

4. Sittings at night; that is, after 7.30 p.m., be on each of these days as required.
5. Private members' business to have priority over Government business—apart from questions and formal business—from 2.15 p.m. to 6.15 p.m. on Wednesdays.

Mr Jamieson: You might also let members know that there shall be no sittings during the week the Constitutional Convention is held.

Sir CHARLES COURT: I thank the Deputy Leader of the Opposition for reminding me of that. The other week that Parliament will not be in session will be the week commencing Monday, the 4th November, when 12 members of the Parliament will be in Adelaide for the Constitutional Convention. Therefore that will take another week out of our sitting times. However, as the session continues and we see how the Budget debate progresses, we can concede how the sitting times can be varied without placing any undue pressure on members at the end of the session.

*House adjourned at 11.06 p.m.*

## Legislative Council

Thursday, the 19th September, 1974

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 2.30 p.m., and read prayers.

### QUESTIONS (3): WITHOUT NOTICE

#### 1. SITTINGS OF THE HOUSE

##### *Show Week*

The Hon. R. THOMPSON, to the Minister for Justice:

What are the arrangements for the sitting of the House for Show Week, which is next week?

The Hon. N. McNEILL replied:

I thank the Leader of the Opposition for having given me notice of the question. I am able to inform the House that, as is customary, it is the intention that the House will not sit during Show Week. Therefore it is my intention at the conclusion of business today to move that the House do rise until the following Tuesday which will be the 1st October. Members are probably aware that arrangements have been made in another place regarding sittings after Show Week. However, for at least the first

week after Show Week our sittings will remain as normal. In the light of experience during that week we will make further arrangements but, if any alteration of sitting times is found to be necessary, I hope to be able to give members at least a week's notice of such alteration.

2.

#### TAKARI SCHOOL

##### *Members of Parliament at Opening*

The Hon. R. F. CLAUGHTON, to the Minister for Education:

- (1) Was an official opening held of the resource centre and canteen at the Takari Primary School, Hamersley?
- (2) If so, is the Minister aware that an invitation was not extended to me as the representative of the area?
- (3) Will the Minister ensure that local members are invited to any future official openings for such buildings?

The Hon. G. C. MacKINNON replied:

- (1) Yes, there was an opening. It was arranged by the local headmaster as I recall, and I received an invitation to perform the opening ceremony for the resource centre and the local mayor, I think it was, performed the opening ceremony for the canteen.
- (2) No.
- (3) Yes, I will issue a general instruction that when any such function is held, all local members are invited. I thought it was normal procedure anyway.

3.

#### TOWN PLANNING

##### *Subiaco Development*

The Hon. R. F. CLAUGHTON, to the Minister for Education:

Following the comments regarding lot 160, Onslow Road, Subiaco, the Minister indicated he would forward them to the Subiaco council for comment. Would he advise whether that was done and whether a reply has been received?

The Hon. G. C. MacKINNON replied:

I sent the speech of the honourable member to the Minister involved (Mr Ruhston). It was then sent to the City of Subiaco. I have not been around for the last week, as members may know, and I am not aware whether a reply has been received. Today is my first day back on the job and naturally I have not been able to catch up with everything. I thought I had sent a memo to the honourable

member informing him of the action I have taken, and I had an idea I asked the City of Subiaco to contact Mr Cloughton direct; but I may be incorrect in that belief. I will follow the matter up in the next day or so and let the honourable member know.

### QUESTIONS (15): ON NOTICE

#### 1. LAW ENFORCEMENT

##### *Federal Policy*

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

- (1) Has the Minister determined why the Federal Government has taken different attitudes to the breaking of Australian laws depending on whether the law breaker is Taiwanese or Indonesian?
- (2) Has the Minister determined from Federal authorities if they would take the same attitude or action if Indonesians were using, instead of North Western Australia, the shores of Victoria and New South Wales, in such a manner as to risk the collapse of the major industries within those States?

The Hon. N. McNEILL replied:

- (1) No.
- (2) No.

#### 2. GUILDFORD SCHOOL

##### *Renovations*

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

- (1) Will the Minister advise whether the Government intends to proceed with the plans of the previous Government to renovate the old buildings at the Guildford Primary School, in addition to the extensions being financed with Commonwealth funds?
- (2) If the answer is "No" will he provide the reason?

The Hon. G. C. MacKINNON replied:

- (1) Repairs and renovations have been listed in the 1974-75 Estimates.
- (2) Not applicable.

#### 3. FORRESTFIELD SCHOOL

##### *Additions*

The Hon. G. E. MASTERS, to the Minister for Education:

- (1) (a) Have tenders been called for additions to the Forrestfield primary school;
- (b) if not, when will they be called?
- (2) What form will the additions take?

- (3) What is the estimated cost?
- (4) When is it anticipated that the additions will be completed and ready for use?

The Hon. G. C. MacKINNON replied:

- (1) (a) No.
- (b) Late October or early November.
- (2) A six-roomed cluster, including toilets, plus a dental therapy unit.
- (3) \$215 000.
- (4) During the latter part of first term next year.

#### 4. DRAINAGE

##### *Maddington*

The Hon. CLIVE GRIFFITHS, to the Minister for Justice:

Further to my questions on Thursday, the 12th September, and Tuesday, the 17th September, 1974, in regard to the fencing of the Helm Street drain adjacent to Westfield Street, Maddington, would the Minister advise—

- (1) What is the total contract price for the job?
- (2) What does the Minister mean by his answer that the contract is virtually complete?
- (3) Are any difficulties being experienced in completing all of the fence due to disagreements with residents adjacent to the drain?
- (4) If the answer to (3) is "Yes" would the Minister give complete details as to the reasons?
- (5) Will he lay on the Table of the House a copy of all the conditions appertaining to the contract?

The Hon. N. McNEILL replied:

- (1) Approximately \$3 900 (this is Schedule of Rates Contract, and final cost depends on actual work done).
- (2) When the previous question was asked on 12th September there was approximately 200 feet of fencing to complete.
- (3) Yes, but all of these have now been resolved.
- (4) Problems arose due to filling material on private land extending into the drain reserve.
- (5) With permission, contract details are tabled.

*The document was tabled (see paper No. 29).*

## 5. DRUG RUNNING

*North-West*

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

- (1) What action was taken by the State Government, through the Federal Government, to investigate the possibility of drug running by air into the north from Indonesia after the Press report in the *Sunday Independent* on the 11th May, 1969?
- (2) If one aircraft can use the Truscott airstrip, which is only 300 miles from Indonesia, could others use it for drug running regardless of what the Commonwealth authorities say about the airstrip's serviceability?

The Hon. N. E. BAXTER replied:

- (1) On receipt of any information by the drug squad suggesting involvement by aircraft landing in Australia the appropriate Commonwealth authority is contacted and full co-operation given in the investigation of any such report.
- (2) It is possible for a competent person to land an aircraft in many places in the north-west and this includes the Truscott airstrip.

## 6. TV-RADIO LICENSES

*Federal Budget Proposal*

The Hon. J. C. TOZER, to the Minister for Justice:

In view of the Federal Budget provision that television license fees are no longer to be paid, with the result that all Australian wage and salary earners will pay for the cost of running the Australian Broadcasting Commission by way of income taxation, would the Premier request the Prime Minister to allow a cash rebate of at least \$20 to taxpayers who live in areas where television reception is not available, thus ensuring that the 3% of the population who do not have access to television are not called on to help to pay for the service provided for the 97%?

The Hon. N. McNEILL replied:

The revenues of both the Commonwealth and State Governments are used to support a variety of free and subsidised services, which are not necessarily available to every taxpayer, and it would not be practical to administer a scheme of cash payments to those persons who, for one reason or another, are not in the position to avail themselves of those services.

## 7. GOATS AND POULTRY

*Infectious Diseases*

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

- (1) Can goats or poultry carry the following diseases—
  - (a) foot and mouth disease;
  - (b) rabies; or
  - (c) blue tongue?
- (2) If these diseases were introduced to the cattle in the Kimberley, would the disease affect the sale of beef which is the major industry in the region?

The Hon. N. McNEILL replied:

- (1) (a) Goats—yes.  
Poultry—no.
- (b) Goats—yes.  
Poultry—extremely unlikely.
- (c) Goats—yes.  
Poultry—no.
- (2) In the case of foot and mouth disease—yes.  
In the case of blue tongue, and to a lesser extent rabies, there would be some disruption due to restrictions on the movement of live animals.

## 8. EAST MADDINGTON SCHOOL

*New Buildings*

The Hon. GRACE VAUGHAN, to the Minister for Education:

Will the Minister give an assurance that the children of the East Maddington School now unsatisfactorily accommodated in temporary buildings in the grounds of Maddington School, will be able to occupy the new school buildings by the commencement of the first term in 1975?

The Hon. G. C. MacKINNON replied:

It is expected that the first cluster will be completed during January. Tenders have been called for the second cluster.

## 9. RIVERS AND ESTUARIES

*Legislation*

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

Will the Minister advise whether the Government intends to re-introduce the Rivers and Estuaries (Conservation and Management) Bill introduced by the Tonkin Government in 1973, but not proceeded with due to insufficient time, or introduce similar legislation?

The Hon. G. C. MacKINNON replied:  
This proposed legislation is currently under review and it is intended to take the matter to Cabinet at an early date.

# 10. GOATS AND POULTRY

## *Introduction by Indonesian Vessels*

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

Has the Minister received an official denial from the Indonesian Government, through the Commonwealth Government, that Indonesian craft have not carried goats or poultry into the Kimberley region of Western Australia?

The Hon. G. C. MacKINNON replied:  
No.

# 11. HOUSING

## *Sale Price: Policy*

The Hon. J. C. TOZER, to the Minister for Justice:

- (1) Is it the established policy of the State Housing Commission to sell properties—a house on a normal residential allotment—at the current market value rather than a figure determined by adding cost of erection to the cost of land including reasonable servicing costs and a nominal loading for administrative charges?
- (2) If this is so, and appreciation in value has occurred, can the Commission justify such profit-making at the expense of a tenant who may have been paying rent over an extended period but who has not entered into a purchase agreement at an earlier date?
- (3) Does the Public Works Department adopt a similar policy in respect of houses that it has erected and rented to farmers in Kununurra, and again, is such policy regarded as equitable?

The Hon. N. McNEILL replied:

- (1) The policy in regard to sales of properties to tenants in occupation is—
  - (a) cost of dwelling plus land at value where the tenant opts to purchase within the first 12 months of erection of the property;
  - (b) dwelling and land at cost or value, whichever is higher, where the option is made after the first 12 months.

This policy is relative to rental properties provided under the 1945 and 1956 Commonwealth-State Housing Agreements.

(2) All ingoing tenants are advised of the conditions of sale at the time of allocation of a property on a rental basis. That proportion of the rent paid which represents repayment of capital on the loan raised to build the house and which has been paid by the tenant/purchaser is credited to him.

(3) The Public Works Department policy in regard to sale of houses at Kununurra is that they can be purchased at current valuation. Such policy is regarded as being equitable.

If the total cost to the department; i.e. capital outlay, reasonable servicing cost and annual deficiency, were to be included, a much higher selling price would have to be adopted.

# 12.

## FISHERIES

### *Coastal Patrols*

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

Further to the reply to my question on the 17th September, 1974, concerning Indonesian fishermen—

- (1) Has the Minister been informed by the Commonwealth Government that the four Indonesians carrying the cards were definitely not military personnel?
- (2) Are Indonesian military identification cards issued annually, or are they similar to other identification documents which last for five years or more?
- (3) Is it possible that the four military identification cards found on Indonesian fishermen are still current regardless of the issue date?

The Hon. N. E. BAXTER replied:

- (1) No.
- (2) Not known.
- (3) Not known.

# 13.

## SUGAR PRODUCTION

### *Kununurra*

The Hon. J. C. TOZER, to the Minister for Justice:

Further to the reply to question 1 on the 12th September, 1974, regarding sugar growing in the Ord irrigation area, would the Minister now advise—

- (1) The approximate date upon which the report on the "long term future of sugar

growing" at Kununurra is expected to be in the hands of the Government?

- (2) Whether the Government, with the knowledge that current agricultural economic problems of the Ord River project are urgent and immediate, recognises that the preparation of reports for the "long term future" of any industry could prove to be a pointless exercise?
- (3) If the State will initiate immediate discussions with the appropriate Federal Government and/or Queensland Government agencies to clear the path for entry into production and export of sugar, should the awaited report prove this feasible, bearing in mind the highly encouraging report on sugar-growing on the Ord prepared by CSR in the mid-1960's?
- (4) The course of action to be taken by the State to ameliorate the short-term problems in the Ord valley, in respect of—

- (a) the viability of cotton-growing;
- (b) the growing of alternative crops—including sugar;
- (c) the integration of the irrigated area with the cattle industry, in view of the depressed beef prices generally and the absence of incentive to produce premium quality beef due to the retraction of export markets?

The Hon. N. McNEILL replied:

- (1) The updating of the 1964 report, together with an outline of additional feasibility studies required, is expected to be received within a few weeks.
- (2) The Government recognizes that the current economic problems on the Ord are urgent as well as seeing the need for planning agricultural industries which will remain viable in the long term.
- (3) The State has already initiated discussions with the Federal Government on this matter and future discussions will depend on the nature of the report.
- (4) These matters are currently being investigated.

#### 14. STATE HOUSING COMMISSION

##### *Purchases of Houses*

The Hon. CLIVE GRIFFITHS, to the Minister for Justice:

- (1) Is the State Housing Commission currently purchasing houses in the metropolitan area from private individuals?
- (2) If the answer to (1) is "Yes" what is the purpose for which the houses are to be used?
- (3) If the answer to (1) is "No" have any houses been purchased during the last four months?

The Hon. N. McNEILL replied:

- (1) Yes, since the 1st April, 1974.
- (2) For the purpose of providing rental accommodation in older established suburbs where the commission has little or no such assets for the housing of eligible applicants.
- (3) Answered by (1).

#### 15. DEFENCE BASE

##### *North-West*

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

Will the Minister request the Premier to seek the following information from the Prime Minister—

- (a) if Australia is maintaining modern defence forces, are they being stationed in the regions closest to foreign powers, and if not, why not;
- (b) will all foreign persons illegally entering Australia for any purpose, be treated in the same manner dependent on the purpose of their illegal visit and regardless of their nationality; and
- (c) when is it anticipated that an Army, Naval or Air Force base will be set up in the Kimberley?

The Hon. N. McNEILL replied:

- (a) to (c) Yes. I am willing to forward the honourable member's request to the Premier.

#### MONEY LENDERS ACT AMENDMENT BILL

##### *Introduction and First Reading*

Bill introduced, on motion by the Hon. N. McNeill (Minister for Justice), and read a first time.

## **FUEL, ENERGY AND POWER RESOURCES ACT AMENDMENT BILL**

*Reference to Legal Authority: Motion  
Lapsed*

The **PRESIDENT**: Can the Leader of the Opposition tell me whether this motion is to be moved?

The Hon. R. THOMPSON: It will not be proceeded with.

The **PRESIDENT**: The Standing Orders provide that a motion of which notice has been given can be withdrawn by leave of the House. Do you wish to move in that direction?

The Hon. R. THOMPSON: On my understanding of Standing Order 174 that is not necessary. The motion has not been moved. The honourable member only gave notice of his intention to move it.

The **PRESIDENT**: The motion will lapse.

## **WAR SERVICE LAND SETTLEMENT SCHEME ACT AMENDMENT BILL**

*Third Reading*

Bill read a third time, on motion by the Hon. N. E. Baxter (Minister for Health), and passed.

## **METROPOLITAN REGION TOWN PLANNING SCHEME ACT AMENDMENT BILL**

*Third Reading*

**THE HON. N. McNEILL** (Lower West—Minister for Justice) [2.50 p.m.]: I move—

That the Bill be now read a third time.

**THE HON. S. J. DELLAR** (Lower North) [2.51 p.m.]: During the Committee stage of this Bill last evening we reached the situation, after a fairly lengthy debate, in which Mr Cloughton had certain doubts in his mind, and so did I; although perhaps my doubts were not as great as Mr Cloughton's. However, clarification was requested. At the time I said I did not think it was necessary to continue the debate last night, and I suggested that perhaps the Minister would give us further clarification at the third reading stage in order to dispel the doubts we raised and to ensure some safeguard was provided. We would like the Minister to be more definite in regard to the interpretation he placed on our remarks.

**THE HON. R. F. CLAUGHTON** (North Metropolitan) [2.52 p.m.]: We are faced with some little difficulty here because once the Minister speaks to the third reading the debate will be closed and that will be the end of the matter; and if his answers are not satisfactory we will have no further opportunity to debate the Bill. I feel it would have been more satisfactory had the Minister undertaken to adjourn

the debate last night in the Committee stage to enable him to seek the information for which we asked. However, I suppose that adopting such procedure comes with experience.

There are considerable doubts with regard to what we understand will be the effect of this amending Bill. I feel the request of the Opposition for information is being treated in a cavalier fashion. We just have not been given sufficient information to enable us to debate this Bill in a reasonable manner. I would ask the Minister to supply us with information to justify the procedure which is being adopted. We have been told in this House—and this information did not come from a Government source in this Chamber—that only two substantial amendments have been made to the scheme in 15 years. We have no indication at all of any great necessity for this change to be made. I think it is a reflection on Government members that they have raised no objection to the course which has been adopted.

I think we should consider the original purpose of the parent Act. Members may recall that under the zoning provisions of the Local Government Act amendments or zoning changes to town plans were required to be tabled in Parliament for 14 sitting days. When the new arrangement was drawn up under the Metropolitan Region Town Planning Scheme Act a significant change was made to that procedure inasmuch as where district schemes are to be adopted or changes are to be made in development orders, the requirement that they be laid on the Table of the House was waived, as long as they did not substantially differ from the proposals of the region scheme. The only requirement was that they be gazetted. As members will realise, this speeded up the process of making changes to town planning schemes.

However, where significant or substantial changes are to be made those responsible for the drafting of the Act said, "This is important, and we think 14 sitting days is not a sufficient period; so instead of that we will extend the period to 21 days." That was the intention of the Bill.

The Hon. N. E. Baxter: Of the principal Act, not the Bill.

The Hon. R. F. CLAUGHTON: That is right.

The Hon. Clive Griffiths: How about speaking up so we can all hear you.

The Hon. R. F. CLAUGHTON: Mr Clive Griffiths does not normally complain that I do not speak loudly enough.

The Hon. A. A. Lewis: We usually complain that we cannot understand what you are talking about.

The Hon. Clive Griffiths: You spoke for an hour last night and said nothing.

The Hon. R. F. CLAUGHTON: We sympathise with Mr Lewis's problems.

The Hon. N. E. Baxter: Get back to the principal Act, and go on from there.

The Hon. R. F. CLAUGHTON: The existing situation at the time the new Act was drawn up was that all town planning changes were required to be tabled in the Parliament for 14 days. That requirement was contained in section 248 of the Local Government Act. The framers of the new legislation said that where a scheme is not in operation and changes are sought to be made to it, the requirement that the changes be tabled for 14 sitting days was unnecessary; so that requirement was removed. However, in the case of substantial changes to the scheme—and this is what we are talking about—the framers of the Act thought 14 days was not a sufficient period, and they extended it to 21 days. That is the situation now in the case of substantial changes to the scheme.

I repeat that I am certainly not satisfied that good reason has been given to justify the changing of that situation. If we were talking about minor changes and this procedure were causing delays, then perhaps we would have more sympathy for the Government's proposition. But in respect of the situation which the Government proposes to change, the amendments are not delayed by being required to be laid on the Table of the House.

Perhaps the Minister can tell me if I am wrong here, but even at this stage if an entirely new district scheme does not conflict with the provisions of the Metropolitan Region Scheme, then after the three-month objection period the gazettal of the new scheme is sufficient notification, and it is not required to be laid on the Table of the House.

I referred last evening to the case of the scheme of the City of Stirling to which some objections were raised. That new district scheme will not come to the Parliament at all if it contains no substantial changes to the proposals of the Metropolitan Region Scheme.

All this simply indicates that members have been given insufficient information to debate the Bill presented by the Government. Certainly no real justification has been presented by the Minister which would cause me to support the Bill. I would hope that when he replies the Minister will clarify the points we have raised.

The Hon. H. W. Gayfer: How many times has this been amended?

THE HON. N. McNEILL (Lower West—Minister for Justice) [3.00 p.m.]: Let me first refer to the remarks made by Mr Claughton. He indicated at the commencement of his few words that it may have been more appropriate in the circumstances had an undertaking been given during the Committee stages of the Bill.

The Hon. R. F. Claughton: If you had adjourned the Committee stage.

The Hon. N. McNEILL: I wish to put the matter into its true and correct perspective. As members will recall we spent a considerable period in the Committee stage of the Bill last evening considering these very points. In my view—and I believe in the view of others—the explanations were adequately given and, in fact, there was no request made to me at that time for a deferral of the Committee stage.

However, Mr Dellar did make a request when dealing with the second reading speech that perhaps I would be good enough, after consulting with the Minister, to explain these points, hopefully, to the satisfaction of himself and Mr Claughton. That was the understanding I had of the matter and I will now endeavour to do just this.

Without going into all the complications of the matters raised by Mr Claughton—and I think he added to the confusion—the point really is that when the honourable member refers to plans—even by way of illustration—of the City of Stirling, I would point out that while I respect the fact that he may have very good and sound reasons for his interest in these schemes, it is not possible for me, as he suggests, to comment on whether those schemes or a modification of the scheme may be brought to Parliament. This is something I cannot do.

The Hon. R. F. Claughton: I did not ask you that.

The Hon. N. McNEILL: I did not suggest the honourable member said so in those terms, but he did raise the question and I relate the question to what I said last evening that section 33 of the Act states that where there are these major amendments they are in fact certified; there must be a certificate given to the Minister in respect of the amendments indicating whether, in fact, they constitute substantial amendments or not.

That is the whole purpose of the section in question, and it is that section to which we are in fact directing our attention when considering this Bill.

Mr Claughton also made reference—at least this was my understanding—to the fact that he wanted a further explanation of the necessity for the Bill, because in his own words no adequate explanation had been given or specific reference made to delays.

I think I have said on more than one occasion—and it is not just a question of delays because we know there are only these two major amendments in some 15 years—that the philosophy and the attitude of the Ministers and the Government is one which constitutes part of a total strategy to try to bring land onto the market for urban development. This is

part of a total strategy. I am sure there may be other opportunities of which the Minister will take advantage in due course.

The Hon. R. F. CLAUGHTON: He will need to do better than bring a Bill like this before the House.

The Hon. N. McNEILL: I cannot hear what the honourable member is mumbling about, but if he wants an explanation I suggest he remain quiet and listen. In response to a request and in view of the consideration the Government is prepared to give to the request that Mr Claughton and Mr Dellar have made I repeat that this is part of the total strategy where there could be three weeks saved in this process and maybe more for instance as a consequence of Parliament not sitting in the autumn session for a period in excess of seven weeks. This is one of the essential reasons for the Bill.

The next point is whether this Bill particularly refers to substantial amendments; and the question of revocations was also raised by Mr Claughton last night. With your indulgence, Mr President, and after having had some discussion with the Minister for Town Planning, I think it may be appropriate, in an endeavour to satisfactorily conclude this discussion, for me to read the points that the Minister for Urban Development and Town Planning has set out. They state—

1. Need for Bill in view of few occasions when substantial amendments have been made.

As the Metropolitan region continues to grow it will be necessary to continually amend the Scheme in line with the Corridor Concept of growth to meet demands of that growth. Until now the Scheme as gazetted in 1963 provided for expansion, but it is now necessary and will continue to be necessary to release land for urban purposes when the demand arises as currently zoned urban land is built out.

So it is part of the total strategy. These essential requirements in regard to 12 sitting days for which this Bill provides are referred to as follows in the Minister's note—

2. Will the period of 12 sitting days refer only to a substantial amendment to the Scheme or a new Scheme prepared to take place of the existing Scheme which is revoked.

The Minister's comment is—

The Bill seeks only to amend the number of sitting days in respect of substantial amendments to the existing Scheme. In respect of a new Scheme proposed to take place of the existing Scheme, if revoked the full 21 sitting days will apply.

Note: The term 'Scheme' relates to the Metropolitan Region Scheme prepared by the Metropolitan Region

Planning Authority under the Metropolitan Region Town Planning Scheme Act. Town Planning Schemes prepared by local authorities under the Town Planning and Development Act have a procedure for adoption and approval under Regulations made under that Act.

I do not think there is anything more I can add by way of explanation. I am completely and supremely confident that the explanation given does cover the points raised—and I refer to not only the explanation given by me but by other members in the course of debate.

Question put and passed.

Bill read a third time and passed.

## STATE HOUSING ACT AMENDMENT BILL

### *Second Reading*

Debate resumed from the 12th September.

**THE HON. R. F. CLAUGHTON** (North Metropolitan) [3.08 p.m.]: This Bill seeks to amend the State Housing Act by deleting part of the definition of the word "worker". We are told this is necessary because there are certain groups in the community which may be excluded if the definition were to remain as it is in the Act.

In his speech the Minister told us these categories include pensioners, widows, deserted wives, etc. Here again my main complaint is the lack of information we have been given in connection with the Bill.

The principal Act contains several sections which provide extensive coverage to various categories of people. Firstly, I refer to section 60(b) which states—

No provision of this Act which would exclude from the benefits of this Part of this Act a person in receipt of an income (as determined by the Commission) not exceeding twelve pounds per week shall have effect.

Under this section all pensioners, widows, and deserted wives would be encompassed. Section 60 relates to advances for homes.

Next I refer to section 66 which deals with arrangements between the State and the Commonwealth, and the application of the Act. It reads in part—

Provided that the Commission may extend the application of the Housing Agreements to any applicant under this Act, whether or not he is a worker within the meaning of this Act, whether or not he is employed in any kind of work, and whatever his income or means.

With what part of the funds employed by the State Housing Commission do those two sections of the Act deal? We are told there is some legal barrier to helping these



people; yet under these two sections very wide scope is provided for assistance to be given. The only qualification we can take into account is that these powers refer to the Commonwealth.

The information which the Minister should have given us is the extent the funds of the State Housing Commission have been disadvantaged, to justify an amendment of the Act.

We on this side see no reason for not supporting the proposal in the Bill. We think it is very likely to prove beneficial to the people. However, there still remains the income limits which could exclude a number of people who could be assisted by the State Housing Commission, and they include some people who have the greatest need for assistance from these funds.

With those remarks I indicate the support of the Bill by members on this side. I express my disappointment once again that there is such an appalling lack of the relevant information. We feel the Government is not doing its job of providing the necessary information to members to enable them to arrive at a reasonable determination.

**THE HON. N. McNEILL** (Lower West—Minister for Justice) [3.15 p.m.]: I wish to comment briefly on the matter raised by Mr Cloughton. I cannot give him the sort of information he is seeking; I am not even quite certain that such information is relevant to the consideration of the Bill. Perhaps it might be of some interest to us, but strictly it is not relevant.

The Bill contains a very simple amendment, but it is a very important one, as I have indicated to other people. I am happy that the Opposition has indicated its support of the measure. As I understood the remarks of Mr Cloughton, a great deal of research could be involved in obtaining the information he seeks. The honourable member was wondering about the number of people in the situation he envisages who would be denied assistance by virtue of the legal interpretation of the word "worker" as presently obtains in the parent Act. That was the general import of the query of the honourable member. I am not in a position to give the information he seeks, and I repeat that I doubt it is really relevant.

The fact of the matter is there are some people who may be deserving of assistance, but a restriction has been placed on them as a result of the definition, and of nothing else. They do not come within the definition of "worker" and therefore the assistance provided under the Act would not be available to them. I do not think any further explanation is necessary.

Question put and passed.

Bill read a second time.

### *In Committee*

The Deputy Chairman of Committees (the Hon. Lyla Elliott) in the Chair; the Hon. N. McNeill (Minister for Justice) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 6 amended—

The Hon. R. F. CLAUGHTON: I would ask the Leader of the House to report progress so that he will have the opportunity to obtain the information I have requested. Without that information we cannot really assess the overall implications of the amendment in the Bill. I think it is important for us to know.

Our task as members of this Chamber is to pass the best possible sort of legislation that we can; and we can only do that when we are given access to the relevant information. I have already pointed out that under the two sections of the Act I referred to during the second reading very wide scope is provided for the State Housing Commission to help the various categories of people mentioned.

It may well be that pensioners, widows, and deserted wives are already assisted through those funds; but we do not know. First of all, what we need is an answer as to the extent to which these people are assisted through the funds, as provided under the two sections I have mentioned; and, secondly, we need to know what other funds of the commission are directly affected by the amendment in the Bill—funds from which the commission is able to offer assistance to these categories of persons.

That, briefly, is the sort of information I would like to have before we proceed further with this Bill. I do not think the Government will be disadvantaged if progress is reported until some time in the week following the Royal Show.

The State Housing Commission has been operating quite happily for a long time. I hope the Minister will report progress and obtain the information which I seek.

The Hon. N. McNEILL: It would appear to me that Mr Cloughton has a penchant to seek explanations of matters on which some simple explanations have already been given. However, on this occasion he has gone a step further and asked for information on a matter to which no reference was made during the introduction of the Bill.

The honourable member said that the State Housing Commission, and the Government, has been going along quite happily. The fact that this Bill is before the Committee now indicates that things have not been going along happily. In fact, there are people who are being denied a form of assistance simply because they are not considered to be eligible under the provisions of the legislation as they apply at the present time.

During the course of my second reading speech, I stated—

The amendment arises as a consequence of the contention of the Auditor-General, and supported by the Crown Law Department, that assistance can only be approved to a "worker" as presently defined in the Act and as such it would not be correct for the commission, acting within the discretionary powers conferred by subsection (2) of section 20 of the State Housing Act, to assist such categories of persons as pensioners, widows, deserted wives, etc.

Therefore, it would be incorrect to say that things have been going along happily if people in those categories—for whom the legislation is intended to provide some assistance—were considered not to be eligible under the legal interpretation of the Act.

With the deletion of the paragraph set out in the Bill the commission will be able to exercise its discretion and, provided the income of an applicant is within the criteria, as determined from time to time, he will be assisted.

To me, that seems to adequately answer the query raised by Mr Cloughton. However, the honourable member has asked for some further information and I will endeavour to obtain it for him. For that reason I am prepared to ask that progress be reported.

#### *Progress*

Progress reported and leave given to sit again, on motion by the Hon. N. McNeill (Minister for Justice).

### **FUEL, ENERGY AND POWER RESOURCES ACT AMENDMENT BILL**

#### *Second Reading*

**THE HON. G. C. MacKINNON** (South-West—Minister for Education) [3.26 p.m.]: I move—

That the Bill be now read a second time.

This Bill has been drafted to amend the Fuel, Energy and Power Resources Act, 1972, to provide certain powers to control fuel supplies in emergency situations. It has been framed to provide that, in the best interests of the whole community, present and future sources of fuel, energy, and power are protected in cases of emergency.

If serious oil embargoes should be applied in the future, or if other circumstances should lead to a serious curtailment of supplies, it may be necessary for the Government to introduce a form of rationing, and to formulate emergency regulations. The Bill provides for the maintenance, control, and regulation of energy supplies and services so as to secure the well-being of the community.

At present the Government does not have the power to implement such regulations and this Bill has therefore been introduced to provide legislation for such action to be taken should the need arise at any time in the future.

Western Australia depends to a very great extent on fuel oil and other petroleum products. It is particularly dependent on imported crude oil. The Fuel, Energy and Power Resources Act, 1972, makes it a function of the Fuel and Power Commission to ensure that supplies of suitable fuel and power are available for use in Western Australia in the manner best calculated to further the public interest in all respects. Having regard for the provision of the existing legislation, it is considered appropriate by the Government that emergency powers relating to maintenance of supplies of fuel should be provided by this amendment to the Act.

Members will be fully aware of the controversy and criticism which have surrounded this Bill. Much of it is emotional and ill-founded. The Government has recognised that the true purpose of the Bill would be better understood and its inherent safeguards increased by certain amendments. The Government is always willing to listen to constructive criticism and has done so in this case.

My colleague in another place has quite rightly pointed out that it is not correct to read individual clauses in the Bill in isolation. The entire Act should be read and interpreted as a whole. Individual powers provided for in the Act could not be lifted out of context and used for purposes other than those for which the legislation is intended; namely, to deal with a fuel emergency.

Serious fuel supply interruptions have occurred already in Australia, notably in New South Wales, and South Australia. In some cases fuel stoppages have been of short duration and, while they caused significant economic loss and social hardship, they can be regarded as short-term annoyances.

When emergencies of this kind proceed for any length of time, the community will expect the Government of the day to act. It is the responsibility of the Government to take charge of any emergency in an effort to ensure that the public interest is safeguarded to the greatest extent possible. This responsibility of Government will exist whatever the underlying cause of the fuel supply interruption.

The possibility of long-term fuel shortages caused by factors operating overseas is very real. There are many reasons why our imported petroleum supplies could be reduced or cut off by influences over which Australia has no control. In such circumstances this State, and probably Australia, would have little choice but to introduce fuel rationing of the type which, until recently, was being contemplated in the

United States. At present this State has no power to enforce or administer such a rationing scheme.

I emphasise again that we should concentrate our attention on the main purpose of the Bill, which is to protect the community to whatever extent we can against hardships and difficulties which would result from a fuel supply shortage.

The Bill before the House has been extensively amended in another place. Many of the Government's more determined critics continue to advocate further amendments. Section 41, which provides that this Act would prevail over all other Acts, continues to attract unreasonable criticisms.

The Hon. R. Thompson: There is going to be a lot more, too!

The Hon. G. C. MacKINNON: The provision could only operate in a fuel emergency and be directed specifically toward fuel related matters or issues. I draw members' attention to section 47, which sets out in considerable detail the specific matters which emergency regulations would seek to control. I suggest that section 47 effectively counters any fear that section 41 would be misused.

Another provision which brought forward considerable emotional response, and which the Government has agreed to delete, concerned the right to enter premises and to conduct searches without a warrant. I find this a little surprising because many other existing Acts contain similar provision, and by my reckoning some eight Bills containing a similar power were passed by the Tonkin Government.

The same amendment incorporated in the Bill specifies the persons to whom powers under the regulations can be delegated.

Another set of amendments incorporated in the Bill now before members completely does away with the criticism that an Executive Government could overstep its responsibilities in judging whether an emergency which warrants the Governor making an order declaring a state of emergency exists.

The Bill has provisions that Parliament has to affirm—by ratification in both Houses—the order declaring a state of emergency. Only those critics who do not believe in our system of democratic government, where the elected Parliament has supremacy in decision-making, could claim that this provision is not the most democratic and satisfactory safeguard against any future overambitious executive branch of government.

If Parliament is not in session at the time an order is made declaring the state of emergency, it has to be called together within a maximum of 14 days. To allow ample debate by the Opposition, the affirmation has to be decided within 30 days.

Similarly, by way of an amendment in another place, the Bill contains provisions for compensation for damages against property. A tribunal is set up to deal with such compensation claims. This process is aimed to accelerate the handling of claims, yet at the same time secures impartiality and legal competence by providing that the tribunal has to be headed by a judge.

When considering the measure before us I urge members to contemplate the situation which would face a Government in an actual fuel emergency. It would be a difficult time and would require urgent and purposeful action to minimise the effects felt by the community.

This Bill makes provision for the Governor to declare a state of emergency in any part of Western Australia, provided he is satisfied that by reason of embargoes, disruption of supplies, or for any other cause, the supply of fuel to the community is restricted. The Bill provides that the Governor may make emergency regulations to provide or secure supplies and services needed by the community, or by any substantial part of the community. He may also make regulations to prevent supplies or services being disposed of in a manner prejudicial to the attainment of the objects of this amending Bill.

Many detailed regulations, direction, and orders will be necessary to deal with any developing emergency, and it would be impractical to include all of these specifically in the legislation. The Bill simply provides power to make the regulations that would be necessary. To be effective in any crisis, it is necessary to act swiftly.

We have seen plenty of evidence that a fuel emergency could occur in Western Australia. It seems to be common ground on both sides of the House that some form of emergency legislation is needed. The Government feels that it needs the powers contained in the Bill before us to adequately discharge its responsibility during an emergency. I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. Thompson (Leader of the Opposition).

## RURAL AREAS

### *Attitude of Federal Government: Motion*

Debate resumed, from the 18th September, on the following motion by the Hon. A. A. Lewis—

That this House deplores the attitude of the Federal Government to rural areas and in particular its obvious lack of appreciation of the problems confronting the primary producers of Western Australia.

**THE HON. V. J. FERRY** (South-West) [3.37 p.m.]: I rise to support the motion before the House.

The Hon. R. Thompson: I thought you would.

The Hon. V. J. FERRY: I refer members again to the words of the motion before us. At the previous sitting, speakers to this motion expressed some very strong arguments on behalf of those living in the rural areas of Western Australia. Members expressed their views very sincerely and showed good cause for their concern.

The difficulties in the rural areas have been brought about, in my opinion, by a grand design engaged in by the present Federal Government. This grand design is to cripple industries and individuals in the rural communities and to centralise our residents into the cities. One could perhaps use the expression that the object of the Federal Government is to herd the people into the cities. This is not drawing a long bow, as may be suggested by Opposition members, because as one moves around the country districts—as do country and other members—one is acutely aware of the very real concern expressed by the people of these areas for their survival. It is now a case of striving for economic survival in these areas.

People in country areas are striving for the survival of the things for which they have worked, in many cases throughout their lifetime, which they hold so dear as part of their very existence. They are working for the survival of the family unit; the basic concern of the people of this State, and indeed, of the nation. Therefore, it is not without wonder that the people of the rural areas are concerned and that we, as their representatives, are also concerned about the treatment accorded to this community by the present Federal Government. One could go on to list many areas of difficulty, but I do not propose to traverse the ground which has already been dealt with so adequately by the previous speakers.

The Hon. R. F. Claughton: The President might pick you up on Standing Order 89.

The Hon. V. J. FERRY: I am not particularly concerned as to what the President may do. He is perfectly competent to rule this Chamber as he sees fit and I will abide by his ruling at all times.

The Hon. N. McNeill: Mr President does not need the assistance of Mr Claughton.

The Hon. V. J. FERRY: I am concerned that the Federal Government is costing out of existence the way of life in country areas. One could refer to many examples, such as the increased air navigation charges, which surely must add not only to passenger fares but also to all manner of freight. I suggest that in this State, more than in any other, above all we need the power of communication, and this of course involves transport. Now, of course, we see that charges for telephone services are to increase quite markedly and that the present letter rate of 7c is to increase to 10c. Other post office charges are also

to increase. One could go on relating these increased charges to the effect they will have on people living in country areas.

It is rather frustrating to contemplate the effect on the community of the policies of the Federal Government. Although I have concern for all sections of the rural community, I cannot help but refer to the situation in which the farming community finds itself today. I believe this lack of interest in the welfare of the rural community was graphically demonstrated in yesterday's issue of *The West Australian*, which devoted only a small space to the Budget's effect on the farming community. I do not blame the Press for this because it is important that we know what is contained in the Budget and, naturally, a great deal of space is devoted in the Press to reporting the provisions of the Budget.

However, when examining the various aspects of the Budget in yesterday's issue of *The West Australian*, it was not until I came to page 11 that I found an item concerning the rural community. The article was headed, "Not much for the farmers". If I may voice an opinion, that was a fairly appropriate subtitle. I reached for the ruler in my desk drawer just to establish how much space *The West Australian* had been able to give to this item.

It would seem that the space devoted by the Press to this article was a fair indication of the concern the Australian Government has for the rural community, particularly the farmers. The article was contained in a column 1½ inches or 4 cm wide by approximately 6 inches or 16 cm long.

The Hon. D. K. Dans: What does that prove?

The Hon. R. Thompson: Have you read the entire Budget speech?

The Hon. V. J. FERRY: I will be very happy to hear the Leader of the Opposition defend the actions of the Federal Government on this issue; he can tell us what that Government has done for the rural areas.

The Hon. R. Thompson: I asked you a question. Have you read the entire speech? You can get it at 200 St. George's Terrace. You are relying on a newspaper report at the moment.

The Hon. V. J. FERRY: I am not relying on a newspaper report; I am using this article as an example of the degree of concern felt by the Australian Government.

The Hon. R. Thompson: Have you read the entire Budget speech?

The Hon. V. J. FERRY: The Leader of the Opposition and his colleagues can comment on this issue later. I hope members opposite will stand and tell us about this grand Budget brought down by the Whitlam Government. I am sure the country people will not be pleased with what they say.

The Hon. D. K. Dans: The country people are never pleased.

The Hon. S. J. Dellar: The country people are not pleased with what you say, either.

The Hon. V. J. FERRY: It is all very well for members of the Opposition to protest by way of interjection; I do not mind that, but I would like them to stand in this Chamber and contribute to the debate. We would all be most interested to hear their remarks. I have used this newspaper report as an example to show the scant respect and concern the Whitlam Government has for the farmers.

I read this article with interest to see what was to be the Budget's effect on the rural community and I came to the last paragraph, which states—

W.A. would get \$587 000 of the \$7.3 million allocated for softwood planting.

What an extraordinary statement. Western Australia would receive this money irrespective of the Government in power in Canberra because this money is made available to the State under the Commonwealth Softwoods Agreement Act. It is a five-year agreement. So, we must subtract that amount from what the farmers will receive; and, of course, we must bear in mind that forestry, or tree farming, is a primary industry. This indicates the scant appreciation the Whitlam Government has for the rural community. It is a lot of window dressing to say that Western Australia will receive more than \$500 000 when this State will receive that money irrespective of the Government in power.

*Sitting suspended from 3.45 to 4.02 p.m.*

The Hon. V. J. FERRY: Prior to the afternoon tea suspension I was making a few comments concerning the motion before the House which deals with the attitude of the present Federal Government towards people in rural areas. It occurred to me just a moment ago that I believed the people who assembled in the precincts of the House this afternoon to express their thoughts on parliamentary work and legislation could well have used their efforts to greater effect, in my view, by assembling to express concern, as I am doing today, for the people of this State, particularly those in rural areas, as a result of the implementation of Federal Government policies.

It seems to me that the attitude of the present Federal Government represents a greater threat to the community than could ever come from legislation emanating from this Parliament. Therefore it would have been more appropriate for the people to have given some consideration to this aspect.

A few years ago the Australian Labor Party had a much-publicised platform of guaranteed incomes for farmers. I won-

der what happened to that platform. Has anyone ever heard of it lately? I have not. The platform was—a guaranteed income for people on rural properties; a minimum rate. We do not seem to have heard much about that platform recently because it is not practical, but it was considered to be a jolly good platform at the time.

The Hon. D. K. Dans: If it comes in, will you support it?

The Hon. V. J. FERRY: It is not practical and therefore I could not support a policy such as that.

The Hon. S. J. Dellar: Is this publication I have in my hand practical?

The Hon. V. J. FERRY: It is practical for the honourable member to be sitting there with it. With regard to decentralisation it would seem that all political parties speak firmly and with great dedication about decentralisation and the dispersion of the population throughout the length and breadth of the country, including this State. What is decentralisation? There are many definitions of it, but I will not go into all of them.

If decentralisation means developing the whole of this State; using its natural resources, wherever they may be found, from one end of the State to the other to the benefit of the people and of the nation; providing a livelihood for the people; providing homes and encouraging family units to develop within the home a good way of life, I have no quarrel with it. Who can do that better than the people employed in primary industries, whether it be farming, forestry, mining, or all the other industries found in the country?

However, what is the future of this sort of production? It is my firm conviction that as a result of the policies of the present Federal Government, led by Prime Minister Whitlam, we have a shrinkage of decentralisation, a decreasing number of opportunities for people in rural areas, and this includes everyone—the baker, the school teacher, the stock and station agent, the newsagent, the local store-keeper, or anyone who happens to have a business or occupation in a rural area. Therefore if the present policies of the Federal Government are followed they will have a vital effect on all these people. I conclude by saying that I must add my very great concern about the catastrophic policies now being followed by the centralist Labor Whitlam Government.

**THE HON. M. McALEER** (Upper West) [4.07 p.m.]: Like Mr Ferry, other members, and most country people, I was disheartened but not surprised at the fact that at a time when the rural sector is experiencing severe and increasing difficulties there was very little in the Budget to suggest the Government was aware of the problem, let alone prepared to deal

with it. In that Budget were measures which could only add further to the disabilities from which country people are suffering.

I was a little surprised and depressed to notice that, on the two TV panel discussions I heard on the night the Budget was brought down and discussed, the effects of the Budget on these matters attracted no attention from the speakers except for one hasty question from one of the chairmen who received an even hastier answer as the programme faded out. To paraphrase the question, as I remember it, it was: What about farmers and the Budget? And the answer was: "The farmers have got nothing; they could have hoped to have their concessions restored to them. But they have persuaded the Federal Government to underwrite the floor price for wool in the wool sales".

I do not deny the Federal Government's contribution in this respect. It may be too little too late; it may be imposing a burden in the form of a 5 per cent loading on the woolgrowers' gross proceeds which they are not able to sustain at the moment. Nevertheless, it is a step in the right direction and one which, in the circumstances, could not have been taken without the approval of the Federal Government, and at least the Government has stepped in and has offered to supply money in lieu of that which should have been provided by the consortium of banks. This is only one step towards assisting the primary producing industry. I do not think it is sufficient, and it is certainly not offering anything to other sections of the rural industry which are almost equally in distress.

It seems to me that these circumstances have not arisen by themselves; that the present Federal Government must bear the responsibility, by both its disregard for the rural sector and by many of its positive policies, for the difficulties that are now being experienced in country areas.

When, in fact, the Federal Government came to office it had very little in the way of rural policy, and the first general statement on rural policy was made, if I remember rightly, by the Commonwealth Minister for Primary Industry at that time (Senator Wriedt), not in Australia, but at the OECD conference held in Paris, in April, 1973. Senator Wriedt said he had very little to say because his Government had not had time to work out the details of policy, but he did explain that his Government intended to withdraw its support for the stimulation of production, and he suggested that the Federal Government would concentrate on encouraging efficiency and the proper use of resources.

He went on to suggest that the proper way to deal with an oversupply of primary products was to reduce not only the number of producers, but also the amount of

production—which could be taken as counsel for despair for a country that is so largely dependent on exports.

Perhaps the real reason why Senator Wriedt was not able to supply much in the way of information was that, in the previous month, the Prime Minister had established a task force headed by Dr Coombs to review the continuing items of expenditure which were the result of the previous Government's policy, with a view to substituting the present Federal Government's own higher priorities. Unfortunately the country people and country centres were not included in those higher priorities.

Dr Coombs reviewed the expenditure in the rural sector and came to the conclusion that, because market conditions were buoyant and farmers' incomes had taken a steep rise there was no justification for high expenditure in rural sectors. He did not take into consideration the fact that, by chance, there had been a very favourable combination of circumstances which led to the expansion of the wheat market and the sudden rise in wool prices—the latter being suspect, anyway. Nor did he demonstrate the fact that the beef industry had become vulnerable because of the great increase in exports and also that the world markets were resisting beef imports.

Dr Coombs did not point out that even if prices remained buoyant rural industries still relied on seasonal conditions. Furthermore, in considering the high incomes of rural producers, he neglected to add that the rural debt was at least \$1 000 million greater than it had been previously. He did mention, with disapproval, that the funds the rural producers had newly acquired were not being wholly used to pay off the debt, because the producers had begun to invest once again in machinery and equipment. As there was already a shortage of farm supplies generally, he felt that this would place a greater strain than was necessary and it would be well to dampen it down. He did not say how he expected the rural industry to operate efficiently with ramshackle machinery and a lack of equipment.

Dr Coombs went further, and I quote now from his report, as follows—

#### ESTIMATED CURRENT COST OF CERTAIN FORMS OF RURAL ASSISTANCE

1. Petroleum Products Prices Subsidy Scheme: \$27 million.
2. Loss on Country Postal Services: \$10.9 million in 1971-72.
3. Loss on Country Telecommunication Services: basic telephone facility \$53.2 million and local calls \$35.7 million in 1971-72.
4. Aviation: amount required to increase percentage cost recovery on rural routes to that on trunk routes: \$10 million.

5. Developmental and Essential Rural Air Services Subsidies: approximately \$2.8 million in 1972-73.
6. Zone allowances: \$18.5 million in 1972-73.

In addition to the current cost of these forms of assistance substantial capital expenditure has been incurred for the provision of facilities and services more heavily subsidised than corresponding services for urban dwellers. This includes heavy expenditure on rural telephone installations, the up-grading of rural airports, water resources development and widespread rural road systems.

He concluded that all these capital costs could not be justified. The reason he gave was that in present-day thinking the only form of decentralisation that was acceptable was the establishment of large growth centres which could be self-sustained. The desire of Dr Coombs was to cut down all the costs he had reviewed by phasing them out as soon as possible.

Apparently the Federal Government accepted Dr Coombs' recommendations with very little thought because they all appeared in the 1973 Budget. While it might be possible to understand, if not excuse, a new Government in the early days of office, anxious to implement its policies of urban development, accepting advice which tallied with its own desires, in the belief that all was well in the rural sector, it is impossible to believe that in the months following that first Federal Budget, when world economic conditions had deteriorated, commodity prices began to fall, and inflation became rampant in Australia with the Government's own policies of revaluation, high wages, and shorter hours all militating against the farmers, the Federal Government could still have remained unmindful of what it was doing to rural industries.

It is for this reason that I believe the Federal Government has a great responsibility for the conditions that are prevalent in country areas, and therefore I firmly support this motion.

**THE HON. T. KNIGHT** (South) [4.16 p.m.]: In my maiden speech I commented on items similar to those contained in the motion. I come from a farming family; in fact, I have a farm of my own, so I fully appreciate the predicament in which farmers and country people have been placed under the present Federal Government's policies.

Albany suffered on the last occasion a rural recession occurred, but that was the result of a drought. This particular recession will be man-made.

Farmers' productivity has been the backbone of the Australian economy for years, but I believe that the Federal Government's policy is now breaking that back-

bone. Incentives are required to help those in rural areas. Without backing, rural industries and country towns must suffer as has been quite obvious with the abolition of the superphosphate bounty and higher education costs. The policies of the Federal Government have been a disastrous blow to country people.

Albany is a major provincial town and during the last rural recession people left Albany by the score, including tradesmen and those working in shops. Without the backing of the hinterland and the productivity of the farms, people had to leave the region to seek work in the metropolitan area. Of course in these circumstances, when the economy improves the country areas will lack tradesmen because they will have all moved out; and as a consequence prices are increased and this again strikes back at the country people.

The policy of the Federal Government should be to keep tradesmen and other people in country areas to fulfil the needs when the economy is good. As it is, the people of Albany have suffered right the way down the line.

The present Federal Government does not appear to recognise the words "Western Australia"; in fact, we seldom hear them in any policies or speeches of the Federal Government. Its policies seriously affect country people right throughout Australia.

We often hear about the raw deals suffered by the unions. Does anyone stop to think of the raw deals the farmers and other country people suffer because of the actions of the present Federal Government? Farmers and country people suffer all the way down the line. Strikes affect the farmer, yet he cannot retaliate. He has to pay higher fuel costs, superphosphate costs, machinery prices, and education costs, but his income has decreased and with that decrease the economy of the rural areas must depreciate. Because of the lack of productivity in the country areas all the values of properties, etc., must drop. The Federal Government's policy has decreased the farmers' incomes because productivity has been affected.

Some time ago the Federal Government established a new commission to pay up to \$500 000 to help those companies which suffered as a result of the Government's policy. I wonder whether a similar type of commission will be established to help farmers. However, if such a commission were established I doubt that it would do very much good because the farmers would not be able to pay back the money they borrowed, and so they would gradually become indebted to the Government which must eventually take them over. I believe this will ultimately result in voluntary socialism.

Through a motion such as the one we are discussing Mr Whitlam should be made aware of the fact that the country

people of Western Australia are suffering as are the country people throughout Australia. Because of the remarks I have just made, I fully support the motion.

Debate adjourned, on motion by the Hon. J. Heitman.

### **DAYLIGHT SAVING BILL**

#### *Assembly's Message*

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

### **EXPLOSIVES AND DANGEROUS GOODS ACT AMENDMENT BILL**

#### *Second Reading*

Debate resumed from the 17th September.

**THE HON. G. C. MacKINNON** (South-West—Minister for Education) [4.22 p.m.]: I understand that Mr Leeson raised some queries when he spoke on the Bill. He asked about the effect the Bill would have on prospectors, companies, and those in agricultural and pastoral pursuits. At the present time a prospector, who is the holder of a mining tenement, is not required to procure a permit to purchase explosives. Under the Bill the prospector will be required to obtain such a permit, but there will be no charge for it. The permit will be obtainable from a mines inspector or a police officer. It is not anticipated that any difficulty will be experienced in obtaining such a permit, but the provision will indeed give better control.

The Bill in no way alters the position in respect of companies or the operation of the legislation, specifically related to the agricultural or pastoral areas.

I thank the honourable member for his comments on the Bill which I commend to the House.

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.

### **NICKEL REFINERY (WESTERN MINING CORPORATION LIMITED) AGREEMENT ACT AMENDMENT BILL**

#### *Second Reading*

Debate resumed from the 17th September.

**THE HON. D. W. COOLEY** (North-East Metropolitan) [4.26 p.m.]: The Labor Party has no opposition to the Bill. We understand that this is the third agreement which has been entered into between the corporation and the Western Australian Government, the first being in 1968 which was designed to establish a nickel refinery at Kwinana. The second was

known as a supplementary agreement designed to establish the smelter at Kalgoorlie.

We understand that the Bill seeks to amend both those agreements instead of consolidating the two original agreements. The Bill covers such items as water and sewerage services at Kambalda East and West, and ensures the corporation will undertake the responsibility of providing those services for the community. It is pleasing to note that there are safeguards for the Government in so far as it can take over those services at a later time if it so desires.

The rights of the corporation in respect of the mineral tenements also have been protected, to a very large degree. The legal rights of the corporation have been placed beyond doubt and other minor matters are dealt with in the agreement including the freeholding of the townsite lots. It is also pleasing to note that the conservation of the area has been catered for.

I feel sure that everything will be in order, particularly in view of the very distinguished signature on the agreement; namely, that of Mr J. T. Tonkin. The date on which the agreement was signed is also significant; it was the day before the last State election, the 29th March, 1974.

I feel sure that in view of the signatory to the agreement and the attention which the Labor Government has given to it, everything will be well and truly in order; and the Labor Party therefore supports the measure.

**THE HON. J. C. TOZER** (North) [4.28 p.m.]: As the Minister mentioned when he introduced the Bill, it is not an easy task to relate it to preceding Acts. Indeed, those Acts and the Bill are very hard to follow and I hope that when the Crown Law Department has time it will give a draftsman the task of consolidating the three Statutes into one. Such action would be very beneficial to everyone who has to deal with the subject, including the corporation and Government departments.

It does not surprise me that the corporation desires to sort out some of the anomalies. It seems to me that they have arisen more because of unsatisfactory drafting than for any other reason.

The corporation has invested large amounts of capital and is unable to plan too far ahead unless it has the security of tenure which the amendments in the Bill before us will provide.

One is immediately suspicious when one reads of concessions being provided in respect of the mining tenements, but I have spoken to the Shire Clerk of the Coolgardie Shire Council about this matter and, rather than being apprehensive about any possible loss of rating revenue which might otherwise be due to the council under the Local Government Act, the



shire is happy with the arrangement that has been entered into. It involves a certain amount of *quid pro quo* where the council, by giving certain concessions in regard to rating on the mining tenements, has gained considerably in other directions, and the Coolgardie Shire Council is particularly pleased with the terms of this Bill.

Mr Cooley referred to the water supply. The Bill states that the corporation will become a water supply authority. I wanted to be sure what this implies, and I was informed it means the company is given the right to meter and charge for the water it reticulates. I think members are aware that the water supply comes from the Goldfields Water Supply Scheme. The State receives 42.5c per thousand gallons from the corporation, which passes water on to householders in Kambalda West and East for 50c a thousand gallons. The water used in the treatment plant is paid for at the rate of \$1.21 per thousand gallons. There is a proviso that the Minister for Works, on giving six months' notice, can take over the water supply as well as the sewerage scheme.

I have strong views on this question because I have been closely associated with comparable mining towns over a number of years, and it is my objective in the long term to see a complete "normalisation" of the towns. In other words, I want to see the day when the Country Water Supply Department takes over the water supply in Kambalda and the amount which people in Kambalda pay for water will be the same as that paid by the people in Pinjarra or anywhere else. During the Address-in-Reply debate I featured the theme "one State, one community". I believe there is no alternative but to aim for uniformity in the cost of services to all people who live in Western Australia and I hope one day the Minister for Works will find it desirable and necessary to take up the option provided for in this mining agreement, and take over the handling of the water supply and sewerage services in the two Kambaldas.

In these towns the corporation also conducts the power supply and the communications system, which is a rather unusual state of affairs. Once again, I hope that in the long term there can be a movement towards what I choose to call "normalisation" of this situation. I believe major sociological problems are introduced by the "big brother" situation, where the employer not only pays the wages but is also the landlord and the service authority for water, power, communications, and all other things. I believe we must aim for the day when we dispose of this type of administration altogether.

In the amending Bill there is a provision relating to capital works which I do not find completely acceptable. The proposed

new subclause (8) of clause 8, in clause 3(5) of the Agreement reads—

(8) In the event that the water supply facilities operated by the State pursuant to subclause (4) of this clause are inadequate to meet the Corporation's requirements or are inadequate to meet increased demand in the Townsite of Kambalda which the parties hereto agree result substantially from the operations of the Corporation, from time to time, the Corporation shall pay to the State the capital cost of necessary additional water facilities including any necessary augmentation of the State's water supply system from its source, that are agreed to by the parties hereto and are provided by the State.

This is fine. The obvious implication is that the State is not involved in providing the capital cost of additional water supply facilities to meet the expansion programme of the corporation. But I do not see it that way.

I believe the Statutes under which the Public Works Department operates in fact place an obligation on the State to provide water for the people of Western Australia. The Statutes do not say "all the people of Western Australia other than those who live in a mining town". In the same way the Education Act, for example, states that education will be provided for the people of Western Australia—not for all other than those who work for mining companies.

The corporation pays the capital cost of the construction of these towns but I believe there must be a cut-off point at which the ledgers should be ruled off and it should be written into the initial agreement that, say, two years after the commencement of production the corporation is not called upon to meet further capital costs. There is no reason why the State should be exempted from meeting its responsibility in respect of this particular section of the Western Australian community. Therefore I find the proposed subclause a little unsatisfactory but I know conditions are such that it cannot be changed at this point of time.

Both the Minister and Mr Cooley referred to the freeholding of townsite lots. I have found many actions of the Lands Department hard to praise, but I give it full marks for the flexible attitude it has displayed in the freeholding of townsite lots for residences and commercial enterprises in Kambalda, whereby it has short-circuited the time-consuming provisions of the Land Act and other relevant Statutes. I am glad the amending Bill has formalised the action the Lands Department has been prepared to take, and I welcome that change. It means almost any person, if he needs to, can purchase a block of land in Kambalda

and erect his home or business premises, and he will have freehold title to the land when he has met certain conditions.

Kambalda varies from many of our "closed" mining towns by virtue of the fact that it has been declared under section 10 of the Land Act. This means separate titles can be and in fact are issued for these separate residential and commercial sites. Our northern towns—and I am speaking about closed mining towns such as Tom Price, Paraburdoo, Goldsworthy, Newman, etc.—are developed on leases to the mining corporations. Private developments, where they exist, are built on subleases issued by the company to the people involved.

I find this an unsatisfactory arrangement and I believe what we have achieved in Kambalda is better than the situation in the northern towns. I hope I can see a movement towards "normalisation" in all these mining towns. It is recognised that by implication not only are private people with houses and shops able to have separate titles but also the local authority has a title, or the land is in fact a Crown reserve and vested in the local authority and thus it has the right to use land for community buildings, recreation purposes, and so on, in the way it wishes. Again, this compares more than satisfactorily with what we are able to achieve at this point of time in our northern closed mining towns.

I am pleased the amending agreement has gained the full support of the Coolgardie Shire Council and that there is a good working relationship between the Western Mining Corporation and the council in this part of the shire. I think it should be pointed out that mining commenced at Kambalda some years before the first of the three nickel agreements was entered into, and it was only when a refinery was required at Kwinana and the smelter between Kalgoorlie and Kambalda came into being that the agreements were formulated. Thus there was a looseness about the original development at Kambalda. I give the Western Mining Corporation full marks for the manner in which it laid out the towns and made possible the subsequent conventional subdivision of the area, thus permitting the release of allotments to other people.

I would like to make one comment about the Western Mining Corporation's activities at Kambalda. I believe the local authority should have been consulted at an earlier stage. Had that been done, I think some of the anomalies which have been corrected by this amending Bill would not have arisen. From now on, under the terms of the amending agreement, we should see the local authority, the Department of Industrial Development, the Crown Law Department, and the Western Mining Corporation working together amicably. The machinery now exists for the satis-

factory resolving of problems, and we look forward to a good future in this town in all respects.

I mentioned the "big brother" attitude. Some members in this House will see the obvious implication of the "big brother" syndrome occurring in mining towns. It is an area in which industrial confrontation can occur very easily. Not only is the worker dealing with his employer in industrial relations and on-the-job relations, but if there is a power breakdown another area of confrontation can arise because the employer also happens to be supplying the power. The local authority should have full involvement in the towns. If there is a broken footpath slab in front of his house, instead of going to the local authority or the person responsible a worker tends to go to the shop steward, and before we know where we are we are in another area of confrontation. So clearly it is desirable to "normalise" our mining communities.

I am also pleased that the environmental protection clause has been incorporated in the Bill. It is not new but many people are surprised to learn that almost all of the big mining corporations are happy to abide by the existing Statutes in relation to environmental protection.

I support the Bill and I am pleased to see it before the House today.

**THE HON. R. T. LEESON** (South-East) [4.45 p.m.]: I, too, wish to support the Bill, and to endorse most of the remarks of the previous speaker. One great bone of contention which exists in Kambalda—and this was mentioned by Mr Tozer—is the problem of water. Although plenty of scheme water is available, it is very expensive. The rate charged is something like 250 per cent more than the rate charged in towns around Kambalda. Residents of Kalgoorlie, and even that famous old town, Widgeemooltha, pay only 20c per 1 000 gallons; but in Kambalda the rate is considerably higher.

**The Hon. J. Heitman:** What do they pay?

**The Hon. R. T. LEESON:** It is approximately 50c per 1 000 gallons. Members can well imagine that if the people in, for instance, Bunbury were required to pay 20c per 1 000 gallons and the people of Busselton had to pay 50c per 1 000 gallons, there would be a terrible scream.

**The Hon. J. Heitman:** The farmers have to pay 56c.

**The Hon. R. T. LEESON:** Yes, but fortunately they can afford to. If the people in Karrinyup had to pay 50c and the people in Victoria Park had to pay only 20c we can imagine what a scream there would be.

The majority of the people residing in Kambalda were originally residents of Kalgoorlie and they have been accustomed to

paying 20c all their lives. Suddenly they are faced with a considerable increase in the charge. Of course, the need for water is greater in the initial stages because the people wish to establish lawns and gardens; everybody likes to have some sort of garden, and we cannot blame them for that. The bone of contention does not exist only at the bottom level; it exists amongst the workers and amongst the staff—amongst people of all political colours.

As was mentioned previously, the people start to ask, "To whom do we pay our water charges?" and they find it is the Western Mining Corporation. I can understand the situation in which the Western Mining Corporation finds itself but this high water rate adds to the problems of the town. I have had a fair bit to do with industrial relations in Kambalda. We can discuss and pass all sorts of Bills in this House—for instance, last year we discussed the Industrial Arbitration Act Amendment Bill, some of the provisions of which were very good—but when it is all boiled down it is the type of problem to which I have referred which is closer to the hearts of the people, especially when they are paying something like 30c more per 1000 gallons than people only 36 miles away. They cannot understand that. I have put in many hours talking to these people, and so have others in the industrial field; we have tried to explain the reasons for the high rate.

I hope the Government will consider this matter in the not too distant future. It is of great importance to the people concerned. If we are sincere in our endeavour to maintain good industrial relations in towns like this we should have a good look at the situation and see whether we cannot come up with something a little more fair. I realise, of course, that Kambalda must go. The Western Mining Corporation has done a terrific job there.

I notice members are looking at me. When I said "Kambalda must go" I meant it must continue. I pay tribute to the magnificent job done by Western Mining. Recently I spoke to many businessmen in Kalgoorlie and I was told that had it not been for the establishment of the Western Mining Corporation nickel smelter near Kalgoorlie, the people concerned would not know what to do. Those concerned with the metal trades have so much work that they are knocking it back. This has been brought about mainly as a result of the construction of the smelter and of the large orders Western Mining is placing with people in Kalgoorlie. We can be thankful for that.

I again ask the Government to consider the anomalies which exist in relation to water and electricity charges in Kambalda and similar towns. I hope that in the not too distant future something a little

more fair will be devised. This would go a long way towards assisting industrial relations in such towns. I support the Bill.

**THE HON. G. C. MACKINNON** (South-West—Minister for Education) [4.51 p.m.]: I would like to thank members for their comments. I must admit that I sat up with a sudden jerk of alarm when I heard Mr Leeson state unequivocally that Kambalda had to go. I was delighted when he explained that he did not mean it should go down one of the shafts!

With due respect, I feel all the comments made had little to do with the actual mining agreement; they were related to general life in closed towns; and to matters such as the supply of water. I am sure these things will be brought to the attention of the appropriate authorities and considered in the light of the future of the towns. I again thank members for their comments.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

#### ADJOURNMENT OF THE HOUSE: SPECIAL

**THE HON. N. McNEILL** (Lower West—Minister for Justice) [4.54 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 1st October.

#### *Federal Budget: Impact on Rural Areas*

**THE HON. H. W. GAYFER** (Central) [4.55 p.m.]: When I heard the question asked by the Leader of the Opposition of the Minister for Justice in regard to the arrangements for show week, and whether it was contemplated that the House would adjourn during that week, I immediately began to question the advisability of such an adjournment.

I wonder whether we should not remain here in this Chamber—in view of the crisis facing Western Australia, and particularly the agricultural areas, at the present time—discussing the position of agricultural areas, rather than taking a week off to attend the Royal Show. I do admit that if there is one important factor which protects the Royal Show it is the attendances; however, another factor involved is the ability of the farmers to have confidence in the future in order that they may be able to show the shop window to the people of the State and of the nation as a whole.

I know that traditionally, under successive Governments, the Parliament has stood adjourned during the period of the show; but that has always been in circumstances different from those which exist at the moment. Indeed, I am rather fearful of the future of agricultural areas.

I question whether possibly we may better serve the people by debating the issues confronting those areas, than by looking at the exhibits at the show. Of course, I question this more so in the light of the Federal Budget introduced on Tuesday night, which has had such a severe impact on the farming community and, in fact, on the future of agriculture in Western Australia; and, therefore, on the future of Western Australia as a whole.

That Budget contains many items which will have a serious effect on our community. Many of these were foreshadowed, but I do not think anyone foreshadowed the serious effect which the proposed capital gains tax will have. It will affect farmers, country businessmen, and the whole of the community in country areas. It will have a significant, frightening effect on the welfare, the economy, and the security of our State. This so-called means of raising revenue in order to bring down Budgets for the welfare of the country as a whole is only a blind for the eventual nationalisation of the farming industry; and the effect of such nationalisation which, by the very terms of the proposed capital gains tax must take place, if not within two decades then certainly shortly after, will be disastrous.

The fear of this must be already worrying the hearts of many of those whom we represent—even those who have not yet realised the full impact of such a measure. Consequently, at first blush my question is: are we acting wisely in adjourning this House for a week? Would it not be in the best interests of the people we represent to sit here and debate the issues which confront them? Then I look at the other side of the ledger and I realise this is not of our State's making; it is not brought about by the legislation introduced in this Chamber. Nor would our voice be listened to or heeded no matter how much we might protest or how much we might point out the tragedy of the whole situation.

There is a proverb which states "that there is none so blind as they that won't see"; and it is very evident that the Commonwealth Government will neither see nor hear what may be involved in the tragedy which it has wrought on the people of Australia and particularly on those in the State of Western Australia whom we represent and of whose problems we should be very mindful. In my opinion the whole security and entire future of our farming community is at stake.

It is a serious time into which we are entering and it is time that we as a State fought for those who constitute this State and make it the great State it is.

The PRESIDENT: I am aware of the seriousness of the situation but I would like the honourable member to confine his discussion to the motion before the Chair which is that the House do adjourn till Tuesday, the 1st October.

The Hon. H. W. GAYFER: I am discussing the advisability of whether the House should adjourn or not, and when I have finished speaking it will be for the House to make up its mind by a vote whether or not we should adjourn.

I am endeavouring to stress the crisis in which we find ourselves at the present moment and whether or not it would be advisable for us to perhaps defeat the motion and remain within the precincts of the building to carry on with the issues that affect the debate; because there is nothing surer but that the industry and the people in it have been brought to their knees.

The cries of the people which have been voiced in the last few months have now turned to cries of fear, and I am more than ever convinced that those cries will eventually turn to cries for mercy. I am also convinced that the greatest possible protest should be made from our State Government, as well as from the other State Governments—but more particularly from our State Government—to the Commonwealth Government to indicate our abhorrence of what is taking place as a result of its policies.

The PRESIDENT: It is a pity that the honourable member did not speak to Order of the Day No. 5 last evening.

The Hon. H. W. GAYFER: The honourable member will certainly speak to that motion, but had he done so in this vein I feel sure, Mr President, you would have ruled him out of order. I feel convinced of this, having looked at the substance of the motion moved by Mr Lewis.

I would contend, with respect, Sir, that this is a completely different issue and under the rules of debate I feel sure that I have a right to debate the matter which is before the Chair at the moment.

The PRESIDENT: I feel sure the honourable member has a right to debate the subject matter under discussion.

The Hon. H. W. GAYFER: I repeat that I wonder at the advisability of our adjourning the House for one week.

The PRESIDENT: That is more to the point.

THE HON. R. THOMPSON (South Metropolitan—Leader of the Opposition) [5.04 p.m.]: I support the motion because it is quite usual for us to adjourn during Show Week. For my part I have made many appointments with farmers who will be attending the Royal Show; and, as the honourable member has said, it is their week and their show place.

My time is virtually booked up with farmers during the next week and, accordingly, I support the motion.

Question put and passed.

*House adjourned at 5.05 p.m.*