It is certainly a very popular area. I would like some of the people who say "hands off the park" to look at this and see the numbers of people using the man-made part of the park compared with the natural part. The natural part of the park is scarcely used and the people who say " hands off the park" should visit these areas.

I made my observations because of the reaction of the two families with me yesterday at the park. I am sure other families will react the same way.

I feel the penalties have jumped rather high in one go—from $40 to $150. That is a very high penalty for the type of offence committed in this particular place. I do not oppose the penalty, but I feel that $100 would be much more in line with the offence. With these observations I am prepared to support the Bill.

THE HON. A. F. GRIFFITH (North Metropolitan—Leader of the Opposition) [8.33 p.m.]: I feel disposed to make a few comments on this Bill. I support the first portion of it. I, too, recall some of the things said concerning the legislation introduced in another place when it was proposed that the King's Park restaurant be licensed. All sorts of extraordinary things were said as to what would happen to King's Park—bottles, cans, and tins would be strewn everywhere. Some of the most extravagant suggestions were put forward. The beauty of the park attracts people and many of these people wish to eat. They want somewhere to dine in the true sense of the word. The provision of the licensed restaurant in King's Park has not proved deleterious to the park as was claimed by many people. Perhaps some people will have misgivings about the contents of clause 2 of this Bill. However, I am prepared to support it.

In respect of the next clause, I would like to tell you I am a Rottnest-goer and I have been going to Rottnest for as long as I can remember—

The Hon. J. Heitman: I think—

The Hon. A. F. GRIFFITH: My good friend, Mr. Heitman, is endeavouring to make a speech for me.

The Hon. G. C. MacKinnon: He has given you some good suggestions.

The Hon. A. F. GRIFFITH: I was about to say I have been going to Rottnest for about 50 years, so I think I can qualify myself as a Rottnest-goer. Each time I go—

The Hon. W. F. Willesee: You pinch a bike.

The Hon. A. F. GRIFFITH: —I like it. I am not a person who steals someone else's bicycle, which, to say the least is a reprehensible practice. I do not intend to develop this argument too far, but there may be certain circumstances under which people borrow bikes which do not belong to them. However, there seems to be a propensity for people on Rottnest to take possession of bicycles which are not their own.

There are two separate categories of bicycles on Rottnest. People may hire bicycles whilst on holidays from a hiring concern. The other bicycles are ones which are brought across on the ferry by the individual holiday maker. This service was free at one time but I believe the owner now pays for it. The thief, if it is fair to call him a thief, does not have very much regard for whether the bicycle is hired or belongs to a holiday maker. He simply borrows a bicycle and puts it to his own use. If a hired bicycle is stolen—and this is information I have obtained and I am not quite certain as to its accuracy—and the bicycle is not returned at the due date and time, then the deposit of $10 is forfeited. Again I am not sure of my facts, but I think the charge for hiring a bicycle on Rottnest Island is in the order of $4.50 a week.

The Leader of the House introduced this Bill, and I assume he introduced it for the Minister for Police. Is the Minister for Police in charge of the Bill?

The Hon. W. F. Willesee: No.

The Hon. A. F. GRIFFITH: Then it must be the Chief Secretary.

The Hon. W. F. Willesee: It happens that I introduced this Bill to balance things up.

The Hon. A. F. GRIFFITH: The Leader of the House is going to reply to it?

The Hon. W. F. Willesee: Yes.

The Hon. A. F. GRIFFITH: I wanted to know to whom I should address my remarks. In the second reading speech the Leader of the House said this—

> The second proposal in the Bill is in relation to a situation which has caused much concern to the Rottnest Island Board. Unlawful use of bicycles on the island is a constant worry to the Police, the owners of the bikes, the hirers, and to the board's staff. The search for stolen bicycles is time consuming and offenders are seldom apprehended. It is estimated that only one culprit in 100 is caught and when the Police do apprehend an offender hours of work follow with statements, questioning, arranging a prosecution date with the Clerk of Courts, the issue of the summons, the brief and other procedural matters.
>
> By comparison with the volume of the work entailed the fines imposed are very light. So it is desirable that the maximum monetary fine be increased to a more appropriate figure and one more in keeping with today's standards. The board has proposed an amount of not less than $150 as the maximum fine and the Bill seeks to amend section 8 of the Act to permit an increase in the maximum penalty for breach of any by-law from the figure of $20 to an amount not exceeding $150.

When one looks at clause 3 of the Bill—

The Hon. W. F. Willesee: Is it not £20—$40?

The Hon. A. F. GRIFFITH: If one looks at the Bill, it seeks to amend section 3 by deleting the word £20 in line 3 and inserting $150. Correct me if I am wrong, the penalty at the moment is £20.

The Hon. L. A. Logan: Forty dollars.

The Hon. A. F. GRIFFITH: It is not a $20 penalty which we have been talking of but $40?

The Hon. W. F. Willesee: That is right.

The Hon. A. F. GRIFFITH: I believe this offence is committed a great many times and yet only one culprit in 100 is caught. The wrath of the authorities is brought down upon the head on one culprit in 100. We all know there is a compulsive aspect in this type of behaviour and the offender thinks he will not get caught. If he thought he would get caught he would not perform the act. As Mr. Dolan told me the other night in emphatic terms, in his experience it was not a bit of good increasing penalties. As a matter of fact he was so definite about this that he almost had me convinced.

The Hon. J. Dolan: That would have been an achievement.

The Hon. A. F. GRIFFITH: Had I not realised the seriousness of the situation about which the Minister was speaking the other night—he was not speaking of stealing a bicycle for which you pay a deposit of $10 and which can be bought anywhere for $10—

The Hon. L. A. Logan: How many of the bicycles are recovered?

The Hon. A. F. GRIFFITH: We have not been given any information about that—not a fragment of information. It is my belief that very few of these bicycles are brought back to the mainland and disposed of. I believe most of the bicycles are picked up around the island but we have had no information about this at all.

I thought I remembered a reference to the court's action in relation to fines for people who steal bicycles on Rottnest. However, I have just looked through the speech again and I can see no reference to the action currently being taken by the courts. So we are going to increase a penalty from $40 to $150 for the one culprit out of 100 who is caught.

I am glad Miss Lyla Elliott has returned because she rides bicycles at Rottnest too. Has Miss Elliott ever had her bicycle stolen?

The Hon. L. D. Elliott: I believe in walking.

The Hon. A. F. GRIFFITH: I thought Miss Elliott rode bicycles over there.

The PRESIDENT: Will the honourable member address the Chair?

The Hon. A. F. GRIFFITH: Indeed I will, Sir. Through you, Sir, I apologise, I thought the honourable member rode a bicycle on Rottnest. However, she must know that some of these bicycles are not returned to their rightful owners at sundown.

To get to the more serious point, we were not told the result of these prosecutions. I think that figure must be a guess. How can one make a forthright statement that one in 100 offenders are apprehended? There must be proof of the fact that there are 99 offences where prosecutions never follow. It is just a figment of the imagination to say that sort of thing. If the authorities get hold of one person, be he a boy of eight years of age or a man of 80 if you like—

The Hon. V. J. Ferry: Unlucky B . . . !

The Hon. A. F. GRIFFITH: The honourable member is a little prone to these puns. I think he should stick to potatoes.

When an offender is apprehended it is the intention to bring down the wroth of the court on his head and he would be fined $150. Under the Justices Act an offender can be sent to gaol for three days if he does not pay the fine of less than $4, and gaoled for an extra day for every $2 of the fine.

So woe betide any well-meaning citizen who goes to Rottnest Island for a holiday and who, because he finds himself in a good mood produced by the air or something else, mistakenly or intentionally takes somebody else's bicycle and finds himself apprehended by the police. He will be for it. The excuse given, in the words of the Minister, is that by comparison with the volume of the work entailed the fines imposed are very light, and therefore it is desirable that the maximum monetary fine be increased to a more appropriate figure; one more in keeping with today's standards.

So we start off with a completely incorrect conception of what is in the Bill, anyway. We are told it is $20, and it is not. It is $40, because the old Act prescribed the penalty in pounds and not dollars, and now we seek to increase this fine to $150. I know it can be said that the court has discretion; it is not a minimum fine, but a maximum fine. However, because magistrates take notice of what Parliament prescribes in the way of increases in penalties, a magistrate, be he a young man or a mature man, will look at this penalty and say, "Parliament has regarded this as a serious matter. It has increased the penalty from $40 maximum to $150 maximum". The result could be a fairly expensive exercise for anyone who steals a bicycle.

The Hon. J. L. Hunt: I think that is the intention.

The Hon. A. F. GRIFFITH: Yes, that is the intention, and if I divide the House I know where the honourable member's intention will be.

The Hon. J. L. Hunt: There is no need to rattle the paper at me.

The Hon. A. F. GRIFFITH: I was not rattling the paper, I was just gesticulating to make my point when the honourable member interjected to tell me that that was the intention of the penalty. If I divide the House on this issue I would like to see what the honourable member would do. What he would like to do, in fairness, is another matter. In fairness we should toss out the provision and take no action.

It has been said that to increase penalties for serious offences is of no value whatsoever. I do not altogether agree with that. I would like to see the penalty in respect of a person who takes possession of an expensive motorcar—if this is what we are to do—increased to an amount greater than it is now, because it is not right that somebody, on a mere whim, should take into his own possession, and use for his own purpose, an expensive item such as a motorcar. However, I know the Bill does not deal with that situation. According to the Minister's speech, the Bill specifically deals with push bikes, and I think the Minister said that a motorcar is different from a push bike.

I do not think we should be proud of ourselves in a matter such as this. As far as I am concerned, if the Government does consider an increase in the penalty is worth a trial to ascertain whether it will reduce the incidence of bicycle stealing, I would agree to the penalty being increased, but to increase it from $40 to $150 or, in default, if the maximum fine is imposed and the person is unable to pay it, to provide that the offender should spend 75 days in prison would be too severe. However, something else may intervene and the offender may not have to pay the fine.

If the House so agrees, I would like to see the fine doubled, but I am certainly not happy about seeing a fine of this magnitude placed on the Statute book. I know that the manager of Rottnest Island and the police do have—

The Hon. R. Thompson: Is it not one day for every $5?

The Hon. A. F. GRIFFITH: I have had a look at the Justices Act and it is one day for every $2 fine imposed.

The Hon. R. Thompson: That has been amended. It is one day for every $5.

The Hon. A. F. GRIFFITH: Well, if we divide five into 50 it is still a grim penalty. My copy of the Justices Act apparently has not been amended. If it is one day's imprisonment for every $5 fine imposed it is still a hefty sort of a penalty. Is the Minister for Police happy with this penalty?

The Hon. J. Dolan: To tell the truth I have not even looked at the Bill.

The Hon. A. F. GRIFFITH: What about the Minister having a look at it and telling me whether he is happy with the penalty? Will the Minister have a look at my Bill and say whether he is happy with the penalty?

The Hon. J. Dolan: I have heard enough to know what is in it. I will tell the Leader of the Opposition afterwards.

The Hon. A. F. GRIFFITH: Perhaps the Minister will tell us now whether he is happy with the penalty.

The Hon. J. Dolan: I will tell the Leader of the Opposition as soon as he sits down.

The Hon. A. F. GRIFFITH: Very well, I will sit down straightaway.

THE HON. R. F. CLAUGHTON (North Metropolitan) [8.52 p.m.]: I have been waiting to speak so I thought I would grasp the opportunity.

The Hon. A. F. Griffith: You have to be quick!

The Hon. R. F. CLAUGHTON: I think the Leader of the Opposition can be excused for placing emphasis on push bikes, because the emphasis was certainly on them in the second reading speech made by the Leader of the House. However, when we consider that the bicycles taken to Rottnest Island can be quite expensive —$80 or $90 each is not an uncommon price for a bicycle—I do not think it is unreasonable to consider an increase in the fine imposed, but I think we should all note the other words in the Minister's speech from which The Hon. A. F. Griffith quoted extracts. At page 738 of No. 5 of the current *Hansard*, the Minister is reported as saying—

> The board has proposed an amount of not less than $150 as the maximum fine and the Bill seeks to amend section 8 of the Act to permit an increase in the maximum penalty for breach of any by-law from the figure of $20 to an amount not exceeding $150.

So it is not just a question of the offence of stealing bicycles. When we consider that the penalty of $40 has been on the Statute book for years, $150 is not too great a penalty if we consider the damage that may be done by the commission of offences other than the stealing of push bikes.

That was not the principal reason for my rising to speak to the Bill. With many thousands of others, my family and I have enjoyed the splendid playground provided in King's Park. In think the additional kiosk that is to be built there will be an asset to the people visiting the park. From the children's playground to the existing restaurant is a considerable distance. Whoever was responsible for the arrangement of the playground in King's Park showed a good deal of understanding of what children look forward to in their play. I think it has had an effect on the thinking of other local authorities in regard to the type of play equipment provided by them.

So often we find that the provision of a cleared grassed space is thought to be sufficient for children to play upon. In my opinion this is quite wrong, and if we wish children not to play on the roads—and often this is the only place in which they can play—we must provide not only an open grassed space, but other features that will attract them to it. The particular type of playground equipment provided in King's Park has proved very effective in doing just that judging by the crowds who visit the playground area in King's Park.

Recently I was speaking to Mr. English of the National Fitness Council and he said he was desirous of showing to members a film on recreational equipment, because recreation is becoming an extremely important aspect of our daily lives. I hope when I am able to arrange a date and time for the showing of this film, members will be interested enough to view it. It portrays some interesting ideas from overseas, some of which are proposed for an area in Wanneroo. I repeat that I hope members will be interested enough to view the film when a date is fixed for its showing.

THE HON. J. DOLAN (South-East Metropolitan—Minister for Police) [8.56 p.m.]: This Bill has a historical interest because it was introduced into Parliament in 1895 by a very well-known gentleman.

The Hon. A. F. Griffith: This Bill was introduced only last week; you are talking about the Act.

The Hon. J. DOLAN: Yes, that is so.

The Hon. A. F. Griffith: You must be more particular, Mr. Dolan.

The Hon. J. DOLAN: The Opposition is becoming very pernickety; one does not know, Mr. President, whether they are dealing with bicycles or motorcars. The

original Act was introduced to the Western Australian Parliament by Sir John Forrest in 1895. I have not had a good chance to look at the Bill, but if the penalty in those days was £20, one can only say it has been a terrific penalty over the years. When I was a kid I paid 10s. for a bike, but nowadays, as Mr. Claughton has said, one could quite easily spend up to $100 on the purchase of a bicycle. So if we consider the fine imposed in Sir John Forrest's day and the value of a bicycle then, and make a comparison with the fine proposed in this Bill and the value of a bicycle today, I would think we are being very moderate.

The Hon. A. F. Griffith: Good gracious! Do you?

The Hon. J. DOLAN: I would think so, in the circumstances. The Leader of the Opposition was inclined to wax enthusiastic about the fact that I said the raising of penalties in relation to the offence of assuming control of a motorcar had not reduced the incidence of such offences, but I would point out that although it was expected the raising of penalties would reduce the number of offences, this has not proved to be the case. The incidence of offences went up considerably; and the number kept going up. Therefore, for the offence of unlawfully assuming control of a motorcar, or stealing a motorcar, that policy was not successful. That is why I expressed the view I did. I had good reason for expressing such a view.

I would hope that those people who have assumed somebody else's property at Rottnest are not the very people who, on the mainland, are assuming control of a motorcar on a mere whim. If such people are too tired to walk to the beach they take control of someone else's car. This is what happens at Rottnest. Such people are too tired to walk to the basin or to Narrow Neck to swim or to do some fishing so they take someone's bike and off they go. In the circumstances I think those people deserve a punishment of some kind.

One of the punishments is imposed in an endeavour to get those concerned to realise it is a very serious offence to take some other person's property. That is the main purpose. We must deter people from taking things which belong to others, because after all that is what occurs when someone assumes another person's property. I do not believe anyone has a right to take anyone else's possessions.

The Hon. A. F. Griffith: Neither do I.

The Hon. J. DOLAN: The penalty is the maximum. If the act were done as a prank, the magistrate would take this into consideration. It would all depend on the circumstances. He would weigh up all the evidence and decide whether the maximum penalty, a minimum penalty, or a dismissal is warranted.

To a certain extent I believe we are being diverted from the real purpose which is to convince young people in particular —and I understand Rottnest is the place where the majority of young people go— that they must not take other people's property. If we indicate, by the penalty, that the offence is viewed seriously, we will be achieving our purpose. We want them to realise that the habits they form at Rottnest might be hard to break when they leave the island, that they might lead to more serious crimes.

I support the Bill.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [9.02 p.m.]: I thank members for their speeches on this Bill, the qualified support it received, and the discussions for and against. As a matter of fact, I feel a bit like the man who married the widow with seven children. After the wedding he went home with his wife and she then introduced him to the seven children and he said, "Well, it looks as if I have done about as much as I can do." Under the circumstances I feel I should commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. R. F. Claughton) in the Chair; The Hon. W. F. Willesee (Leader of the House) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 8 amended—

The Hon. A. F. GRIFFITH: I would just like to take the opportunity to thank the Minister for Police for his explanation which proved to me just how inconsistent he can be. I watched him speaking on television the other night on the matter of penalties and he had an entirely different view then.

The other point which intrigues me is that the Minister said, "I have not had a chance to look at the Bill." Does not the present Cabinet examine the Bills before they are introduced?

The Hon. J. Dolan: Of course.

The Hon. A. F. GRIFFITH: Then the Minister would have looked at the Bill.

The Hon. J. Dolan: By looking at the Bill I mean really looking at it. I do not mean it the way you do sometimes—pick the Bill up, glance at it, and toss it away.

The Hon. A. F. GRIFFITH: What the Minister means is that in Cabinet he did have a look at it, but the second time he had a proper look at it.

The Hon. J. Dolan: I had a better look at it a couple of minutes ago.

The Hon. A. F. GRIFFITH: Now we understand each other. I repeat that the Minister has simply convinced me he can alter his mind on things.

The Hon. J. Dolan: You can too. It all depends whether you are over there or over here.

The Hon. A. F. GRIFFITH: It will not be very long.

The Hon. J. Dolan: Probably only about 20 years.

The Hon. A. F. GRIFFITH: I do not think we should go into that tonight.

The Hon. R. H. C. Stubbs: Not after Tasmania, anyhow.

The Hon. V. J. Ferry: They changed.

The Hon. A. F. GRIFFITH: In a minute, you, Sir, will be asking the Chief Secretary where that is in the Bill or at least if you do not you ought to. If I said anything about the Tasmanian elections you would pull me up.

The Hon. R. H. C. Stubbs: I did not say anything about the elections. I merely referred to Tasmania.

The Hon. A. F. GRIFFITH: We all know what the Chief Secretary meant.

The Hon. R. H. C. Stubbs: That shows how intelligent you are.

The Hon. A. F. GRIFFITH: I do not like the clause and I know how inconsistent the Minister can be.

The Hon. J. Dolan: I do not agree with you, of course.

The Hon. L. A. LOGAN: Perhaps it was unfortunate the Minister dealing with this Bill used the example of bikes on Rottnest.

The Hon. A. F. Griffith: That is what he meant.

The Hon. L. A. LOGAN: Whether or not he meant it, if we read all the offences which can be committed, the increase to $100 which I suggested would be fair and reasonable.

The Hon. A. F. Griffith: You tell us the other offences on Rottnest Island which worry the board.

The Hon. L. A. LOGAN: This deals with other places like the zoo and King's Park.

The Hon. A. F. Griffith: Have a look at the speech the Minister made.

The Hon. L. A. LOGAN: I said it was unfortunate he used the bikes on Rottnest as an example.

The Hon. W. F. Willesee: It is unfortunate I took the Bill at all.

The Hon. L. A. LOGAN: If we looked at the by-laws under this legislation, we would find that some offences do probably deserve a fine of $100, which is the figure I mentioned, not $150. I thought I had better put the record straight. This penalty will apply to a lot of other by-laws and not only the bikes at Rottnest.

The Hon. A. F. GRIFFITH: My last word on the matter is that I and every other member except Mr. Logan, but including the Minister who introduced the Bill and the Minister for Police, are under no illusion whatever that the penalty is intended to be imposed for any other purpose than to catch up with the people who steal bikes at Rottnest Island. Do not let us kid ourselves about this.

Certainly other by-laws are covered by the same offence; but no worse an offence exists than this one unless it is the spearing of quokkas at the island and that occurred some time ago. I could not find any penalty too great for a person who does that. We know what we are talking about and it is the penalty for stealing bikes at Rottnest.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

House adjourned at 9.10 p.m.

Legislative Assembly

Wednesday, the 26th April, 1972

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

QUESTIONS (13): ON NOTICE

1. LEGAL CONTRIBUTION FUND

C. R. Hopkins: Defalcation

Mr. LAPHAM, to the Attorney General:

(1) What steps, if any, are being taken to enable payments to be made to persons who are entitled to be compensated for moneys stolen from them by solicitor C. R. Hopkins?

(2) What is the total sum presently available from—

(a) solicitor C. R. Hopkins' Trust account; and