

Legislative Council

Tuesday, the 23rd October, 1979

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

BILLS (2): ASSENT

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

1. Reserve (Woodman Point-Jervoise Bay) Bill.
2. Stamp Act Amendment Bill.

QUESTIONS

Questions were taken at this stage.

CRIMINAL CODE AMENDMENT BILL (No. 2)

Introduction and First Reading

Bill introduced, on motion by the Hon. I. G. Medcalf (Attorney General), and read a first time.

STAR SWAMP

Reservation: Motion

THE HON. R. F. CLAUGHTON (North Metropolitan) [4.47 p.m.]: I move—

That the Members of the Legislative Council support the efforts of citizens of the Trigg, Marmion and Waterman localities to have set aside a reserve of 100 hectares in the area bounded by Beach Road-Marmion Avenue-North Beach Road and Hope Street, as a permanent natural bush and passive recreation/nature study area to ensure that Star Swamp and its surrounding bushland will be protected from degradation and recognising—

- (a) that the Star Swamp bush area is one of the few remaining locations of natural vegetation typical of the Swan coastal plain left in the Perth metropolitan area;
- (b) its value for recreational and educational purposes;
- (c) the classification of Star Swamp by the National Trust of W.A. for environmental and historical reasons;
- (d) that Star Swamp is one of the few metropolitan wetlands free of salmonella infection;

- (e) the area is being increasingly used as a refuge for plants, birds and animals which are being displaced from the surrounding housing developments;
- (f) the area contains an array of plant communities;
- (g) that none of the land in question is privately owned;

urges the Government to reserve the area as requested and facilitate any land transfers and/or exchanges necessary to achieve these purposes.

Members will recall that almost 12 months ago I moved a similar motion. It has been my very deep concern to ensure that the subject was not an issue of opposing political parties, but was considered in the context of the needs of the region of the northern suburbs. I appreciate that the Government took up the suggestion that the earlier motion would not be taken to the vote, but would remain on the notice paper.

The community was hopeful that the debate that took place here, as well as other actions it was undertaking itself, would bring forward propositions more in line with the proposals that the members of the community were then making to the Government.

I have deleted from the motion I have introduced on this occasion a few words that referred to a lesser amount because when the Leader of the House spoke to the motion last year he made some play on those words. I felt that was rather unfortunate, and certainly not in keeping with the spirit of the motion.

The Hon. G. C. MacKinnon: What words were they?

The Hon. R. F. CLAUGHTON: I referred to "100 hectares . . . or such lesser area". The words "or such lesser area" have been omitted from this motion, and it refers to "100 hectares" only. It may well be that a favourable decision by the Government will be to deal with slightly less than 100 hectares. We hope earnestly that a favourable recommendation would deal with only slightly less than that figure, if it must be less.

The Hon. G. C. MacKinnon: Why did you not use the words "or thereabouts"?

The Hon. R. F. CLAUGHTON: I believe those words would be understood.

The Hon. G. C. MacKinnon: I agree with you.

The Hon. R. F. CLAUGHTON: Almost 12 months have elapsed since then and, as far as all the parties interested in the preservation of the area are aware, no further action has been taken.

This session of Parliament will soon end and that is the reason I have moved this motion again at this time.

We should not allow another session of Parliament to go by without obtaining a firm commitment from the Government as to its intentions with respect to this important piece of open space which is almost the only open space which will not be developed over a wide area of the northern corridor.

On a number of occasions over the last five or six years I have spoken about the serious shortage of regional open space in the northern suburbs. It is only now that the City of Stirling is beginning to realise it will be faced with serious shortages of land for groups which require areas for active recreational purposes. Certainly it can be said almost no land is available for passive recreational purposes.

In recent years it has been decided to set aside a very significant area of land in the vicinity of Perry Lakes. This is a worth-while addition to our regional open space resources. It is an area which will not be developed for active recreational purposes. As far as possible it is intended that the land be left in its natural state. However, between that area and the wedges of open space between the corridors to the north, it would be difficult to find a significant area that offers an opportunity for the present generation, or for the next generation, to observe the original state of vegetation in the region.

It is recognised that it is impossible to maintain any area in its pristine state, because of the presence of man. There is not an area in Western Australia which has remained in the condition it was in before the arrival of Europeans. The spread of exotic grasses is rather general. Therefore, it is not surprising that on this particular piece of land in North Beach a number of exotic plants has been introduced. The Minister remarked—and I believe I may have done so also—when we last discussed this matter in the House that exotic plants make up one in five plants growing on that particular piece of land.

Last Sunday the MLA for the area (Mr Clarko) and I went for a walk on this area of land. We saw a number of introduced grasses, but noted that the indigenous plants are surviving extremely well. I have not seen the Swan River daisy growing in the metropolitan area during my lifetime, but it has reappeared suddenly on this land. Some local people and school children tidied up the area by pulling up weeds and as a result the Swan River daisy miraculously appeared. It is similar to the situation which occurred in London

after the bombing during the last war when flowers suddenly started to grow.

I would like to emphasise that the indigenous plants are displaying a definite ability to maintain growth on this land. The grass has not been burnt in this area for four or five years and it is noticeable that the indigenous plants have recovered very well, whilst the exotic grasses are being suppressed.

This suggests the information put forward by the Environmental Protection Authority—that the area is not able to sustain itself—may have been based on research which was too narrow and did not take into account all the factors affecting the land in question. At the time the officers of the EPA inspected the area a burn-off had just occurred and this had encouraged the growth of grasses.

It is well known that if one burns off an area, within a short period of time grasses start growing as a result of the ash deposited by the burn and the manner in which the ground has been opened up to allow growth. It can be seen that, over a period of time, if we encourage the growth of native vegetation it will re-establish itself and evidence of this can be seen on the 100 hectares we are discussing at the moment.

I do not want to repeat all the information I gave when we debated the matter previously. That can be read in *Hansard*. However, the local association has produced a very informative booklet containing details of its research. The association is happy to make that available. It is sold at a cost of 50c to enable the association to recover the cost of its production. I am sure members who are interested would not object to paying out a small sum for a copy of it.

The Hon. G. C. MacKinnon: Perhaps you should table it and save us some money.

The Hon. R. F. CLAUGHTON: There is a continuous demand for the publication from interested people and, naturally, there is an associated cost.

The publication is a report on the Star Swamp wetland and its watershed, and is a compilation of current information relating to the swamp. There is reference to its history, the detail of its plant life, and the known bird life which exists there, and it also contains criticism and comment on reports such as the Environmental Protection Authority report on the area. There is comment on the educational and recreational values of Star Swamp, and what the publishers of the booklet see as the future of the swamp. I would recommend the booklet as a very well thought-out presentation of the case by those interested.

When replying to my motion during November last year, the Leader of the House (the Hon. G. C. MacKinnon) said the Government had given support by increasing the area of the original reserve of 2.5 hectares to a proposed area of approximately 21 hectares. It was at that time the local people were urging, most strongly, that the increased area was still not sufficient. It has to be considered that there are some 215 plant species in the area, and roughly 80 per cent of those species are indigenous. With approximately 170 indigenous plants on the 100 hectares, that is a considerable array. The area also supports some 12 different types of orchids, and four or five different types of banksias. Those plant types are quite apart from the tuarts and paper-barks.

The 21 hectares which the Leader of the House spoke about, during November last year, were seen as catering for the tuart and paper-bark areas only. Obviously, that covers a very small proportion of the total plant array. A limitation of the number of habitats which those tree types provide would result in a very marked reduction in the variety of bird life, smaller animal life, and insect life which exist on the reserve. It is important to understand that it is necessary for the whole of the area—or as near as possible to the whole of the area—to be reserved so that the complete array of plant community types are included. I refer to the paper-bark group, the tuart group, the banksia array, and the heath array. Those four distinct types of plant communities exist over the whole of the 100 hectares, and the proposal put forward so far by the Government will include only two of those plant-type areas. Quite obviously, it would not be possible to maintain all that plant life and bird life—and other fauna types—on the much smaller reserve.

While it is recognised that the original request was for a swamp area of approximately 2.5 hectares, it was only as a result of subsequent research and examination that the interdependence of the whole area has been realised. That is why the community is so concerned to see that the whole of the land is reserved.

It is also important to understand that unless an area of far more than 21 hectares is set aside, the subsequent clearing and development of the balance of the land beyond that area will inevitably lead to deterioration of the water in the swamp as a result of the effect of pollution following clearing and habitation. Also, there would be a rise in the water table.

The Government will not deny that those consequences will result from any action to

increase development or to allow development on those 100 hectares. If the water table rises—although the paper-bark community has shown so far it has been able to cope with previous changes of about one metre in the water level—that would cause many of the existing trees to die.

If the trees in the swamp area die a lake similar to Lake Claremont—which springs most readily to mind—would be created. It is very likely that the tuart community would die also in that situation.

Also, an area of blackboys is situated just to the north of the lake in a low-lying area, and that group very likely would die with a rise in the water table. Another subsequent consequence of development in the area would be the arrival of seagulls which would contaminate the water with salmonella infection.

Instead of having the present quite tranquil, beautiful, and passive recreation area, development will introduce problems which would be associated with an additional several thousand people. An open area of water will result from development, and it will have none of the attributes which make the swamp worth being retained at this particular time.

The Government has a responsibility to reassess its stand. It has a responsibility, at least, to give some assurance that it will make a further study of the area because quite obviously the advice which the Government has received to this time has not been sufficient, nor has it been provided with an appreciation of the consequences of the setting aside of only a small piece of land as is proposed.

A favourable decision by the Government at this time to allow the whole of the 100 hectares to be reserved would not be a loss to the Government at all. Let me put it this way: If the proposals as put forward by the Government are allowed to proceed, and only roughly 21 hectares are reserved and housing is developed on the remaining portion of the 100 hectares, there is no way at all that the situation could ever be retrieved. All the existing plant life would be cleared, and would be lost. Without doubt, the swamp would develop into a treeless lake and what we have currently at Star Swamp would be lost forever. However, if the decision of the Government is in favour of the 100 hectares being reserved, and time subsequently proves that it is not possible to maintain those plant communities at a satisfactory level, the land would still be available for development. It will not be lost. While it may have been worth \$1.25 million last

year, it will be worth considerably more at some future time.

Despite the lack of information provided to the community, I hope the Government has, in fact, been giving further consideration to the needs of the area and that it has arrived at a decision in favour of retaining the whole of the land. An urgent need exists for further regional open space in the northern corridor. It has been badly served by decisions up to this time, and the community in the area is suffering a very serious lack of space.

No doubt the City of Stirling, and the Government, in the not-too-distant future will be attempting to buy back land which has already been sold. That situation developed in the locality where I live—Wembley Downs—where the local authority in its wisdom thought a number of reserves were not suitable and sold them. Within a very short space of time the local authority had to repurchase land. That occurred on a small scale compared with what will have to be done within the City of Stirling.

In the limited time we have had to observe what is happening to the plant communities at Star Swamp, the evidence has given us considerable encouragement that the swamp will survive. No management has existed up to this time, but with proper management the quality of the bush will improve on what is there now.

Together with many citizens in the area, I believe that Governments spend large sums of money providing for active recreation in sport, art forms, and all sorts of needs which the people have. However, very little consideration is given to the necessity for a place where people can feel shut off from the noise and the stress of the everyday world.

That is the special value of Star Swamp. I hope the Government will not lightly vote to defeat this motion; it has had more time to enable it to give further consideration to the matter than it had last year, and it is now in a position to ensure that the whole of the 100 hectares is retained for the benefit of the community. I commend the motion to members.

The Hon. R. HETHERINGTON: I second the motion.

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

BILLS (2): RECEIPT AND FIRST READING

1. Industrial Arbitration Act Amendment Bill.

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

2. Family Court Act Amendment and Acts Repeal Bill.

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

RESERVES BILL

Returned

Bill returned from the Assembly without amendment.

BILLS (2): THIRD READING

1. Credit Unions Bill.

Bill read a third time, on motion by the Hon. G. C. MacKinnon (Leader of the House), and returned to the Assembly with amendments.

2. Credit Unions (Consequential Provisions) Bill.

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

EDUCATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 17th October.

THE HON. R. HETHERINGTON (East Metropolitan) [5.22 p.m.]: This Bill is consequential to the Government School Teachers Arbitration and Appeal Bill that has already been before us. Apart from that, it is merely to tidy up a few things that needed to be tidied up.

The Opposition has no objection to this Bill whatever, but we do find it rather ironical that we should be busy giving one set of teachers an adequate arbitration system when we are about to discuss legislation which will take away the same privilege from another set of teachers. However, I will deal with that legislation when the time comes. We support the Bill before the House.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.23 p.m.]: I thank the Opposition for its support of this Bill. As has been mentioned, it is consequential to previous legislation.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

**AGRICULTURE AND RELATED
RESOURCES PROTECTION ACT
AMENDMENT BILL**

Second Reading

Debate resumed from the 16th October.

THE HON. M. McALEER (Upper West) [5.27 p.m.]: Some weeks ago I received a telephone call from a lady who was interested in breeding goats. She wanted some information, and one of the things she wanted to know was when a feral goat ceased to be a feral goat. Of course I did not know the answer, but in making inquiries for her of the Agriculture Protection Board, I discovered as I remember that a feral goat remains a feral goat whether at large or kept in strict captivity under licence. In the latter case, however, the progeny—the kids—would be domestic goats.

An increasing number of people are interested in breeding goats for mohair and, because the price of well-bred angora goats is rather high, many of these people would like to upgrade other goats in order to save expense. I think it was Mr George Berry who told us, by way of interjection, of a special herd of goats on Faure Island which has bred up in isolation and the members of which are regarded as being especially suited for just such upgrading of angora goats. Apart from that, a large number of other goats range in the pastoral areas. While they are usually regarded as pests and are certainly declared animals, it is possible to muster them and send them for slaughter.

Also, as I understand the position, it is possible to obtain a licence to breed from these goats by complying with the very strict regulations imposed by the Agriculture Protection Board. I am not quite sure how relevant it is to the new proposal to empower a senior Agriculture Protection Board officer to specify whether an animal is feral, but I would like to point out that probably, in the absence of any specific characteristic of a feral nature, a feral goat which has been captured and kept without a licence could be identified as feral only by someone who knew the circumstances of its capture. So for a senior officer of the APB to specify that a certain

goat was feral, he would need to rely on his personal knowledge of the circumstances. Both donkeys and pigs also have been mentioned in this connection.

On the face of it this seems a rather curious and cavalier way to deal with the problem. Perhaps this provision is not aimed at those who are keeping declared animals in captivity, but rather at those who are farming them at large.

I hope the Minister will provide us with a more detailed explanation in regard to the circumstances in which the power will be used, and how the senior officer will determine whether an animal is feral.

The part of the Bill which particularly interests me is Part VIA which deals with the protection of agriculture and related resources from agricultural chemicals and also with the storage, use, and transport of prescribed agricultural chemicals.

The regulations which have been gazetted already to specify and control the use of harmful chemicals in a particular area relate to Geraldton and the surrounding district within a radius of 50 kilometres and to the chemical 2,4-D.

Members will be aware of the fact that these regulations were made to protect the tomato-growing industry from the effects of 2,4-D ester because tomato plants and vines are particularly susceptible to the chemical.

The regulations are new, but the problem is not. For over 20 years tomato crops in the Geraldton district have been affected adversely by 2,4-D. In some years the effects were more serious than they were in other years, perhaps because the seasons varied, the amount of spraying varied, or the use of aircraft varied. One of the important reasons for the variation in the effect of the spray was that the time of planting varied. In the early days tomato growers in Geraldton sought an early market. Although tomato growers protested against the use of the chemical, nothing was done, partly I suppose because the weed problem in crops was so serious and there was no economic substitute spray to deal with them, and partly because it was considered that the majority of tomato growers were concentrating on early crops and were not, on the whole, affected by the spraying.

During the intervening 20 years the tomato-growing industry declined, mainly through the loss of the early markets, but recently it has revived and a number of new growers have entered the industry, some part time and some full time. A change has occurred, because, having lost the early market, the growers are seeking a

late one and have been planting crops which mature in October or November. This means that the early stages of the crops coincide with the spraying which is applied when the wheat is least susceptible to damage by the spray.

Last year the tomato crops around Geraldton were severely damaged, and the cause was identified as 2,4-D ester. It was thought that the spray, which is highly volatile, had drifted for many kilometres before being deposited finally on the tomato plants. It was also recognised that careless handling of the spray could cause serious leakages; and storage of the spray in Geraldton itself added to the risks.

Consequently regulations were made to minimise the risks, and a monitoring programme was instituted to check the adequacy of the regulations. Unfortunately this year, again in August, the crops were similarly damaged and again it was thought that 2,4-D ester was the cause. At the time it was not generally known whether this damage was caused because the specified radius within which spraying was banned was not sufficient, or because the regulations concerning transport and storage had been breached.

The occurrence certainly alarmed tomato growers because, apart from the losses they sustained, it called into question the effectiveness of the regulations and the whole of the monitoring programme.

Because of the pattern of the damaged areas, some people believed that it was most likely caused by a breach or breaches of the regulations rather than by their inadequacy or inappropriateness. I do not know—as Mr Neil McNeill suggested I might—whether the department knew that someone had breached the regulations, but found that it was on shaky ground and therefore under the Bill, it is seeking to validate the regulations.

However, the whole problem has other ramifications because the damage to the tomato crops last year and this has led to a demand for a total ban on 2,4-D ester in the State and a claim that it is dangerous to stock and human health.

While it is true that precautions against damage to tomato crops ought to be made effective and that there are now other agricultural chemicals which can be substituted for 2,4-D ester to control broad leaf weeds in crops and pastures, it would be a serious matter to ban the chemical totally and on unscientific grounds.

The Weed Society of WA has been to some pains to give to its members at least, some information concerning the unsubstantiated

claims of hazards to health of humans and livestock, and to indicate the results of research into the matter. To anyone who is interested in a reliable and informative study of the question, the society has recommended British Forestry Commission Bulletin, No. 57, published in 1977, entitled "The Safety of Herbicides 2,4-D and 2,4,5-T" by D. J. Turner.

Drawing on a very considerable body of research carried out since 1953, in Britain, Germany, Spain, and America, the author concludes that there is much evidence to show that 2,4-D is only mildly toxic—not more so than aspirin; that its effects are not cumulative; that it is not dangerous when absorbed through the skin; and that it has little or no teratogenic effect—causing birth deformities—even when administered in large doses to small animals such as rats and hamsters. Its activity is very specific, having strong effects on only one type of organism; that is, some broad leafed plants or dicotyledonous plants.

I have laboured this point because people are alarmed by reports which claim that it is highly toxic and teratogenic, and because while it is easy to say that there are economic substitutes for 2,4-D ester, almost all those substitute sprays must have 2,4-D added to them to make them effective against radish, for instance, but because they are not highly volatile they are in fact, if proper care is observed, not liable to damage crops such as tomatoes as a result of spray drift.

When we talk of economic substitutes—whether it is 2,4-D amine, diuron and MCPA, tribural, or lignuron—it must be remembered that they are more expensive to buy and may be more difficult to apply. The cost benefit occurs, or should occur, through increased yield as a result of the destruction of weeds at an earlier stage, and also the destruction of a wider spectrum of weeds. So, for farmers who are short of cash, the initial outlay sometimes makes the substitute sprays unattractive.

The Government is making a serious and proper effort to solve the problem caused to the tomato industry by 2,4-D ester. The matter is complex and not very easily solved. However, I support the efforts the Government is making because I know that valid regulations are necessary.

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

BILLS (2): RECEIPT AND FIRST READING

1. Unauthorised Documents Act Amendment Bill.
2. Armorial Bearings Protection Bill.

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

LEGAL AID COMMISSION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 17th October.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [5.44 p.m.]: The Opposition supports the Bill. To refresh the memories of members, I indicate that, in his second reading speech, the Attorney General told us that the Bill was designed to speed up the legal aid process, and that is something we want to support, because on many occasions the legal aid committees and review committees find themselves short of a quorum. It is therefore necessary to find some solution to the problem.

What the Government hopes to achieve with this Bill is the ability to make up that quorum from another committee of the legal aid or review variety. It seems a pity that some other solution cannot be found; but bearing in mind that the lawyers involved are contributing their services to this legal aid scheme so that people short of money can get the same treatment as others before the bench, I wonder whether the Attorney General may have thought of enlarging the panel. I suppose he has but has been unable to find the people required.

The Hon. I. G. Medcalf: Which panel?

The Hon. GRACE VAUGHAN: A panel set up around the committee.

The Hon. I. G. Medcalf: We have one.

The Hon. GRACE VAUGHAN: And it seems the Attorney General still cannot find sufficient people. It is just a matter of being short of the needed commodity. The Bill before the House seems to be the only solution at the moment.

It is worrying to think that a committee set up with people selected because of their special expertise may mean that a divorce lawyer will be taken from one committee and used to make up a quorum in a committee concerned with criminal proceedings. One wonders therefore whether the person before the court will be getting the best deal. However, it appears there has to be some penny-pinching in this area, and therefore the Bill may serve to overcome that problem.

The other amendment we support is that which gives the director a chance to talk back when someone has a go at him in public. The present

Act ties him in such a way that he cannot come to his own defence. The Bill very properly sets out that this will no longer be the case and even more properly sets out the limit of what he can say. He cannot say just anything; he has to say those things which are relevant. However, with the permission of the commission he will be able to talk about matters other than just administrative information. We support the Bill.

THE HON. I. G. MEDCALF (Metropolitan—Attorney General) [5.47 p.m.]: I thank the Hon. Grace Vaughan for her indication of the Opposition's support of the Bill. In answer to her query, there is a consultative committee which has been appointed officially and is in receipt of fees. It is a properly constituted committee; it has been properly gazetted under the terms of the Act. It comprises members of the public and charitable bodies who are there to advise the Legal Aid Commission on ancillary or incidental matters and in respect of special matters on which the Legal Aid Commission requires advice. The people on the panel are those who are connected with legal aid in one way or another. For example, the representative of the Citizens Advice Bureau is a member, and there are other public bodies represented by reputable citizens, specially selected because of their interest in this area.

With respect to the question the Hon. Grace Vaughan raised about changing people around from one panel to another, she can rest assured that if a person is a divorce lawyer he will not be placed on a panel requiring a decision on some matter with which he is not familiar, such as a criminal law matter.

Most of the practitioners on the committees are what we could term general practitioners rather than specialists. Therefore, most of them are able to put forward a view on any general area of the law. My experience has been that a specialist is the first person to say he is such. Legal specialists are like doctors who specialise in a certain field of medicine and do not like digressing from or getting out of their area where they know they would be out of their depth immediately.

There are very few people in professional life who would try to pretend they were something they were not. They would be found out so quickly by their clients and everyone concerned that they would not try. Members can rely on the fact that the Director of the Legal Aid Commission would ensure that the people he used to form a quorum did have sufficient general knowledge to answer any question that came before them. I thank the Opposition for its support of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

PRISONS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 16th October.

THE HON. LYLA ELLIOTT (North-East Metropolitan) [5.53 p.m.]: The Opposition is not basically opposed to what the Government is proposing to do in this Bill; however, there are two obvious anomalies in section 74 of the Prisons Act. Firstly, if taken literally, it means, that a warder, policeman, or other custodian can use fire power to prevent escape or to prevent serious assaults on others, against prisoners under sentence of death or penal servitude or imprisonment for any term, but not against prisoners detained in strict custody or detained during the Governor's pleasure. We believe it is reasonable to remove this discrimination.

The second anomaly can be seen in the words—

while attempting to assault any guard, gaoler, warder, police officer, or other person as aforesaid, or any other prisoner: . . .

This means that people who do not come within the category of custodial staff or other prisoners cannot be protected under this section—people such as visitors to the prison, doctors, nurses, psychologists and a variety of people whom one sees in a prison at various times.

We think it is sensible to delete reference to those categories and insert instead the term "any person". So the Opposition supports the Government's move to rectify those two anomalies.

However, we think the amendment goes too far by including prisoners on remand in the broad category of "any prisoner" in the context of escapees. I intend to move an amendment during the Committee stage to exclude prisoners on remand from those who can be fired upon for merely attempting to escape. We do not wish to exclude them from the category of prisoners who can be stopped while attempting to seriously assault other persons; therefore, I have a consequential amendment to take care of this.

The Opposition feels there should be some responsibility on those people employed in the prison system to try to differentiate between a convicted prisoner and one who could be quite innocent, but because he has been unfortunate enough not to be able to raise bail, has found himself incarcerated with hardened criminals. He may have been charged with a minor offence. He might find that imprisonment is too much for him to stand and so he might try to escape the horrors of prison and what goes on in there.

I am sure I do not have to enlarge on some of the frightful things that can take place in a maximum security prison such as Fremantle. When I was preparing these few notes I remembered I had read earlier this year of some dreadful things which had happened in Fremantle Prison; things that had happened to prisoners on remand. I asked the library staff to check on their Press cuttings and I was supplied with a couple. I did not receive the one I had in mind, but these are two examples of the sorts of things which can happen.

In the *Weekend News* of the 27th January, there was a heading, "Prisoners bashed—ex-inmate". The article was on a statement by a former Fremantle inmate by the name of Athol McDonald who claimed that bashings were a regular part of prison life. Part of the article stated—

According to Mr McDonald, bashings at Fremantle are usually given out in the segregation area or the punishment cells.

"We don't see the beatings because they are done around the back," he said.

"Once when I was on remand, there was another remand prisoner making a noise in his cell.

He was specifically referring to remand prisoners.

The next article does not refer to that category of prisoner, but it provides a horrible picture of what can happen inside the walls of Fremantle Prison. The article from the *Weekend News* of the 28th April, is based on a statement by Mr Eric Senior. I will read just enough to give members an idea of what he said. The article reads—

An ex-prisoner says that in 18 months at Fremantle Gaol he saw five gang-rapes of homosexuals.

Twenty-seven-year-old Mr Eric Senior, who was released on December 23, said homosexuals in the gaol led a life of terror.

(In the East Perth Court last Tuesday Magistrate T. R. McGuigan refused to send

an 18-year-old youth to prison because he was a practising homosexual.

"They would welcome you with open arms down there (Fremantle)," he told the youth.

The worst case was that of an Aboriginal known to be a homosexual, Mr Senior said.

I will not quote all the sordid details, but later on the article stated as follows—

"The victim—I think he was only 18 at the time—just didn't know what was happening. He was totally freaked out.

"I can't put words to it—he was shocked, he was obviously hurt.

"After that he was in miscellaneous gangs, travelling from yard to yard. He was accosted in at least two other divisions," Mr Senior said.

"They knew what time he was coming around—they used to wait for him.

"He told me he was so miserable he used to cry himself to sleep."

Sitting suspended from 6.00 to 7.30 p.m.

The Hon. LYLA ELLIOTT: Prior to the tea suspension I was quoting from a couple of newspaper articles for the purpose of conveying to this Chamber the sorts of vile things which can happen to human beings in a maximum security prison like Fremantle. The point I was about to make is that even hardened criminals who have been in the system for a number of years would find these things hard to take; it must be so much worse for a person who is incarcerated for the first time and who may be innocent of the charge against him, but who, perhaps because he has not been able to raise bail, finds himself in this very unpleasant situation. To me, the fact that a disgusting place like Fremantle Prison is still being used as the major prison in this State in the year 1979 is a downright disgrace to Western Australia.

The Hon. G. E. Masters: Some terrible things also happen outside prison and that is why many people are in there.

The Hon. LYLA ELLIOTT: We know that, but it does not alter the fact that Fremantle Prison is an archaic institution which should have been closed years ago. It was opened 124 years ago, in the year 1855, as an Imperial convict depot, and I have read in reports from the Department of Corrections that its closure was recommended long ago.

I remember speaking to an Appropriation Bill in 1977 and expressing criticism of the Court Government for allocating only \$5 000 in that

financial year towards the Canning Vale project. When that prison is opened, at least prisoners on remand will be segregated, which will facilitate their recognition by custodial staff. But even in the present circumstances we feel it should be possible to distinguish between different categories of prisoner, and one way to do so would be by dress.

Consideration also should be given to replacing real bullets, or the conventional bullets, perhaps with rubber bullets, which I am told are very effective in stopping people without killing them. Irrespective of the crime a person has committed, the thought of killing a human being is repulsive to us. The abolition of capital punishment is our policy. Therefore, while recognising the need for the authorities to use force in certain circumstances to restrain a prisoner who might be violent, we think there should be some means of doing it without the taking of a life.

With those few words, I support the second reading, but, as I indicated, I will be moving an amendment in the Committee stage.

THE HON. R. J. L. WILLIAMS (Metropolitan) [7.34 p.m.]: The thought of anyone going to gaol is repugnant to everyone, except when a wrongdoer has been justly tried and the court has sentenced him to a term of imprisonment.

As the Hon. George Berry has just reminded me, some people like gaol; it is the only home they know. The Hon. Lyla Elliott did some valuable work in putting a stop to that nonsense when she put her name to the report of the Honorary Royal Commission of this House recommending that drunkenness be no longer regarded as a crime. In winter drunks can no longer go back to gaol to what they regard as decent quarters.

No-one denies that some brutal things go on in gaol. If members care to read the *Hansard* records they will find that Mr Grayden once reminded the other place of the brutality which occurred in a prison when the death sentence had been abolished. In a prison in Sydney a convicted murderer and rapist was working in the engineering shop, and as he could not be hanged he considered one more murder did not matter. He seized another prisoner, put his head in an engineering vice, tightened the vice until such time as the man's head burst like a rotten orange, and then proceeded to rape him in front of the rest of the prisoners. How do we cater for that sort of mentality? There is a way to do it and I honestly believe this Government is working towards that end.

I remind Miss Elliott of the pleasanter side of gaols. She will remember that in 1972 we spent

the night together in a gaol, albeit in separate rooms and "without the walls", as they say. We could not persuade her to sleep inside.

When it comes to maintaining people in security, many problems are posed. I hope the Leader of the House will be able to enlighten me, but I was of the opinion that prisoners on remand for a short term wore their own clothing unless it was so verminous and filthy that it had to be changed.

While we can applaud some of the ideas Miss Elliott put forward, we must legislate for the future. This is what the Government has done. It has brought forward legislation which, as Miss Elliott admits, will be used in the future when prisoners at Canning Vale are segregated into a remand section and A, B, and C divisions depending on the stringency of security required. We must realise that not all prisoners are on remand for minor offences, and not all of them are innocent.

In 1971 everyone told us we were jumping at shadows and chasing ghosts when we spoke about drugs. It was said they could never come to pretty Perth; it could never happen here; there was no problem. We proved them to be quite wrong. I do not think pretty Perth will escape further violence such as might come with terrorism and hijacking; and when those responsible for such crimes are caught and remanded in custody without bail, it is quite possible other dedicated people will try to "bust" them out of gaol.

The argument has been put forward that people become terrified in gaol. I assume they do the first time. Those I have seen were run-of-the-mill people, who are not inclined to try anything new, especially when they are first offenders and they do not know the geography of the place. But if there were a sudden surge of people getting over the wall, they might be tempted to join in. On the other hand, experience indicates that first offenders tend to stay put; they do not want to be part of such attempted escapes. They might not be in a great deal of bother and it might be only a matter of hours before they are released on bail.

The custodian must give due notice of his intention to fire a gun, by either blowing a whistle or calling "Halt" to the escapee more than once. A warning is therefore given. The older hands say they like to give a few warning shots, and perhaps they do that, but the intention is not to kill.

I do not think any custodian at Fremantle gleefully lifts up the 0.22, which is a very difficult weapon with which to kill, anyway, unless one is deadly accurate. In distances over 150 yards, it is not accurate.

The Hon. D. K. Dans: It depends where it hits.

The Hon. R. J. L. WILLIAMS: Yes. This argument is put up against rubber bullets. Front on, a rubber bullet will disable temporarily, there is no doubt about that; but in the back it is doubtful that it will hurt unless it catches a person in the region of the head or the kidney.

The Hon. D. K. Dans: It is also probable that the rubber bullet will kill.

The Hon. R. J. L. WILLIAMS: Yes. If it hit in the eye it would certainly kill because of its velocity, but on impact with the skeleton it usually gives with resilience.

The Hon. D. K. Dans: It would have to be accurate to get a skeleton.

The Hon. R. J. L. WILLIAMS: I was using "skeleton" as a general term.

The Hon. G. C. MacKinnon: What a macabre sense of humour.

The Hon. R. J. L. WILLIAMS: While it is repugnant to have cruelty and viciousness in these places, we must put ourselves in the shoes of the custodians, who are not vicious and cruel. They have a distasteful job to do and they do it well. I think they should be offered every protection. The Hon. Lyla Elliott knows full well that visitors go to the gaol, and she is in agreement with that, but such visitors no longer can be offered security. I doubt that we would have gone there had we thought someone would use us as a shield in order to escape.

The Honorary Royal Commission was told the institution had been improved since the time of the entry in a book relating to a man who wore on each leg an iron with a ball attached to it. He had made a request to the superintendent of the day to have the ball and chain on one leg, which was broken, transferred to the other leg. The book contains the full case history with the superintendent's signature.

The Hon. D. K. Dans: Are you referring to Greystone Friars at Fremantle?

The Hon. R. J. L. WILLIAMS: Yes. The request in that instance was denied.

Brutality is associated with Fremantle Prison, but it will not be a place of custody for much longer. The Government is looking to Canning Vale to provide maximum security in one section and remand in the other section.

I have risen to my feet tonight to urge the Government to create a third institution. The acts of brutality which Miss Elliott and I have recited are the acts of the criminally insane. They are the acts of people who will not benefit from a term in prison or in a mental institution because, good as

our mental institutions are, they are not geared to holding the criminally insane. I think we have only one or two psychiatrists in the State who are accustomed to dealing with criminally insane people.

The Hon. G. W. Berry: Where is that done?

The Hon. R. J. L. WILLIAMS: In a special institution where they can be treated. In fact, about 40 per cent of them recover. That is to say, they regain their sanity; I do not say that their criminal intent is any less.

The work done in the United Kingdom at Broadmoor and Rampton is well documented and any member who is keen on studying that side of the situation might well do so, because it is quite an illuminating subject. One psychiatrist I know worked at Rampton for some time; and I believe he is now the assistant psychiatrist at the Fremantle gaol.

With those few words, I support the legislation introduced by the Government. It is necessary for what one might describe as total security. The odds in respect of an innocent bystander being hit will always remain. It seems rather farcical to try to include in the provision that before an officer fires, he must try to identify the person concerned. One can almost imagine an officer leaning over the wall and asking, "Are you on remand or one of our regulars?" That would reduce the situation to a farce. These people must be contained; and if this is the only way, so be it.

THE HON. G. C. MacKINNON (South-West—Leader of the House) [7.47 p.m.]: I thank members for their interest in this Bill. I can see that research into prisons probably would be very interesting. However, I can assure the House that my research into incarceration stopped some years ago, and that is where I intend it to finish.

Of course, we must remember that one person may be in gaol for having committed a crime, whereas another person might be there because he is suspected of committing a crime; and the act of breaking out is a further crime. Once this Bill is passed people will know that one of the penalties for the act of breaking out is the likelihood that they will be shot at. If a person is to be shot at, it seems reasonable he should be shot at with an effective means which will stop, rather than frighten, him. The situation is as simple as that.

People cannot be stopped with a rubber bullet as effectively as with an ordinary bullet. What Mr Williams said about rubber bullets is quite right. I suppose it is possible to kill a person with a rubber bullet; but it is certainly much more likely that a person will be stopped or wounded with a proper bullet. Everyone seems to imagine it is extremely

simple to kill a person. It is surprising how difficult it is at times.

I will not go into the amendments proposed by the Hon. Lyla Elliott, because she may have second thoughts and not move them. That is a matter we will deal with in the Committee stage. Suffice it to say that a person commits an offence if he endeavours to escape. Of course, we have all read of the daring escapes from different forms of incarceration and the lengths to which people have gone in the past and will go in the future. I would think the changing of clothes or the alteration of clothes to look like another set of clothes would be a very simple problem for any prisoner, especially when one recalls the tremendous problems overcome by some of the classic escapists, such as Bader.

I am pleased that members have seen the extreme difficulty which confronts prison officers when attempting to do their job. I am sure the officers will be grateful that the Bill has received wholehearted support. Certainly I am.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (the Hon. V. J. Ferry) in the Chair; the Hon. G. C. MacKinnon (Leader of the House) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 74 amended—

The Hon. LYLA ELLIOTT: Despite the remarks of Mr Williams and the Minister, I wish to proceed with my amendment. Mr Williams said that eventually the Canning Vale prison will have a separate remand section. I am aware of that; I said earlier that such segregation will facilitate recognition of the prisoners by the officers.

If clause 2 is passed and section 74 is amended as provided for in the Bill, what will happen to remand prisoners? Will they be treated the same? It looks as though they will be treated as any other prisoner is treated, and will be subjected to being fired upon if they attempt to escape. We do not think that is reasonable. We feel the possible penalty for trying to escape whilst on remand should not be death, as it could be under the circumstances we can see occurring.

A remand prisoner might very well be an innocent citizen who is in gaol merely because he is unable to raise bail. He may be a person who is there in respect of a minor offence. I referred to the ghastly things that happen in prisons, and Mr Williams has referred to some rather repulsive

things of which he has been made aware. Such circumstances may become too much for a sensitive person who is in prison for the first time.

Mr Williams spoke about the violent criminals who may be found in prison, and said they could be on remand. However, I am referring to a person who is in prison for the first time and may become temporarily mentally unstable and head for the wall. I think it is a bit rough to include him in the same category as other convicted prisoners.

Recognition should be given to his special case. I feel it is not impossible to distinguish remand prisoners by their dress or by some other means. I agree with Mr Williams that prison officers are not vicious or cruel people; their patience must be tested to extreme lengths at times, and I applaud them for the unpleasant job they do for the community. They must do their job and carry out the instructions they receive, and that includes the administrative requirements contained in legislation passed in this Chamber. If we include in this Bill the right for prison officers to shoot at any prisoners, it could result in the death of an innocent remand prisoner who is in gaol because he cannot raise bail. I think that is unacceptable.

Therefore, I move an amendment—

Page 2, line 6—Insert after the word "prisoner" the passage " , except a remand-prisoner,".

The Hon. G. C. MacKINNON: I hope the Committee will not accept this amendment because it would leave prison officers in their present position, and we might as well not amend the Act. I accept the concern of the Hon. Lyla Elliott, but the amendment denies officers any intelligence or sense. They know where remand prisoners are. The officers are experienced and trained and would surely know the difference between a determined attempt and the half-nervous reaction of a person who has had a little too much and rushes to the wall and attempts to scramble over it.

Nevertheless, we come back to the classic problem: For whom should we have the greatest consideration—those who find themselves in gaol for whatever reason, or those who obey the rules and do not go to gaol? We accept that some terrible things happen in gaols. However, there are gaols with people in them because terrible things happen in the world. Not all wrongdoers are caught and it follows automatically that a greater number of terrible things must be occurring outside gaols than are occurring inside them.

That is another reason that we should spend more time and care on looking after those who are not in gaol rather than those who are. It seems to me we are doing the opposite.

Mr Williams spoke about psychiatrists. It is well known that frequently psychiatrists say that persons in gaol are absolutely hopeless, anyway, and nothing can be done for them. On the other hand, to my certain knowledge we have had vacant positions, with money to pay for them, for psychiatrists in the Mental Health Services. I know that has been the case at least since 1965. They are unprocurable anywhere in the world. Therefore, it is a waste of time talking about getting psychiatrists.

The Hon. R. J. L. Williams: At the prices we offer.

The Hon. G. C. MacKINNON: We offer the world price; some people will move for the sake of a few extra bob.

I repeat that we could run into all sorts of problems with regard to exempting a particular class of prisoner, because of the ease with which a person can be held down and his clothes stolen, and all the other examples that are given.

I suppose in the long run we come back to a point where we must rely on the common sense and the humanity of the person who is operating the scheme. If he is totally devoid of common sense and humanity, he can do all sorts of terrible things. However, that very rarely happens, especially where people are working in a team situation, as prison officers almost always are. So, to some extent, we must rely on that situation obtaining.

For those reasons, I ask members to vote against the amendment.

The Hon. R. HETHERINGTON: I listened with some interest to what the Leader of the House said; it seemed to me that he dealt with this amendment by referring quite often to things with which this amendment does not deal. In other words, nobody is arguing under this amendment that convicted prisoners are referred to. The important thing is that remand prisoners be kept separate from convicted prisoners. I cannot follow the reasoning of the Leader of the House that any remand prisoner must necessarily have broken the rules. Some remand prisoners are simply unfortunate; others will be found innocent.

The Hon. G. C. MacKinnon: I did not say or infer that.

The Hon. R. HETHERINGTON: That is what it sounded like.

The Hon. G. C. MacKinnon: You were only half-listening.

The Hon. R. HETHERINGTON: I listened very carefully.

The Hon. G. C. MacKinnon: You were leaving it to Miss Elliott, and not paying proper attention.

The Hon. R. HETHERINGTON: I thank the Minister. It may be that he did not make himself sufficiently clear. He would be the first to say it was my fault if he did not hear what I said.

The Hon. G. C. MacKinnon: You simply were not paying proper attention.

The Hon. R. HETHERINGTON: I was listening very carefully to the Minister, and it seemed to me he was saying that anybody who was in prison was there through his own fault. The Minister did not say "convicted prisoners"; I was listening for the phrase. Had he said that, I would have agreed with him.

The whole thrust of this amendment is that the Opposition is worried about remand prisoners. It is important that remand prisoners be kept in a separate section of the prison, as they will be at Canning Vale. The sooner they are kept separate, the better.

It is no good extrapolating from a situation which obtains at Fremantle at present and then arguing from that. If there is a proper prison where remand prisoners are kept strictly separate from convicted prisoners, it should be harder to change clothes!

I saw some weight in the arguments put forward by the Leader of the House but it seemed to me he muddled his thinking and did not really answer Miss Elliott. I am a little perturbed; perhaps we will come to the day when we have terrorism, and we have a Bader Meinhoff gang situation in Western Australia. I hope that day never comes, but I think we should do something about it if and when it occurs. In the meantime, it would make a great deal of sense to support the amendment.

The Hon. LYLA ELLIOTT: The Minister has not replied to the point I made that remand prisoners at Canning Vale will be kept separate from convicted prisoners.

The Hon. G. C. MacKinnon: Yes, I did. I said that the common sense of the officers would prevail.

The Hon. LYLA ELLIOTT: Obviously, a prisoner on remand is regarded as a special category of prisoner; otherwise why would we establish separate facilities for him? Therefore, we should discriminate between these classes of prisoner and carry the separate thinking forward

so that they will be treated separately throughout the prison system.

The Hon. R. Hetherington: They have not been convicted.

The Hon. LYLA ELLIOTT: That is the point I made earlier; in many cases, these people are innocent. What will happen when the new remand centre opens at Canning Vale? Are the officers to be empowered to fire on prisoners who may be trying to escape?

The Hon. R. Hetherington: If this Bill is passed, yes.

The Hon. LYLA ELLIOTT: I do not think the Minister has justified the need for this provision.

I also felt that the Minister was rather contradictory in his remarks. I understood him to say it is difficult to distinguish between one prisoner and another. Later, he said, "We must give prison officers credit for some common sense. They would know the difference between a certain type of prisoner breaking out, and the nervous type of person who simply cannot take any more."

The Hon. Bob Hetherington has covered the other points I was going to raise. I am sorry the Minister has not seen fit to agree with my amendment; I do not think he has advanced strong enough reasons for opposing it. I ask the Chamber to carry my amendment.

Amendment put and negatived.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

MOTOR VEHICLE DEALERS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 17th October.

THE HON. D. W. COOLEY (North-East Metropolitan) [8.08 p.m.]: This is a rather large Bill which contains a number of important amendments. Primarily, it is designed to protect the consumer and, on those grounds, the Opposition has no hesitation in supporting it.

The Bill will give the Commissioner for Consumer Affairs more scope to refer matters to the Motor Vehicle Dealers Licensing Board. It will also give him the ability to determine that a warranty exists and if there is any dispute regarding the warranty, he has the power within

certain monetary limits, to have the vehicle repaired and charge the dealer accordingly.

I am pleased to see the financial institutions—in other words, the lending houses—are to be roped in to the requirements of the Act. The reason for this is that their main dealings with motorcars is as a result of repossessions. The lending institutions put the cars into yards and sell them. All sorts of things go on in repossession yards which, from my limited experience, I know to be quite undesirable. Provided a buyer can clear the debt owing to the lender, the lender is satisfied to sell him the vehicle. In some instances, people are able to purchase very good cars for very little money.

The poor unfortunate person whose car has been repossessed receives no refund from the transaction. I understand that, under the Hire-Purchase Act, if the car is sold at a higher price than the outstanding debt, the borrower is entitled to a refund. I do not know whether this Bill provides similar protection for such people, but the Opposition is pleased to see the lending institutions coming under the provisions of the Act.

Apparently the board can hold an inquiry on its own motion and, generally, the Commissioner for Consumer Affairs can take more part in the hearings and inquiries of the board. Because this Bill will provide to the consumer a number of advantages, we see the Bill as being worthy of support.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

APPROPRIATION BILL (CONSOLIDATED REVENUE FUND)

Consideration of Tabled Paper

Debate resumed from the 17th October.

THE HON. T. KNIGHT (South) [8.13 p.m.]: I am indeed pleased to have the opportunity to discuss the tabled Estimates. I am delighted with the amount of money to be spent in my electorate. South Province covers the area from Walpole in the west of the south coast through to Cape Arid,

which is the start of Israelite Bay, and encompasses many important centres which I believe will benefit greatly from this legislation.

I wish first to discuss some of the amounts which are to be spent in my area—I am sure my electors will be pleased about that—and then go on to discuss some areas which I feel have been neglected.

Firstly, some \$245 000 is to be spent on foreshore and boat harbour stabilisation at the Port of Esperance. A new proposal has been put forward by the Shire of Esperance and by the people involved in the fishing industry. Two locations have been looked at. One is Wylie Bay and the other is Bandy Creek. I understand from recent proposals put forward by the Shire of Esperance that it is looking more favourably at the establishment of a boat harbour at Bandy Creek. Whilst this will benefit the fishermen of Esperance, I do not believe it has the future expansion possibilities which exist at Wylie Bay.

Another \$10 000 is to be spent on lead lights into the Port of Esperance. The south coast area offers a great future to the fishing industry; therefore, the expenditure of funds on the provision of boat harbour and port facilities at Esperance will go a long way towards stabilising the industry and bringing it into full production.

A boat harbour for fishing boats and pleasure craft is situated at Emu Point, Albany. A sum of \$281 588 is being spent on this facility. Many years ago, a boat harbour was built by the Emu Point Reserve Board. The Hon. Stewart Bovell, the then Minister for Lands, assisted in the development of an area which was a naval reserve controlled by the Lands Department. The area was developed, services were provided, roads were built, and subdivisions were set up. The profit which arose from this exercise was used for the development of Emu Point. Toilets, changerooms, and picnic and barbecue areas were provided. I commend the Hon. Stewart Bovell for his foresight and for making this facility available to the people of Albany.

At that time the finance raised in the manner I have described was used for the establishment of a boat harbour at Emu Point. This has been a great boon to Albany, because it provides safe and protected harbouring for small vessels.

Since the Emu Point boat harbour was expanded several years ago, the fishermen have been concerned that they will be ejected from the harbour so that it will be available solely to the large number of pleasure boats which use it. I consider the arrangements made by the then Minister for Lands (the Hon. K. A. Ridge) are

satisfactory. It was decided then that the town council would take over the control of the boat harbour and it would be conducted in the manner intended by the Emu Point Reserve Board. I have indicated to the fishermen there that I cannot see a problem in relation to the management of the boat harbour and they will be able to use it until alternative facilities are provided.

A total of \$250 000 is to be spent on navigational aids at Albany. With the development of the Albany Harbour and the large sums of money spent on it over the last few years, I believe it must be considered to be the best harbour in Western Australia at the present time. It is understood to be the third best natural harbour in the world. It does not require dredging continuously which is necessary at Fremantle Harbour in order to prevent that harbour silting up. Now that Albany Harbour has reached its present depth of 38 feet it will not silt up and the money which is to be spent will not be a recurring outlay.

An amount of \$581 001 is to be spent on the extension of sewerage facilities at Esperance. The Government has seen fit to provide large sums of money to major provincial towns in Western Australia in order to ensure the sewerage installations are modern and efficient. The sewerage treatment plant installed at Esperance will prevent pollution of the underground water supply on which Esperance greatly relies.

The Albany sewage works is valued at \$455 000. An additional \$50 000 is to be made available for subdivisional work by private developers. Several years ago the Government, through the Public Works Department, provided that in the case of new subdivisions which exceeded 100 blocks the provision of sewerage facilities would be a condition of the contract for the subdivision.

The Public Works Department drew up the guidelines which were to be followed by the developers. The cost of the treatment plant and part of the cost of reticulation was to be borne by the Government and the balance was to be provided by the developer. A further \$50 000 is to be spent on this facility at Albany in the coming year, bringing the total figure to \$500 000. I believe Albany has the largest area sewered of any town in Western Australia on a pro rata population basis. This is a magnificent achievement for Albany. All members are aware that we get a large amount of rain in Albany and flooding is a problem on occasions. The sewerage facilities eliminate that problem to a large extent.

Denmark is a very small town, but a total of \$306 000 is to be spent on sewerage reticulation there. A couple of years ago the Government started a sewage treatment scheme in Denmark and each year since then large sums of money have been spent on its sewerage reticulation. I am extremely grateful for this, as are the people who live in the area.

A sum of \$805 000 is to be spent on water supplies in the Albany area. This figure includes the expenditure of \$360 000 on stage 1 head works; the Plantagenet main involves a figure of \$245 000; \$52 000 is to be spent in the Albany area; \$87 000 in the Cranbrook area; \$5 000 in the Denmark area; and \$30 000 in the Frankland River area. This amount is in addition to the sum spent on the water supply facility which has been opened recently and which I shall mention later. It includes the reticulation of mains and other items. A figure of \$26 000 is to be spent at Mt. Barker.

An amount of \$55 000 is to be spent in the Wilson-Torbay area for the drainage of the potato swamps which will make them more suitable for potato growing. This is an ongoing project and, as most members would be aware, the Torbay-Wilson Inlet area produces one of the few disease-free potatoes in Western Australia. This means the potatoes are in great demand for seed and Albany produces approximately 5 000 tonnes of seed potatoes per annum and these are distributed throughout the State.

For several years both the member for Roe (Mr Geoff Grewar) and I have been advocating extensions to the Ravensthorpe Hospital. We are pleased that \$100 000 is provided in the Estimates this year for that purpose. Ravensthorpe is situated on Highway No. 1 between Albany and Esperance. It is the only hospital in the area; therefore, in the event of a road accident it is most advantageous to have a good hospital at Ravensthorpe.

The Hon. G. C. MacKinnon: Is that still serviced by the Flying Doctor?

The Hon. T. KNIGHT: No; a resident doctor is located there. The old hospital was demolished several years ago and there is a modern, timber-framed, asbestos hospital of a high standard there at the present time. The quarters for the staff, matron, and patients are as modern as one would find anywhere in Western Australia. However, the hospital is occupied fully all the time and extensions are needed to provide more bed space so that it can cater for a greater number of patients.

I should like to refer now to Bremer Bay which, in the last few years, has benefited from the provision of water supplies and electricity. A figure of \$86 000 is provided in the Estimates for the construction of a health centre at Bremer Bay. This is a holiday resort for the people who live in the lower central farming areas and farmers from Kondinin, Katanning, Ravensthorpe, and Lake King go to Bremer Bay for their annual holidays. The Gnowangerup Shire Council has provided excellent facilities as a result of which Bremer Bay has become a haven for holiday makers on the south coast. The provision of a health centre will go a long way towards assisting the advancement and development of the town.

I should like to refer now to the situation in respect of schools. A total of \$167 000 is to be spent on the Esperance High School, with a figure of \$411 595 having been spent on additions and improvements in the last 12 months. This may seem to be a great deal of money, but one must bear in mind that Esperance is growing very quickly and the school rolls are increasing all the time.

The Agricultural High School is situated at Denmark. Last Thursday I opened a field day at the Denmark Agricultural High School on behalf of the Minister for Education. At that time the headmaster and other speakers mentioned the Government intends to spend \$100 000 on additions and improvements to this school in the coming year. It was, however, pointed out—and this is a matter I would like to bring to the notice of the Minister—that because of the growth of the Denmark Agricultural High School, the influx of students, and the possibility of technical students at Albany being involved in courses at the school, a further 20 sleeping units would be required. This matter has been under discussion for many years and I believe the Minister has the information on his file. I wish to draw this to his attention, because I would like the Denmark Agricultural High School to be developed. It is situated in an area which has a different type of farming from that in the Narrogin area. There is a concentration of small farms. The expansion of the high school, in particular the agricultural residential wing, is necessary for the development of the area.

The Mt. Lockyer School in Albany will have approximately \$300 000 spent on it this year after \$119 892 was spent on it in the last 12 months. The Albany-Yakimia School is reaching the stage of completion. A total of \$26 000 is provided in the Estimates with a figure of \$323 343 having been spent on it last year.

As members can see, the Government is concentrating on developing and improving school facilities. I appreciate the work which is being undertaken in my electorate and the money that is being spent for the benefit of students and people who live in those areas.

A total of \$60 000 is to be spent on the Cranbrook Primary School. A figure of \$82 000 is to be spent on the Esperance-Castletown School, with \$286 174 having been spent during the last financial year. A figure of \$172 000 is to be spent on the Nelson Primary School at Esperance. When one looks at those figures and sees the work which is being carried out in my province, one realises it is obvious we can expect a high level of employment and development and a great deal of growth in those centres in the future.

The Government is spending \$223 000 on the upgrading of security at the Albany Regional Prison Centre. Earlier tonight we debated the Prisons Act Amendment Bill and several members referred to the need to upgrade security and conditions in prisons. Last year \$55 554 was spent on the Albany Regional Prison Centre. It is obvious Albany is becoming a major centre for the establishment of a facility which is aimed at providing the necessary encouragement to prevent people from breaking the law.

I approached the Minister for Police and Traffic several months ago at the request of the Cranbrook Shire Council which informed me that when the RTA was established an undertaking was made that a road traffic officer would be stationed at Cranbrook. As we are all aware, that goes back several years and up to this date a road traffic officer has not been provided in the area.

The Cranbrook Shire Council offered to build a house of a high standard which it would initially rent to the authority so that a patrolman could be stationed there, and the authority would have the option to buy the house at the market rate at a later stage. This was a magnificent offer made by a small shire which wishes to establish a road traffic officer in the area to assist with the policing of traffic.

Many years ago a new courthouse and a new police station were advocated for the town of Cranbrook. At that time it was stated the finance for the buildings would appear on the next year's works estimates. However, Cranbrook still does not have a courthouse or a police station. The courts are held in the shire hall adjoining the council offices, and the police station is a room on the veranda of the home of the police officer. I will admit they probably do the job, but they are

not fitting for the area. The courthouse and the police station should be combined.

Recently the shire approached the department and advised it was considering shifting the courthouse and police station site into the centre of the town. The shire owned a block of land behind the shire offices ideally situated for a courthouse and police station, and it arranged to purchase an adjoining block of land so the area would be of suitable size. Since then, the local bowling club has requested that the buildings be constructed on the outskirts of the town on a Government owned larger block of land with better surroundings. That would also give the bowling club the added protection of having a police officer stationed nearby. I would like the Minister to follow this matter closely because Cranbrook has been in need of these facilities for a long time. I recall Mr Lewis continually requesting a police station for Dumbleyung, and perhaps if I keep up my approach I will win through.

The Hon. H. W. Gayfer: I am sure the member for the district, Mr Old, had something to do with that.

The Hon. T. KNIGHT: I think it will be recalled that Mr Lewis mentioned it many times. I do not deny what the member opposite has said. However, I think that the dripping water will wear away the stone so I will follow the example which has been set.

The Hon. H. W. Gayfer: I believe Mr Wordsworth also had something to do with it. You earlier mentioned only yourself and Mr Grewar.

The Hon. T. KNIGHT: I mentioned Mr Grewar and myself in relation to another matter with which we were jointly involved. Mr Wordsworth also is part of our team.

The Pardalup correction centre will have an additional \$8 000 spent on it during this year. A sum of \$28 521 was spent there last year. I have visited the centre on a couple of occasions and the work being done there, and the opportunities provided for prisoners to learn new jobs and new trades before returning to public life, is a tribute to the Government. The correction centres, which are working to re-establish people who have committed crimes, are doing a wonderful job.

The Agriculture Department office in Albany will have a sum of \$118 000 spent on it to upgrade facilities. A sum of \$126 990 was spent last year. At Esperance, a sum of \$122 000 will be spent, and a sum of \$40 000 will be spent on an agricultural office at Jerramungup. There is a very good reason to establish an office of the

Agriculture Department at Jerramungup, and I congratulate the department on the move. It is a long way from Albany and from Esperance, and it is in the middle of probably one of our greatest developing farming areas where there are many problems. The department has been helpful in solving many of them.

The Public Works Department will spend \$129 000 on office extensions and buildings at Albany during this year. I consider the establishment of those offices possibly will mean the employment of additional engineers and other staff who will cope with the rapidly expanding growth of Albany and the hinterland.

The Rural Housing Authority, this year, will spend \$1 154 000 whereas last year it spent \$736 000. In my opinion, the Rural Housing Authority is one of the greatest achievements of the present Government. It was set up to assist farmers to own their own homes, and for those homes to be of a standard similar to those occupied by workers in the metropolitan area.

For many years there was no way that money could be lent to farmers so that they could build houses on their farms. The reason was that it would have been difficult to excise a quarter acre or a half acre from a farm of several hundred or several thousand acres. If something happened to a farmer and he could not meet his loan repayments there was no way by which anyone could take over the house built on a farming property.

Over many years, successive Governments worked extremely hard in an effort to find a way to allow farmers the same right enjoyed by their city cousins. Finally, the Rural Housing Authority was established. Mr Bruce McKenzie, the past Chairman of the State Housing Commission, is chairman of the authority. He and his officers are dedicated men and they are looking after the interests of the farmers and their sons right throughout rural areas. I pay tribute to work done by the authority and also to the Government for the introduction of the scheme.

The Estimates show a gross figure for housing in my province, so last week I asked a question in order to obtain a breakdown of the figure. This year the State Housing Commission will spend \$1 646 500 throughout the South Province in the construction of homes, family units, and pensioner flats. The Albany electorate will receive 26 family units and eight pensioner units. The Roe electorate will receive 28 family units, and 10 pensioner units, and at Stirling two family units will be constructed. The progressive total of

\$1 646 500 is made up of \$677 800 for Albany; 911 200 for Roe; and \$57 500 for Stirling.

As I mentioned earlier, last Saturday the Frankland water supply scheme was opened by the Deputy Premier (the Hon. D. H. O'Neill) representing the Minister for Works and Water Supplies (the Hon. G. C. MacKinnon). The opening of the water supply system was the culmination of several years' work, and coincided with the Frankland display day held as that town's contribution to the State's 150th birthday. It was organised through WAY '79, and in excess of 600 people attended. Frankland is a very small community some 25 miles west of Cranbrook, but still in the Cranbrook Shire.

There are established vineyards at "Westfield"—which produce "Frankland Valley Wines"—and at "Alkoomie", another good wine producer.

"Westfield" owned by the Mayor of Adelaide (Mr John Roach) has something like 640 acres of vines in production at this time, which I believe is more acreage than all the other vineyards in the region.

The future of wine growing in this area has great potential with many local wines winning medals in world-class exhibitions during the past 12 months.

Getting back to water supplies, these facilities require workers and most of those workers will live in the towns. Frankland, which was supplied with power a few years ago, now has a water supply. That means that people who work in the area and who want to live in the townships will have the same facilities at Jerramungup, Hopetoun, and Frankland as exist in the metropolitan area.

The Hon. G. C. MacKinnon: I am sorry I was not able to open the water supply scheme. I was at Harvey, opening the show.

The Hon. T. KNIGHT: I realise that the Minister had another engagement at Harvey, in his own electorate, which he was obliged to attend and which was only correct. However, unfortunately he missed an opportunity to open the water supply scheme and, as Minister for Tourism, he missed the opportunity to attend the 150th birthday celebrations and the display day.

The Hon. D. W. Cooley: Is this the mutual admiration section of your speech?

The Hon. T. KNIGHT: Mr Cooley can look at my speech in any way he likes. I am appreciative of what the Government is doing in my electorate. The tabling of the paper gives us an opportunity to express our thoughts. Mr Cooley spoke the

other night and said what he wanted to say, and I intend to do just that tonight.

The Hon. D. W. Cooley: There were many interjections during my speech, too.

The Hon. T. KNIGHT: It may be recalled that for several years, at every opportunity, I have pushed for a water supply at Hopetoun. I was there recently and observed that the tanks have been constructed, the bores are down, and the reticulation has started. At last, Hopetoun has a water supply. Some blocks of land were thrown open recently by the Minister for Lands (the Hon. D. J. Wordsworth) and they sold at prices up to \$10 000. That demonstrates that once facilities are available people will move in. If we do not provide facilities equal to those available in Perth we will not achieve decentralisation. It is obvious that the provision of water supplies and power is a step in the right direction.

I have been drawing the attention of the Government to the question of a water supply for the Mt. Many Peaks area. Mt. Many Peaks is a small settlement which consisted of a couple of agencies, a school, and two shops. It was established in the middle of the land settlement scheme to provide farms for returned soldiers at the conclusion of the last war.

There are many thriving and well-established farms in the area. However, the contractors are not prepared to establish homes and workshops because of the lack of water supplies and power. Power was extended to many people recently and I understand that some contractors are interested in establishing mechanical businesses, and earthmoving and bulldozing businesses at Mt. Many Peaks if facilities are made available so that they can move in with their families. There is a good school in the area, and I have been able to ascertain that the Education Department intends to spend additional money in order to establish a water supply scheme to reticulate the school grounds and oval. However, the Public Works Department also intends to establish a water supply scheme for the needs of the town. I have now been assured by the Minister that in consultation with the shire, the Public Works Department and the Education Department are considering a combined scheme. The little townsite of Mt. Many Peaks will have a water supply in the near future which will be another worthwhile project in my province.

I am aware that money is always a problem which faces any Government, but one of the matters which I believe this Government has overlooked is the care of senior citizens. We have to consider urgently some form of financial

assistance to these people for the establishment of homes. In particular, accommodation has to be established in country areas to provide intermediate-type care between the hostel and geriatric wing situation. I believe that many senior citizens who transfer from a Silver Chain or church-style hostel to a geriatric wing feel they are on their last step.

There are many intermediate-type homes for pensioners in the Perth area. Pensioners are able to be cared for when they are unable to stay in hostels. I understand that in the Silver Chain and similar-type hostels senior citizens must be able to go to their meals, assist in making up their rooms, toilet themselves, and do their own washing.

A country senior citizen who breaks a leg or an arm, or who suffers some other disability, has to move into a nursing home situation at Perth or some other large town because suitable accommodation is not available in his own area. Most senior citizens have to be sent to Perth hundreds of miles away from their children, and hundreds of miles away from the areas they helped to develop and in which they grew up. I think the Government should consider the construction of intermediate-care type hostels in country areas.

Several years ago I attended a Lions Club meeting at Lake Grace and reference was made to the fact that the pioneers of the district had to go to Perth when such a situation arose. I approached the then Minister for Health, and the Lions Club was given permission to take over the old maternity wing of the local hospital. This wing was renovated so that it could accommodate seven senior citizens.

I chaired the inaugural meeting to establish a working committee and a board of management and the whole town community attended it. I am proud to say that within the next month or two this small nursing home at Lake Grace will be opened under the chairmanship of Councillor David Robinson. The Government has bent over backwards to assist the town and I wish to emphasise that we must give serious consideration to the establishment of such centres in the bigger towns, and indeed in other centres like Lake Grace.

Several years ago I also mentioned the establishment of pensioner caravan parks. The idea was first raised with me by senior citizens who, having retired and sold their homes, purchased caravans in order to "see a bit" of Australia. Many people have this ambition on retiring, but when they return after their holiday, they find that, because of inflation, the sale of the

caravan will not allow them to purchase another home.

Many of these people would be quite happy to live in caravan parks on a permanent basis, and it has been suggested that the Government should be asked to assist in such ventures. Some caravan parks presently being built have a central toilet, shower, and laundry area for every four caravan sites. Such a concept would mean that aged persons would not be walking long distances. With the sort of park envisaged, there would be a central community hall and possibly even a small shopping facility. Such caravan parks would certainly be cheaper to establish than nursing homes or hostels.

I have undertaken some research into this subject, and tonight I would like to refer members to some information contained in a booklet entitled, *The Mobile Home in Australia*.

The Hon. G. C. MacKinnon: What you are talking about is a mobile home park as distinct from a caravan park. It would be a park for movable homes.

The Hon. T. KNIGHT: That is correct. Simon Holthouse is the author of this booklet which examines the potential of the mobile home in Australia, as reduced cost housing, alternative lifestyle housing, and recreational accommodation.

The booklet states—

In the U.S.A. Mobile Housing is firmly established as a form of low cost housing. The median cost of a conventional house in the U.S.A. is \$105 000, while mobile houses range from below \$15 000 to around \$30 000.

In the U.S.A. 4 million people live in mobile home parks.

Mobile home parks have not been developed in Australia, and there are legal restrictions. Governments, particularly in N.S.W., are now considering establishing mobile home parks.

Generally local laws in Australia prohibit staying in one caravan park for over six months. In many cases these laws are not enforced. Figures of the numbers of people living permanently in caravan parks are difficult to obtain, but the number may be as high as 50 000.

It is obvious that Mr Holthouse has investigated this matter fully, and I do not think his figures would be far wrong. He continues—

In W.A. sales of caravans to people who will live permanently in their caravans constitute 30 to 40 per cent of all sales.

I believe his investigation proves we must look to the establishment of permanent parks for this particular purpose. He goes on to say—

Permanent caravan lovers in Australia mostly site their caravans in parks designed for holidayers. Other permanent caravan lovers site their homes on private land, e.g. parents' farms.

We could be looking to the establishment of permanent caravan parks to assist people who are prepared to move around in their employment and to assist the pensioners. The booklet continues—

Australian caravan parks have developed along unplanned and haphazard lines. Amenities have tended to be minimal. The R.A.C.W.A. uses a zero to four star system to rate caravan parks: no parks have a four star rating. Lot sizes tend to be small. In W.A., under the Caravans and Camps Regulations (1970) the minimum area for each caravan site is 32 feet by 30 feet—960 sq. ft. The average site is often no more than 2 000 sq. ft.

Mobile home parks in the U.S.A. are much more refined, being carefully regulated and planned, and designed specifically for mobile homes. Caravans and other transient units are not permitted, but are restricted to parks designed for non permanent use.

Certainly we would save a great deal of money with the establishment of such parks, and we would provide our senior citizens with a community in which to live. They would have friends close by and they would not be isolated as so many of them are at the moment. Older people cannot travel as easily as can young people and if they decide to live in their own homes, they are frequently isolated. Many pensioners would like the opportunity to adopt such an alternative lifestyle.

After I had mentioned this matter in Albany, one couple conducted an informal survey and told me that they knew of at least 3 000 people who were interested in the establishment of pensioner caravan parks. The couple ascertained this much without really trying, and they believe that tens of thousands of people would be keen on the idea—in fact, people throughout the State and the nation.

The Hon. D. K. Dans: I approve of all the things you have said, but thinking of the mobile homes used in America I wonder whether our road system would be able to cope with them?

The Hon. T. KNIGHT: We were not thinking of mobile homes of the size permitted in America. Already some mobile homes are not permitted to be towed beyond the South Australian border because of our regulations. They must be placed on something like a low-loader and put into position in a caravan park. If we agree to do something about this idea we must look at our by-laws relating to caravans; in fact, we must consider many new ideas. I have travelled around all parts of Australia except Darwin, and I believe that our Western Australian roads are as good as or better than those in any other State.

The Hon. D. K. Dans: I agree. Certainly they are very narrow, but they are very good.

The Hon. G. C. MacKinnon: American friends of mine live in a mobile home and these homes are moved under very stringent restrictions; they must be moved by special prime movers and during restricted hours.

The Hon. T. KNIGHT: If we follow up this idea we could even establish a new industry. Someone could establish a business to shift mobile homes. My idea would give older people what they want and it would save their well-earned retirement money. I believe the idea has merit, and, in a letter to me, the Minister for Health had this to say—

As existing legislation was designed specifically for short term tourist accommodation, the current use of caravan parks for permanent and semi-permanent occupancy is in conflict with this legislation and the Working Party has accordingly suggested that there is a need for legislative changes to permit the permanent situation.

So the matter is being looked at. The letter continues—

In the event of the Working Party's recommendations being finally accepted, the establishment of a permanent caravan park would entail an upgrading of current caravan park standards and the costs of development would be proportionately higher.

I am informed that based on current estimates, it can cost approximately \$4 000 to provide one site on a caravan park and this is without taking the cost of acquiring land into consideration.

In my opinion it would cost nowhere near \$4 000 to establish a site in the average caravan park around Western Australia. Probably such a sum would be sufficient for a high-standard caravan park immediately adjacent to ablution facilities. Certainly the setting up of such a caravan park would be a lot cheaper than would be the

establishment of a multi-storied block to house these older people. On a caravan site the pensioners would have a little more privacy than in a home unit. The Minister continued—

Previously I have indicated that your proposal to provide caravan park accommodation for pensioners was an interesting concept and I have no doubt it would receive support from sections of the community.

However, it would appear that to bring such a scheme to fruition would necessitate a great deal of planning and considerable financial support and although Departmental officers provide an advisory service for the establishment of caravan parks and are available to advise you on this matter, my Department is unfortunately not in a position to offer any financial assistance.

Obviously that is so, but every day we are looking at new ideas, and when an idea has merit, we must find the finance for it. Our senior citizens have paid tax all their lives and the Government should give this idea full consideration.

I wish to mention also the matter of extended medical care for handicapped and disabled people. On several occasions I have asked questions about this. The general policy was established in late 1974 or 1975, and I believe it commenced because I mentioned the case of a little girl in my electorate who was run over by her father's tractor. This child was crippled in the accident. I visited the Royal Perth Hospital Annexe and I spoke to Sir George Bedbrook, the administrator. He said that this little girl deserved better treatment than simply remaining in a hospital bed for the rest of her life.

Sir George suggested that if her parents' home could be brought up to a standard acceptable to the Public Health Department the child could be returned to the care of her family. When she fell out of bed she would not be picked up by a nurse. Probably she would be able to fight with her brothers and sisters and he felt she would have a better chance to get back on her feet again. This little girl did get back on her feet again so to speak, although with artificial medical aid.

From the time of the establishment of this scheme up until the 30th June, 1979, \$736 092.15 has been spent on the provision of home aids. A total of 10 184 people have been helped in this way, and that works out at an average cost of \$72.27 per service.

When I put forward my suggestion, the Government was prepared to send 10 people home a year at a saving in cost of something like

\$365 000. It was then \$100 a day for a hospital bed. If the Government spent \$10 000 on each home for these 10 patients, that would be a total of \$100 000 and it would still be ahead \$265 000 for one year. It was envisaged that over a period of three years 30 people would be sent home for an outlay of some \$300 000. This would mean a saving to the Government of \$1 095 000.

I discussed this suggestion at great length with the Hon. Norm Baxter, the then Minister for Health. I spoke with his officers about it, and through his work steps were taken. As well as the sums I have quoted, the Government also saved the cost of the establishment of a 30-bed hospital and the cost of the staff and equipment necessary to run it. My figures were worked out on the basis of 10 people a year over a three-year period.

We are talking here of 10 184 people. When we consider how much it would cost to build a hospital to cater for that number of people, and that it would cost \$100 a day to keep each of those people in hospital, we would be stupid to say this has not been a magnificent achievement for Western Australia. It has enabled handicapped, disabled, and sick people to be cared for in a family environment at home.

The little girl to whom I referred now is receiving good marks at school. I visited her at Wellstead School, and found that the Education Department had also jumped in and assisted her. She has a special desk on which she can hang her callipers after locking herself in. She is able to play with the other children. I recently asked again in Parliament when work would begin on a sick bay at Wellstead School. The only problem with this little girl is that her mother must travel to the school each day after lunch to change her and do what is necessary for her in the school book store. I am pleased to say that the Minister has promised this work will be carried out in next year's Estimates in the form of a first-aid room.

The other facility for which I have been pushing is the establishment of mobile clinics. I mentioned this matter back in 1977, and received a letter from the then Minister for Health (Mr Ridge) on the 29th September, 1977, in which he said—

The provision of mobile teams of professionals for handicapped children in rural areas has been a matter of investigation by officers of my Health Department for some time. In fact, the Mental Health Department have already instituted mobile teams to visit such areas as Kalgoorlie, Esperance, Albany, the South West,

Geraldton, the Pilbara and the Kimberley regions.

The teams can include a medical officer, physchologist, social worker, occupational therapist, trained nurse etc.—depending on the availability of staff and the needs of the area served.

On Friday I received a telephone call from one of the women who first brought this idea to my notice; she has a mentally handicapped and retarded child. She told me she had heard that some of these clinics had been established, but that she did not know where they were. I could not find out where they were operating except that they had been established.

The Country Women's Association also has worked hard on this matter and has made available one unit to work in conjunction with the mental Health Department and the Education Department to travel to different schools with occupational and speech therapists and others helping children with learning difficulties and currently is considering providing another vehicle.

In the same letter the then Minister for Health went on to say—

The Child Health Section of Community and Child Health Services Branch and Princess Margaret Hospital also have professionals who visit country areas from time to time.

I believe he was referring to children going to hospitals in local areas where they would be assessed and treated. The Minister's letter continued—

These people will assist in the management of the health problems of the handicapped child. These services are expanded as personnel and finance permit. However, in the long-term it is planned to develop Regional Teams based in main centres throughout the State. This will ensure continuity of management and at the same time obviate against the necessity of long trips to Perth.

Facilities are available within Community and Child Health Services for the detection of children with handicaps; for the more detailed assessment and recommendations on medical management of these, there exists the Child Development Centre in West Perth and the Chidley Educational Centre for country children. At this latter institution a full team and long assessment facilities are provided to determine the most appropriate educational approaches for individual children. Professionals with the Public

Health Department are intimately involved in this assessment procedure. With the establishment of Regional services operating from the larger country centres, these same services will become available to rural families.

You will understand that development of these services will depend on availability of the necessary skilled personnel prepared to live in the various Regional centres; and also on improvement in the financial situation.

I sent a letter on the same matter to the Country Women's Association. I received a reply from the president of that body thanking me for my interest and stating as follows—

The Director of Schools has indicated his support of the project, and we are seeking advice on the type of vehicle best suited for the purpose. We hope the project will be finalised in the not too distant future, and will be more than happy if both Departments can work in together with their resources to get the maximum benefit for the people we wish to help.

The Minister advised her as follows—

Your proposals have received some consideration in both the Mental Health and Child Health areas. It is the view of the Senior Medical people in those areas that the use of one or more mobile units would not be the best way for the problem to be met. Instead, it is believed that Regional services operating from the larger country towns should be developed, supported by clinical teams from the large institutions in the city and from the responsible Departments themselves.

Moves are being made to try to develop this type of regional service and departmental estimates for 1977/78 will be including appropriate amounts to cover the costs. You will understand that until the estimates have been considered by the Treasury Department and placed before Parliament, it will not be known how much will be available.

I hope the matter will be given early consideration, and that something will be done.

I also would like to bring to the attention of Parliament and the Government a problem which exists in my area in regard to salt land, and its treatment. As members are aware, people are running around with a million and one ideas as to how to solve this problem. Recently, I received a scheme from the Pastoralists and Graziers' Association of Western Australia which is worthy

of examination. The amount of interest which has been generated by this scheme leads the association to believe it may work. I understand the Public Works Department has examined it. To me, it seems to be the most economical and practical solution which has been put forward to date. An examination of the proposal by the Department of Agriculture would give it an insight into what the farmers and the people representing the various local shires think of it and what the engineers who have examined the scheme thought as to its possibilities.

The proposal is to divert the Tone and Kent Rivers to the Frankland River.

The Hon. G. C. MacKinnon: They commenced the survey today.

The Hon. T. KNIGHT: I am pleased to hear that; I will not bore the House with the details.

The Hon. D. K. Dans: Let us know about it.

The Hon. T. KNIGHT: The proposal put forward by the Pastoralists and Graziers' Association is as follows—

The proposal is to investigate the feasibility of diverting the head waters of the Warren River; which has its origins in the Tone River; via Lake Muir or the Minor Lake Systems to the East of Lake Muir, to the Frankland River.

The objective behind this proposal is to release the Zone A Area of the Warren Catchment Area presently under clearing control.

The areas are marked out in different zones, in which, in one zone, no clearing is allowed, in another, only isolated patches of clearing is allowed, etc. The association's proposal continues—

A breakdown of the agricultural losses of this Zone is outlined in this submission.

Kent River to Frankland River

The proposal also calls for investigation of the possibility of the diversion of the Kent River to the Frankland River as shown on the attached map...

The Tone River was inspected on the 13th August, 1979 in the company of Mr. J. O. Ewing, a Consulting Engineer and Surveyor.

The Tone River at the date of inspection was carrying considerable salt. Probably less than 3 000 ppm but greater than 1 500 ppm.

Lake Muir is salt.

Some lagoons to the East of Lake Muir are reportedly salt. There are some fresh water lakes in the region.

Design should be taken as far as required for costing purposes. It is clear that if the Tone River is to be diverted to the Frankland River the Lake Muir wet lands route will be the most likely route to meet environmental engineering and cost requirements.

The environmental effect of discharging water from the Tone into the Frankland must be considered.

There will occur a mixing of River waters that will produce a change in salinity. To some degree this should be estimated and the environmental effect determined. There will be effects on the Frankland system through an increase of flow and change in salinity and their impact must be assessed.

The association considers this will almost immediately clear the principal problem area in our agricultural farming lands. The association's submission continues—

Kent River Water Reserve

The Kent River Water Reserve has 1 650 km² above the proposed dam site. It is approximately 33 per cent cleared. Its average annual flow is 84 m³ x 10⁶ and it has an average annual salinity level of 1 100 mg/l TDS.

If the Kent River were diverted below the Zone A Control Line the water yield would probably drop by about 50 per cent with an annual salinity level estimated at 350 mg/l TDS. This is comparable to the salinity level of the Helena River.

The Hon. G. W. Berry: Per litre?

The Hon. T. KNIGHT: Per litre TDS—"TDS" meaning total dissolved salts.

The Hon. G. W. Berry: It seems a lot for only one litre.

The Hon. G. C. MacKinnon: That is the number of parts per million. It is the equivalent of saying 350 parts per million.

The Hon. T. KNIGHT: The association's submission continues—

The Warren River has a total water-shed above the proposed dam site of 3 890 km² of which 33 per cent is cleared. The average flow is 365 m³ x 10⁶. The average annual salinity level is 725 mg/l TDS.

Following the diversion it is likely that the water yield would be halved and that the average salinity level may drop to approximately 200 mg/l TDS.

Thus the river would become immediately potable.

The association has gone into the matter in some detail. I am pleased to hear the Minister say a survey has commenced. It seems to be a logical solution to the problem.

I wish to deal now with a matter which has been raised in the past by many members; I refer to tendering for the supply of Government vehicles. The Government has always maintained its policy is to call tenders throughout the State. However, suppliers in my electorate—I understand the same situation exists in other country electorates—inform me the vehicles involved must be delivered to a depot in Perth for testing. This puts country dealers at a complete disadvantage; they are unable to compete with metropolitan dealers, who find it easy to deliver vehicles or plant to the local depot.

Country areas have traffic testing stations, and Public Works Department and Main Roads Department depots, all carrying engineers. When a tender is submitted from a particular area, it should be possible for the local supplier to deliver the vehicle or plant to a local testing station to enable him to compete against metropolitan firms.

The Albany Rifle Club has been operating on the south coast for some 30 years from a clubhouse on land leased to it by a farmer. Recently, when surveying the new road alignment from Princess Royal Harbour to Frenchman's Bay, the shire council saw fit to place the survey line right through the middle of the rifle club clubhouse. The club has been using these premises for the last 30 years, but the shire council has resumed the land, thereby making it impossible for the club to carry on with its regular shoots. As a result, of course, the club has had to shift elsewhere.

Recently, Parliament passed the Reserves Bill which enables the rifle club to re-establish itself on another site. I wish to bring to the Minister's attention the fact that the club needs early approval to start constructing its new rifle range in order to be ready for a major shoot to be held in January, which is expected to attract some 800 shooters from all over Australia. I understand assent has not been given to the Bill, and without it, no such permission can be granted. The rifle club is seeking permission to commence work on its new premises and rifle range prior to the Governor assenting to the Bill. I would appreciate it if the Minister could speed things up.

The Hon. D. J. Wordsworth: I will look into it personally.

The Hon. T. KNIGHT: I wish to raise the matter of the sea rescue squad. This has been

raised before, and it needs to be aired again. The Albany Sea Rescue Squad recently purchased a new boat for \$37 780. Its annual expenses and receipts show a turnover of \$52 081. This amount comes from voluntary fund-raising. I have raised a point in the past, and I do not know whether it has been studied.

The Government should consider making available at Government rates, and possibly from Government sources, the fuel for sea rescue squads around our coastline. If the sea rescue squad was not available the police or the civil emergency people would have to be called in to make available vehicles and craft to make the rescues. Somebody has to pay the bill and the wages in these circumstances.

We are exploiting the people who have willingly given of their time and money to make our shorelines safe. Indeed, the Albany Sea Rescue Squad has a four wheel drive vehicle, so it is able to do inland work as well as sea rescue work. If equipment is not available they arrange to borrow it from civic-minded citizens.

It would be a wise move by the Government to consider making available the fuel used by the squad. It should be supplied at Government rates or through the Government Stores Department.

I know that the civil emergency group has made available to it Government equipment for its activities. The sea rescue squads have to purchase their own equipment. I consider the Government should make this equipment available to the people who are prepared to help themselves, prepared to help others, and prepared to help the Government. If they were not there, the Government would have to come in, at very high cost. Perhaps it would have to set up another department, which would mean supplying buildings and permanent staff.

The sea rescue people are available 24 hours a day. They accept no salary or wages. They do what they do for the love and safety of mankind. They want to make our shorelines safe. We should be assisting them. Their boat licence fees should be exempt because they are using their boats to help us. Their boats are being used on errands of mercy for much of the time. In fact, the boat purchased recently by the sea rescue squad should be exempt from all fees.

We now find that the Federal Government has raised the small boat marine licences from \$2 a set to \$25 a set. Most of the members of the Albany Sea Rescue Squad—and I would say this applies to Esperance, Mandurah, and Geraldton as well—have two-way radios only because they are involved in sea rescue work. However, they

are facing an increase from \$2 to \$25. The licence for base radios has been increased to \$50 from \$25. What is wrong with the Federal Government? Can it not see that these people are doing something for the welfare of others who, through no fault of their own in many cases—through engine breakdown and other things—are putting their own lives and the lives of their passengers and families at risk? The Federal Government is making it almost impossible for these people to function because of the high costs imposed on them. I hope the Minister will listen to my plea and make moves to assist.

I have been asked to raise a matter. Why cannot a group, which in a way is an organisation giving service to the community, obtain grants from the WA Lotteries Commission? The Surf Life Saving Association receives such grants. I know that. Each year we read that the Surf Life Saving Association has been given a lotteries grant. Why are not the sea rescue squads receiving some of that money?

The sea rescue squads have more overheads for equipment than the surf lifesaving people. They are carrying out similar duties on a larger scale. If it is good enough for one to receive a subsidy from the Lotteries Commission, the Minister should ask the Lotteries Commission why it is not giving grants to people involved in sea rescue squads. After all, they go on lifesaving missions.

Apprenticeship training is something that has been of great concern for quite some time. I mentioned to the Minister possibly two years ago one of the suggestions put to me by builders and subcontractors who could foresee that they may go out of business in six months, 12 months, or two years' time because of the uncertainty of work in the industry. It was suggested that we should indenture apprentices to the Public Works Department building division and to the State Housing Commission. When a contract was awarded to a builder the SHC would say, "This is a \$200 000 contract involving a certain number of men. That means you will have to employ 10 carpenters, so you will have to take five of our apprentices to work with those tradesmen."

The apprentices would be able to take their time off to go to the technical college under the normal training scheme. They would be working on, say, housing. If there was a slackening off in the work, they could do further technical school training. Next month they could be on a multi-storied job, or a renovation job. They could do cabinet making in the factory if the cabinet maker was doing Government work. If he was

employing 20 tradesmen, we would put 10 apprentices on the job.

The apprentices would become more proficient and more capable of looking at the full field of building work. They would have the opportunity to work in all the different sectors of the building industry.

In the event of a builder's going broke and apprentices being left out on a limb because there was no work, the Government could put the apprentices back into full-time technical school training. There are many innovations in building, and there is a lot to learn on the practical and theoretical sides.

We have always considered that the good carpenter is the man who has practical ability. We want apprentices who do well in the theory and also on the practical side.

The apprentices would have the opportunity to be involved right throughout the industry. The private employer would not be caught in the situation of having unemployed apprentices indentured to him for three, four, or five years. If he did, he would be obliged to pay their wages every week unless he was exempted because of his financial situation.

Let us consider the way it would work. The apprentice would be indentured to the Government. He would have the best of both worlds. He would receive the maximum benefit from his technical training and from his theory. At the same time he would be working in all areas of the building industry. He might go out today and put up a framework. The next day, because he was working for the SHC or the PWD, he might be on roof work. Then he might be put onto inside fixing or cabinet work for a joiner. Later he would be doing concrete form work. That boy would see all of the aspects of the building industry. He would be the best tradesman in any country because he specialised in building generally and not only in floor laying, joinery, cabinet work, framing, inside fixing, or whatever the case may be.

We should give consideration to this matter. It would ensure that the State had apprentices being trained all the time. It would make employers keener to support the concept of apprenticeship training.

The SHC has a condition that if one is granted an SHC job, one has to employ apprentices. One of my local builders missed out on a job when his bid was \$17 000 lower than the bid by a metropolitan-based builder. However, the local man did not have an apprentice. I told him to obtain an apprentice quickly. By the time the

paper work passed through the Department of Labour and Industry, he had lost a lot of time and the contract. When the SHC rang the Department of Labour and Industry, after I said the man had taken on an apprentice, the department said that he did not have an apprentice. He had filled out the application form, but it took a month to process it. Officially he did not have an apprentice working for him until the department had processed the application and allocated him a number, yet he had paid the apprentice a week's wages.

That builder lost a contract for which he tendered \$17 000 less than his metropolitan competitor. He took on two apprentices at my instigation. The next SHC contract came up and his tender was \$5 000 higher than the same Perth builder. However, no consideration was given to the man who was a local employer, who was building in the area in which he lived, and whose children were educated in the area. No consideration was given to the fact that he bought his supplies locally. He had taken on two local apprentices, but he missed out on that contract. The \$17 000 extra paid by the Government on the first contract would have paid the wages for the two apprentices for five years. That is the stupidity of the whole situation.

Let us consider the position of the Public Works Department. The same builder came to me and said, "What has happened with the PWD? They have just crossed out the section in their contract that says, 'Only builders employing apprentices will be considered for the job.' It has been crossed out, although the SHC contract has still got it in." The PWD is working on another basis. The builder has taken on two apprentices so he can obtain Government jobs—

The Hon. W. R. Withers: It would not work in the really remote areas. That is why it was crossed out.

The Hon. T. KNIGHT: The point is that there are sections of Western Australia where there are differences. There are different wage structures in various land areas of Western Australia. There is no problem. Builders' registration applies in some areas and not in others. There is really no problem as far as I see it, anyway.

I would like the Government to look at that matter. It should give it strong consideration.

The next point I would like to deal with is the Collingwood Road sewerage matter. I promised I would raise this, although I have discussed it with the Minister. It appears at this stage that nothing can be done. Collingwood Road approaches the shoreline of Oyster Harbour. The residents are

having many problems with sewerage because of the low-lying characteristics of the land. In fact, it has been pointed out to me—and rightly so—that the town and shire councils are responsible for the drainage and the septic tank problem.

The Minister has indicated that there is not much point in laying costly earthenware pipes for a reticulated sewerage system through the area that is subject to flooding because it would damage the pipes. There could be movement of the pipes when there is a flood, resulting in cracking and sinking.

I suppose it all comes back to the fact that the town and shire councils have to look at the drainage work. It is a safety and health problem. Effluent is floating around in backyards, which are inches under water. I have looked at them; and there is an oily substance on the top of the water. There will be a health problem there very soon, if it has not occurred already.

I hope the Minister puts the matter on the works estimates for next year on the basis that I and other local members are pushing the town and the shire into doing their part to ensure that their residents, who are our taxpayers, have health and safety taken into consideration with their living standards.

I encountered a problem recently which I believe should be brought before the Government and given solid consideration. In a development by the State Housing Commission in Spencer Park part of the subdivision was shown as "hotel site". A constituent of mine bought the hotel site for the purpose of putting a hotel on it. At the time it was agreed that a hotel with residential accommodation was not needed in that part of the development, so it was agreed to split the block and build a shopping complex on part of it, and a modern tavern on the other part. The arrangements were made, and \$40 000 were paid for the tavern site by my constituent.

In the agreement with the SHC it stated that in default the constituent would forfeit \$10 000 of the \$40 000. Before he could appear before the Licensing Court, he had to have plans and specifications prepared, and surveys and everything carried out. The architectural costs were about \$9 800 for plans and specifications and structural details. My constituent then employed a local solicitor to put the case for him, to investigate the background, and to pick up supporting briefs from around Albany.

The Albany solicitor subsequently appointed another solicitor from Perth, who specialised in Licensing Court matters.

The Licensing Court refused the application for a tavern so my constituent is \$25 000 out of pocket. I checked out the matter and found that even though the area was originally designated as a hotel site or tavern site, it does not mean a thing, even if it is a Government department subdividing the block.

Albany's liquor outlets are badly placed but are considered sufficient by the Licensing Court. It means that the whole residential area—Spencer Park, Emu Point, Collingwood estate, Bayonet Head, Flinders Park, Oyster Bay Estates and others—is set up away from the main centre. People from these areas have to travel right into the main street of Albany to obtain liquor supplies.

We, as legislators, are always alluding to drinking and driving. However, here in Albany people are encouraged to drink and drive. They have to travel 10 miles to obtain liquor. They will not walk. To look at this sensibly we must remember the working people who like to have a drink after work. They cannot walk there; they have to drive because there is no other way of getting there. Albany weather is not as good as the weather in Perth and people do not walk often; they must drive.

I have spoken with the State Housing Commission people who have agreed to waive the conditions applied to my constituent so that he does not lose his \$10 000. What a vicious situation, where the Government department says that in default the \$10 000 fee will be forfeited.

Why cannot the Licensing Court give some sort of indication, look at the area or give some idea of an area which would be suitable for a tavern so that a man knows where he is going, especially when he is about to spend thousands of dollars?

This man I mentioned, sold his family farm and he and his two sons bought a residence in Spencer Park close to where the tavern was to be established so that they would be able to run it efficiently. Their livelihood was to be the running of this tavern. Anyone would reasonably expect that if a Government department said it would build a school in a certain area then it would be done.

The Hon. G. E. Masters: Surely anyone would go to the Licensing Court first.

The Hon. T. KNIGHT: It happened that the person who applied previously was told by the Chairman of the Licensing Court—and this was five or six years ago—that he would agree to the establishment of a motel or hotel at that stage. However, he said they would prefer a tavern. The same architect, who approached the chairman at

that time, drew up the plans for my constituent. So let us add it all up. How can one expect a man to be a mind reader or to know that changes will be made?

The Hon. G. E. Masters: Did the first fellow get it in writing, because he would then have a case?

The Hon. T. KNIGHT: I add that the person who approached the then chairman was the Mayor of Albany as well as being the architect for the project. So there will be no question there as to what was said.

The Hon. I. G. Medcalf: Are there any gallon licence stores in the area?

The Hon. T. KNIGHT: There is a gallon licence outlet which operates as a liquor store. Of course it operates during the trading time of the store. The Spencer Park area is a long way from the main street. In fact Stirling Terrace in Albany is where people have to go to obtain their liquor. We are forcing people to travel.

Another matter I wish to raise is in regard to the Federated Clerks Union. I entered Parliament six years ago and moved out of business so obviously my staff went their own way. However, every time a log of claims was put out by the union I received it. As I am no longer an employer with staff working for me I rang the office and advised it of this. I have written to the office, I have written to the secretary, and spoken to the office girl, stating that I no longer employ staff; therefore I do not require the log of claims to be sent to me. It is written on the bottom of the form that failure to answer the letter will indicate approval to the log of claims which will be going before a court.

The first time I received the log of claims I also received a list of other local businesses which employ staff. I noticed that half of them were bankrupt, defunct or out of business and it appears that if they have not answered the letter it will be taken as an approval of the log of claims. This is the set-up and after all the trouble I have gone to, it still occurs. The union obviously uses my old firm name as a supporter of their claims.

The Hon. D. W. Cooley: They are not breaking any industrial law.

The Hon. T. KNIGHT: It is obvious the Hon. Don Cooley will not agree with me, but I believe it is wrong. I have waited five years before raising this matter. I told the office that if it did not stop sending this list to me I would raise the matter in Parliament. That is why I am exposing it here. I do not appreciate the attitude taken. When people

give me their word they should stick to it. It is nothing more than extortion.

Another matter about which I wish to complain deals with a development through the Town Planning Department and the MRPA. A company in Albany wishes to develop 120 blocks of land at Oyster Harbour in the Lower King area. The company felt that it would be an attraction to the subdivision to build a marina—with boat pens, jetties and ramps—at no cost to the public. The dredging would also provide some fill for the low-lying land.

The matter has been passing from the developer to different officers of Government departments for 18 months. One officer of the Town Planning Department stated that if the developer went ahead with the marina it would be a great attraction for his own interests meaning he would obviously receive a better price for the land. The Harbour and Light Department officer advised the developer that as so many red herrings would be drawn across his path he should put in a private marina. However the Town Planning Department said if he put the marina there for the use of the residents then he must also provide it for the public. He is not interested in the public using the marina. He was told that Crown land could not be used for parking facilities, but the front area of his subdivision would need to be made available for parking facilities of three cars every block. This would mean a loss of all the prime blocks in the subdivision to the developer.

The developer is providing the subdivision for people to live there and they should be able to park their own cars there. If the public wish to use the marina then they must find somewhere to park their cars. Most of the land owners' vehicles would be parked at home, anyway.

I asked the developer to put together a history of the proposed subdivision. It reads as follows—

- (1) Proposed Sub-Division Stage 1. 17-4-78.
- (2) Stage 1 approved but with sewerage condition 6-12-78.
- (3) As it was not possible to sewer Stage 1 only, an amended proposal to totally sub-divide was lodged after extensive consultation with all affected authorities, acknowledged by Town Planning Board 20-3-79.
- (4) Plan amended to present design and submitted to Board 9-4-79 with copy of Shire of Albany letter 5-4-79. "Hence it will not be necessary for you to obtain rezoning prior to sub-division".

- (5) On 23-7-79 Board reapproved Stage 1, but rejected Stage 2 as inappropriately zoned.
- (6) New Proposal to Sub-Divide lodged 8-8-79, acknowledged with new file number 20-8-79. Proposal to be circulated pending rezoning of Stage 2 land.
- (7) Shire of Albany signed Scheme 3 documents and recommended rezoning end August.
- (8) Week ending 12-10-79 all authorities had replied to Board Sub-division is ready for approval by Board subject to re-zoning and anticipated conditions.

All this came to be after I had the backing of the Minister concerned who arranged a meeting of all departments involved, and after a meeting with the officers of the Environmental Protection Authority and the Public Works Department, the Town Planning Department and the Lands and Surveys Department. It was agreed certain things did not need to be done, but then the matter was passed back from one department to another.

I have never seen so much red tape or so many red herrings put before a developer who is providing \$500 000 of work in this subdivision for the Shire of Albany. However, he is still trying to get a couple of officers to agree about the car parking issue and other matters such as the boat launching area, the swimming area, and the jetty area. The developer has been informed that car parking facilities will be required for all these areas. This development is something that the town needs and this business has been held up for 18 months. It needs investigation.

The developer received a letter from the Shire of Albany which stated in part as follows—

Hence, it will not be necessary for you to obtain a rezoning prior to sub-division.

Now, the developer does not know where he is headed. Albany will miss out on the marina, a swimming pool, and a jetty if something is not done. This will be one of the greatest developments for the area of Emu Point and Oyster Harbour.

When the developer suggested this marina the department wanted to know facts about the siting, lay-out, and water flow.

There is another marina less than a mile away which has been constructed by a Government department at Government expense and which is exactly the same as the one he is planning, which is in the same water on the same bank, and which will perform the same function; yet all this information has been requested. It is beyond a joke. We are holding up and stifling development

in this State with occurrences like that. The matter needs to be looked into with a view to doing something about it.

The Hon. G. E. Masters: That marina would be a money-making exercise.

The Hon. T. KNIGHT: He can let us and our families use it if we are friends of his. We do not have to obtain approval. But he does not want it for that purpose. All he is doing is setting up a board of management to run it. We cannot expect the Government to keep it clean, keep the jetty in good condition, mark the parking area, and so on. Obviously, money is required to establish it for the benefit of the public.

The Hon. G. E. Masters: If he is putting it there for the benefit of the public he has to provide parking.

The Hon. T. KNIGHT: There is an adjacent area of Crown land which would probably take 400 cars. It is not tidal swamp, but it needs to be filled. It is below the high-water level and needs only about a foot of filling from the dredging. The shire has agreed to gravel it for parking. It is not a Government reserve. It is a road verge. As far as I am concerned, we are holding up something which Albany could well do with, and we are holding up \$500 000-worth of development in the Albany region. In this day and age we must look for every possible scheme to create employment rather than hold things up and say they are not worth doing.

Debate adjourned, on motion by the Hon. Neil McNeill.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 3)

Receipt and First Reading

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

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney General) [9.48 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to implement several separate amendments to the Local Government Act.

The existing provisions of sections 174 and 174A of the Act set down the general rule that a member who has a pecuniary interest in a matter coming before his council may not take part in the consideration or discussion of, and may not vote on, that matter. In certain circumstances, a member may be exempted from that general rule

by determination of the person presiding at the meeting or by resolution of the meeting itself.

However, there is an anomaly between the provisions of these two sections in relation to the manner in which a meeting may exempt a member from the general rule.

The proposed amendments to sections 174 and 174A are intended to remove this anomaly and make it perfectly clear that an absolute majority of the members of the council or committee involved must agree to the exemption of the particular member.

Following a detailed study of the existing legislation and current trends in respect of caravan parks and camping grounds, recommendations were made to the Government proposing new by-laws to apply uniformly throughout the State.

The amendment to section 200 is designed to enable suitable by-laws to be promulgated, to permit the Governor to apply these by-laws uniformly throughout the State or parts of the State, and to provide certain rights of appeal in respect of matters pertaining to caravan parks.

The Bill contains amendments which provide for the restructuring of the existing provisions of the Act dealing with the making of uniform by-laws. These amendments do not alter the intent of the present provisions, but set them down more logically and in a manner consistent with other provisions of the Act.

Under the existing provisions of the Local Government Act, a council may sell land that is no longer required for the purpose for which it was acquired only if the Governor consents to the sale. The Act sets down the same principle with respect to the lease of council property.

The Bill proposes that councils may, without approval, sell land by public tender or auction, or lease land by public tender. The requirement for the Governor's approval in respect of the sale or lease of council land by private treaty will be retained.

An amendment is proposed to complement changes made in 1978 to the Pensioners (Rates Rebates and Deferments) Act.

This is to provide for an exemption from the interest penalty on unpaid rates to apply in respect of rates that had been deferred by a person whilst he was an entitled pensioner, but who had since lost that entitlement.

The principal Act contains certain detailed provisions describing the manner in which councils must deal with their funds. The requirements are considered essential to the

proper control of council moneys which, of course, are public funds.

Several councils have sought variations of these requirements to enable them to operate their banking accounts in a manner more suited to their own local circumstances, or in keeping with modern business practices. The Act already empowers the Minister to permit some variation and the amendment now proposed will extend the Minister's discretion to approve other modifications considered desirable.

A difficulty in establishing ownership has been experienced by councils in prosecutions under the provisions of the Local Government Act concerning parking and other vehicle-related offences. To overcome this difficulty, an interpretation of owner is to be added to section 669B to clearly define a vehicle owner.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. F. E. McKenzie.

FAMILY COURT ACT AMENDMENT AND ACTS REPEAL BILL

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney General) [9.52 p.m.]: I move—

That the Bill be now read a second time.

Since the Commonwealth Family Law Act came into operation, Western Australia has been the only State to have a single court which could deal with all aspects of matrimonial and other family law proceedings. This has the advantage that our State Family Court can deal with matters governed by the Family Law Act and also any other relevant Acts which have been passed by the Western Australian Government.

The court's jurisdiction is therefore both Federal and non-Federal and it may be appropriate, in view of the contents of this Bill, that I give members some explanation as to exactly what these terms mean.

The court's Federal jurisdiction is its jurisdiction under the Family Law Act of the Parliament of the Commonwealth. This involves the dissolution of marriage and, so far as it is constitutionally possible for Commonwealth legislation, matters such as custody of and access to children, maintenance, and orders relating to property following breakdown of marriage.

The court's State or non-Federal jurisdiction has already been conferred on the court by the Family Court Act as originally introduced, and the 1978 amendment. This non-Federal

jurisdiction relates to matters such as adoptions and custody and guardianship of children outside marriage. Because of constitutional problems which were found to limit the operation of the Commonwealth's Family Law Act, the State Parliament in 1978 conferred on the court further jurisdiction in the property area to overcome hardship which was found to be occasioned by the limitation of Commonwealth power.

The Bill which is now before the House is basically a tidying-up exercise of the Family Court Act. The matters which are dealt with in the Bill are largely matters which have already been agreed to and form part of the present law. It is proposed that the Married Persons and Children (Summary Relief) Act and the Guardianship of Children Act be repealed and their provisions incorporated in the Family Court Act.

With approximately half the 111 original sections of the Married Persons and Children (Summary Relief) Act having already been repealed, proceedings under that Act have been found to be unnecessarily unwieldy. Also entrenched in the remaining sections of that Act are procedural matters which have been found to be unnecessarily complicated and inconsistent with other simplified procedures used in the court.

Originally the Supreme Court dealt with Guardianship of Children Act matters and Summary Relief Courts with matters arising under the Married Persons and Children (Summary Relief) Act. Now that proceedings under both Acts are dealt with in the State Family Court, these separate Acts are unnecessary.

To achieve these objects, it is proposed to create a new part within the Family Court Act to deal specifically with non-Federal jurisdiction. This will include sections 26A to 26G, which were included in the 1978 amendment, as well as custody, maintenance, and enforcement provisions in respect of ex-nuptial children and children of the family other than children of a marriage, who are presently dealt with in the Married Persons and Children (Summary Relief) Act.

The provisions contained in the Guardianship of Children Act, including the rights of parents of an ex-nuptial child and other persons to apply for guardianship, are to be included. Children of a marriage are already subject to the provisions of the Commonwealth Family Law Act. Matters relating to the maintenance of a child, the subject of a guardianship order, are also to be incorporated in this part.

With the repeal of the two Acts it is also proposed to enlarge the powers of the Family Court in the case of children in need of care and protection. This will permit the intervention of the Director of Community Welfare and also the Family Court itself to exercise powers conferred on the Children's Court under the Child Welfare Act. This will include the power to place the child under the care of the Director of Community Welfare, provided that the child is already before the court.

As I mentioned earlier, it is the intention of this Bill that the substance of the Married Persons and Children (Summary Relief) Act and the Guardianship of Children Act be contained in the Family Court Act and, as a result, some minor drafting alterations are necessary to relate the provisions of those two Acts to those contained in the Family Court Act.

Apart from these changes, there are two other matters in the Bill to which I wish to refer. The first of these is to make the Collector of Maintenance an office of the Family Court. At present, the existence of this position is dealt with in the regulations under the Family Court Act.

The office of Collector of Maintenance exists under the Married Persons and Children (Summary Relief) Act and is of considerable importance in the total jurisdiction of family law, both Federal and non-Federal. For this reason, it is considered that the Collector of Maintenance should be given standing in the Bill.

The second matter deals with the proposed new section 23 which will allow the Registrar of the Family Court to hold a concurrent appointment as a stipendiary magistrate. Such an appointment would allow the registrar to undertake some of the minor administrative and judicial tasks associated with the ancillary jurisdiction of the Family Court, such as return dates for ancillary applications, consent and interim orders, granting adjournments, and enforcement or variation of maintenance.

At present, these matters occupy the time of one judge every morning of the week, with enforcement of maintenance orders aggregating a further half-day each week. Appeals from any decision of the registrar sitting as a magistrate would be to a judge of the Family Court of Western Australia.

The appointment of the registrar as a magistrate would allow judges to spend more time dealing with defended cases and associated matters.

Pursuant to the agreement between the State and the Commonwealth Governments, the latter

has agreed to all the amendments which are contained in this Bill and this once again has demonstrated the flexibility with which the State can approach matters relating to matrimonial proceedings.

The amendments will assist further the efficient operation of the court and ensure avoidance of delays in hearings which have arisen elsewhere.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. F. E. McKenzie.

INDUSTRIAL ARBITRATION ACT AMENDMENT BILL

Second Reading

THE HON. G. C. MacKINNON (South-West—Leader of the House) [9.58 p.m.]: I move—

That the Bill be now read a second time.

The proposals contained in this Bill stem from a decision on the 5th June, 1979, of the Western Australian Industrial Appeal Court.

The subject matter of that case was an appeal by the University of Western Australia against the jurisdiction of the Western Australian Industrial Commission to issue an industrial award to cover academic staff of the University of Western Australia. The appeal was successful.

The Crown intervened in the public interest in the Industrial Appeal Court case in support of the argument that the Industrial Commission should not have jurisdiction over tertiary academic staff.

In coming to its conclusions, the Industrial Appeal Court made reference to other areas of employment which had, in the past, been assumed to come within the jurisdiction of the Western Australian Industrial Commission, but the findings of the court cast grave doubts on the commission's jurisdiction over employees such as police officers, firemen, and others.

The Government decided there was a need to make appropriate amendments to the Industrial Arbitration Act to clarify the commission's jurisdiction.

The effect of the Industrial Appeal Court decision that the academic staff of the University of Western Australia are not within the Industrial Commission's jurisdiction, applies also to academic staff of Murdoch University, the Western Australian Institute of Technology, and teachers' colleges established under the Colleges Act, 1978.

The Crown's intervention in the appeal case being successful in confirming that the Industrial

Commission does not have jurisdiction over the academic staff of the University of Western Australia, persuaded the Government it must take a consistent approach with academic staff of other institutions of advanced education by also confirming the exclusion of Murdoch University, the Western Australian Institute of Technology, and the teachers' colleges from the commission's jurisdiction.

The staff association representing the academic staff of the Institute of Technology and the teachers' colleges was registered by the Industrial Commission in 1974 and subsequently industrial awards were issued. The jurisdiction of the commission was not tested at the time, as it was assumed such jurisdiction existed.

The Industrial Appeal Court decision now confirms that the commission did not have jurisdiction to register the association, nor issue the awards. It follows, therefore, that the Government must take a consistent approach to all academic staff or institutions of advanced education.

It is of the utmost importance to refer to a tribunal established under the Commonwealth Remuneration Tribunals Act; namely, the Academic Salaries Tribunal. This tribunal fixes or determines the salaries of academic staff of tertiary education institutions established by Commonwealth laws.

The tribunal also enquires into and reports to the Commonwealth Minister on the rates of salaries in relation to the academic staff of tertiary education institutions in the States that should be used as the basis for Commonwealth grants in funding those institutions—which, in fact, are totally funded by the Commonwealth.

The salaries of the academic staff of the University of Western Australia, Murdoch University, the Institute of Technology, and the teachers' colleges are reviewed at the appropriate intervals by the Academic Salaries Tribunal for the purpose of informing the Commonwealth Government of the levels of salaries which are equitable and for which the Commonwealth Government should fund.

It is appropriate that the Academic Salaries Tribunal's recommendations on academic salaries for Commonwealth Government funding should be applied to the institutions in Western Australia.

If salaries are determined by another tribunal at greater levels than those assessed by the Academic Salaries Tribunal and those higher salaries are applied to the academic staff,

difficulties could arise in the funding of the difference.

The Academic Salaries Tribunal should be the umpire for the Western Australian institutions, as it is for other States. This Bill therefore seeks to exclude from the jurisdiction of the Western Australian Industrial Commission the academic staff of the universities and the other institutions of advanced education.

The amending Act will clarify and confirm the Industrial Commission's jurisdiction over other areas of the work force which would otherwise be excluded within the meaning of the decision of the appeal court; for example, police, firemen, and prison officers.

With regard to these employees, the amendments will validate any act, matter, or thing done with respect to which provision is made under the Industrial Arbitration Act, 1912-1977 prior to the coming into operation of the amendments, which would have been lawful had these amendments been in force at the time such matters or things were done.

Also, it has been decided that the legislation should specifically exclude from the commission's jurisdiction people in occupations for which the remuneration payable is determined or recommended by the Salaries and Allowances Tribunal, established pursuant to the Western Australian Salaries and Allowances Tribunal Act.

Certain workers at Parliament House and on the Governor's Establishment will not come within the jurisdiction of the Industrial Commission.

These employees have customarily received the same rates of pay and conditions of employment as their counterparts elsewhere in Government employment and receive any changes of those conditions from the same time and in the same terms as their counterparts.

I commend the Bill to the House.

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

ADJOURNMENT OF THE HOUSE

THE HON. G. C. MacKINNON (South-West—Leader of the House) [10.04 p.m.]: I move—

That the House do now adjourn.

Immigration: American Jewellery Group

THE HON. G. E. MASTERS (West) [10.05 p.m.]: I rise with some reluctance on the adjournment debate. However, I wish to deal with

a matter of importance to a certain section of the community in my electorate and which I believe should be of importance to the community of Western Australia, generally. It refers to a development in my electorate whereby two blocks of land were sold in the last few days in the Bickley Valley. It appears the blocks have been sold to people who have certain connections with cults or sects in the United States.

Mr President, you may recall that some months ago a man by the name of Tony Homet was interviewed on a television programme. He decided to opt out of this group—I suppose it could be called a defection—and in his television interview he made some comments which perhaps lay bare the facts concerning this organisation. When the organisation leaders were challenged they made it quite clear that as far as they were concerned there was no suggestion of a commune being set up or that they were part of a cult.

When we consider their progress in this State and in Australia we find these people originally came from New Mexico in the United States. They came to Australia first and then to Western Australia; and they came here with the suggestion that they would set up a jewellery industry which would employ their 31 members.

The leader of the group is known as Brent Barron. He stated definitely that the members of the group would be employed only in the jewellery industry, and he said the group had sufficient money to set up the operation. As proof of that, the group bought a property in which to establish the industry and to set up a shop. That property was in Howard Street, Perth. To all appearances it certainly looked as though the group was genuine in its endeavours, and the public accepted its assurance in good faith.

Later Mr Homet returned to Albuquerque, New Mexico, which is the place from which the group first came. He made statements in the local paper in which he expressed his concern and pointed out some of the things the group was doing. He expressed great concern for the future of the people involved in Western Australia.

His comments were reported in *The Albuquerque Tribune* of the 5th October, 1979—a fairly recent edition. He said when the group arrived in Australia it had a considerable sum of money, involving a great deal of cash in United States dollars. In fact, he stated the group had \$500 000 in American currency which was gradually changed to Australian currency over a period of time. Where that money came from and how it was eventually used, I cannot say. Certainly that statement was made publicly, and

as I understand the situation, no-one has said it is not true. The report goes on to say—

“I learned what brainwashing is,” Homet said. “I would have said that it could never happen to me.” But it did.

In earlier statements the group made it quite clear that it was genuine in its endeavours; but since then it looks as though it has not been genuine, and I contend the people of Western Australia have cause for concern. I believe the suggestion of a jewellery industry was no more than a hoax. Apparently the property purchased in Howard Street has since been sold, and the group is leasing at least part of it. I understand jewellery is not being made here; in fact most of the members of the group have found employment elsewhere.

The jewellery shop is open for only four hours a week, two hours on one day and two hours on another day; so the group has hardly shown a genuine desire to trade properly in order to sell jewellery made in Western Australia—if in fact it has been made here, and I suggest it has not.

I think the real intention of the group, as was suggested earlier, is to set up a commune to further the activities of this cult in Australia. Already something like \$230 000 has been spent on purchasing about 20 acres of land in the Bickley Valley. That is a lot of money. I understand the group has already commenced the construction of a building; and it is acting illegally because the building is in a catchment area and on rural land.

Clearly the group has misled the Australian authorities. I will never know how the dickens they gained permission to come here; perhaps they were not properly investigated. Suggestions have been made that the group is following the pattern of the Moon cult which is better known as the Unification Church, which is frowned upon in the United States and has a bad record.

I think it is necessary to give some detail of the Moon cult to those people who have never heard of it, because groups of this type seem to be establishing themselves in Australia, and particularly in Western Australia. The Moon cult was established by a person called Sun Myung Moon, a South Korean born in 1920, who is an evangelist and businessman. He was a Presbyterian minister for a time before founding the Unification Church in 1954. He moved his church headquarters to the United States in 1973. World-wide membership of the Unification Church is estimated at between 200 000 and one million. The church recruits mainly young people. The sect launches young people on a programme of lectures, prayers, and calisthenics. They are

urged to leave their families, schools, or jobs in order to live in communes and work in church enterprises.

An article in *The Nation* of the 7th April says the cult is accused of efforts to engage in deceptive advertising, fraudulent marketing, preventing free movement of its members, and employing physical restraint.

The point I am making is that if the group in the Bickley Valley is aligned with the Moon cult—and I am not necessarily suggesting it is—or is following that pattern, it should be discouraged from operating in this State. I am not sure whether State authorities are able to intervene in any way. However, if groups such as this are coming to Australia then the Federal Minister for Immigration (Mr MacKellar) should carefully consider the matter and perhaps introduce more stringent vetting of those who wish to enter Australia. Obviously in this case the persons concerned have some sort of record in the United States.

Mr Homet has been involved as a member of the organisation and states categorically that it adopts brainwashing techniques and puts strong pressure upon members. That could lead to unpleasantness in this State. The group could persuade young people to join it. I suggest that

the State Minister should consider the matter and make representations to the Federal Minister for Immigration.

I am concerned about the activities of the group because, like many other members of the Chamber, I am approached everyday by people wishing to come to live in Western Australia. These people are from Europe, Italy, Yugoslavia, and Asia; and many of them have family connections established here. They have every opportunity to settle down and to make a contribution to the State, but they are refused entry. It is almost impossible to get them into the State, even when their families are already here. Yet we allow groups such as the one I have mentioned to come here.

I say it is unhealthy that such groups should be permitted and almost be encouraged to come to Western Australia. It is unhealthy for this State to enable them to exist or to thrive here. I do not suggest anything is wrong with the communes or with people who choose to adopt an alternative way of life; that is their decision and such people are quite open about it. However, in this case much more than that seems to be involved. We should discourage such activities as much as possible.

Question put and passed.

House adjourned at 10.15 p.m.

QUESTIONS ON NOTICE

LOCAL GOVERNMENT ACT

Section 534: Repeal

269. The Hon. N. E. BAXTER, to the Leader of the House:

When introducing the "Acts Amendment and Repeal (Valuation of Land) Bill" on Wednesday, the 20th September, 1978, as Minister, you stated—

All of the provisions which affect the various Government departments and authorities have been discussed with those departments and authorities and are acceptable to them.—

- (1) How was the survey of local authorities made in relation to the repeal of section 534 of the Local Government Act?
- (2) How many local authorities were contacted?
- (3) How many replied—
 - (a) in agreement; and
 - (b) in opposition;
 to the proposal?

The Hon. G. C. MacKINNON replied:

The extract which prefaces the question does not refer to any survey. It is, in fact, the ultimate paragraph of my speech and relates to the various consequential amendments necessary to introduce a uniform valuation of land system and a uniform system of objections and appeals for all rating and taxing authorities.

The survey of local authorities made by the Department of Local Government was separately referred to in the following terms—

The Department of Local Government has made a survey of local authorities and as a result recommended that where a local authority has an interim valuation made, it does not apply this valuation for rating purposes to the remaining portion of the rateable year in which it receives these interim valuations, but that it be applied in the next rating year.

The answers to the questions are—

- (1) Metropolitan municipalities were contacted by telephone to ascertain their practices with respect to interim rating.
- (2) 26.
- (3) (a) and (b) The survey did not seek their views with respect to any proposal for interim rating.

ROADS

South Hedland

273. The Hon. J. C. TOZER, to the Minister for Lands representing the Minister for Transport:

- (1) Acknowledging that the new South Hedland access road and the associated traffic treatment at intersections is of a high standard and of material benefit to the community, will the Minister advise whether it is planned to provide street lighting at—
 - (a) the traffic circus where the new access road meets the North Ring Road; and
 - (b) the junction of the Wedgefield Road with the new access road; and
 - (c) the junction of the North West Coastal Highway and the Wedgefield Road?
- (2) What would be the approximate cost of installing and operating adequate street lighting between old Port Hedland and the ring road at South Hedland?
- (3) What authority would carry such cost—the Main Roads Department or the Port Hedland Shire Council?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes. The installation of lighting is now in course and should be completed within the next two weeks.
- (2) Estimated cost to install suitable lighting is \$17 000 and the annual operating cost is estimated to be between \$8 000 and \$11 000 depending on whether lighting is provided from dusk to 1.15 a.m. or dusk to dawn.
- (3) The cost would be borne by the local authority. However, subsidy by the Main Roads Department to the cost of operation may be applicable depending on standard of lighting provided.

RAILWAY STATION

Perth City

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

- (1) Have the Government or any of its departments been considering the relocation of the terminal point of the city railway station away from its current location?
- (2) If so, will the Minister provide details?

The Hon. D. J. WORDSWORTH replied:

- (1) The central area technical advisory committee, which has been set up to report generally to the Perth City Council and to the Metropolitan Region Planning Authority on central area planning matters, has been considering the long-term development of Forrest Place and is expected to include this in its deliberations.
- (2) Answered by (1).

Year	Total Children
5/6	34
5	38
4/5	34
4	37
3/4	33
3	36
2/3	33
2	33
2	34
1	32
1	26
	<hr/> 475

- (d) Schools are staffed according to a published formula, but class sizes and their compositions are arranged by the principal in consultation with his staff and the regional superintendent. This school is staffed according to the staffing formula. Recent enrolments have resulted in some imbalance in class sizes, but it is considered inadvisable to reorganise this school at this time of the year.

EDUCATION: SCHOOL

Warnbro

278. The Hon. I. G. PRATT, to the Minister for Lands representing the Minister for Education:

With regard to Warnbro Primary School—

- (a) what is the present enrolment;
- (b) how many teachers are at present on the staff;
- (c) what are the numbers and grades in each class; and
- (d) are these class sizes considered satisfactory under current departmental policy?

The Hon. D. J. WORDSWORTH replied:

- (a) Years 1-7 = 475, + pre-primary = 60; total of 535.
- (b) Principal + 17½ + 1 pre-primary.

The figure "17½" refers, of course, to one day's teaching for one person.

Year	Total Children
7	38
6/7	36
6	31

QUESTIONS WITHOUT NOTICE

WASTE DISPOSAL

Position Paper

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

Is the Minister for Health able to make available the position paper on metropolitan waste disposal to which he referred recently?

The Hon. D. J. WORDSWORTH replied:

I am happy to table a position paper on community waste management in the Perth metropolitan area prepared by the Public Health Department recently for the Minister.

The paper was tabled (see paper No. 393).

ROADS

South Hedland

2. The Hon. J. C. TOZER, to the Minister for Lands representing the Minister for Transport:

As part (1) of question 273 was asked in three separate sections, but the reply

gave one answer, can it be assumed that the affirmative answer relates to the three separate parts of this question?

The Hon. D. J. WORDSWORTH replied:

I think this can be assumed, but I will confirm it with the member privately.
