

Achievement Certificate, and yet the honourable member wants the clause to read that the board shall approve a course of study. The board may approve a course of study if it is satisfied that the course is suitable for the issue of an Achievement Certificate. The clause has not been framed to enable schools to opt out; it is designed to allow schools to opt in.

Subparagraph (b) of proposed new section 21H provides that the board may "establish and carry into effect procedures for the purposes of assisting schools and other bodies and institutions." First of all we have to have a school that is ready to receive assistance. At the moment I think we should let the board have the option of approving a course of study by allowing the word "may" to remain.

Amendment put and negatived.

Clause put and passed.

Clause 11 put and passed.

Title put and passed.

Bill reported with an amendment.

ADJOURNMENT OF THE HOUSE

SIR DAVID BRAND (Greenough—Premier) [12.7 a.m.]: Before moving the adjournment of the House, I wish to advise members that Thursday of this week will be the last Thursday on which we will rise at tea time, and that members should make arrangements to sit after tea on the following Thursdays. I move—

That the House do now adjourn.

Question put and passed.

House adjourned at 12.8 a.m. (Wednesday).

Legislative Council

Wednesday, the 15th October, 1969

The **PRESIDENT** (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS (2): ON NOTICE

1. EDUCATION

Leonora School

The Hon. G. E. D. **BRAND** asked the Minister for Mines:

- (1) Is the Minister aware that since the erection of the new school at Leonora, part of the former building has been utilised as an assembly hall, for the storage of sporting goods, and for other purposes by the school?
- (2) Is it correct that the use of the building has been offered to the Native Welfare Department as a children's hostel, and has been declined?

- (3) As both the headmaster of the school, and the Parents and Citizens' Association, desire to retain the use of the building for the purposes enumerated in (1) above, can this be approved?

The Hon. A. F. **GRIFFITH** replied:

- (1) Yes.
- (2) The building was requested by the Native Welfare Department for use as a rumpus room attached to the native hostel. This request was later withdrawn. The old classroom has since been offered for use either as a hall on the native reserve or as a kindergarten building. No decision has been made on this offer.
- (3) The building has been replaced because it is substandard and it is not economic to maintain it in reasonable repair. It is also occupying needed playground space. However action to remove or demolish the building has been deferred to at least first term 1970.

2.

HEALTH

Qualifications of Overseas Doctor

The Hon. J. **DOLAN** asked the Minister for Health:

- (1) Is a doctor who qualifies as M.B. and B.S. at the Dacca Medical School, East Pakistan, eligible to practise in Western Australia on entry thereto?
- (2) If not, what is necessary before he becomes qualified?
- (3) Is the Minister aware that these qualifications to practise are acceptable to the General Medical Council of the United Kingdom?

The Hon. G. C. **MacKINNON** replied:

- (1) No.
- (2) He would require to obtain a medical degree acceptable under the provisions of the Medical Act, i.e. a degree granted by an approved university in the United Kingdom, Ireland, Malta, South Africa, Hong Kong, New Zealand, or Australia.
In special circumstances, however, a doctor who is not fully registrable may be eligible for restricted or regional registration.
- (3) No, but I understand that this may be so.

HOSPITALS ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by The Hon. G. C. **MacKinnon** (Minister for Health), and read a first time.

Second Reading

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [4.37 p.m.]: I move—

That the Bill be now read a second time.

For a number of years the Commonwealth Bureau of Census and Statistics has supplied tabulated statistics of morbidity and mortality in the major hospitals of this State. These figures have proved a valuable tool in planning hospital development and guiding management.

The information is supplied, from hospital patients' records, direct to the bureau. Commonwealth law prohibits the disclosure of information supplied to it in this manner, except in the form of statistics. The statistics branch of the Public Health Department is therefore denied access to the material for more detailed study. The need for further study is clearly indicated by the value of the superficial studies undertaken up to date.

The Commonwealth objection to granting access to this statistical information can be overcome if State legislation requires that the hospitals concerned supply such details to the Minister.

The Queensland Hospitals Act contains a provision similar to that now proposed to be inserted in our Act and this provision satisfies the Commonwealth. It is a little odd that this collection of statistics, and the relevant information obtained from it, was, in fact, commenced in this State. Other States have followed the lead of Western Australia in this regard, but the change in the nature of the compilation does not enable the bureau to supply the information we require.

Therefore, this simple amendment is put before members and it is hoped they will agree to it because so much information is gained that much planning can be done as a result. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. R. H. C. Stubbs.

BILLS (3): RECEIPT AND FIRST READING

1. Firearms and Guns Act Amendment Bill.

Bill received from the Assembly; and, on motion by The Hon. G. C. MacKinnon (Minister for Health), read a first time.

2. City of Perth Parking Facilities Act Amendment Bill.

Bill received from the Assembly; and, on motion by The Hon. L. A. Logan (Minister for Local Government), read a first time.

3. District Court of Western Australia Bill.

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Justice), read a first time.

FORESTS ACT AMENDMENT BILL

Third Reading

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [4.41 p.m.]: I move—

That the Bill be now read a third time.

THE HON. F. J. S. WISE (North) [4.42 p.m.]: I think it will be obvious to members of this Chamber that this small Bill caused me considerable concern. It would hardly be necessary to say I gave it a lot of consideration.

It was not until yesterday that the Government's intention was made clear; that the Government was to ignore the advice of Auditors-General and Solicitors-General, and was not to charge the Forests Department with interest and sinking fund charges on loan moneys. It will be remembered it was quoted many times in reports that the recommendation was that these moneys be taken into account when arranging what shall be the charges against gross revenue.

The Bill states just the opposite. I want to stress very strongly that it is my view—and I am sure it is the view of all of us—that the Government is perfectly entitled to make extra money available to the Forests Department by not taking into account, when arriving at net revenue, moneys which otherwise would be charged against the department to redeem loans. That is, of course, provided that such an arrangement is properly passed by Parliament.

Once a concession, such as the one contained in this Bill, is presented it must be perfectly in order before it can be included in a Statute. Members will recall that I have quoted frequently from financial returns and Budget tables indicating the burden on the State of loans which are not serviced by earnings. There are many different departments and undertakings where the loans are totally unproductive. That means the Consolidated Revenue Fund has to meet those deficiencies.

We have departments such as the Education Department, and many others, which cannot, and do not, make a contribution towards the repayment of loans. We have departments such as the State Electricity Commission, and other revenue earning departments, which must make—and do make—interest and sinking fund

payments. It is also the responsibility of the State Housing Commission to include such provision in its finances.

Last evening, when discussing this matter in Committee, I had a passing thought that the moneys to be collected from departments as repayments for interest and sinking fund were paid into a special account at the Treasury. However, I was in error; such collections are paid into the Consolidated Revenue Fund. There is no special fund for the collection of the money or for payments made for loan reimbursement. The money is paid from revenue into the fund to meet loan obligations as they arise; the funds are first paid into Consolidated Revenue. Interest and sinking fund payments on moneys loaned to the State, with the concurrence of the Loan Council, are a charge on Consolidated Revenue in the first instance.

Where departments are deficient in their ability to redeem loans the Consolidated Revenue Fund is the guarantee of repayment. Thereby some instrumentalities become absolved from repayments because they cannot earn sufficient money. The State Shipping Service is a classic example.

Where no payment is made by a department the responsibility is implicit that the Consolidated Revenue Fund shall make good the responsibility of loan repayments. In essence, the Consolidated Revenue Fund covers the full obligation of securing the debt owed by any instrumentality or department for loan advances, and repayments have to be made from the Consolidated Revenue Fund.

I now come to the very interesting point in this instance that the word "not" was intended to be, and should be, in the Bill. That is, the Government is absolving the Forests Department, by this Bill, from the repayment of loan moneys. Therefore, in essence, this Bill makes a direct charge on the Consolidated Revenue Fund because that fund must meet the repayments which the Forests Department will not make.

Point of Order

As the intention has been made clear that the Consolidated Revenue Fund will make the repayments on loan indebtedness for the Forests Department, and appropriate the necessary revenue, can this Bill, in effect—if it is to appropriate revenue—be passed without a Message from the Governor? I ask for your ruling Sir.

The PRESIDENT: In my opinion there is no great urgency in this matter. I propose, at the next day of sitting, to reply to the point of order raised by Mr. Wise. In the meantime I will give it serious consideration.

PRISONS ACT AMENDMENT BILL

Report

Report of Committee adopted.

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Mines), and returned to the Assembly with amendments.

FREMANTLE PORT AUTHORITY ACT AMENDMENT BILL

Second Reading

Debate resumed from the 9th October.

THE HON. F. R. H LAVERY (South Metropolitan) [4.50 p.m.]: I was very interested to hear the remarks of the Minister for Mines when introducing this measure. The Bill is important to me as the member for the province and also because I have lived and worked in this area since 1920, and prior to that I attended school there.

To all intents and purposes the Bill is a rather small one, and has only one operative clause. I have some doubt in my mind as to whether the measure will do only what the Minister in another place proposed it should do. I wish to speak at fair length on the Bill because it contains some anomalies which could affect the rights of the Fremantle Port Authority.

During the 18 years I have represented this district, much of which now comes under the control of the Fremantle Port Authority, the story of the development of industry which has taken place would almost fill a large volume. In 1952 Parliament passed the Industrial Development (Kwinana Area) Act which placed under the jurisdiction of the Fremantle Port Authority an area which would otherwise have lain dormant for many years. However it is now a very busy area. In the past 18 years many industries have been established along the shoreline between the Port of Fremantle and Point Peron.

Included in this development was the BP refinery and, of course, everyone knows what that did for Western Australia; it started the upward move, despite all the iron ore in the north. Then we had B.H.P. and, adjoining that industry, some subsidiary companies in smaller works. Then came Alcoa and after that the super works. Then there was the construction of the port jetty and all that went with it, with a land backing of 39 acres, which is under the jurisdiction of the Fremantle Port Authority. The next development was the construction of the railway, and wheat bins are now in the course of construction. The latest industry is the Western Mining nickel establishment which is not operating yet, but which is under construction.

We have also seen the Shire of Kwinana come into existence, and the Main Roads Department has resumed great areas of

land, has planned roads, built roads, rebuilt roads, and again rebuilt those same roads because of the impact of the industrial development in the area. The development I have outlined has all taken place in the area which is under the jurisdiction of the Fremantle Port Authority. We have seen the towns of Medina, Calista, and now Orellia come into existence. Five schools have been built in the district, including a high school at Kwinana, and a further high school is proposed in the Rockingham area. We have also had two police stations constructed. The town planning which has taken place in the area of land between the ocean and Rockingham Road during the period I speak of is tremendous.

During this time the people in the district have had some difficult problems. Some of those problems have been handled quite successfully by means of departmental help, and with the aid of members of Parliament; however, a number of them have been handled not so successfully. Of course, some of the difficulties have been brought about by the fact that when BP came into the district a large area of land which affected the ocean front itself was made available to that company. Other areas of land were made available for the industries adjoining BP, and also for the State Electricity Commission's new power station, and for Alcoa. The displacement of property in the area reached a crescendo between 1952 and 1960.

This Bill is to amend section 27 of the Fremantle Port Authority Act. Under that section the authority is empowered to lease land only for purposes connected with shipping, and with a limit of 21 years on the term of the lease. Parliament is now asked to agree to an amendment which will in fact give the authority the right to lease land for a term of from three to 50 years.

The Bill is a further move to allow more industrial development in the area and must of necessity receive some analysis and criticism. I suppose it is the right of every member to do that. Section 27 of the principal Act is to be repealed and re-enacted in a different form which, in effect, takes away from the Governor—and so takes away from Parliament—the right to analyse any proposed new works of any magnitude. This right is to be placed within the jurisdiction of a Minister—and I used the letter "a" deliberately; I do not refer to a particular Minister—and the port authority, with ministerial approval—not the approval of Parliament—will in future be able to maintain complete autonomy over the works and affairs of the authority itself within the confines of its water and land estates.

I emphasise that the Bill will take away from the Governor—in effect it will take away from Parliament—the right to de-

liberate on any proposed alterations, and place that right in the hands of a Minister. Let me say here and now without any fear of contradiction that I have no concern regarding the attitude of the Minister in charge at present, nor have I any concern about the personnel of the board at the moment. The men on the board are of very high standing in the community and I would be the last to use the privilege of Parliament even to suggest that they will not ultimately do that which they believe to be right for the State.

The existing legislation gives the authority control of real estate as it relates to the granting of leases for the purposes of shipping, industry, and all that goes with shipping—for instance, the granting of leases to the various oil companies which are leasing land in the port authority area—for workshops, rail accesses, and the storage of various goods for shipping to, from, and within the State and, as such, it controls the entire container wharves and the surrounds.

In mentioning this aspect I have some very unhappy thoughts and memories of what happened to people who lived in this area when the port authority under its rights and jurisdiction resumed their properties. I can recall some very sad cases indeed, particularly in connection with the amount of money that was paid in compensation to those people who lived in what we might call a not very high standard residential area. Originally this area was of a high standard but, because of the years of deterioration as a result of industry eventually surrounding the buildings there, an opportunity was deliberately taken—and I say deliberately taken because I was involved in this aspect—to put a price on the properties which were to be resumed for the purpose of roads and harbours and the building of the container terminal itself.

Among the people involved was a returned soldier of 55 years of age. He was entitled to a war service home and he had a small building jammed on an eighth of an acre. The building itself was not worth \$400, but he had lived there before the war and he had eight children who were under 16 years of age. This man had to move out and it caused him months of worry and anxiety. Finally I was able to get the war service homes authorities to bend their rules a little to prevent him from being put out on the street. There was a bulldozer standing outside his door and it was the Fremantle Port Authority which, under Mr. Tydeman, took the action to which I have referred. The man in question was originally offered \$800.

I admit the building itself was not worth probably half that amount of money but the land on which the house stood is now used by a private company which is leasing land for the purpose of handling containerised cargo. Some 20 to 23 houses

were resumed in the area and not one of the tenants received reasonable or fair compensation. With the memories I have of what has already taken place, perhaps I may be excused if I take this opportunity to criticise the actions of the Fremantle Port Authority.

There is some concern that the Bill does provide the port authority with power to lease land to other industries not associated with shipping. The Minister in another place was very definite that this is the case. It must be presumed, of course, that with the tremendous power and authority placed under its jurisdiction as a result of this amendment the Fremantle Port Authority will in fact accept responsibility on behalf of the people of Western Australia and it will therefore not make any of the land and waterways available for the establishment of an offensive industry without some very stringent clauses being included in the leases granted.

I believe the port authority would act in that manner, but I would like it to know that Parliament feels it should act in that manner. I would be lacking in my duty to posterity—to those people who will be affected 50 years hence—if I did not draw attention to these facts.

The responsibility of the Fremantle Port Authority extends over approximately 50 miles of shoreline from Point John at Point Peron to City Beach on the mainland. This is 26.52 nautical miles or 30.23 statutory miles, seven and a half miles of which has already succumbed to industrial development. This is merely a fraction of what will be handed over to industry in the next 10 years. This has caused great concern, so much so that even the Editor of the *The West Australian* newspaper is not happy about it.

A motion was moved in another place by the member for Fremantle who, in fact, sought the establishment of a body similar to the Swan River Conservation Board—a body which could perhaps be called an ocean beaches board. This motion was debated in another place and was eventually defeated. On the 11th October there appeared in *The West Australian* a letter written by Mr. Cockrane of Doubleview. In this letter he congratulated Mr. Grayden on the stand he took in connection with this motion. Mr. Grayden was, in fact, merely supporting Mr. Fletcher who moved the motion in connection with the matter of jurisdiction over the beaches. Mr. Cockrane said—

Congratulations to Mr. W. L. Grayden who had the courage of his convictions in voting against his party's Bill, designed to give the Fremantle Port Authority an even greater opportunity to allow beaches to be taken over by industry. When are politicians going to consider the rights and needs of the public for whom they are supposed to act in matters of this nature?

The port authority is already a law unto itself and answers to no-one. Parliamentary approval, despite the narrow margin of one vote in this case, is all it requires to do whatever it likes. Despite the revenue it receives and the restrictions it places on the public who try to enjoy the benefits of local waters, it is not interested in providing jetties, or dredging—

The DEPUTY PRESIDENT: The honourable member must not quote from debates in another place.

The Hon. F. R. H. LAVERY: I am not quoting from debates in another place, Sir, but from a newspaper cutting. I have already said this was a letter written by Mr. Cockrane of Doubleview. It appeared in *The West Australian* of the 11th October. To continue—

—or allowing yacht clubs access to improve their facilities; but if industry requires wool-scouring or sewerage treatment plants, a choice of our beaches is at its disposal, without a thought as to how the public may be affected.

There is a bit more to the letter but it does not affect the situation. In answer to that the Chairman of the Fremantle Port Authority (Mr. McConnell), a gentleman of high repute, yesterday gave an assurance that the Fremantle Port Authority did not intend to lease to industry the existing swimming beaches under its control. He went on to say—

This is the area between Leighton and the newly-reclaimed area near the North mole.

Apart from the areas backing Victoria quay and North wharf, the only land under F.P.A. control is a strip about two miles long from the North mole to Leighton, and a small area behind the new bulk cargo jetty at Kwinana.

Elsewhere in the outer-harbour area, which extends roughly from City Beach to Point Peron, F.P.A. jurisdiction does not extend above the high-water mark.

This Bill if passed, however, will extend the jurisdiction beyond the high-water mark. To continue—

However, it is likely that the F.P.A. will acquire some land near Point Peron if plans go ahead for new port facilities between Garden Island and the mainland.

Most of the F.P.A. land is already leased, mainly to oil companies. About 35½ acres of the 40-acre section reclaimed near the North mole has been leased for wool-dumping facilities.

Only about 6½ acres of the F.P.A. land near the inner-harbour is still available for leasing—about 4½ acres of the reclaimed area and small lots totalling about two acres just north of the wheat terminal.

What Mr. McConnell says is quite correct, but what he did not say was that we members of Parliament who represent the area, together with the local shire councils of the area concerned and those who have some thought for the beaches, are most concerned about this matter.

Nobody seems to be more concerned than the Editor of *The West Australian* who, on the 13th October, had this to say—

In piloting the Fremantle Port Authority Bill through the Legislative Assembly, Works Minister Hutchinson erred in not accepting an amendment that proposals to establish industry on beaches in the authority's area be subject to parliamentary approval.

For the preservation of any of its ocean foreshores Perth should not have to rely on the good intentions of the F.P.A. and the Minister controlling that body. Along with A-class reserves and the Swan River—

The DEPUTY PRESIDENT: I must refer the honourable member to Standing Order 392 which says he shall not refer to debates in another place.

The Hon. F. R. H. LAVERY: I do not wish to be rude to you, Sir, but I think you are being a little hard on me. I am quoting from an editorial in *The West Australian* newspaper of the 13th October. If I am not permitted to quote from that I might just as well close my book and say no more because it forms part of my case. In those circumstances I ask for your indulgence.

The DEPUTY PRESIDENT: Standing Order 392 definitely states that the honourable member shall not refer to the debates in another place when dealing with legislation under discussion. I am afraid I must rule him out of order on that score.

The Hon. F. R. H. LAVERY: Very well, Sir, I will not continue to quote from and refer to another place but I would like to quote the opinion of a responsible member of the community in connection with this matter. It is as follows:—

There is not much beachfront land in the authority's keeping, but prospective Cockburn Sound development opens up possibilities of the F.P.A. acquiring a good deal more ocean frontage as port facilities in the outer harbour expand. Nobody wants to retard naval-base, commercial-port or industrial development in the area,

but a jealous eye needs to be kept on public access to the pleasant, protected waters of the Sound.

Those are also my thoughts. From the parallel of latitude which crosses the coast approximately at City Beach an imaginary line is drawn to Bathurst Point lighthouse on Rottnest Island. The beaches which extend from Bathurst Point lighthouse on Rottnest Island also come within the jurisdiction of the Fremantle Port Authority. The area also includes the eastern shores of Rottnest Island and takes in the Stragglers, the Mewstone, Carnac Island Garden Island and thence back to Point John. So members will see that there is a considerable area of beach involved. All this comes under the control of the Fremantle Port Authority. Most of the area is generally known as the outer harbour and many industries allied to shipping are established on this coastline.

I feel sure nobody would object to this. However, what I might call the dragnet provision in the Bill is particularly disturbing. The words which cause me some concern are, "for any other purpose approved by the Minister."

What disturbs me is that the authority is to be taken from Parliament and given to a Minister who will have complete jurisdiction over a board. I wonder what would have happened had this legislation been in operation at the time it was proposed to establish a whaling station at Robb Jetty.

What a tragedy it would have been had the Cockburn Shire not taken a delaying action and conducted an investigation over a period of some several months. It was only as a result of the action taken by this shire that the establishment of a whaling station was not proceeded with at that place. Had the Fremantle Port Authority at that time the authority that it is now proposed to give it under this Bill I wonder what would have happened. I would not be so bold as to say that the authority would have permitted the establishment of a whaling station, but it would have had the right to give approval for such a purpose.

I am sure that had those people who live in areas where whaling stations have been established been given an opportunity to say whether or not a whaling station should be established near a residential area, the answer definitely would be "No."

There are several points about this measure which are most disturbing. It is expected that in the next 35 years the population of the metropolitan area of Perth will double and, as a result, the number of school children will increase greatly. Therefore, the more beaches we take away and give to industry the less opportunity there will be for the children

of the future—in the next 50 years—to make use of our waterfront and to use what nature has provided for them. Western Australia is blessed with good beaches and let us do all we can to keep them.

We are asked to accept the proposal in the Bill because, it is said, the oil companies now find themselves unprotected so far as their leases are concerned. It has been said that the amount of petroleum products coming through the port is not as great now as it used to be. I should like to quote figures which were given by the Minister, in this House, Mr. Deputy President, regarding tonnages handled at the Port of Fremantle. In introducing the Bill the Minister said—

Specific instances of companies which have occupied authority land for many years and have been involved in heavy capital improvements over the years, but about which some doubt exists whether they are now occupying authority land for purposes connected with shipping in accordance with the provisions of section 27 of the Fremantle Port Authority Act, are—

The Shell Company of Australia Ltd.

Mobiloil Aust. Pty. Ltd.

Ampol Petroleum Ltd.

All these companies occupy land in the North Fremantle area and are concerned with the storage and distribution of petroleum products.

Prior to the BP Refinery (Kwinana) Pty. Ltd. coming into full production in 1956, the commodities of these companies were discharged in the inner harbour. Now their bulk requirements are supplied by pipelines direct from the Kwinana refinery. This has had the effect of progressively reducing the imports of petroleum products through the inner harbour from 563,000 tons in 1950, to 98,000 tons in 1960, and to 57,000 tons in 1968.

The Minister used the words, "progressively reducing the imports." He said nothing about exports, and a tremendous amount of fuel is shipped for export through the harbour in drums and other containers.

However, as far as I am concerned, the oil companies can stop where they are forever, and their leases should be extended for any period thought reasonable, be it for 21 years, 50 years, or 100 years. I do not think that matters at all because of the area in which they are established. The proposal in the Bill is to amend section 27 of the parent Act and this will give the Fremantle Port Authority the right to extend the leases to

which I have just referred—which is quite valid—but the situation does not end there. The provision goes on to say quite deliberately that the purpose of the measure is to allow the authority to lease its land—any of its land—for a period up to 50 years to shipping and other business interests.

Anybody who knows anything about the Fremantle area will know that the industrial complex at O'Connor is just about completed, and practically all of the land in that section has been built on. The industries there would be pleased if they could get land closer to the waterfront and the Act, when this Bill is passed, will give the Fremantle Port Authority the right, as I said, to lease any of its land to industrial establishments. In other words, the hands of the authority will be strengthened and it will become somewhat like the State Electricity Commission—a law unto itself. That is not a very pleasant situation for the people of the future to look forward to.

There is no doubt that this measure will be passed because, although you say that I cannot refer to the debates which occurred in another place, Mr. Deputy President, it passed that Chamber very easily and therefore the Government will, I presume, see that it is passed here. However, I want to refer to what will happen along the waterfront further south when further sewerage plants are required.

There is already a sewerage plant between Naval Base and South Coogee and that handles all the sewage from the north-east area of the city—Victoria Park, Applecross, and suburbs in that vicinity,—and there is nothing wrong with that treatment works. But what will happen, within the next few years, when the areas around Fremantle become so industrialised that what are known as packet sewerage plants will have to be installed? That is something about which we have not been informed.

Because of the number of Bills coming forward which give greater power to boards and the like, the powers and rights of members of Parliament are being reduced. This strengthens the hands of those who say that there are too many members of Parliament and too many Houses of Parliament in Australia today.

The Hon. R. F. Hutchison: So there are.

The Hon. F. R. H. LAVERY: When this Bill was being drawn up I wonder whether the Government gave some thought to the monument that now stands at the front of Parliament House? I refer to the Arch. Personally I could not care a continental whether the Arch stayed or not. I did not have a vote on it nor did I have an opportunity to express an opinion on the proposal. However, I am delighted

now to see it where it is and every time I am showing visitors over Parliament House I show them the Arch to point out that the people of the State had their say and the Government had to accede to the wishes of the people.

The Hon. I. G. Medcalf: It was a non party motion.

The Hon. F. R. H. LAVERY: That is not—

The Hon. A. F. Griffith: The Government acceded to the wishes of the majority of the members of the Legislative Assembly.

The Hon. F. R. H. LAVERY: It is very nice of the Minister to say that. I would protect my party, too, if I could do so.

The Hon. A. F. Griffith: It is true.

The Hon. F. R. H. LAVERY: It was not a party proposal, but when the Premier said he was not happy with the referendum conducted by *The West Australian* because only a few people had voted, and he would not take any notice of it, he was forced to introduce a motion into the House. The people got up on their hind legs and said what they thought—

The DEPUTY PRESIDENT: I think the honourable member had better get back to the subject matter of the Bill before the House.

The Hon. F. R. H. LAVERY: I am criticising the Government in regard to this Bill and it is about time the Government started to take notice of those who represent the areas involved and the people affected by legislation introduced. As members of Parliament we make out a case for the people we represent but, because some departmental head, or some group in the Government, decides that this is what we are to have, we have to accept it. As a member representing an electorate which is affected by the provisions of this Bill let me say that although I have the greatest faith in the officers of the Fremantle Port Authority, and the Minister in another place who is in charge of this authority, I am not at all happy about what will happen in the future.

I believe we have not been told the truth. I agree with the proposal to extend the oil companies' leases, but I believe we have not been told the full story about what will happen at Cockburn Sound. The general public wants to know before it gives authority to any body outside of the Parliament. Therefore, with all due respect to the Minister who introduced the Bill into this House, I would say that if he were on this side of the Chamber and a Labor Government introduced similar legislation he would be offering the same sort of criticism as I am offering on this occasion.

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

FIREARMS AND GUNS ACT AMENDMENT BILL

Second Reading

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [5.27 p.m.]: I move—

That the Bill be now read a second time.

The main purpose in introducing this measure is to give members of the Police Force further necessary powers to restrict indiscriminate shooting of firearms to the danger of public and property. At times, the discharging of licensed firearms on private property, particularly in built-up areas, is a matter which causes grave concern and fear to residents.

Numerous complaints have been received by the police and, upon inquiry, it has been ascertained that, although a real danger exists, the actions of irresponsible persons in indulging in backyard target shooting, although they have a license, do not constitute a breach of the Firearms and Guns Act. Such person would only be liable should he actually injure someone or cause damage by a stray bullet.

Under existing provisions of the Act a licensed firearm can be used by the licensee on his own property or, with consent, on the property of another and with complete disregard for the safety of the public or their property, as long as no resulting injury is caused. Members will, I am sure, appreciate that it is desirable at all times to police strictly the use of firearms by irresponsible persons.

This Bill also makes some minor amendments to section 5 of the Act to clarify the intention of the parent Act. Section 5 is considered to be the main licensing section of the Act.

As at present, companies registered under the Companies Act, 1961, are not catered for in relation to the issue of licenses to manufacture and repair, to deal in firearms, and to conduct shooting galleries. It is intended to rectify this anomaly to enable licenses in these categories to be issued to companies. It is also intended to place the partner of a holder of a licence to manufacture or repair or to deal in firearms on the same basis as an employee of the holder, who is at present covered by the Act.

The Act at present authorises the holder or an employee of the holder to carry and to use a firearm for the purpose of testing or demonstrating it to a prospective purchaser, but there is no provision which will enable a partner to share the same privileges.

It is also intended to amend section 5 in order that a license to possess a firearm may be issued to a bank or financial institution. At present, this type of license is issued under the firearms regulations, but it is considered that this provision should be set out explicitly in the Act.

A further amendment affects section 7, which requires a license to be personal to the holder and not transferable. This requirement was quite satisfactory in respect of a license to possess a firearm, but to apply this requirement to other licenses would be impracticable. I have just been speaking about licenses issued to banks and financial institutions for use by their employees as presently permitted by the regulations, and this single aspect indicates the desirability of amending section 7 to read in future that a license under the Act is not transferable.

The minor amendment to section 9 is merely to effect an improvement in grammar.

While it is intended to include the word "who" in its proper sequence in paragraph (c) of section 9, it is desirable also to emphasise that a firearm used at a shooting gallery must be used in the manner prescribed, and that manner is set out fully in regulation 43. The amended provision will then read as follows:—

No license shall be required by any person who as an employee or partner of the holder of a license to conduct a shooting gallery, or as a customer of a shooting gallery being conducted pursuant to this Act, is *bona fide* handling or using a firearm at the shooting gallery in the prescribed manner.

When it is realised that there are over 70,000 firearm licenses in the State, covering something like 170,000 firearms, it is not difficult to imagine the problems which confront the police and local authorities in their policing of the Act. Nevertheless, 234 people were convicted of breaches of the Firearms and Guns Act in the past financial year.

I think, perhaps, it should be mentioned at this point that the Minister for Police has suggested that any person having a firearm for which he has no further use, and bearing in mind the possibility of its falling into irresponsible hands, should get rid of it by handing it in to the police for disposal, or dispose of it himself.

The Minister also reminded the owners of unlicensed firearms of the usual amnesty which is granted if such firearms are handed over to the police.

I commend the Bill to members.

Debate adjourned, on motion by The Hon. J. Dolan.

CITY OF PERTH PARKING FACILITIES ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Upper West—Minister for Local Government) [5.34 p.m.]: I move—

That the Bill be now read a second time.

This Bill is introduced to amend the City of Perth Parking Facilities Act to enable the Council of the City of Perth to raise loans for the purpose of financing parking facilities as defined in the parent Act.

The amendments proposed will enable the City of Perth to avail itself of the loan borrowing powers of the Local Government Act, to finance the establishment of parking facilities and with the same control as exercised by the Treasury under section 601 of the Local Government Act.

As compared with the position of any other municipality operating under the Local Government Act, the City of Perth suffers a restriction when operating under the existing provisions of the parking facilities Act. For instance, though subsection (3) of section 7 of the parking facilities Act defines the purposes for which the City of Perth may apply the moneys in its parking fund, it can, under the provisions of paragraph (g), only spend money in repayment of loans if the loans are any advance or advances of moneys appropriated by Parliament or any moneys advanced by or from any Government department or body or other Government source.

By comparison, the Local Government Act provisions are not so restrictive. Paragraph (g) of subsection (4) of section 525A of that Act permits municipalities to apply parking funds in repayment of any loan raised for the establishment of parking facilities.

However, in the matter of loan raising, section 8 of the parking facilities Act specifically permits the City of Perth to borrow up to \$894,000, and no more. Thus, loan requirements in excess of that amount necessitate a submission to Parliament on each and every occasion that the City of Perth desires to raise a loan which would in the aggregate exceed \$894,000.

On the other hand, the Local Government Act does not discriminate from other borrowing powers of a municipality and appears to impose no limit on borrowing for parking purposes other than the formula set out in section 603, which applies generally to all loans raised by a council.

The City of Perth's current funds totalling \$833,775 have been earmarked for capital expenditure during this financial year for the purchase of land in Hay Street and Murray Street near King Street at a cost of \$630,000. This land is required to be used for the site of a multi-storied car park and the first stage of a car park to be provided under the proposed new concert hall.

With the proposed introduction of pedestrian malls in Hay and Murray Streets, and the resultant loss in parking space, together with the ever-increasing growth in vehicular traffic, necessitating

consideration as to the desirability of banning street parking in the main city area, the council has many parking developmental projects under consideration and is most anxious to proceed. These include, as I mentioned, a multi-storied car park on the Hay-Murray Street property. This is for approximately 700 vehicles. Another is the purchase of additional land in strategic places for later use as car parks, stations, and so forth. Then there is the rebuilding of the Mounts Bay car park for which there are tentative plans to provide for 5,000 vehicles, and this is in conjunction with the Mitchell Freeway scheme. There is also the wider scope of parking facility requirements throughout the city council district, following a recent approval given by the Minister for Police for the council to control parking throughout its municipality.

The extent of the monetary requirements in respect of the projects is well illustrated by the estimated \$1,000,000 cost of the multi-storied car park on the Hay-Murray Street site. All these works will require finance necessitating the council having borrowing powers to enable the raising of loans for parking facilities.

The council raised a loan for \$800,000 in 1957-58 and this money was expended almost entirely on the purchase and installation of approximately 12,000 parking meters, the purchase of office equipment, motor scooters, items of uniform, etc., required for the administration of the parking department, and on the construction of the No. 1 car park at the rear of Government House, the No. 2 car park at the foot of Mill Street, the No. 3 car park in Wellington Street, West of Milligan Street, and the No. 4 car park at the Causeway.

At the time, the area covered was bounded by Thomas Street in the west, the railway line in the north, and the Swan River on the east and south; in all, an area of 1,464 acres. Today, however, the area covers the whole of the municipality, comprising 14,650 acres—a tenfold increase.

Members may be interested to know that capital expenditure since the inception of the scheme has resulted in fixed assets in excess of \$1,500,000 as at the 30th June last, and this after allowing for depreciation of \$128,750.

The council has, today, 20 car parks within its area with a capacity of 6,306 vehicles, the largest of these being in Mounts Bay Road, which will hold 2,000 cars.

It is of interest to note that all loan moneys were repaid within a period of approximately seven years and although the City of Perth Parking Facilities Act provides for the repayment of the principal and interest to be guaranteed by the

State Government, the Government has not been called upon to assist with the repayments.

Besides repaying the loans, the council acquired and developed additional sites, including the site in James Street near Roe Street and erected thereon a multi-storied car park at a cost of approximately \$650,000.

In commending this measure to members for their earnest consideration, I would mention that, unless the council, which is alive to existing traffic and parking problems, is given these borrowing powers, it may well miss opportunities occurring from time to time to acquire suitable sites for parking stations.

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

LICENSING ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 9th October.

THE HON. J. M. THOMSON (South) [5.40 p.m.]: When introducing this Bill this week, the Minister referred to the representations I had made to him earlier in the session on the sale of honey mead from licensed premises defined under the Act. Therefore it is a matter of pleasure and satisfaction to me to rise to support this Bill.

No doubt the Minister is as fully aware as I am of the appreciation that can and will be expressed by those engaged in the industry, and also by the licensed premises' steady clientele who enjoy this beverage. They will no doubt express their appreciation in the manner they see fit.

In the earliest of recorded times mead was a favourite beverage in the then known world where grape vines did not flourish. It continued to be the favourite beverage until the time when sugar was grown and produced in abundance. In fact it was produced in such quantities that it was freely imported from such places as the West Indies to the Continent and thereafter other beverages gained in popularity.

Whilst most people enjoy wines and spirits, many are now enjoying this beverage—to some people it is a new one—which is now on the market.

Originally the strength of the mead depended entirely upon the proportions of honey used and upon how much it was fermented. When wines and spirits, and particularly brandy, became fairly abundant and not too expensive, it was not unusual for one or another of them to be added to the mead to improve its potency and enhance its flavour. I was able to ascertain this information by researching the origin of mead, and I did so from no less an authority than the *encyclopædia*.

The Western Australian produced honey mead is being favourably received on the local market and, to a lesser extent, in the Eastern States. It is pleasing to know there is a demand for this beverage. However, like all industries in the early stages of development, the honey mead industry needs assistance, which the amendments in this Bill will provide.

I consider that the industry, although it is small today, has a potential well worth fostering. I feel confident that the lifting of restrictions will go a long way towards assisting the firm establishment of the industry; and although the industry is small in comparison with other businesses, nevertheless, it has some importance and will benefit the State financially as well as providing a certain amount of employment within the State. The amendment to the legislation will enable it to compete with other industries which produce beverages, such as wines and spirituous liquors, which have long been available to the public in all types of licensed premises.

Cider mead is another drink which is available. Since the Minister moved the second reading of the Bill, it has caused me to think about this beverage, and I have looked at the Licensing Act to see whether cider mead can be sold in wine saloons or other licensed premises. I understand it is sold at the present time in some existing licensed premises. As I say, this thought has crossed my mind and perhaps the Minister might verify whether cider mead is generally available.

When I read the Licensing Act, I noticed that provision has been made for the sale of cider and perry. However, I am referring to cider mead and I wonder whether it is available. I think it would be worth while to examine this point.

The Hon. A. F. Griffith: Intoxicating liquor includes cider and perry.

The Hon. J. M. THOMSON: The Minister is referring to section 5 of the Act, which is the interpretation provision. This leads me to ask the Minister another question: will it not be necessary to include a definition of "mead" under the interpretation of "intoxicating liquor?"

The Hon. A. F. Griffith: It was not necessary at the time we passed the last amendment. If the honourable member recalls we added the word "perry" on that occasion.

The Hon. J. M. THOMSON: Perry is a drink obtained from the juice of pears.

The Hon. A. F. Griffith: Previously the honourable member asked me to deal with the question of honey mead.

The Hon. J. M. THOMSON: That is quite right.

The Hon. A. F. Griffith: I wish the honourable member had raised this other problem at the time.

The Hon. J. M. THOMSON: As a matter of fact, it has been brought to my notice only since the Minister moved the second reading and I thought the debate on the second reading would be an opportune time to raise the question. However, the most important matter is the amending Bill before the House. Again, I express my appreciation to the Minister for having seen fit to bring down a Bill of this nature.

I think it is opportune to mention that a sales tax is not charged on Australian wines and spirituous liquors; but, strange to say, a sales tax is charged on honey mead. The extra charge involved is, I think, an amount of 15c a bottle. This amount is put on the cost of the honey mead to cover the sales tax, which, I repeat, is not applicable to wines and other spirituous liquors produced in Australia. Wines and spirituous liquors were exempted in order to maintain the industry and encourage the consumption of Australian wine. I wonder whether consideration could be given to a similar exemption with respect to honey mead.

I realise that legislation affecting sales tax can be introduced, debated, and finally passed only in the Federal House. The Federal Budget is brought down yearly and it would be necessary to include amendments in that Bill. However, I wonder whether honey mead could be given exemption from sales tax by way of regulation. Of course, this is not a State responsibility but a responsibility of the Federal Parliament.

The Hon. A. F. Griffith: Now is a good opportunity for you to make strong representation to the Federal Government.

The Hon. J. M. THOMSON: I appreciate the Minister's suggestion and indeed I shall avail myself of the opportunity.

The Hon. F. J. S. Wise: A pressure group.

The PRESIDENT: Order!

The Hon. J. M. THOMSON: I mentioned that honey mead has a market in the Eastern States. I am sure sales of this beverage will increase when the legislation becomes law and the saloons and other places mentioned in the Bill are able to sell it. I certainly hope its sale will be on a par with the sales of Australian wines.

Before resuming my seat I would like to refer to the amendment which is proposed to section 61 of the Act. This will empower the Licensing Court to grant a provisional certificate to a licensee when he or she is contemplating structural alterations and additions to premises. I think this is a timely, desirable, and appropriate amendment to include in the Act. With those remarks, I support the Bill before the House.

THE HON. J. DOLAN (South-East Metropolitan) [5.52 p.m.]: I also support the Bill, but a few points are worrying me slightly. The previous speaker to whom I listened with great attention used the words "cider mead" very often. A reference to cider mead is not to be found anywhere in the Bill before the House. I wondered therefore whether remarks related to cider mead were a little off beam.

The Minister referred to the fact that honey mead is a beverage about which there has been much publicity in recent months and said that it is produced from the fermentation of apple juice. My research does not indicate that honey mead has any association whatsoever with apple juice. Further, if a person were making a beverage which he called honey mead and had used apple juice in its manufacture, I doubt very much whether it would properly be called honey mead.

The Hon. V. J. Ferry: It would be a good thing for the apple industry.

The Hon. J. DOLAN: I am not denying that and I will return to this point in a moment. Honey mead is a drink which has been known to the world for thousands of years. It originated in northern countries and, usually, before vines were grown. At that time it was one of the few beverages which people could enjoy.

As time marched on, sugar was imported from the West Indies, and wines and brandies came into use. Then it was found desirable to give the honey mead a little bit of a stir by introducing either wine or brandy, which made honey mead more popular. Whether the introduction of apple juice has made this a more popular drink—and I think it has—we will know, I suppose, when the Bill is passed.

The Hon. J. M. Thomson: It is not the intention, is it, to introduce apple juice into honey mead?

The Hon. J. DOLAN: I do not know. I am referring only to what the Minister said when he mentioned that honey mead is produced from a fermentation of apple juice. I raise the issue that this is not the case. If apple juice is introduced, I do not think the end product could properly be called honey mead.

I will give a recipe so that anyone who likes to try may "give it a go." Firstly, the quantities are one part of honey to three parts of boiling water. This liquid is flavoured with various spices according to the taste of the person who is brewing it. Then, a portion of ground malt and a piece of toast—strangely enough—dipped in yeast is added. The whole mixture should be allowed to ferment. The strength of the brew depends upon the proportion of honey which is introduced into the mixture.

The Hon. A. F. Griffith: What sort of strength?

The Hon. J. DOLAN: If the Bill is passed and the beverage is sold, I think this will benefit both the honey industry, which is suffering a decline, and to some extent the apple industry, which might need a boost. The question whether apple juice can be introduced into the manufacture and the end product properly called honey mead is by the by. I will go along with anything that will help these industries.

Honey producers have had a rather bad spin for the last five or six years and they are a section of the community with whom I have a great deal of sympathy. Perhaps I am a little sentimental because the first Bill I spoke on in the House was the repeal and re-enactment of the Beekeepers Act. I did not speak at length but I had the opportunity to mention some relevant facts about the industry. I well remember a famous interjection of my colleague, Mr. Wise. I was referring to honey production and he interjected with the words "very busy bees."

Production has declined since the time I spoke on that Bill. For example, the total value of honey production in 1963-64 was \$895,000; in 1964-65 it was down to \$562,000. There was something of a comeback in 1965-66 when the total value was \$701,000. However, in 1966-67 it declined again to \$484,000; and, for the financial year ended the 30th June, 1968, it was down to \$240,000.

That is a terrific decline and quite a large number of beekeepers have gone out of business because of the depression. We have lost some of the markets overseas in West Germany and similar countries which once took an enormous amount of our honey. In fact, when I spoke previously 80 per cent. of the honey produced was exported. That situation has changed considerably and one of the few countries which takes our honey is Japan, and this country takes mostly second-grade honey. Japan will take as much second-grade honey as we like to export and probably its popularity lies in the fact that it is cheaper.

Any honey, whether it is first or second grade, which comes direct from the hive is excellent. Honey has excellent food value and its introduction into drinks is a move of which I heartily approve.

The Hon. G. C. MacKinnon: Heartily or hardly?

The Hon. J. DOLAN: Heartily. Quantity production, measured in pounds, has declined rapidly between 1963 and the present time. In 1963-64 a quantity of 8,510,000 lb. was produced; but in the following year, 1964-65, the production fell to 8,066,000 lb. There was a slight rise in 1965-66 to 10,923,000, but a rapid

fall in 1966-67 to 6,882,000. For the financial year ended the 30th June, 1968, production was only 3,410,000 lb. These figures include not only the production of honey, but also the production of beeswax.

I support any measure which will help this industry, even in a small way. This is one way of giving encouragement, as Mr. Jack Thomson mentioned. I hope the industry will expand as a result of the passage of this measure.

The other amendment in the Bill is most desirable. I am referring to the provision which will give a publican, who is the holder of a license, an opportunity to apply for a provisional license to make extensions to his premises, if perhaps he desires to come under a different classification.

It seems completely fair that a person can simply lodge an application, obtain a provisional license, and present plans; and if those plans are acceptable he can go ahead and build a hotel. One has just been completed in my district. As a matter of fact I went to the opening dinner a couple of weeks ago and I had the normal enjoyment from the refreshments that were provided.

When the licensees started and presented their plans to the Licensing Court and obtained a provisional license, they knew they were able to go ahead with this project. That is always most desirable to people who are prepared to invest money in an industry, or whatever project it might be. They need protection for a start. What a tragedy it would be if such people had to build premises and then apply to the court for a license, only to find subsequently that the Licensing Court was not prepared to grant it.

The same principle of fairness ought to be extended in this instance, as the Minister indicated in his second reading speech.

The Hon. A. F. Griffith: I think this section has little to do with a provisional license.

The Hon. J. DOLAN: I can see that, but there is an element of fairness present that ought to be extended, and in those circumstances I am prepared to go along with it.

I notice that, much like the wines that can be sold in an Australian wine saloon, honey mead must be produced from fruit and from honey produced in the Commonwealth. Section 33 contains the words to which I referred when dealing with the question of apple juice. That section reads as follows:—

An Australian wine license shall, subject to the provisions of this Act, authorise the licensee to sell and dispose of, on the premises named in the

license, any wine made in a State of the Commonwealth, produced from fruit grown in the Commonwealth—

It is at that point that I think it is a sort of protective section that would include fruit such as pears, apricots, or apples—any fruits from which liquor can be made. Section 33 concludes with the proviso—

Provided that such wine does not contain more than thirty-five per centum of proof spirit.

The Hon. A. F. Griffith: I am not sure, but I do not think you are right. You could not sell pear juice under this section. The word "fruit" has to do with grapes or wine.

The Hon. J. DOLAN: Is that all?

The Hon. A. F. Griffith: I think so.

The Hon. J. DOLAN: If that is so, I would refer the Minister to what he said in his second reading speech. He said that the definition of "wine" in section 33 of the Act had prevented the sale of honey mead by the holders of Australian wine licenses.

The Hon. A. F. Griffith: But the predominant word is "honey." You gave us your recipe for the production of honey mead, which includes toast, but there is no mention in this provision of toast being used.

The Hon. J. DOLAN: I know there is not.

The Hon. A. F. Griffith: The predominant word is "honey." You make your honey mead with toast, and Mr. Jack Thomson's man makes his with apples.

The Hon. J. DOLAN: In his second reading speech the Minister indicated that honey mead is produced from the fermentation of apple juice. That was the first indication he gave of how it was made.

The Hon. A. F. Griffith: You told us it was made from toast.

The Hon. J. DOLAN: The main ingredient was honey. It was three parts of honey and I then added water. Then came some malt, then some toast, and then some yeast. I accept that the order in which I have quoted the ingredients is the order of importance, but the number one ingredient is honey.

I did not intend to speak for so long, because I have had my eye on the clock. I support the Bill and I agree with Mr. Jack Thomson that the industry will be of importance to the State. I hope the need for apples in the making of honey mead will be of advantage to the apple producers in his district because they really need a lift.

Sitting suspended from 6.5 to 7.30 p.m.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Justice) [7.30 p.m.]: In replying to the debate on this little Bill I think the only question I have to address myself to is how honey mead is made or what recipe is used for its manufacture. This reminds me of the time when I was a very small boy on my father's farm. My mother used to make hop beer; and, in order to keep the cork of the bottle in its right place, she used to tie a piece of string around the cork and lace it over the flange of the bottle. That was intended to prevent the liquid from escaping as it fermented in the bottle.

On a number of occasions the cork did not prevent the liquid and gas from escaping. Although I was only a small boy at the time, I can remember rushing to the point of the explosion in order to capture what remained in the bottle before the liquid escaped completely.

The Hon. J. Dolan: In speaking about hop beer, did your mother put in a couple of dozen pennies when it was fermenting to give it a kick?

The Hon. A. F. GRIFFITH: That might be the honourable member's recipe.

The Hon. J. Dolan: It was a recipe used by one person in the old days of the trans-line.

The Hon. A. F. GRIFFITH: I do not remember that. I have been provided with a bottle of the liquid about which we are talking for the purpose of trying it out. It was given to me by the manufacturer. Whilst I do not have the bottle with me here, I did telephone my home tonight to find out what appears on the label. What appears on the bottle is this—

The Hon. G. E. D. Brand: Castor Oil!

The Hon. A. F. GRIFFITH: This appears—

Amann's Table Mead. Medium dry from the age old tradition, this mead is specially blended from the finest Karri, Red gum, and White gum Honey. Balanced with the juice of the famous Granny Smith apple to give a clean dry flavour. Serve chilled. Produce of Australia. Net 26 oz. Bickley Valley Proprietary Limited, Western Australia.

The Hon. W. F. Willesee: That is a panegyric.

The Hon. A. F. GRIFFITH: I think on the label there is a picture of what Mr. Jack Thomson would refer to as a very well nurtured man.

The Hon. J. M. Thomson: Yes.

The Hon. J. Dolan: Probably the picture of Mr. Jack Thomson!

The Hon. A. F. GRIFFITH: There is no doubt that the person in the picture is a very well nurtured man. The label describes the contents as being balanced with the juice of the famous Granny Smith apple. So it was quite correct for me to say in the introduction of the second reading—

Honey mead is a beverage about which there has been much publicity in recent months. It is produced from the fermentation of apple juice with the addition of honey and has an alcoholic content about the same as for table wines.

I could have said it is produced from the fermentation of Granny Smith apples.

I was correct in my interjection when I said that the emphasis is on the word "honey," and the other ingredients that go into the mead—the juice of Granny Smith apples in the case of this manufacturer—are subsidiary. I think this amendment to the Licensing Act will assist this manufacturer in the sale of his product. I did sample the mead and I found it to be quite palatable. This answers the queries that have been raised in the debate. There is no other question to which I should address myself and therefore I satisfy myself by thanking Mr. Jack Thomson and Mr. Dolan for their remarks.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Justice), and transmitted to the Assembly.

ALUMINA REFINERY (PINJARRA) AGREEMENT BILL

Second Reading

Debate resumed from the 9th October.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [7.39 p.m.]: This Bill, to ratify an agreement between Western Aluminium No Liability and the Government of Western Australia for the right to establish a refinery near Pinjarra, is, to my mind, a most noteworthy achievement. Whilst that can be said of many other agreements that have come before the House, I particularly like the agreement now before us because the company has such a high Western Australian content, through Western Mining Corporation which commenced investigations in the area as far back as 1957. We find that joined with this

company in the developmental work were Broken Hill North and Broken Hill South. They followed Western Mining Corporation one year after it commenced its investigations.

So we are supporting legislation which embraces an agreement with a company which has basically a Western Australian flavour, and which was joined by two other Australian companies. Therefore the whole basis of this agreement surrounds Australian individuality.

I take nothing away from the overseas capital that enters this country from time to time to enable us to do the things that need to be done, but I think it is fair for us to take some pride in the fact that the situation has been reached where its enterprise is so great that Western Aluminium can now move away from the coastline to the country to establish a refinery in the Pinjarra district.

It can be said that no more historical area could have been selected for the establishment of the refinery, because in the history of Western Australia many famous and respected families are connected with this area. These pioneers and their progeny devoted much to the Pinjarra district. I think firstly of the name McLarty; and possibly I could be pardoned for mentioning it first because the late Sir Ross McLarty was a Premier of this State. I had the privilege of knowing his son who at one time lived in the extreme north of this State and did a great job on a pastoral property. That is typical of what this pioneering family has done for the State. There are also other names—Peel, Paterson, and Fairbridge—which have been preserved; and they are not lost to the history of this State.

The very great efforts of individual members of these families have contributed to the history of this State and to the district where a second alumina refinery is to be established. The establishment of the refinery at Pinjarra will bring associated benefits with it.

It could be said that this is a practical example of decentralisation. One would not want a second refinery to be built close to the City of Perth or the City of Fremantle; but to have it go into the country is, indeed, a great achievement. This action of course, has been based upon the great resources in that area. I have read that the bauxite deposits extend over an area of 280,000 square miles, and there is in sight an estimated quantity of 600,000,000 tons of bauxite in this deposit. These figures in themselves indicate the great potential that lies behind this agreement; and they also emphasise the very satisfying fact that Australian companies are basically on the move in this direction.

It has been said—and I have said it recently in connection with another Bill—that the overall population of the south-west has fallen during the past 10 years. But when we read within the framework of this Bill and the agreement that within the next 20 years there will be a capacity to build 6,000 additional homes in the district of Pinjarra, taking a cool average of that figure it means 300 homes per annum will be built in that area for the next 20 years, give or take more in one year and less in another. That will be a great achievement.

We must bear in mind that an inland refinery, or an inland industry of any description, must be disadvantaged by freight rises, added costs, and everything that goes with it. The effort of this company, therefore, is a striking one and proves that decentralisation can be made effective if people have the right idea, provided the resources are available, and provided there is a market at a profitable figure.

It could easily have happened that the movement would have been towards the Fremantle area as Kwinana could not handle this additional output. Some other area could easily have been decided upon; but as Pinjarra is almost centrally situated between Bunbury and Fremantle it is, I think, a great thing that the decision has been made to move towards Bunbury. This obviously means that the Port of Bunbury will develop beyond the comprehension of any person who saw Bunbury prior to a development such as this.

There will, of course, be difficulties. I refer to the problem of dust, or any other problems that might arise. Loading will be a problem which will need considerable care by the company; but I feel that the overall good will outweigh any possible disadvantages. We must accept that in the process of moving into what is possibly a stagnant area so far as industry is concerned, as against agricultural pursuits, problems will arise.

Whilst I think it is pertinent to raise problems which will have to be faced, I think it is only fair to say that they are secondary to the overall consideration of the developmental programme. At this stage I would say the factor the Government must be most careful about would be the general situation with regard to pollution, because the Government, side by side with the signatories to this agreement, has a great responsibility in this direction. If effluent disposal cannot be controlled, then there is a great problem ahead. Effluent must be prevented from getting into creeks, into major rivers, or even into streams. So contamination and pollution represent very great problems.

I would not be capable of saying whether these problems can be successfully eliminated at this moment, but I do believe every effort will be made to prevent the spread of pollution by any manner or means;

and I hold the belief that engineering methods exist by which this sort of situation can be controlled much better than has been the case in the past. But even with the risk of that happening, I would favour this agreement. Whilst I would point out the responsibility of the Government to ensure that the problem of pollution is closely held in check, I feel sure every co-operation will be given and the matter will be closely watched.

I know there are many modern methods in use today that were unheard of perhaps 10 years ago. This would indicate that the problem is not as great as it was; and I hope it is not a serious one. I mention it because the Minister himself expressed some note of apprehension in his remarks when he said—

The Minister for Industrial Development, since the negotiations have been in progress, discussed this matter at Pinjarra with the local authority and a group of local people.

He went on to say—

Unfortunately, there are some who want to assume that neither the Government, the local authority, nor the company has taken this question of underground or stream pollution into account.

So there is some ground for apprehension on this question. I am prepared to go so far as to say, not from technical knowledge, but from the great faith I have in the developmental situation that will obtain, and having regard for the esteem in which I hold this company, that this problem will be satisfactorily dealt with. However, it may be a more important problem in terms of dollars than we can envisage at this moment.

It is obvious that I support the agreement. It is a practical effort by a company and by the Government to establish an industry—a large industry—which, as it develops, will affect not only the township of Pinjarra and the environment thereof, but Bunbury, too, which will play a direct part as the terms of this agreement are carried out. In addition, I think the project will have a beneficial effect throughout the whole of the south-west of this State. I support the Bill.

THE HON. N. McNEILL (Lower West) [7.56 p.m.]: I wish to indicate my wholehearted support for this Bill and, in doing so, would firstly like to acknowledge the remarks made by the Leader of the Opposition when he made reference to the historical background of the Pinjarra area and acknowledged the contribution that has been made by the people of that area, as well as the area itself, to the history of Western Australia. He went a deal further and made some generous remarks in relation to the establishment of this proposed alumina refinery at Pinjarra.

As a member for the province in which this refinery is to be erected, I would like to pay a real compliment to the Government and to the company involved. First of all, I would compliment the Government for the tenacity it has displayed in having this great and important industry established in this area. In the course of achieving this end, a great many problems have had to be overcome. As Mr. Willesee has said, not the least of these are those associated with engineering in order to locate a major industry in an inland place. Therefore it is to the great credit of the Government, the Minister, and the departments involved that we have reached the satisfactory position where we are able to debate the ratification of this agreement.

I also pay a compliment to the company, because I understand that it has established a very satisfactory record in this State in its conduct of a major industry; and this will, in the future, undoubtedly influence the thinking of people in regard to the establishment of this particular industry in what has hitherto been a country town and district.

This company has shown itself willing to co-operate in endeavouring to overcome some of the problems that might be associated with such an industry. In the development of great natural resources, there is the subsequent hazard of pollution, effluent, dust, and the like. In regard to these things the company has made genuine attempts to minimise their effect to the greatest possible extent. So, to the extent that the company has been prepared to co-operate with the Government, I do wish to compliment it.

As is completely and widely accepted, the Bill envisages a tremendous industry which will, in fact, change the whole concept of the entire district. I think it is as well that I make some reference to the more recent history of the area in relation to the endeavours to locate industry there. I say "recent" because I have been associated with some of the steps taken and the interest displayed by local authorities and other organisations in an endeavour to bring some industries to the district which would provide for a diversification of employment, in the first place, and do something to boost the district in terms of its income producing capacity, and also to provide for a greater social centre.

I know that these attempts in the past, though they have been on a fairly modest scale, have not achieved results. I recall the attempts made to establish a brick-making industry in the area, and a good deal of interest was shown in that project. Here was a possibility of a small industry which could provide some employment in a district which was already established as an agricultural area. The industry, of course, did not materialise but who would believe or consider, in those times, that the

alternative would be an industry of the like we are contemplating by the passage of this Bill?

In commenting on the history of the area Mr. Willesee, I noted, referred to the declining population. Inasmuch as history and the conditions of the past are so easily forgotten, and in the light of the great development which is about to take place, perhaps I could also refer to the population to indicate just how real the problem was.

I will make some reference to the statistics for the local government areas over the period from 1965 until 1969. I have two documents which refer to census figures for 1961 and 1966, and my first reference will be to the Murray electorate, alone.

According to the census figure, in 1961 the population was 3,592. The estimated population in 1964 was 3,460, and the census figure in 1966 was 3,321. In actual fact there was a drop of some 263 persons in five years. The estimated population in 1968, according to these statistics, was 3,400. So in actual fact the problem was very real and the population was on the decline in an area which is only a matter of some 50 miles from the centre of Perth.

Related to this decline in population are the census figures for private dwellings. According to the census of 1961 the occupied private dwellings numbered 885, and in 1966 they numbered 875. That shows a decline of 10 dwellings over the period, something we would not necessarily expect in a rapidly developing State, and, more particularly, in an area which is regarded as being essentially a very healthy and prosperous district. Also, of course, the area is little more than outside the fringe of the metropolitan area.

I will also refer to the work force, that which contributes to the gross national product of the district. In 1961 the work force in the Murray district numbered 1,232, and in 1966, according to the census figure, it also numbered 1,232. The work force was completely static. On that basis I think one can say there is some justification for the decentralisation of industry of this sort, and the establishment of such a major industry with its obvious stimulus to the population and to the work force. There is immediate justification for it.

In his second reading speech the Minister referred not only to the Murray district, but also to the neighbouring districts because he said he believed there would be considerable benefit to those areas. Therefore, I, too, will make some reference to the associated neighbouring districts of Mandurah, on the one hand, and Waroona, on the other. Those are the two shires adjoining the Shire of Murray.

The present estimated population for the combined area of the three shires is 8,650. In 1966 the census figure for the number of occupied private dwellings was 2,539; and the work force—once again using the census figures for 1966—was 2,698. I think it is interesting to bear those figures in mind, and compare them with the figures given by the Minister of what might be anticipated in the area adjacent to the Murray shire.

By 1980, some 18 years hence, there will be a population of possibly 23,000 compared with the existing population of some 8,600. I think the Minister said that there will be an increase of 500 in the work force with the establishment of two units at the refinery. That compares with our existing work force of just on 2,700. It is anticipated that some 6,000 additional private dwellings will be occupied as compared with the existing figure, for the combined three shires, of some 2,539. I believe these figures give some indication of the tremendous impact the new industry will have in these areas.

While this industry is establishing a refinery and making a great contribution in terms of population, dwellings, and development not only to this district, but to the associated districts of the south-west, generally speaking it is making a great contribution to the ultimate development of Western Australia as a whole.

Before examining what I believe to be important considerations and benefits, I would like to refer to the initial steps taken by the company when exploring the area. We in this House are not unaccustomed to hearing criticism of some companies and the Government over the acquisition of land, and the methods which may have been adopted to acquire land for industrial or other purposes. I think it is most noteworthy and highly significant that despite the fact that within my own personal knowledge there has been a great deal of conjecture and speculation in the minds of some people as to where the industry was to be established, and whether, in fact, it would be located somewhere in the vicinity of Pinjarra or Waroona, no ill-feeling has been created in this instance.

The company has been approaching landholders, taking up options, exercising options, and gaining ownership of land for the purposes of establishing a refinery, and during its exploratory work it has, to my knowledge, created no ill-feeling at all. I suppose this might be regarded as a result of the company's almost generous endeavours to obtain the land. Payments have been made and options have been exercised in respect of a large area of land which runs into some thousands of acres. There has been no quibbling and

there has been little or no criticism because the landholders, in the main, have been well satisfied.

Not only have they been well satisfied but the people generally, I believe, have marvelled at the extent to which the company has been prepared to go when acquiring the land. I think this, in itself, has established very good public relations and a ready acceptance by the people, in the main, of the establishment of an industry of this nature well knowing that there could be some disadvantages from the location of such an industry in the area.

I will now refer to what I consider to be some of the benefits. The Minister made strong reference to the question of decentralisation. The achievement of this particular principle, and its application, has been highly significant and I believe it cannot be overemphasised. When taken in conjunction with the proposed development of the Bunbury Harbour it can be regarded as a stimulus, or a trigger, for spontaneous regional development. Some may well consider such a stimulus to be somewhat artificial and, therefore, a somewhat hazardous exercise. However, the development at Pinjarra, in conjunction with the development of the Bunbury Harbour, is in itself a key point in overall regional development such as, perhaps, we have never known in Western Australia previously.

From a local point of view—even if it has not been in a practical form—in recent times I have noted an attitude of thinking of Bunbury in terms of being the centre. The people are thinking regionally and they are starting to turn their vehicles and minds to a central port and a central town as the nucleus of a great regional development.

I believe the establishment of the refinery, and the intended use of the Bunbury Harbour facilities, will, in fact, play a major part in bringing the areas closer together. I refer to the Bunbury centre, the Pinjarra region, and the metropolitan area.

I suggest to members that when leaving the metropolitan area they take note of just how close Pinjarra is to the metropolitan area. It is little more than just outside the fringe and I think it will rapidly merge with it not only along the South Western highway, but also through the Mandurah area. I think that in the almost foreseeable future we will have a continual development and industrialisation—with all the other sophisticated enterprises—extending from Perth, right through to the south-west regional centre of Bunbury.

There will not be the benefit of one major industry only. As the Minister said, there will be ancillary industries and these, in fact, are already in operation. They have been in operation for a long time as a result of the activities of Western

Aluminium and Alcoa in the area. The small local companies and enterprises have expanded in recent years simply as a result of the activity which has been taking place, and the opportunities available through the operation of those companies in the immediate neighbourhood. I fully anticipate these ancillary industries will grow to a very considerable size.

Then we will have others which will come in association, and, as the Minister has indicated, these may well develop at a rate which could perhaps be compared with the development of the major industry itself. We also have the prospect, which is almost revolutionary so far as Western Australia is concerned, that as a result of the development pipeline facilities will be constructed for all those products which might be used in the refining process—including natural gas. Techniques must be developed for the utilisation of pipelines to carry fuel and the ingredients necessary for this entire process. In fact, this is enormous development.

Associated benefits—and I say this as a member representing a country province—will flow to other industries. Some reference has been made to the quantity of starch used in the process. This will be a contribution—perhaps not of enormous size, but nonetheless significant—to assist associated agricultural industries in the area. The people in these districts are continually caught up with community problems because the population is not large and public finance is not easy to come by; as a consequence it is not easy to establish local facilities.

However, even so—as I am sure all members know—as the result of the exercise of a great community spirit in the area, additional community facilities such as trotting clubs, race tracks, and bowling clubs have been established in recent years. These things have not been achieved without great sacrifices on the part of local citizens.

I think members can see that because of the establishment of this industry, with its consequential ancillary industries, and resulting increase in housing development, population, and so on, a stimulus will be given to the provision of those additional facilities referred to by the Minister and mentioned in the agreement; namely, school facilities and the upgrading of schools, etc. I well know the difficulties which were encountered during the long years of trying to promote the upgrading of school facilities in the Pinjarra centre.

I can recall attending—many years ago now—the first meeting of the parents and citizens' association in the Pinjarra school, called for the purpose of trying to upgrade the Pinjarra Junior High School, as it was then, to a three, four, and now as it is at present, a five-year

high school. How much easier this sort of thing will be in the future! The people in this centre will now have a wonderful prospect for the establishment of community facilities, such as sewerage and the like. Once again, these things will be much more simply achieved as a result of the establishment of this industry.

I noted that Mr. Willesee made reference to some of the possible disadvantages, and problems which might be encountered in the location and operation of this industry. I cannot let this opportunity pass without mentioning something which I regard to be one of the more important points of consideration so far as the local areas are concerned. I know that the Government has this matter well in mind, and that the company would be, and is, thoroughly appreciative of it. However, there is one asset in this district—there are in fact many assets of very great value but I wish to refer to one only—which is probably ultra-important, and I refer to the waterways and holiday resorts on the Murray River, the Serpentine River, and the Peel Inlet, and in the Yunderup area.

It would be a tragedy for the people in those areas if any of the facilities were in any way tampered with or adulterated. Whilst I do not believe there is any great prospect of sufficient pollution to cause any deterioration of these great natural assets, it is not to be wondered at that a large section of the community in those areas is rightly and understandably concerned. I wish to make a special point of saying that no matter what steps are taken to ensure that these assets are preserved without deterioration, in the minds of the local people, those steps, in fact, could not be too great because the value of these natural assets is priceless, and they could never be replaced.

Having said that, I want to make this additional comment: I believe that these districts, because of the necessity to conserve the natural assets and waterways, are possibly facing their most difficult time right now, as the population is such that the necessary finance to conserve these assets is very hard to come by. However, in the future—as happened with the Swan River conservation provisions—I anticipate that with the increased population, brought about as a result of the greater development of the area, more facilities will be made available not only for the local people, but also for all other people who visit the area. Greater provision will have to be made to develop these facilities to a more satisfactory level than, perhaps, is the case at present.

So I would like to say to those people who have real apprehensions on this score that I certainly understand and appreciate that we have a part to play. I believe there is a real need for those who are concerned about this matter to continue to exercise some care and to be watchful.

This function forever remains a duty on the part of the local communities. However, by the same token, I think the local people should bear in mind that as a result of the increased interest and development in the area, they have a wonderful opportunity to see that the assets are developed in a manner which will be a credit to the district and so that far greater use may be made of those assets in the future.

Whilst the prospect of pollution might not be very real, it is in fact there and I think it should be accepted as such. By the same token, I do not believe that the problem is insurmountable. I think the Government is very much aware of it, and there is a great awareness on the part of the company.

The Hon. F. R. H. Lavery: There is a paragraph in the schedule dealing with that.

The Hon. N. McNEILL: I acknowledge Mr. Lavery's comment. However, I feel I must refer to some other assets, inasmuch as some local opinion has been expressed in relation to the use of agricultural land. A thought has been expressed as to whether an industry of this sort should be located in an area of first-class land, particularly as it takes in such a large amount of land, and that surely a position could have been found somewhere else where the land is not quite so valuable. I do not know about this. Of course, the obvious answer is that the facilities are there and this would appear to be the reason that the site is the most appropriate place to locate the industry.

However, I think one should bear in mind that a major reason for the location of the refinery and its associated activities on this land is simply the availability of natural resources. Vast quantities of bauxite are available in the adjoining Darling scarp. In itself this is just as much a natural resource as is the land used for agricultural production. Certainly it is a different form of natural resource. The land has little value until it is farmed; and minerals have little or no value until they are mined.

Then, of course, we have some confusion as to which interest should be paramount. I believe it is the function of the Government—and not only of the Government, but also of the people—to resolve this matter. I believe this responsibility has been accepted and shared by the great majority of people in the immediate area, including the local authority.

Lastly, I might mention that one of the greatest drawbacks in an area of this sort may come—not necessarily from the establishment of this industry and the prospect of possible pollution in the various forms which have been suggested, but from the effects on a region of some considerable historical background, as Mr. Willesee mentioned—from the disturbance of the rural countryside; in other words,

the influx of people in large numbers. Is there any alternative to this? I suppose there would be a great many people—and, I must confess, I am one of them—who would have moments of regret that a sylvan atmosphere is to be somewhat disturbed by the establishment of a large industry.

The Hon. A. F. Griffith: Such is the price of progress.

The Hon. N. McNEILL: As the Minister has so astutely observed, such is the price of progress. Of course, with that progress will come great benefits to the ordinary people and families in the towns who will obtain better equipped facilities, greater employment and career opportunities, and the like. There are the things which will be real and which I believe are already being understood by the local people as being a real benefit to their districts. This is a prospect that would never have come their way but for the establishment of this industry.

I wished to examine and comment upon a great many features: the use of agricultural land, the use of underground water supplies, the steps that might be taken by the Government and by the company to use existing aquifers, and the development of water supplies in the future. However I can talk on these matters at some other time if, in fact, the problems ever materialise. I think it is doubtful whether we will strike problems which will create controversy. Problems of achievement, yes; and problems to which the Government itself and likewise the company have given practical expression; but they are prepared to try to overcome those problems and to use their best endeavours and resources to do so.

I believe those problems may never become controversial simply because of the attitude which will be adopted towards this enormous development. Once again, there is local interest in certain other natural assets in the area which might not be important to all people. I refer to the preservation of our wildlife. No matter what one does in terms of development, one comes across an awareness amongst the people concerning the conservation of our natural fauna and flora. Representations have been made to me on the score of what steps can be taken. Is it not a pity that these features are going to be disturbed?

Having taken due note over some lengthy period of steps that have been taken by very responsible authorities and most responsible companies and industries, should not more and very positive steps be taken to improve these assets rather than have them deteriorate? So I could well believe that as with reforestation operations by the company, in conjunction with the Conservator of Forests and his department, there might well be some sort of co-operation between the company and

those authorities and persons who are in fact concerned not only with the use of agricultural land or the use of natural assets such as waterways, but also with the preservation of interests such as those which are important to the area in question and to Western Australia generally. I refer here, of course, to the wildlife.

I express my gratification that the Bill has come before us and I give it my whole-hearted support. I hope we will see some enormous development in all its various forms take place in that particular area.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [8.32 p.m.]: I am naturally very pleased with the manner in which this Bill and the accompanying agreement have been received and I would like to take this opportunity to thank Mr. Willesee and Mr. McNeill for their remarks in support of the measure.

The Government has taken all possible care to deal with the various subjects that have come under discussion in the process of the remarks made by the honourable gentlemen to whom I have referred. Time alone will tell whether or not the care that has been taken in the negotiation of this agreement will make it all that we hope it will be.

All I can say in connection with the matter of pollution is that the best chemical and engineering brains available to the company and to the Government will be used to ensure that every effort is made so far as it is practicable to prevent pollution of the aquifers. Experience in other parts of the world in connection with industries of this nature will be of benefit to us and we will use that experience to the best of our ability.

I was pleased to hear Mr. McNeill make some reference to some of the old pioneers and residents in the district in question. The first of these people who come to mind is the late Sir Ross McLarty.

The Hon. F. R. H. Lavery: Mr. Willesee also mentioned this.

The Hon. A. F. GRIFFITH: Let me make my own speech; I was not intending to leave the Leader of the Opposition out of this.

The Hon. F. R. H. Lavery: I was only trying to help you.

The Hon. A. F. GRIFFITH: The honourable member has put me off. I was pleased to hear the remarks concerning Sir Ross McLarty both from Mr. McNeill and Mr. Willesee. Sir Ross was a man who was born in the district and I wonder what he would think of it now; for that matter I wonder what some of us will think of the area in a decade from now.

There is no doubt that this industry will bring great prosperity to the Pinjarra district and that this will be reflected throughout the whole of the south-west, and down as far as Bunbury in the manner I explained when I introduced the Bill. Because of the obvious support the measure has received I do not propose to say any more on the subject. There may be one or two matters which might come under question either in connection with the Bill itself or with reference to the schedule and these can be dealt with during the Committee stage.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. F. R. H. Lavery) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Ratification of agreement—

The Hon. W. F. WILLESEE: In view of the wording of clause 2, I ask the Leader of the House if he would be prepared to postpone consideration of the clause so that we might discuss items in the agreement before we adopt clause 2. If we accept this clause we ratify the whole of the agreement and it will be idle to discuss it further. I do not propose to move any amendments but I have some queries the answers to which might be edifying to the Committee.

The DEPUTY CHAIRMAN (The Hon. F. R. H. Lavery): It might be possible to speak on the question of the schedule as such.

The Hon. A. F. GRIFFITH: This is the reverse of what Mr. Willesee wants us to do. I have no objection to postponing the clause, but it is competent for us to pass clause 2 and to then debate every clause in the schedule, if necessary. I move—

That further consideration of the clause be postponed.

Question put and passed.

Schedule—

The Hon. W. F. WILLESEE: In sub-clause (3) of clause 2 of the agreement we have the words "on the said Bill commencing to operate as an Act all the provisions of this Agreement shall operate and take effect notwithstanding the provisions of any Act or law." I do not think the position is completely similar to the question I have raised previously on other agreements and I wonder whether the Minister could explain it in more detail. We accept that the original 1961 agreement is the parent agreement to this legislation. Does this override it or is it dovetailed into the previous agreement? Just how much of this agreement takes

precedence over the previous agreement, quite apart from the fact that apparently it overrides any Act or law which would be applicable to it?

The Hon. A. F. GRIFFITH: The objective of the schedule to this Bill is to make the agreement work. The reason for this clause is to obviate the prevention of the operation of the agreement by the effect of some other legislation which is operative and in force in the State. That is a simple explanation of the situation. The agreement would not work if there were in force in the State some Act or law which prevented it from working.

The Hon. W. F. WILLESEE: In view of the limitations of an agreement such as this I wonder whether we could specify what laws would apply. In mining agreements I think we say that this or that particular Act shall not apply. This is a more embracing situation and we could find ourselves in a position—having regard to the remarks of Mr. McNeill—where some problem could arise which needs serious control from a State angle, and this all-embracing clause could possibly stop the Government from taking action. The wording is wide and it could be of some disadvantage to the Government.

The Hon. A. F. GRIFFITH: I do not think so. The purpose of the agreement is to give effect to the intention of the parties. In the first place it is undoubtedly intended that the agreement shall operate. I would refer members to clause 2(1) on page 3 of the agreement which says that if the agreement is not passed by Parliament something else follows. Subclause (2) cancels out sub-clause (1), and subclause (3) has a different explanation of intention. Sub-clause (3) says in effect that we do not want any other Act or law that is in force stopping the agreement taking effect.

The Hon. W. F. WILLESEE: I can see what the Minister is endeavouring to say, but I think it could be put more simply. We pass Bill after Bill and place the legislation on the Statute book but we have a right to amend it subsequently. When we negotiate an agreement it is of some interest to the Statutes of Western Australia. The Minister said we cannot have this particular project interfered with and I appreciate that fact.

The Hon. L. A. Logan: It is difficult to nominate any particular Act.

The Hon. W. F. WILLESEE: I think it would be better when the provision is as wide as this one is. Let us suppose there is some trouble with pollution, or there is a problem with clean air at Bunbury and the Clean Air Act is involved. By this provision we have excluded any right of

action under legislation which we consider is suitable for 98 per cent. of the areas of the State.

The Hon. L. A. Logan: I do not know whether this would stop the Government from using those Acts. This is to make sure the agreement goes on.

The Hon. A. F. Griffith: The words "or law" could have application to a Commonwealth law, for instance.

The Hon. W. F. WILLESEE: I have enough trouble with State laws without worrying about Commonwealth laws!

The Hon. A. F. Griffith: We do not want to be in trouble with any Act or law.

The Hon. W. F. WILLESEE: From what I know of the Commonwealth one is in trouble with Commonwealth laws most of the time! I do not think I need pursue the matter any further as I have explained my point of view. However, the provision is all-embracing and it has a tendency to weaken the agreement which, in all other aspects, is quite tight. As a difficulty arose I think it would be better to amend the law in question rather than to have an all-embracing provision as is written into agreements, and this one in particular.

The Hon. R. F. CLAUGHTON: There is some sense in what Mr. Willesee has been saying in relation to subclause (6) on page 8. If this legislation, when it becomes law, takes precedence over all other laws, does the law relating to pollution or the protection of flora and fauna have any force at all?

The other matter which has prompted me to speak is the reference in subclause (6) to the pollution of rivers and underground water.

The Hon. A. F. Griffith: On what page?

The Hon. R. F. CLAUGHTON: Page 8.

The Hon. A. F. Griffith: I thought we were dealing with page 4.

The Hon. R. F. CLAUGHTON: I understood we were dealing with the schedule.

The Hon. A. F. Griffith: I think it would be better to deal with the schedule progressively, instead of jumping from one page to the other.

The Hon. R. F. CLAUGHTON: I would agree with that.

The DEPUTY CHAIRMAN (The Hon. F. R. H. Lavery): We are dealing with the schedule as a whole, and members can move backwards or forwards.

The Hon. W. F. WILLESEE: I refer to subclause (8) on page 8 where there is a reference to the right of the Conservator of Forests. The term "reasonably required" is used. If the conservator thinks that something is reasonably required, has the company the right to say that it does not think the request is reasonable? If

the company disagrees, what happens? Has the Conservator of Forests the right to press for his reasonable requirement and, if so, to whom does he appeal?

The Hon. A. F. GRIFFITH: I think when one reads it one appreciates that this is a good clause. There is a reference in subclause (8) to adequate measures being taken at the company's expense. However, if the demands of the conservator for something to be done at the company's expense are unreasonable, and the company would like to have some redress the words "reasonably required" would mean that the matter could be referred to arbitration. The arbitration process is covered on page 20.

The Hon. W. F. WILLESEE: I thank the Minister for his remarks. I think he is right and it relieves my mind considerably to find that he has such a great grip of this legislation!

The Hon. R. F. CLAUGHTON: I refer again to subclause (6) on page 8. I am not familiar with the location of the refinery but there is a reference in this subclause to rivers and underground water. Does that reference include estuarine waters? Also, where do the rivers end and the ocean begin? Are estuarine waters included in the definition of "rivers"?

The Hon. A. F. Griffith: Are you referring to Peel Inlet?

The Hon. R. F. CLAUGHTON: It will not be affected?

The Hon. A. F. Griffith: It is a long way from Peel Inlet.

The Hon. R. F. CLAUGHTON: The other matter I wanted to raise was this: What authority will be responsible for keeping a check on the pollution of these waters?

The Hon. A. F. GRIFFITH: There is always close consultation between the Government and the companies concerned in these matters, and I think the company in this case has a very good record of co-operation. I can remember Mr. Ron Thompson, Mr. Lavery, and Mr. Dolan talking about pollution in the Kwinana area.

The Hon. J. Dolan: It is a pity all the other companies were not like this one.

The Hon. A. F. GRIFFITH: The chimney stack at the Alcoa plant was increased to a very great height to prevent dust nuisance, and it will be necessary for the Government, and the company, during the course of the implementation of the agreement, to be in close consultation all the time.

The attitude of the Minister for Industrial Development in these matters is to consult with the department most closely concerned. If it is a matter that concerns mining he consults with me; if it is a question that has to do with clean air he discusses it with the Minister for Health; if it is a local government problem he has

discussions with the Minister for Local Government and his department; and so on. I do not think the honourable member need have any fears about this matter and the proof is that it is in the company's interests to have regard for the aquifers because the company might want to use that water.

The Hon. R. F. CLAUGHTON: There is a well-known saying that everybody's responsibility is nobody's responsibility.

The Hon. A. F. GRIFFITH: It depends upon the attitude.

The Hon. R. F. CLAUGHTON: Does the company keep a check on these things? Does the Health Department? Or is it the responsibility of the Department of Fisheries and Fauna? If there is no single authority to keep a check on these matters then perhaps they all leave it to each other and nobody carries out a check.

The Hon. A. F. GRIFFITH: Frankly I think this is humbug. If the problem is a matter which concerns the Public Health Department does the honourable member think that someone would consult Mr. Whippy, the ice cream man? Of course not! The department concerned would be consulted in the same way as the Local Government Department would be consulted if it were a matter affecting local government. I do not think the honourable member is serious when he raises these red herrings.

The Hon. N. McNEILL: I would not entertain any great fears about possible pollution of either the aquifers or the estuarine waters. The area involved is in what is known as the Adelaide Road area. Normally in the winter months—although certainly not during the last winter—there is a considerable amount of drainage over the whole of the area and that will go into either the Murray River or the Dandalup rivers and other streams and it may eventually find its way into the Murray River or the estuary.

Also, a great many people apart from the statutory authorities would be checking on any possible pollution. A great many local people would be maintaining a close watch in this regard.

Also let me say that in operation already is what is known as the Peel Special Regional Committee which is very concerned, and most active at this present time, with the preservation of existing waters and the possibility of pollution from this or any other activity, including houseboats. There is also a move afoot for the establishment of a conservation authority, comparable with the Swan River Conservation Board, for the Murray and Peel Inlet waters. Therefore I cannot see how, even though there is the prospect of pollution, it could remain undetected for more than the absolute minimum time.

The Hon. N. E. BAXTER. I was not going to come into this argument, but I certainly do not agree with the Minister

when he said that this was a red herring. Unless water which is polluted comes within a declared irrigation area, in which case there are provisions to deal with it, the only redress a person has is to go to common law and take out an injunction to restrain those responsible for the pollution. I have had personal experience of this and I know the situation.

With all these agreements, and secondary industries being established adjacent to streams and lakes, it is high time a pollution of waters Act was enacted similar to the Clean Air Act.

The Hon. F. J. S. Wise: Do you think the Clean Air Act has been very effective?

The Hon. N. E. BAXTER: Perhaps not up to date, but it has done quite a lot of good, and that is why I suggest similar legislation be enacted to deal with our waterways.

The Hon. A. F. GRIFFITH: The point I was making when I perhaps unkindly used the expression "red herring," in reply to Mr. Cloughton's query as to who was responsible—and I make it again—is that the appropriate department would be responsible. If a matter of health was involved it would be dealt with by the Public Health Department. The problem to which Mr. Baxter was referring was, I think, the pollution of the Wundowie Creek.

The Hon. N. E. Baxter: Quite right.

The Hon. A. F. GRIFFITH: However, the Government has no agreement with Wundowie.

The Hon. N. E. Baxter: There is no authority either.

The Hon. A. F. GRIFFITH: Of course the authority the honourable member has forgotten is the water conservation authority.

The Hon. N. E. Baxter: Under the Rights in Water and Irrigation Act?

The Hon. A. F. GRIFFITH: No. The authority dealing with areas which are declared water catchments. There is considerable authority there.

The Hon. N. E. Baxter: This is not a water catchment area.

The Hon. A. F. GRIFFITH: I am not saying it is. But I think Mr. McNeill has touched on the important point in relation to the area of ground which the company has acquired at a considerable cost. The company has secured a very large area of land to ensure that it is sufficient to enable it to dispose of the red mud which is the resultant factor of the treatment of bauxite into alumina.

If members will recall, the plant at Kwinana started off with one unit producing 200,000 tons of alumina per annum, but it is now up to five. One of the reasons for this present agreement is that

we can no longer cope with the expansion of the industry at Kwinana, and for this and other reasons it is desired to decentralise the industry and take it further out.

I simply leave this discussion on the note that this agreement is between the Government on the one hand and the company on the other, and each intends—or I hope each intends—to fulfill the objectives of the agreement. We must accept the situation in good faith until such time as there is some breakdown in connection with one of the matters mentioned, and then the appropriate authority would move in.

The Hon. R. F. CLAUGHTON: I thank Mr. McNeill for the information he offered. I had in mind, of course, an authority similar to the Swan River Conservation Board. Many people are concerned with what might occur in our inland waterways and if an authority such as he mentioned was constituted then it would be the one to carry out tests and keep matters in hand. This would apply not only to this industry, but also to others we are told are likely to follow in the future.

The Hon. W. F. WILLESEE: With regard to clause 10 on page 16, dealing with resumptions, I am at a loss to understand why the Government has utilised the provisions of the Public Works Act rather than section 6 of the Industrial Development (Resumption of Land) Act, which I understand would have been all that was necessary. The Public Works Act is specifically for the resumption of land for use by the Government, while the Industrial Development (Resumption of Land) Act is designed specifically for the acquisition of land for a company or an individual. Therefore the latter Act would have been the appropriate one to utilise under this agreement.

I appreciate that the company has negotiated by private treaty for all the land it has required up to date. Mr. McNeill developed that thought fully. I also realise that clause 10 has been included for the future, but I would like the Minister to comment on this clause.

The Hon. A. F. GRIFFITH: This very question was raised in another place and the Minister for Industrial Development said that the purpose of the Industrial Development (Resumption of Land) Act is different altogether from the set of circumstances which prevails here. The major portion of the land the company has acquired so far has been satisfactorily negotiated between the owners and the company.

The value of the Industrial Development (Resumption of Land) Act is that the land concerned cannot be sold, mortgaged, or leased, without the permission of

the Minister and therefore the situation is taken completely out of the hands of the speculator. However, in this case the company does not want to be a buyer and seller of land. The company has already obtained a good portion of its land by private negotiation, but it may want the Government to help it to acquire some more, and the Public Works Act is the medium for the acquisition of such land. If the land was acquired under the Industrial Development (Resumption of Land) Act, the machinery would still be that provided for under the Public Works Act. That is quite clear.

In this respect I venture to say that it would probably be only as a last resort that the Public Works Act would be used, but it may be necessary because, for instance, one individual may hold up the whole project by refusing to sell at any price.

The Hon. W. F. WILLESEE: Could he hold it up any more under one than under the other?

The Hon. A. F. GRIFFITH: No. However, under the Industrial Development (Resumption of Land) Act a whole area is resumed, using the machinery of the Public Works Act. The area is then planned, redesigned, and resold to industrialists who want it for industrial purposes. There are also provisions under which the original owner can be compensated. However, that is not required or necessary in relation to the project at Pinjarra.

The Hon. W. F. WILLESEE: I thank the Minister for his reply. I, too, read the remarks of the Minister for Industrial Development.

The Hon. A. F. Griffith: I would have thought that would be enough for you.

The Hon. W. F. WILLESEE: It was enough; but I have never heard a better interpretation by a Minister in one Chamber of a statement made by a Minister in another place! I congratulate the Minister on his ingenuity and ability; but I thought there was a great difference between the two Acts.

The Hon. F. J. S. Wise: There is!

The Hon. W. F. WILLESEE: I have one further point to raise. Clause 14 on page 17 refers to the principal agreement being amended. The Bill itself is entitled a Bill for an Act to ratify an agreement between the State and Western Aluminium No Liability, for the establishment of a refinery near Pinjarra to produce alumina for incidental and other purposes.

In the first clause we see —

This Act may be cited as the *Alumina Refinery (Pinjarra) Agreement Act, 1969.*

Then I refer to clause 14 which says—

The principal agreement is hereby amended by—

The Alumina Refinery Agreement Act of 1961 was "An Act to approve and ratify an agreement entered into by the State with respect to the establishment of a refinery to produce alumina, and to provide for carrying the agreement into effect and for incidental and other purposes." It was amended in 1963 by "An Act to amend the Alumina Refinery Agreement Act, 1961." It was further amended in 1966, under the same title; and, again, in 1967 by "An Act to amend the Alumina Refinery Agreement Act, 1961-1966."

In this case, it merely says, "The principal agreement is hereby amended," and no reference, whatsoever, is made to other legislation. My query is: How do we write these amendments into the legislation without specifically bringing down a Bill which would link it to the agreement by the title? This has been done in the case of previous amendments. Alternatively, should we not bring down a Bill which will bring both pieces of legislation together by way of amalgamation? Parliament could then amend one or the other.

It seems to me that this is a random reference and a person who picked up the Bill and looked at the title could not relate it to other legislation which was passed initially in 1961 and subsequently amended. The title has been specifically amended on three occasions, but now it is proposed to approve a completely new Bill, which will be known as the Alumina Refinery (Pinjarra) Agreement Act.

References occur in the schedule to a major agreement, but the agreement is not specified and no reference is made to how these provisions would fit into the principal agreement. I consider that anybody who picked up the Bill and tried to relate it to the parent agreement—if that is the right term—would feel that there was no correlation between the two.

The Hon. A. F. GRIFFITH: The point Mr. Willesee is obviously making is that the title of the Bill is not sufficiently descriptive and does not appear to relate this legislation to the principal agreement. In fact, he suggests that somebody might pick up the Act, when it becomes an Act, and feel that it had no connection with the principal Act. Is that the point?

The Hon. W. F. WILLESEE: That would be my reaction.

The Hon. A. F. GRIFFITH: I do not think that is quite right. I refer the Committee to page 2 which states—

- (a) the parties are the parties to the agreement between them defined in section 2 of the Alumina Refinery Agreement Act 1961-1967 of the State of Western Australia

(which agreement is hereinafter referred to as "the principal agreement");

This surely defines the position and points to the principal agreement, which is described as the Alumina Refinery Agreement Act, 1961-1967. It was introduced in 1961 and amended in 1967. This is the agreement which Parliament is now amending by the schedule to the Bill.

The Hon. W. F. WILLESEE: That is a very simple answer when one looks at the small print. However, if one looks at the titles of the different pieces of legislation one sees they are completely different. I feel it would be far better to amalgamate the two agreements in some way or to express clearly the relationship between the two in the title.

The Hon. F. J. S. Wise: It ought to be specific in the way it is amended.

The Hon. A. F. Griffith: It is specific.

The Hon. W. F. WILLESEE: This situation can be related if one looks at the small print. I would like to look at it from a practical angle. If members turn to page 2 of the current agreement they will see the reference (a) referred to by the Minister. However, no further reference is made as to where (a) is applicable. I hope the lawyer in the Chamber is listening, in case he has to be an advocate at some time in the future. We now turn to page 17 of the Bill, which says, "The principal agreement is hereby amended by—."

What would anyone do? If a person did not have a competent clerk at his disposal, such as we have, he would have to ferret around and find an Act which has a title completely different from the title to this legislation. I claim this is an unusual set of circumstances and is not consistent with parliamentary practice, as I understand it. I think a mistake has been made and that it could be adjusted. Despite the fact that the Minister has pointed to the small print, I think it would be beyond the observation of 99 people out of 100.

The Hon. I. G. MEDCALF: In view of the fact that my name has been taken in vain, I would like to comment on this matter. I can see Mr. Willesee's point, which is an interesting one. Personally, however, I do not find any great difficulty in the matter, because I look at it from the point of view that two agreements are involved. I would know that there are at least two Acts, subject to this Bill becoming law, with a number of amending Acts in between the original agreement and this agreement.

Initially, in 1961 the Premier entered into one agreement with the company for the establishment of a refinery at Kwinana. Other provisions in that agreement dealt with further expansion of the company and a number of other ancillary matters. They were all set out in and ratified by

legislation which we know as the Alumina Refinery Agreement Act, 1961. At that time, Parliament simply ratified an agreement between two people, the Premier and the company.

Up to 1967 that Act was amended for various reasons on a number of occasions. On each occasion when the Act was amended, of course, Parliament reconsidered the legislation. The result was that various amending pieces of legislation were approved from time to time, subject to any minor amendments which might have been made.

Now a further agreement has been made, which has a subject matter rather separate from the original agreement. This further agreement is made between the same parties—namely, the Premier and the company—and provides for another refinery in another place. A number of different considerations really make it necessary to have a separate agreement.

However, the original agreement refers to matters which are dealt with in this further agreement and it is therefore necessary to amend the original agreement in so far as the new agreement makes changes in certain matters which are dealt with in the original agreement. In other words, the agreement in the schedule to this Bill is really a new agreement, but references are made to matters referred to in the original agreement; namely, the 1961 agreement.

Therefore, if one forgets all about the other Acts, one simply has the same two parties signing a further agreement which varies the original agreement, which two parties can do at any time they wish; that is, two parties can make a further agreement varying an original agreement. This has been done, but the further agreement is really a new agreement except in so far as it varies certain clauses in the original agreement. That is why a reference is made in this Bill to the original agreement, which is called the principal agreement. The new agreement is, in effect, a different agreement but it has the effect of varying the principal agreement and now has to be ratified by Parliament. However, because it really deals with a separate subject, which is the creation of the refinery at Pinjarra, it has been put into a separate Bill. As I see it, that is the explanation for the Bill before the Committee not being an amendment to the original Act. I suppose it could have been an amendment, but I find it more convenient to look at the matter under a reference to Pinjarra.

The Hon. W. F. WILLESEE: You do not see any difficulty in tracing the amendment?

The Hon. I. G. MEDCALF: It is a little complicated, but no more complicated than other legislation.

The Hon. W. F. WILLESEE: This will be my final remark on the matter. I thank Mr. Medcalf for the explanation, but he did not clarify my thoughts very much. I feel he emphasised the problem which I mentioned. Now I wonder just how this legislation will be further amended in the future. Will we amend one Act and then another Act, or will we have a potpourri and amend what I would term secondary legislation, because I regard the 1961 Act as being the primary legislation?

I do not want to be pedantic but I think it would be better to amend separately and keep each Act separate and distinct.

The Hon. A. F. GRIFFITH: I am prepared to talk to the draftsman about this matter tomorrow. The explanation given by Mr. Medcalf was much plainer and more concise than the explanation I gave. I still stick to the point, however, that the connection between the two documents is made by the mention of the principal agreement on page 2.

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

The Hon. A. F. GRIFFITH: I suppose Mr. Willesee would like a Bill something along these lines; namely—

A Bill for an Act to ratify an agreement between the State and the Western Aluminium No Liability for the establishment of a refinery, etc. and to amend the Alumina Refinery Act, 1961-1967.

The Hon. W. F. Willesee: Yes, I think that would be better, and I think the Minister feels it would be better.

The Hon. A. F. GRIFFITH: No, I do not.

The Hon. W. F. Willesee: The Minister read it out so freely.

The Hon. A. F. GRIFFITH: I suggest the Committee allow the schedule to pass. I will not ask the House to agree to the third reading tonight, but will talk to the draftsman in the morning to satisfy Mr. Willesee.

Schedule put and passed.

Postponed clause 2 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

EDUCATION ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. L. A. Logan (Minister for Local Government), read a first time.

DOG ACT AMENDMENT BILL

Second Reading

Debate resumed from the 8th October.

THE HON. F. R. H. LAVERY (South Metropolitan) [9.32 p.m.]: Earlier this evening we were debating a Bill that involved big industry. In this Bill I wish to comment on some matters relating to the little man. Therefore at the outset I wish to say that, as printed, I do not support the Bill. I have some lengthy remarks and a suggestion to make.

The measure before us seeks to amend section 34A of the parent Act. When introducing the second reading, the Minister's words were as follows:—

This Bill is to amend the Dog Act and it contains only one operative clause. This clause—clause 2—provides for an amendment to section 34A by the addition of subsections empowering local authorities to make by-laws—

I will now read proposed new subsection (2), which appears in clause 2 of the Bill. It is as follows:—

(2) A local authority may make by-laws—

- (a) limiting the number of dogs which the occupier of any premises may keep, or cause or permit to be kept, thereat;
- (b) imposing a penalty not exceeding twenty dollars for the breach of any such by-law.

During his second reading speech the Minister also said—

A further subsection provides that these by-laws must be applied to the whole of the district or such part or parts of the district as prescribed by the by-laws for the purpose.

However, the Bill provides for the insertion of proposed new subsection (3) which reads as follows:—

(3) By-laws made by a local authority under subsection (2) of this section may be so made as to apply to the whole of the district . . .

I will point out, once again, that the Minister said that "these by-laws must be applied," but the Bill states, "this section may be so made as to apply."

Whilst the Minister was making his speech, for future reference I placed the following note on the back of my copy of the Bill:—

What happens to people who have breeding kennels in a number of areas and who live in residential areas? Are they to be restricted under this Bill?

Of course, the answer is that these people will be restricted by the Bill. They have lived at the one place of residence for many years and have bred dozens of dogs whilst living there. They have never been advised either by their local shire or by anybody else that they are committing a nuisance, and therefore I ask: Why is the

Bill before us? I know the Minister could quite easily say it is before us because that is the desire of some local authorities.

In his second reading speech the Minister told us that because of the complaints that had been made by some members of the general public some shires had sought the assistance of the Local Government Department to bring a Bill of this nature before Parliament, and that this proposition was put forward by the Local Government Association and the Country Shire Councils' Association. I would not expect such a body of people to put forward that part of the proposal, because these authorities can take any necessary action without the Bill being introduced, and the Minister knows this.

To prove what I have said I will quote from the *Government Gazette* of the 28th December, 1968, pages 3600 and 3601. This extract reads as follows:—

DOG ACT, 1903.

The Municipality of the Shire of Kalamunda

By-laws relating to Dogs.

PART I.

Impounding of Dogs.

PART II.

Regulation of Dog Kennels.

Of course, the words used by the Minister relating to dog kennels are in the *Government Gazette* but not in the Bill. What the Minister said was that whilst those words are not in the Bill it is possible that two dogs will be the limit.

The Hon. L. A. Logan: I did not say that.

The Hon. F. R. H. LAVERY: The Minister said—

This Bill is not designed to entirely restrict the keeping of dogs in residential areas, but it is felt that two is the maximum number that should be kept in a residential area. However, the Bill does not specify the number,—

The Hon. L. A. Logan: How can it be two? In some instances it might be one, or even none.

The Hon. F. R. H. LAVERY: This shows that the Minister has brought before the House a Bill which he himself does not understand. When I conclude my speech I hope that many members in this House who thought the same as I did a fortnight ago—that is, it is not a serious Bill—will change their minds because, in fact, it is a serious Bill.

The Hon. L. A. Logan: Under which Act were the regulations quoted by the honourable member framed?

The Hon. F. R. H. LAVERY: The Dog Act, 1903. On the 28th May, 1969, in the *Government Gazette*, at page 1571, the following appears:—

LOCAL GOVERNMENT ACT,
1960-1968.

HEALTH ACT, 1911-1968.

The Municipality of the Shire of
Bayswater.

By-laws relating to Dog Kennels and
the Keeping of Dogs.

The Hon. L. A. Logan: Under what Act are those regulations promulgated?

The Hon. F. R. H. LAVERY: The Local Government Act, 1960-1968, and the Health Act, 1911-1968.

The Hon. L. A. Logan: It is not the Dog Act, is it?

The Hon. F. R. H. LAVERY: I quote from that *Government Gazette* as follows:—

In pursuance of the powers conferred upon it by the abovementioned Acts and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 14th day of August, 1968, to make and submit for confirmation by the Governor the following By-laws:—

I do not want to read the by-laws, because they have nothing to do with the point I am making, which is that it is not necessary for this Bill to be before the House.

The Hon. F. J. S. Wise: I agree with that.

The Hon. F. R. H. LAVERY: The Bill is not necessary because local shires have already proved that they can operate without the provisions contained in this amending Bill. My main concern is that when Mr. Cloughton and Mr. House spoke to the Bill I looked around the Chamber with some doubt still in my mind and I assumed that the Minister was about to reply. At the time the thought in my mind was that I would find out something about the Bill and speak to it on the following day, and so I jumped quickly to my feet and moved for the adjournment of the debate.

Between the time of my seeking the adjournment and midday on the following day I asked myself: "How will I meet this situation? I will just have to rise in the House and say that I do not intend to make a speech." However, during the following three days, whilst I was at Narrogin attending a meeting of junior farmers, I was later informed, my telephone rang continuously, and since my return from Narrogin I hardly left my office for the whole of one morning until I was called for lunch, because of the

telephone calls I received from people stating that the Bill would seriously affect them.

I have been informed unofficially that the people to whom I am about to refer will not be affected by the measure, but I have *prima facie* evidence that they are being affected now. To place the matter in its proper perspective I will have to state the situation so far as it concerns dog breeders, kennel proprietors, and those who board dogs. The information I have has been obtained from these people. As they are all registered breeders or kennel proprietors I have to accept the fact that they would not deliberately tell me an untruth.

In view of the fact that yesterday evening I was prepared to speak to this Bill, but was not prepared to go on with the Fremantle Port Authority Act Amendment Bill, the Minister for Mines was good enough to accede to a private request of mine to allow the Fremantle Port Authority Act Amendment Bill to remain on the notice paper until today. As a result of that I was able to attend a meeting yesterday evening which was also attended by a group of registered dog breeders, kennel proprietors, keepers of kennels, and other people interested in the Bill. This meeting was organised within 24 hours, and as far as I was able to estimate there were approximately 98 to 102 people in attendance. They had travelled from as far afield as the south of my province, from Kalamunda, Scarborough, and other outlying suburbs.

The facts I obtained from them yesterday evening confirmed the information I had previously received from them. I was asked to address the meeting, and I have since been complimented two or three times by people who were present. I was very careful to make it clear to those in attendance that Mr. Logan was a very approachable person, and that nobody at the meeting was to take anything I said as being party political. I told the members at the meeting that I was not there as an Aunt Sally, but that I would obtain all the information I could from them to enable me to speak to the Bill this evening.

I wonder how many members realise the damage which this Bill will do. It may not be known but there are 15 canine clubs in Western Australia registered with the Canine Association of W.A., and there are 2,200 members in the bodies affiliated with the Canine Association. There are a further 800 members in another group, as well as a number which I am unable to ascertain who breed sheep and cattle dogs, estimated at 800. The number of people in these categories is in excess of 3,300, and it is anticipated that by December next the number of persons registered with the association will increase to 3,750.

No useful purpose is served by making these statements if they are not correct, and I shall prove they are correct. A group of interested people held a special meeting at a private home on Sunday night. They compiled certain information which they sent to the Minister, suggesting that more time should be given to deal with this Bill.

The Hon. L. A. Logan: I have already acceded to their request.

The Hon. F. R. H. LAVERY: The information which those people gave—and this was confirmed at last night's meeting—was as follows:—

This year the additional number of pedigreed dogs being registered at the Canine Association of W.A. will approach 10,000. It is estimated that the total number of registered pedigreed dogs alone in the metropolitan area would undoubtedly exceed 30,000. There are approximately 2,300 members distributed among the 15 canine societies in W.A. These figures do not include the owners of working, sheep, and cattle dogs who comprise yet another organisation. To these people (approximately 2,500 in total) must be added the many thousands of pet dog owners whose animals may be cross-breds and are therefore not registered with the Association. This indicates the number of people who will be affected by this legislation.

I have asked each breeder what he valued his stock at. The figure which I obtained as an average was that the value was between \$27 to \$40 a dog. Some of the dogs were valued as high as \$200, but very few were valued at under \$25. The total value of the dogs owned by this group amounts to a little over \$1,000,000; these are dogs in the metropolitan area. This figure does not take into account the value or number of the stray dogs which roam the streets. I agree with Mr. Cloughton when he said there was already provision in the Local Government Act and in other Statutes to deal with stray dogs.

These breeders exhibit dogs at 120 shows a year, at least. They hold on the average 400 trials and training displays each year. It may be of interest to point out that during the last Royal Show week 1,473 dogs were exhibited, and each of them was valued at not less than \$25. Last week a dog show was held in Kalgoorlie, and this was attended by a great number of people. Next week at the Kalamunda Show approximately 600 dogs will be exhibited; next Sunday at Bunbury 250 dogs will be exhibited; and next week at Kelmscott 570 dogs will be on show.

The Hon. L. A. Logan: I will be there to see them.

The Hon. F. R. H. LAVERY: The nomination fee for each dog is 60c, and taken

over the year it amounts to a big cost to the owner or breeder. On the opposite side of the ledger, these people who have a love for breeding a dog to reach the top standard have provided money for charity. Last year they held a display for the Slow Learning Children's Group at Hawkevale; they held a display for the Meckering appeal; they held a display for the R.S.P.C.A.; and they also held one for the Blind School.

The pedigreed dogs in this State are of a high standard—equal to, if not better than those in the Eastern States. This has been proved by visitors to the Eastern States from Western Australia who have exhibited dogs in this State. Some of them have gained first, second, or third places; and the cost involved in bringing dogs to and from Western Australia and the Eastern States is very high.

I would draw attention to the situation in which the dog breeders are placed, and to what this Bill will do to them. I shall quote cases; if necessary, I can quote names because I have permission to do so. One lady who lived for a great number of years in Palmyra found that as the years went by houses were erected around her home. She did the right thing and moved to another locality. She sold her property for \$16,000 and moved to the Cockburn area. The Cockburn Shire issued her with a kennel license and the health inspector gave her every assistance. She sold her Palmyra property for \$16,000 but had to pay \$24,000 for re-establishment at Cockburn. She breeds dogs, and she has imported dogs from England at a cost of \$1,000 each. Her bill for veterinary and sterilisation services amounted to \$760 in a year. She does not sell bitches unless they are sterilised; this is to prevent them breeding and from becoming stray dogs.

Another lady who has been breeding dogs for 16 years shifted into the Mundaring district. She has obtained a permit, and it cost her nearly \$700 to set up her kennels.

Yet another lady who has been breeding Pekinese dogs for 23 years is concerned with the Bill. Normally she has 13 or 14 animals in her breeding pens. At times she has as many as 30 other dogs which come in for mating and other purposes. When she received a hint some months ago that this Bill would come up she did what she could to find somewhere else to establish her kennels. She did find another place, and that meant she had to shift from a district in which she had permanently resided for 23 years in order to carry on this type of semi-business. Her bill for veterinary services amounts to over \$500 per annum. All these people have given figures which were extracted from their income tax returns, so they are not telling any tales.

Another lady in Palmyra—she is a pensioner—breeds a small number of dogs. We know how much pensioners receive. The dogs she breeds are fairly valuable, but with the passage of this Bill she will have to give up the breeding of dogs because she cannot breed from only two dogs.

A lady at Carlisle has been breeding one type of dog for 50 years. She will have to close down her business altogether if she has to shift. After breeding dogs for 50 years we can imagine how old she is.

Another lady moved from Como because of rumours she heard from the South Perth City Council in February. She sold her house for \$17,000 or \$18,000, and she incurred a debt of \$9,000 in moving to another area. This lady has been breeding dogs for 11 years.

One other person is on exactly the same basis as the last-mentioned lady. I could go on giving other illustrations, but I think I have given sufficient.

Let us consider what happens to a person who has to make a shift. A young couple living in Bassendean are breeding dogs, and they get on very well with the shire. In view of what has happened and what can happen as a result of this Bill they will have to shift elsewhere. They read the newspaper and found a house at Mundaring was advertised for sale. They went to the Mundaring Shire and told the shire the price of that house was a little more than they intended to pay, but they were prepared to live in the district and abide by all the regulations. They asked for a kennel license. They were told by the shire that if they wanted a kennel license they would have to make an application under the obnoxious trades legislation. Where can these people turn to? At the meeting to which I have referred, which was held last night, a member of the Mundaring Shire and the Chairman of the Canning Shire Council were present. What I told the meeting cannot be denied. We have the situation where the young couple in question went to the Gosnells Shire, because a house was available in that district; they told me the Gosnells Shire has the best system.

The various areas have been designated. When this couple wanted to buy a property in street A the building inspector said that the council would not permit them to operate from that property, but if they moved to street B the council would give them every assistance, and would supply a copy of the by-laws. But this couple cannot purchase a house in street B, because their finances would not permit it. They have been making a search in two other shires for a property, including the Shire of Kalamunda. Kalamunda is a shire which does not permit properties to be subdivided into less than half an acre each. This is a "posh" district; it is a

very restrictive district. I put this to the Minister for Town Planning: People such as these are moving into urban areas, but within three months one of the urban areas has been zoned residential. Under this Bill those people must pack up and move on, or close up altogether. Just imagine the economic waste.

The Hon. L. A. Logan: Where is that in the Bill? I would be very interested to know.

The Hon. F. R. H. LAVERY: That is exactly what I am saying. These people are not catered for under this Bill. They are involved under it, and it is of no use the Minister riding his high horse, or sitting in his plush seat, and clapping his knees together and saying this is not the truth, because I can demonstrate it is. However, I will finish what I want to say first. I will not be put off.

The Hon. L. A. Logan: I want you to tell me where it is in the Bill.

The Hon. F. R. H. LAVERY: What is going to happen as these urban areas are rezoned? An enormous number of people have businesses worth many hundreds of dollars and they have spent many years breeding and rebreeding until they have a dog of such a high standard that they are now able to export it. In addition to this, we must remember all the ancillary businesses associated with dog breeding. I am referring to pet meat and other foods and medicines. An amount of \$200,000 is paid to tradesmen in the near metropolitan area who are handling this food. I am not referring to the whole of the State, but only to local areas. I also have the authority of those concerned to quote their names if their statements are queried.

The meeting I attended last night was one of the best conducted I have ever attended. The people were hostile, but they were very sensible. They admitted they did not expect to have permission to keep 25 dogs in a housing area. They realised that they would have to do something about that. However, they also stated that their rights as civilians and ordinary citizens were being taken away from them under this Bill. They would no longer have the right to live in point A where they have lived and bred dogs for a number of years.

As one lady said, this type of legislation is almost as bad as telling her she shall have a child in Carlisle, her second in Leederville, and three more if she goes to Cockburn. If I have a rose bush the branches of which hang over the fence into the street, and someone is scratched by that rose bush, the person concerned can take me to court, through civil action, and I would be compelled to pull the rose bush out. But this is a different story altogether.

The people who attended the meeting last night are registered owners who breed dogs and keep them off the streets. All their buildings are kept in accordance with the health regulations.

Only one of the people to whom I have spoken has had any trouble and he has been breeding dogs since 1936. He recently went to Melbourne to do some judging and when he returned about a fortnight ago he went to the local shire—the Minister does not know this—to reregister his dogs and pay the necessary annual fee. At that stage the reregistration was about 10 days overdue because of his absence from the State. However, when he approached the shire clerk, he was told that his registration could not be renewed because of a Bill at present before Parliament. The shire clerk informed him that under this Bill he would not be able to stay where he was.

In view of these circumstances it grieves me that we should have a Bill presented to us and that the Minister, when introducing it—and I intend no disrespect to the Minister by repeating his words—should say—

In view of the support for this proposal there can be no logical objection to its being passed, because it is a necessary amendment to ensure the health and comfort of residents of urban areas.

Incidentally no reference was made to residential areas. I must point out that the Canine Association of W.A. has an office in Adelaide Terrace. It also has a secretary. The Secretary of the Agricultural Society is a senior officer of the association, if not the president. Despite the fact that the association has an office and all its members' dogs are registered, not one shire has approached the association with regard to the stray dog problem and inquired whether the association could do anything about it. I was told by members of the association that had they been approached they would have indicated how they could help to reduce the number of stray dogs without any cost to themselves or the local authorities.

The association was not even officially notified that this Bill was proposed. It was not until its members read in the paper that an adjournment of the debate had been obtained that all the shemuzzle with Fred Lavery and the dog breeders occurred, because until that time the dog breeders knew nothing about the Bill. I am proud to have been associated with these people, because they are so sensible. No irrational remark was made by a single person at the meeting, although they were all hostile.

Several suggestions were made at last night's meeting. One was that all female dogs should be sterilised and a certificate issued to this effect; and another was that a tax on pedigreed dogs sold should be

levied to create a fund to help local authorities eradicate stray dogs. A third suggestion was that the owners should be licensed instead of the dogs so that the owners would be held responsible.

I interpolate here to say that a very responsible citizen in this city owns six dogs and the belief is that he will not be asked to get rid of them.

Another suggestion was that all dogs being sold as pets and not for breeding purposes—there is a different standard—should be sterilised before being sold. Another point raised was that it was impossible to breed a line—and I am sure that stock and sheep breeders, of whom there are a number in this Chamber, would know what these people are talking about in this regard—with only two dogs. It is just not possible. It may be necessary to have two dogs and five bitches, or something of that order, to breed a particular strain.

There is also a demand for certain breeds in this State, and some of the leading breeders have already found it impossible to cater for the requirements of all their clients. Some breeders have found it necessary to inform a client that it will be 12 months before a puppy of a certain breed can be supplied. The client cannot wait that long and so he sends to the Eastern States. In that way we are losing trade.

Many migrants who have arrived in this State in the last five years have raised the standard of dog breeding tremendously. Those in this group cannot accept the fact that it is possible for by-laws, such as those concerning Kalamunda and Bayswater, and published in the *Government Gazette*, to be promulgated. These migrants from Europe and England are amazed to know that an Act of this type is in existence. At home they were free to breed as they chose and they paid large sums of money to bring dogs with them, and since arriving here they have imported more, again at great cost to themselves.

One lady has had three imported at a cost of nearly \$4,000. This figure included all the costs of and incidental to the importation. She stated last night that if this Bill is passed she will have to pack up and return to England. We cannot afford to let that happen just because some shire cannot handle its own affairs. Plenty of opportunities already exist for each shire to handle the stray dogs in its district.

By and large all those at the meeting last night decided that this Bill, if passed, will be detrimental to all breeders.

I have a number of questions I want to ask. At present many owners have more than two dogs so, when this Bill is passed, what will happen to the dogs which those owners will no longer be permitted to keep? The Minister has referred to something not being in the Bill. This is not

in it either. What will happen to the dogs? Will it be necessary for their owners to give them away to someone who will possibly let them stray? We must remember that once a dog is a stray—and many people do not know this—it is a stray for all time. When a dog is picked up as a stray and sent to the Dogs' Home it is then given to someone who requests the Dogs' Home for a dog. It again strays; and sometimes the same dog is picked up two or three times.

Not one person at the meeting last night stated that he had straying dogs in his kennels. They had all spent huge sums of money on proper pounds and breeding facilities and they are all registered members of the Canine Association of Western Australia which is affiliated with an association in the Eastern States. I repeat: what is going to happen to those dogs? No-one has told me.

How can these breeders purchase new premises when they are told by shire after shire that they are not allowed to re-establish themselves? I would like to see what would happen if some of the sheep owners in the near metropolitan area who wanted to shift from one farm to another found they were not allowed to do so. That would be a different story!

What is going to happen to these breeders? Will they be forced to leave the State? Last night at least three people said that is what they would do. What will happen to the old lady who has been breeding dogs in Carlisle for 50 years? What provision is there in rural areas for breeders who must move from where they are now? A number of these breeders feel that the writing is on the wall and they will have to move out to where larger areas of land are available.

I do not want to delay this debate very much longer, but I cannot close without stating what is actually happening. I know the Minister will say I am discussing something which is not in the Bill; but I am certainly discussing the situation of those people who will be affected by the Bill. Earlier this evening we were discussing industrial establishments; but now I am speaking on behalf of the small people who are trying to live an ordinary, normal life.

Under the measure a local authority may make by-laws limiting the number of dogs which the occupier of any premises may keep or cause or permit to be kept thereat. Number 18 reads—

18. The occupier of any premises whereupon more than two dogs are kept, or permitted, or suffered to remain shall provide a kennel or kennels which shall comply with the following conditions:—

This applies where more than two dogs are kept, but I will read letters to show

that more than two dogs cannot be kept. Then it says—

- (b) Each kennel and each yard and every part thereof shall not be at any less distance than 30 feet from the boundaries of the land in the occupation of the occupier.
- (c) Each kennel and each yard and every part thereof shall not be at any less distance than 80 feet from any road or street.

More than half of the number of blocks of land are only 75 feet deep and, consequently, they would not be allowed. However, the Kalamunda Shire Council states very plainly what a person can do. It also says—

No kennel shall be established in an area which is zoned for "Residential" or "Deferred Residential" purposes under the Kalamunda Shire Council Planning Scheme, which appeared in the *Government Gazette* on the 18th October, 1963, and any amendments thereto.

Then it says—

- 4. The occupier of any premises where more than two dogs are kept or permitted or suffered to remain shall not allow, permit or suffer any dog to be at large or roam outside the kennel and yard.

In view of what I have just read to the House, it is necessary to quote a few letters. I will refer to a gentleman who has been transferred to Western Australia for a period of at least five years. He works for a big electrical firm, Philips Electrical Pty. Limited as a matter of fact. This company has some very big contracts in the city for servicing electrically some of the big new buildings. This gentleman is the manager, and he brought the letters to me at lunch time, because he thought he could not say all he wished at the meeting last night.

Firstly, I will mention the Shire of Gosnells by-law, which reads—

- (3) The provisions of this by-law shall not apply where not more than six dogs over the age of three months are kept for the purpose of show or breeding only.

That shire allows six dogs, but the Bill before us proposes to allow only two. On the 12th November this gentleman wrote to the shire clerk. He has half an acre of land which is in the area controlled by the Shire of Kalamunda. In fact, he lives on Welshpool Road. I will read the four letters concerned, because I consider they are vital, and will prove the agitation which exists amongst the people over what has happened. On the 12th November he wrote—

Dear Sir,

My wife and myself have recently purchased, and we are now residing

at the above address. This is a $\frac{1}{2}$ acre block on the corner of Welshpool Road and Silverdale Road in a sparsely populated area of Lesmurdie.

We have only recently settled in Western Australia, having been transferred by my employers, Philips Electrical Pty. Ltd., from N.S.W., as manager of their Manufacturing Operations in W.A.

We are the owners of five Welsh Corgi dogs which we brought with us from N.S.W. and are kept as some means of protection for my wife during my absence from home, frequently interstate, to carry out my duties for Philips Electrical Pty. Ltd., they are also pets which we exhibit at dog shows, etc.

At 2.20 p.m. on Friday 1st November, your Mr. M. B. Pestana called and, there being nobody at home left a card asking me to contact him, which I subsequently did at 4.30 the same day. He informed me that we were not allowed, by a recent Shire Regulation to have more than two dogs, and I take it the regulation applies to all animals. May I point out that we were not aware of this. One of the reasons, apart from the reasons of living in the pleasant environment of your Shire, was that it is sparsely populated, and our dogs would not present a problem as there are fowls, goats, sheep and cattle in close proximity of our property, in fact sheep and cattle in substantial numbers are kept directly opposite on Welshpool Road, also there are numerous cats and dogs roaming loose in the district. We have gone into considerable expense to have a substantial fence erected around our property to keep stray animals out, and our dogs in.

I mention that he has a six-foot asbestos fence around the half acre block. The letter continues—

Our dogs are not allowed on the street, unless they are on leads and therefore are not an annoyance to motorists or pedestrians.

At your Mr. Pestana's suggestion I am writing this letter and herein seek your permission to retain our dogs on the aforementioned property. It is not our intention to set up a registered kennel, they are kept only for the reasons already stated. Also they have become part of the family, we having no family or relatives whatsoever in W.A. We are willing to carry out any requirements to meet your standards for housing of animals.

Failing your approval we would require some considerable time to dispose of our property and to purchase another in an area more favourably disposed towards the keeping of animals, particularly our dogs.

Most people would agree that is a reasonable letter. On the 20th December, 1968 the shire replied to that letter and said—

In reply to your letter regarding your Corgi dogs, I wish to advise that Council cannot accede to your request.

My Council respects the circumstances in your case but felt that a precedent would be started if you did not conform to the By Laws and to this end they have granted a period of three months for you to comply with these regulations.

On the 7th March, which was near the end of the three months' period mentioned by the shire, this gentleman again wrote to the shire clerk. He said—

Dear Sir,

In reply to your letter of 20th December, 1968.

As yet we have not received a written copy of the By Laws mentioned in your letter, we had assumed these would be made available to us. May we again ask for a reconsideration of Council's decision, if only for a limited period, to be reviewed as the occasion arises, as there is a definite possibility that I may be transferred back to N.S.W. in the near future.

May I repeat, we keep our dogs as a hobby, as some people keep birds, goldfish or cats, and as others play golf, garden or make furniture etc.

As you are probably aware, we are on the border of rural land. Directly opposite and at the rear being rural. As your Mr. Pestana and companion will no doubt verify, even though he drove his vehicle as far into the premises as possible, the dogs did not bark. As stated before, these dogs are our family and have been with us for some years, from puppies, and as they are adult dogs and getting older, they would have to be destroyed, as it is virtually impossible to get anybody to take older dogs.

Failing Council's reconsideration, would you please forward a copy of the By Laws, that we are completely aware of our commitments in this and all other regards.

On the 20th March, the shire wrote again, as follows:—

Dear Sir,

Further to my letter dated the 20th December, 1968, and in reply to your letter dated the 7th March, 1969, regarding the keeping of dogs at the

above address, I wish to advise that Council has granted an extension of one month to the 20th April, 1969 for compliance with this Council's By-Laws on Dogs.

For your information I enclose a copy of this Council's By-Laws relating to dogs.

I have here a letter which this gentleman wrote to Mr. Dunn, the member for the district. I will not read the letter, but I am prepared to make it available if anyone wishes to read it. On the 16th April he again wrote to the shire as follows:—

Dear Sir,

With reference to the problem of our dogs, we have considered the matter very carefully and find that to comply with the By Law is virtually impossible in our case, unless we have our pets destroyed. This is, of course, out of the question, for, as previously mentioned, these are our family and our way of life, and having been with us a number of years we could not have them destroyed under the circumstances.

Please put yourselves in our position. What would you do? Have your family done away with?

Therefore we earnestly seek the tolerance of Council, for we have decided to relocate ourselves in a rural area, where we understand we may have pets. We have Real Estate Agents looking for suitable land or an established residence, and our present residence will be sold, but we wish to avoid financial loss, for we have spent approximately \$1,500 since we have taken possession.

We can only place ourselves on your good graces and assure you our relocation will be as quick as practicable.

I have read these letters for a specific purpose: they illustrate, in black and white, a factual case. Many other people are affected too. The man in Palmyra whom I mentioned has been breeding dogs since 1936, but he was told by the Shire of East Fremantle that he cannot be granted a license this year.

If this Bill is carried as it is, I want to be told what will happen to the 30,000 dogs which are in approximately 10,000 homes. Secondly, where will people move to? Under the plans of the M.R.P.A., more land is being made available for housing in localities to which some dog owners have already moved. Thirdly, what are the prospects of a person who moves from one district to another being able to buy land for the price he received for the land he vacated? Who is going to meet this compensation? Fourthly, I would like to

know where the staff will come from and how many inspectors will be employed by the shire councils to enforce this law.

The Dog Act contains three separate sections which deal with stray dogs, and some of the provisions affect farming areas. I told Mr. House privately the other evening, after he had spoken, that he has the right to shoot any dog that goes onto his property, if the property is properly fenced. Provision is made for all these things.

I showed respect for the Minister in his absence from the meeting last evening and now, with due respect, I ask him to defer this Bill until the Canine Association has had time to put a more concrete plan before him for his consideration, the consideration of his department, and the consideration of local shires. If need be, I will ask him to defer it not for only a week or a fortnight but until the March session. Nobody will be hurt in the meantime. Several shires are acting, as I have indicated from the extracts from the *Government Gazettes*. Some shires are quite happy to take people into their areas under certain conditions and, in some cases, people are prepared to go, although not all can finance a move.

I have taken longer over this Bill than should be necessary. I know it nearly went through this House like a fly through a window on the day two other members spoke. However, I do not think anybody realised that there are 30,000 registered dogs that are kept in homes in the metropolitan area, and they are not out on the streets. The dogs are not a danger to anyone, and they are worth over \$1,000,000. Money is spent on the dogs by way of pet foods and veterinary services, and the buying of brushes. I know one person alone who paid \$15 for two brushes. Consequently, other industries are involved.

Also, Western Australia has bred a class of dog which is now exported. In view of the serious nature of what has occurred in the last week, I feel the legislation should be deferred. The Minister himself has already received a letter from certain responsible people and I hope he will give consideration to holding up the Bill for the next three or four weeks at least, although this period of the session may finish fairly soon.

Would it not be better to defer this Bill until March by which time the Canine Association—the breeders themselves—would have had an opportunity to do everything in their power to place before the Minister something which will be acceptable both to him and the shire councils involved? The breeders have told me plainly that they will do this if given the opportunity. I regret having taken up the time of the House but the matter is important.

THE HON. R. F. HUTCHISON (North-East Metropolitan) (10.31 p.m.): I rise to support the remarks made by Mr. Lavery. As the meeting I attended last night was held in my constituency, and knowing the misery this legislation is likely to cause, I think I have every right to ask the Government to have another good look at the matter. If it does not do so it will upset a great number of people. From what I heard last night it would seem that some of the local governing bodies need a good talking to.

The people who will be affected by this legislation are good average citizens. There is nothing wrong in what they are doing; it is not as though they permit their dogs to roam the streets. These are not the type of people who should be affected by the legislation before us. If it is a question of controlling stray dogs steps could be taken to cover that aspect. I have no hesitation in saying that this legislation is causing a great deal of fear, needless upset, and considerable concern to people who are genuine and who are good types of citizens. The premises they provide for their dogs would be a credit to anyone.

I think the Minister is making a great mistake and I ask him to reconsider the matter otherwise I will be well and truly in the fight, particularly if this legislation is to operate to the detriment of my constituents. I do hope the Government will make an announcement that it will reconsider this matter. When I attended the meeting last night I was amazed to learn how much is invested in the activities covered by this legislation. The local governing bodies should be asked to give all the assistance they can. I hope the Minister will take note of the speech made by Mr. Lavery because it expresses the thoughts of those who were at the meeting I attended last night. I did not know quite what was involved until I attended that meeting.

The Hon. L. A. Logan: I have been a very attentive listener.

The Hon. R. F. HUTCHISON: I am sure the Minister is also eminently fair and I hope he will reconsider this matter and defer the legislation until a later date.

Debate adjourned, on motion by The Hon. Clive Griffiths.

MUSEUM BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

PRISONS ACT AMENDMENT BILL

Assembly's Message

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

House adjourned at 10.36 p.m.

Legislative Assembly

Wednesday, the 15th October, 1969

The SPEAKER (Mr. Guthrie) took the Chair at 4.30 p.m., and read prayers.

MANJIMUP CANNED FRUITS AND VEGETABLES INDUSTRY BILL

Introduction and First Reading

Bill introduced, on motion by Mr. Court (Minister for Industrial Development), and read a first time.

QUESTIONS (24): ON NOTICE

1. WATER SUPPLIES

Beacon

Mr. GRAHAM asked the Minister for Water Supplies:

- (1) What is the estimated cost of extending the water supply to Beacon?
- (2) Approximately how many homes would have such a service made available?
- (3) When is it likely a water scheme will be provided in this locality?

Mr. ROSS HUTCHINSON replied:

- (1) By extensions from the Mundaring scheme—in the order of \$300,000.
- (2) There are 46 services at Beacon.
- (3) The water scheme at Beacon has been operated since 1964.

2.

HOUSING

Brick and Brick Veneer: Cost Comparison

Mr. GRAHAM asked the Minister for Housing:

What is the difference in cost between full brick and brick veneer for a standard design house built in the metropolitan area?

Mr. O'NEIL replied:

Based on recent tenders for group construction for the State Housing Commission in the metropolitan area, a three bedroom house of approximately 10 squares in brick veneer would cost in the vicinity of \$6,500.

It is estimated that a similar unit in full brick constructed under a group contract would probably cost in the region of \$6,800.

The cost of construction of individual houses would probably be higher than these figures.