

Bill read a third time and transmitted to the Council.

House adjourned at 11.23 p.m.

Legislative Council

Wednesday, the 2nd November, 1966

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

BILLS (8): ASSENT

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

1. Bills of Sale Act Amendment Bill.
2. Bread Act Amendment Bill.
3. Health Act Amendment Bill.
4. Corneal and Tissue Grafting Act Amendment Bill.
5. Education Act Amendment Bill.
6. Fisheries Act Amendment Bill.
7. Strata Titles Bill.
8. Companies Act Amendment Bill.

QUESTIONS (6): ON NOTICE

POTATOES

Current and Standard Gauge Railway Freights

1. The Hon. V. J. FERRY asked the Minister for Mines:
 - (1) What are the current scales of rail freight on potatoes sent from—
 - (a) Sydney to Perth;
 - (b) Melbourne to Perth; and
 - (c) Adelaide to Perth?
 - (2) What will be the anticipated scales of freight charges on potatoes imported by rail to Perth from Sydney, Melbourne, and Adelaide when the east-west standard gauge railway is in operation?
 - (3) Is there any variation in the scales of rail freight charges on potatoes sent from Perth to either Sydney, Melbourne, or Adelaide?

The Hon. A. F. GRIFFITH replied:

- (1) (a) \$36.50 per ton;
(b) \$23.25 per ton;
(c) \$18.53 per ton.
- (2) It is not anticipated that standard gauge operations will vary the freight rates.
- (3) No.

BOATS

Air-Sea Rescues, and Provision of Radio to Mr. Hugill

2. The Hon. R. THOMPSON asked the Minister for Fisheries and Fauna:
 - (1) Is the Minister aware of the valuable assistance that has been rendered by Mr. Robert Hugill in the sea rescue and saving of many lives along our coastline during recent years?
 - (2) Is an effective air-sea rescue organisation operative north of Fremantle?
 - (3) Is it desirous of having at least one craft fitted with a sea-air-police radio link up?
 - (4) As Mr. Hugill is finishing a new all-weather craft, would the Government install, without cost to the owner, a radio, which would remain the property of the Government, capable of contacting police aeroplanes, and other rescue organisations, to co-ordinate such rescues?

The Hon. G. C. MacKINNON replied:

- (1) Yes.
- (2) Yes.
- (3) Yes.
- (4) This is not considered necessary, and in any case it is not desirable for the police radio frequency to be used by persons outside the Police Department.

COOLGARDIE-NORSEMAN ROAD*Construction of Grid*

3. The Hon. R. H. C. STUBBS asked the Minister for Mines:

- (1) Has an application been received by the Main Roads, or any other department, for a grid to be constructed across the Coolgardie-Norseman Road, south of Widgelmooltha?
- (2) (a) Is it intended to construct a grid; and
(b) if so, when and where will it be constructed?

The Hon. A. F. GRIFFITH replied:

- (1) Yes.
- (2) (a) Yes.
(b) Arrangements have been made to complete the installation during the next few weeks.
The grid will be installed at the 401.35 mile peg, some 7 miles south of Widgelmooltha.

RAILWAYS*Donnybrook-Boyup Brook-Katanning Line: Tonnages Hauled*

4. The Hon. V. J. FERRY asked the Minister for Mines:

- (1) Can the Minister give the tonnage of goods hauled on the Donnybrook-Katanning railway line for the last five years for which figures are available?
- (2) Can he give the tonnage of goods hauled on the Boyup Brook-Katanning section of the Donnybrook-Katanning line for the last five years for which the figures are available?

The Hon. A. F. GRIFFITH replied:

- (1) and (2) The tonnage of paying goods hauled on the Donnybrook-Katanning line is recorded under two sections; viz., Donnybrook-Boyup Brook, and Boyup Brook-Katanning. Much of the tonnage is common to both sections. Figures for the two sections for the past five years, are as under—

Donnybrook—Boyup Brook	
Year	Tonnage
1961—62	87,168
1962—63	88,661
1963—64	99,563
1964—65	84,021
1965—66	99,923
Boyup Brook—Katanning	
Year	Tonnage
1961—62	74,458
1962—63	70,444
1963—64	86,955
1964—65	70,688
1965—66	85,319

WORKERS' COMPENSATION*Trucking Company Employee: Hospital Costs*

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

Will the Minister advise, in relation to an employee of a trucking company, injured in 1964, treated in hospital at the time, and who later was found to require further treatment, whether—

- (a) the employer is liable for the hospital costs involved;
- (b) the employee's insurance company is liable; or
- (c) the employee, if not insured, and will not pay the account, is liable for the cost of hospitalisation?

The Hon. A. F. GRIFFITH replied:

Provided that liability for the 1964 injury was admitted or established, and that the further treatment was in respect of the original injury, then the answers are as follows:—

- (a) Yes.
- (b) Assuming the word "employee" was intended as "employer," the insurer is liable to indemnify the employer.
- (c) Yes, but the employee has a right to claim against the employer, and, under appropriate circumstances to apply for payment by the board under section 27 (1) (b), of the Workers' Compensation Act.

It is suggested that the Registrar of the Workers' Compensation Board be approached, and he will assist in any way possible.

SILICOSIS*New Drug*

6. The Hon. R. H. C. STUBBS asked the Minister for Mines:

- (1) Has his attention been drawn to a new drug being developed by Professor Hans-Werner Schlipkoeter and Dr. A. Brockhaus at the Dusseldorf Medical Academy to combat silicosis?
- (2) Is he aware that it is claimed that this drug may not only help to prevent silicosis, but also heal it and prevent further damage to the lungs?
- (3) If not, will the Minister make inquiries in the interests of men employed in the mining industries of Western Australia?

The Hon. A. F. GRIFFITH replied:

- (1) Nothing is known of the research being carried out by the doctors mentioned but I am informed that

research on the silicosis problem generally is being carried out in various countries.

(2) No.

(3) Yes.

INDUSTRIAL ARBITRATION ACT AMENDMENT 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.

BILLS (2): FURTHER REPORT

1. Perth Medical Centre Bill.
2. Rural and Industries Bank Act Amendment Bill.

Further reports of Committees adopted.

ORD RIVER SCHEME

Condemnation of Federal Government for Refusing Financial Help: Motion

Debate resumed, from the 26th October, on the following motion by The Hon. H. C. Strickland:—

That in the opinion of this House the Federal Government deserves to be condemned strongly for its recent refusal to grant financial help to the State of Western Australia to enable the vitally important Ord River irrigation scheme to be completed.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [4.43 p.m.]: May I say at the outset that I listened with a great deal of interest to the speech made by Mr. Strickland in support of the motion that he moved in this House in connection with the Ord River and, since that day, I have had an opportunity to examine his remarks by reading his speech.

Mr. Strickland moved his motion in an atmosphere removed from party political argument, for which I commend him, and it is my intention to approach the matter in this House, on behalf of the Government, also without party politics and I hope that the House will accept the speech that I propose to make in the same spirit as the motion moved by Mr. Strickland.

I would point out that it is my intention to move an amendment to Mr. Strickland's motion and when this amendment has been moved, I think members of this House will appreciate that it sets the position out in better form than the original motion.

Mr. Strickland spent some time in tracing the history of the Ord River project. I do not intend to engage in either the history of the project or the technicalities attached to it. I merely want to state, from the Government's point of view, how the Government feels in respect to the decision of the Commonwealth Government and to advise the

House of the manner in which it considers Mr. Strickland's motion would be best and most effectively dealt with.

It is felt that, rather than carry a motion which in six lines on the notice paper is of a straightout condemnatory nature—which approach can be wrongly construed in certain quarters and perhaps be interpreted as political in its nature—it is better and more effective to set out in more lengthy terms some of the reasons which led to a conclusion and an expression of concern at the decision of the Commonwealth Government to defer further the matter of determination of financial assistance to the Ord River project.

I think it is safe to say that the people of Western Australia generally, whether they be supporters of this Government or whether they be supporters of the Opposition, are primarily Western Australians and it would be unusual to find a state of affairs, other than which exists at the moment, expressed in disappointment, to say the least, when the Commonwealth Government decided to defer further the matter of financial assistance for the project.

Indeed, it is not unfair to say that most people who have been following the issue closely had come to assume that, with the provision of much more advanced information and the good results achieved by farmers since the earlier Commonwealth deferment, the time had come for the Commonwealth to give a favourable decision.

Of course an unconditional decision making a straightout grant for the whole of the State's request was not expected, but, at least it was expected that the Commonwealth would commit itself to the project and enter into consultation with the State Government on the timing and the method by which finance would be made available.

No-one questions that the State has vigorously pressed the Commonwealth for its support of the project, right up to the latest of the Commonwealth-State ministerial meetings; and the Government had good reason to believe that all doubts and queries raised to that point of time had been answered effectively.

The State believed, further, that it had met all the criteria that had been indicated as a necessity for the success and economic feasibility of the project by the Commonwealth.

It is conceded, nevertheless, that it would be quite impossible for anyone to be absolutely final and definite in information dealing with the future. To expect such complete finality would be unreasonable because certain information in connection with any project can be made authoritatively only when the project itself has been implemented and is in operation.

Accordingly, it is customary in such ventures to use all the practical results that are available, supplementing these with expert advice which can be relied upon to give a fairly definite assessment of trends and potential.

There was no exception in the case of the Ord. The Government had the advantage of over 20 years of research, based on a joint Commonwealth-State project; namely, the advice of the C.S.I.R.O. and the State Department of Agriculture. In addition, there was the experience with the first farms which have been watered from the diversion dam and operated on a commercial basis.

As I said earlier, Mr. Strickland gave an outline of the history of the Ord when he introduced his motion.

I should be surprised if any other project has been able to be the source of so much information and proof before a final decision has been called for in respect of the total undertaking.

I desire to make it clear that the State Government does not dispute the right of the Commonwealth to take a critical and searching look at every project placed before it—this is its responsibility to the nation. On the other hand, we expect it to approach projects of national developmental significance on a reasonably optimistic and realistic basis, having regard for past history, current experience, and the objectives of national development.

The State assumed that the formation of the Northern Division of the Department of National Development constituted a declaration of Commonwealth intention to pursue northern development to its logical conclusions. Correspondingly, we have regarded the Ord as something more than a project in its own right—an example of what can be done and will be done in our north as a consequence of the harnessing of the tremendous seasonal runs of our great rivers up there.

If the test is to be measured against the short and long term economic returns on the investment of the same amount of money in developed southern areas, we would be placed in an unreasonably disadvantageous position, even though, strangely enough, the Ord measures up extremely well against very exacting economic standards because of a number of natural advantages which the river, its plains, and the surrounding country gives it.

I have in front of me a most interesting summary on relative costs per acre-foot of water supplied in relation to projects in other parts of the country. I shall not weary the House by reading the figures; suffice it to say that the estimated cost for the Ord main dam, with 3,500,000 acre-foot capacity—which is approximately the same size as Lake Eucumbene—is £2.9 or \$5.8 per acre-foot; whereas the cost for Lake Eucumbene, also with a

capacity of 3,500,000 acre-feet, in 1958, was \$10 per acre-foot. There are other comparative figures available in this summary.

An important fact is the enormous quantity of water which can be harnessed on the Ord—an assurance of security for the future.

There is no secret but that the Commonwealth desired the Ord to measure up to an economic test, which meant that cotton would have to be produced at the Ord without subsidy, and without tariff protection, and compete in the export market against subsidised cotton from countries like America, on the assumption that the world price was going to fall about 2c lower than the price at the time the discussions were taking place.

It was possible to demonstrate that the Ord could meet this test—based on results being achieved and reasonably predicted for the future—and still give a reasonable return to the farmers. The State Government was completely satisfied that there was a sound economic argument in favour of the project, based on research and practical results to date and, even were the whole project to be based on cotton, and without subsidy, the farmers could succeed.

Nevertheless, I desire to emphasise that it was never intended that the project would be based entirely on cotton. Diversification is considered to be a vital factor in the future of the project. This would come from a number of sources. One would be the development of other cash crops and another would be the consequential benefits to the cattle industry.

This latter industry has never been overlooked by the State Government or its advisers, because beef is regarded as having a great future in our export trade and in the overall stability and economic security of the area. Nevertheless, no apology is offered for the fact that the Government and its advisers have concentrated the bulk of their research and effort in the early stages on the production of a successful highly profitable cash crop like cotton, and this sounds a very sensible approach to me.

This crop, at its present stage, is an important offset and commands a price which gives the first farmers a goodly return during establishment years. They are the pioneers, who have demonstrated, with the aid of our extension workers and scientists, just what can be done in weed control, pest control, quality, and yield. I suggest it is unheard of that any project has so quickly reached a stage as at present where all farmers are averaging over 800 lb. of lint per acre and some have confounded the critics by producing at a rate higher than 1,000 lb. of lint per acre.

The Commonwealth subsidy, with a ceiling of \$4,000,000 per annum, is not limitless. This is appreciated and accepted

as generally desirable. In effect, it means that, as yields improve with experience and better techniques, so the need for a subsidy becomes less. This is taken care of automatically by the increased production throughout Australia with an automatic reduction per pound of cotton available to farmers from the subsidy.

It is not my purpose to dwell upon the history of the pastoral properties in the Kimberleys. It is well known to members but I would say that the Government is not satisfied with the quality of the cattle or the offturn that is being achieved. The development of the Ord irrigation project in the East Kimberley gives a form of security and assurance which will enable the Government and pastoralists to press forward with property and herd development. This will progressively increase not only the quality but also the numbers of cattle that are turned off properties for slaughter.

However, as we know from experience, such successes cannot be achieved overnight in the cattle industry but we were lucky that we had a highly profitable cash crop like cotton to start with so that the Ord project could develop quicker and better than is customary with projects of this kind. My colleague, the Minister for Agriculture, and his director were fortified, as a consequence of their overseas studies, in their support of the project because of the practical results that are already being achieved at the Ord. There has been established a firm foundation from which the logical development into diversification can and will proceed.

To my mind, one of the most disturbing features of the Commonwealth deferment is the uncertainty that it brings to the minds of so many people. The farmers and their families have been fine examples of faith, confidence, and enthusiasm. They are still confident of the project's future but, being human, they have natural feelings of uneasiness. The deferment leaves so many things in abeyance, such as education facilities, hospital facilities, churches, amenities, and other essentials for a well-balanced, healthy, happy and prosperous community.

I would emphasise, too, the great strategic value of the waters in the north, which are mainly unharnessed—the Ord, the Fitzroy, and many others. While being one of the driest continents, we are, I think, inclined to overlook the fact that about 14 per cent. of Australia's fresh water potential is virtually allowed to go to waste from our Kimberley area. Though, as I am inferring, this might not be serious in the minds of some people at the present time, the time is coming closer than most people think when every drop of water in the south-eastern part of the continent will need to be conserved and controlled, and carefully rationed, this, bearing in mind that, with a developing Australia and the expanding population in

the south-eastern part of the continent, we are faced with expansion of modern industry which has an insatiable appetite for potable water. There will, therefore, need to be, I suggest, second thoughts about the uses that can be made of this water running to waste in the north.

I suggest it would be sensible to harness some of these northern rivers as quickly as practicable and gain engineering and agricultural techniques that cannot be acquired overnight, and can only finally be acquired and put into operation by the undertaking of projects such as the Ord. This thought warrants a fairly bold approach to northern irrigation and, if necessary, the taking of a calculated risk in pressing on with selected, well-researched projects such as the one which is the subject of this motion.

Before concluding my remarks, I should refer to the allegation in certain quarters that Australia is already heavily committed with development and cannot afford to undertake projects of this kind at this stage. The question, one asks, of course, is "When will the appropriate time be?" In fact, there is never an easy or so-called opportune time. It is a question of good judgment as to how and when these things can be dovetailed in.

The simple fact is that this project is not a big user of men and materials, nor is it a big user of money on an annual basis. Whether one calls the project a \$70,000,000 or an \$80,000,000 Government commitment to proceed with the second or main phase, it must be realised that this is spread over 15 or more years. In fact, once the main dam has been completed at a cost of about \$18,000,000, the timetable for the future can be spread out and this has been made palpably clear. It can be spread out for as long as the State and Commonwealth Governments desire.

The main dam is the key to the control of the river. From there onwards channels and farm development can proceed as economic conditions and demand dictate. The initial year's activity would involve something like \$800,000 for access and preparation. This is not a colossal figure, I suggest, when considering a project of this nature.

The Government considers that the situation is unusual. For the first time for many years, we have heard a Federal Treasurer state publicly that demands in Western Australia through the Grants Commission are lessening. This has had its own impact on our own Budget this year, when combined with the extraordinary conditions that have developed in the Eastern States.

Much of the development that has taken place, and particularly in our north in our iron ore fields, has been undertaken without the provision of public funds for the construction of towns, railways, ports,

schools, hospitals, and many other things which we have discussed in the last three or four years. These developments are already providing handsome additions to the Commonwealth export income. They are providing, also, substantial additions to State income through royalties, which, in practical effect, is a direct relief to the Commonwealth Government through the impact of the Grants Commission assessment. The financial improvements of the State railways over the past few years have also made a contribution to the lessening of the demands on the Commonwealth through the Grants Commission.

It does one's heart good to go north at this point of time—as some members will have the opportunity to do some time next week—to witness the opening of these huge industrial projects which have not been to any great extent a demand on State finances.

We claim, therefore, not without good reason, that the comparatively modest amount per annum required of public funds from the Commonwealth for the development of the Ord in logical stages, transfers virtually part of the improved financial position that we have produced largely through our own efforts.

Mr. President, I desire to sum up the position in this manner—

The members of this House express their concern at the decision of the Commonwealth to defer further assistance and we feel that the Commonwealth should frankly supply to the Western Australian Government full reasons for deferring further its determination.

Also, we consider it is fair and proper that the Commonwealth should clearly lay down the conditions that would be expected by it as a basis on which the project could proceed with Commonwealth financial assistance.

Members will appreciate from the amendment, which has been distributed, and which I am about to move, that it sets out in logical sequence a summary of the main points to which I have been referring.

The proposed amended motion expresses our concern at the Commonwealth's deferment. It points out that the project is a key factor in our national development scheme and is one of national significance. It sets out further that the reasons for our concern may be advanced under the following headings:—

- (1) *Research and proof of economic viability.*
- (2) *The importance of conservation and economic use of water in the north as part of a total national water conservation and use programme and related to the overall national need.*
- (3) *The diversification that has always been part of the concept*

of the project including the consequential benefit to the cattle industry.

- (4) *The need to clarify the position for the State, farmers, and their families and others associated with the project.*
- (5) *The advances made in the Western Australian economy and finances.*
- (6) *The need to give a clear statement of reasons and criteria necessary for the public financing of the project by the Commonwealth.*

In proposing this amendment to the motion moved by Mr. Strickland, I sincerely submit that the Government is adopting a positive approach and setting out clearly for all to see the main reasons why this House and the people of this State are entitled to feel concern at the decision to defer further Commonwealth backing for the overall scheme.

Amendment to Motion

I move an amendment—

Delete all words after the word "That" with a view to substituting the following words:—

This House expresses its concern at the decision of the Commonwealth Government to defer further a determination on financial assistance to the Ord River irrigation project, which is of great national significance and a key project in the northern development programme of Australia.

The reasons for the concern of this House are—

- (1) *Research and farming experience has proceeded to a point where there is adequate proof of the economic viability of the project.*
- (2) *The conservation and economic use of water in the north is an important and urgent national responsibility in view of the overall need to anticipate the time—which time is not far distant—when the known potential water supplies of the more southerly parts of the continent and particularly in the south-east of the continent, will need to be carefully conserved and controlled to keep up with population and industrial growth and at the same time enable Australia to continue to make an increasing contribution to the world's need for food and fibre.*

- (3) The project is economically viable on cotton but at no stage has it been the intention to base the project only on a monoculture. Other cash crops are practicable to give diversity and in any case the original concept—which is still valid—includes benefits to the cattle industry as well as production of cash crops.
- (4) In the interests of the State, the farmers and their families and all others associated with the project, it is not desirable to allow the present uncertainty to exist. A firm decision should have been made to proceed even if the Commonwealth made it a condition to delay commencement of the work for a year because of other commitments.
- (5) The advance made in the Western Australian economy and finances through increased royalties and other revenue is such that the reduced demand on the Commonwealth through the special grant would in effect only mean a transfer of funds to the Ord project rather than an additional demand on Commonwealth resources.

And further,

This House requests the Commonwealth Government to supply the Western Australian Government with full reasons for deferring further a determination on financial assistance.

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

UNDERWATER BLASTING IN COCKBURN SOUND

Inquiry into Damage to Property: Motion

Debate resumed, from the 20th October, on the following motion by The Hon. R. Thompson:—

That in the opinion of this House, in view of the damage allegedly caused by underwater blasting operations in Cockburn Sound to private property and public buildings in the Naval Base-Medina-Calista area and, further, as the dredging company concerned denies liability for the damage, we consider that—

- (a) the Government should arrange for an independent and

expert investigation to ascertain whether or not the damage is in fact due to this Public Works project; and

- (b) if the result of the investigation reveals that the damage is due to the blasting operations, the Government should provide compensation for such damage.

THE HON. F. R. H. LAVERY (South Metropolitan) [5.13 p.m.]: I do not intend to speak for very long on this motion, moved by Mr. Ron Thompson, which seeks an investigation into the damage caused by blasting operations. I wish to state at the outset that Mr. Thompson has already outlined the entire case, and he has the full support of the Shire of Kwinana. As members know, after the Minister spoke in the debate I secured the adjournment.

I took this matter back to the Shire of Kwinana, and all I can say at this point of time is that the people there are very disappointed in the reply given by the Minister indicating the policy of the Government in this matter.

The people are not asking for something to which they are not entitled. They are asking for some form of protection; some form of recompense for the damage done to their properties only since the blasting actually took place. At the moment the dredge is at the bottom of Cockburn Sound, and no blasting is being done. But that does not alter the fact that more than 43 people have written to the Shire of Kwinana and have carried out the wishes of the shire that they should, in fact, state their case in relation to the effect that the blasting has had on each individual home.

The Minister said—

I am sure it will be appreciated by members in this House, that this is not a place in which matters pertaining to the court can, in fact, be heard. I would go so far as to say it would be delicate and presumptuous for this House to endeavour to make decisions in relation to that sort of thing. Not that the honourable member's motion goes that far. He asks that the Government should appoint somebody to examine this situation.

That is true. We are asking the Government to assist the people down there. Mr. President, I am having difficulty in even hearing myself.

The PRESIDENT: Order!

The Hon. F. R. H. LAVERY: This is an important matter, and a great number of people are involved. What has disappointed the people in the area concerned is the difference in the treatment being received by them and the treatment received by those in the Toodyay valley whose houses were damaged during the building of the standard gauge railway. In that matter the Government did in fact

take action and supported the appeal. The Government ensured that it was possible for those affected to be suitably recompensed.

I give the Minister full marks for the fact that he made his officers available to make a test in this area. The name of the instrument eludes me at the moment.

The Hon. R. Thompson: A vibrograph.

The Hon. F. R. H. LAVERY: The people down there appreciate that but the results of the damage can be seen in the cottages, the police station, and the shire office, and that damage does not, in fact, tie up with the readings of that test. Although the test indicated that the amount of explosives being used was not sufficient to cause any damage, proof that damage has resulted is to be found in the buildings to which I have already referred. I think the limit of the test was .8.

The Hon. A. F. Griffith: Not exactly. It showed that the intricate equipment at BP Refinery, which operates on a very fine margin, was not interfered with at this blasting rate.

The Hon. F. R. H. LAVERY: I would not deny that, because I am not in a position to know; but I do know the situation in regard to the buildings. That is evidence, not words. Those buildings are there to see. Two of them were completely repainted only some weeks before the blasting took place.

These people are not unreasonable. Some of them have been in the area for a long time, and others not so long. However, the police station has been standing for only a few years, but in that building is a crack $3\frac{1}{2}$ ft. long, and it is possible to put my little finger in the top end of the crack. The bigger crack has nine or 10 crack lines going away from it in different directions. When it was pointed out to the sergeant he said these had not been there when he had inspected the building some days previously.

I repeat that although the tests have indicated that the .8 referred to has not been reached, the damage is there to be seen. These people do not want to cry for nothing, but they are crying in the wilderness.

As the Minister stated, the people were told that they could make representations to the company whose solicitor would act on their behalf. However, the following is a letter which is typical of the letters received by all those concerned in the area:—

Reference is made to your letter of 19th May, 1966, in which you complain of damage to your property, etc. In reply, we would advise that the utmost care is being observed in connection with our blasting operations in Cockburn Sound. In order to determine the extent of vibrations caused by blasting we made arrangements with the Department of Mines

to conduct a series of checks with a sensitive vibrograph, this being the instrument used to record the amplitude of vibrations. These checks were made in a number of locations within an extensive radius of the point of discharge.

In every instance without exception amplitude was found to be substantially below that at which damage would occur to a reasonably well built structure. In view of the foregoing, we are unable to accept any liability for the alleged damage to which you refer.

Yours faithfully,

Dredging Industries

(Aust.) Pty. Ltd.

G. E. Jorgensen,

Joint Managing Director.

When speaking on the debate, the Minister said that the company had made inquiries and that it would not meet any liabilities.

The Hon. J. J. Garrigan: Who assessed the damage?

The Hon. F. R. H. LAVERY: The owners of the homes themselves. They were able to point out to the representatives of the Queensland Insurance Company the damage that had occurred. The insurance company was checking to see what damage had been done in order that the company would know—to use the company's own words, "What we are up for before the 31st July, because at that point of time we will cease to insure this dredging company."

Where do the people go from there? Even the insurance company which accepted the responsibility of meeting costs for damages in Queensland has refused to insure the company beyond the 31st July this year.

I do not want to labour the question any longer because Mr. Ron Thompson has submitted the case as well as anyone could do and he has a reply to make to the Minister's remarks. I do not want to say that the Minister was not attempting to do what he thought was best for the people down there. However, the people of Western Australia are beginning to wonder who is protecting whom.

Members are aware of the trouble caused by the sand trucks at Mt. Pleasant and the terrific damage which has been done to properties in the area. I want to quote the following, which are the last five lines of a letter the Minister for Works (Mr. Ross Hutchinson) sent to me:—

I am very much aware of how the people living in the area must feel about the inconvenience to which they are put. Unfortunately the sand must be carted, but I will do everything in my power to ensure that the residents of this area are subject to no more inconvenience than is absolutely necessary.

An earlier portion of the letter reads—

The deputation complained that some homes are being damaged by vibration from passing trucks. Individual property owners should be requested to submit full details to the Main Roads Department for investigation.

Of course Mr. Clive Griffiths gave the answer to that. They are going to get nothing. The people are very concerned about this matter. The insurance company is not going to insure the dredging company any more so to whom do the people in the area look? I know the Minister said they have the right to apply to the court, but who can afford to do that?

Surely the Government, somewhere along the line, can give a lead! The Minister said that he could not do anything about the matter—not that he would not, but that he could not; and that was it. We believe this Parliament should do something to try to protect these people. I support the motion.

THE HON. R. THOMPSON (South Metropolitan) [5.27 p.m.]: I would first of all like to clear up a remark I made when I introduced this motion, because several members have asked me what I meant. On page 946 of *Hansard*, when explaining the Minister's reply to a question of mine, I said that BP Refinery sat on a yellow or white sand base, while the houses were on a limestone foundation. What I should have said was that these houses were on a natural limestone foundation, and that the sand on which the refinery was erected would absorb some of the shock, which would not be the case in regard to the houses which are built on more solid material—rock. We find that the houses, and not the refinery, have been damaged.

I think it is necessary for me to quote only the last sentence of the Minister's speech as follows:—

I do not think the House should agree to the motion because the Government is not in a position to do what the motion asks it to do. Therefore, I must oppose it.

By quoting correspondence, I will prove conclusively, and without a shadow of doubt, that a precedent has been set for what I have requested. In connection with the damage at Toodyay, the Government did assist and carried out everything asked for in my motion, and possibly a little more.

The Hon. F. R. H. Lavery: Hear, hear!

The Hon. R. THOMPSON: Although I quoted from the Toodyay file before, some weeks have elapsed, and members have possibly forgotten what took place. First of all, I would like to refer to a newspaper article which appeared in *The West Australian* on the 14th September, 1963. It reads—

Blasts Not to Blame—Minister

Blasting for the standard gauge project had caused little, if any, damage to Toodyay houses, Railways Minister Court said yesterday.

I would like to emphasise these next few words. To continue—

Inspections by Public Works Department architectural officers had confirmed the opinions of Railway Department engineers that the cracks in the houses had occurred long before blasting started.

This newspaper article indicates that, when complaints were received in the Toodyay area, architectural officers from the Public Works Department went out to inspect these houses. I think it is quite clear that what I am asking for at this time has been done previously in respect of Toodyay, and as far back as 1963. In an article which appeared in *The West Australian* on the 17th September, 1963, Mr. Court replied as follows:—

Minister Replies on Toodyay Claims

Railways Minister Court yesterday answered an attack by Opposition Leader Hawke over complaints about blasting for the standard gauge railway near Toodyay.

He said the Government had been close to the question for months to ensure a fair deal for all parties involved—including those whose properties might be affected.

The article goes on to state—

Detailed checks of blast vibrations had been made to assure that they were substantially below recognised safe levels for buildings. The advice of the Agriculture Department had been sought on the effect of blasting on stock, especially sheep during lambing.

From this, members will see that the tests carried out with vibrographs in Toodyay were well below the safe readings. Similarly the tests carried out by the Mines Department in the Naval Base-Medina area were well below the safe readings.

On Tuesday, the 17th September, 1963, the then assistant Minister for Transport (Mr. Craig), when he was touring Toodyay, was referred to in an article which reads as follows:—

Several councillors said the volume of blasting appeared to have been reduced since the complaints.

Mr. Craig said the contractors would be liable for any damage caused. He was sure they would receive claims sympathetically.

Mr. McCullough said a survey had indicated that little if any of the damage was caused by blasting.

Nevertheless, the contractors might have treated some of the complaints

a little lightheartedly. The W.A.G.R. would ensure that the contractors carried out their responsibilities.

Mr. Wilkinson said Mines Department seismograph tests had shown that the amount of explosives used in the blasting would not cause damage.

It would be difficult to assess damage where existing cracks in houses had widened after blasting, but he felt sure that the contractors would not look for a let-out.

A survey of every home in Toodyay would start this week, so that any future damage could be correctly assessed after blasting had been completed.

I think this, in itself, is proof that I am not asking for something which the Minister states is no concern of the Government, because the standard gauge railway project is no different from this project. Possibly tenders were called, the contract was let, and a person, or a company, is carrying out the work.

On the 12th September, 1963, Mr. Hawke asked the following questions of the Minister for Railways:—

- (1) What arrangements for the payment of compensation have been made in connection with damage suffered to houses and other property by blasting operations being carried out in connection with the standard gauge railway line construction in the Northam-Toodyay areas?

To which Mr. Court replied—

- (1) Detailed investigations are currently in hand into alleged damage caused by blasting operations in the Toodyay area. The Public Works Department, Mines Department, and Agriculture Department have been assisting in the investigations.

The second part of Mr. Hawke's question was as follows:—

- (2) Who is responsible for the payment of such compensation?

To which Mr. Court replied—

- (2) Responsibility rests with the contractor in accordance with conditions of contract.

I would like members to note the reply to the second part of the question because, as I progress, I will be referring back to it. The third part of Mr. Hawke's question reads—

- (3) Have any claims for compensation been made to date?

To which Mr. Court replied—

- (3) A number of complaints of alleged damage have been made to date.

The fourth part of Mr. Hawke's question was as follows:—

- (4) If so, what are the names and addresses of the claimants?

To which Mr. Court replied—

- (4) The list is as follows:—

List of complaints received of alleged damage to houses in the Toodyay Area.

E. D. M. Wroth
F. W. Sinclair
J. P. Hasson
H. B. Collett
A. D. Donnelly
E. Martin
J. Sims
E. Forsyth
S. J. Ferguson
J. W. Hasson
G. A. Moullin
E. Clark
Mr. Jeffry
Mr. Watkins
Mr. O'Mara
Mr. Summers
Mr. Parkins
Mrs. Thurman
Mr. Chitney
Mr. Cleasby

The fifth part of Mr. Hawke's question was—

- (5) What progress has been made to date with their claims?

To which Mr. Court replied:

- (5) An inspection of all houses (except one which was ten miles away) was made together with an architectural officer of the Public Works Department on the 9th and the 10th September.

The sixth part of Mr. Hawke's question was—

- (6) Are on-the-site inspections made of damage soon after complaints or claims are made by the people concerned?

To which Mr. Court replied—

- (6) Yes.

The seventh part of Mr. Hawke's question was as follows:—

- (7) Have any claims yet been finalised to the point of actual payment having been made to the claimants?

To which Mr. Court replied—

- (7) No.

The eighth part of Mr. Hawke's question was as follows:—

- (8) What is the longest period at present of a complaint or claim having been made without any inspection having been made or compensation having been paid?

To which Mr. Court replied—

- (8) Upon receipt of complaint by the appropriate authority endeavour is made to inspect at the very earliest. Consultants advise inspections are made within seven days of receipt of complaint. Their instructions

are that all complaints about damage of any sort are to be followed up promptly.

Members will see from the foregoing that the Government was vitally interested in that question, and I will prove as I progress that the Government did bear full responsibility for the investigation and even payment of the compensation.

On the 21st September, 1963, an article appeared in the *Daily News* as follows:—

Toodyay May Get Govt. Observer

The W.A. Government may provide a Government officer to help in the survey of Toodyay houses.

Nearly 30 Toodyay residents have complained about alleged damage to houses caused by blasting for the standard-gauge railway line.

This week the contractors—Leighton Contractors Ltd.—commissioned a survey of all Toodyay homes to check their condition before blasting takes place near the centre of the town.

The contractors did this in case there were further damage claims.

Today Transport Minister Craig said he would suggest to the Government that it offer to send a Government officer to accompany the surveyors.

Craig said that if the offer was accepted by Leighton Contractors, the Government would probably send someone from the architectural division of the Public Works Department.

He stressed that the Government had full confidence in Leighton Contractors.

But—because of the recent publicity over claims of damage—it might be a good thing for people to see that a Government man was taking part in the survey as an independent observer.

Later on in the article, it says—

A Perth principal of Leighton Contractors Ltd. today said he did not wish to discuss the matter publicly.

The West Australian carried a smaller article on the same day which contained much the same context as the one I have quoted.

The Shire of Toodyay further complained on the 20th September, 1963 and many individual people lodged complaints. On the 23rd September, 1963, an article appeared in *The West Australian* as follows:—

35 Claim Over Rail Blasting

Thirty-five claims for compensation for property damage have been received from residents in the Toodyay district where blasting has been carried out for the construction of the standard-gauge railway line.

Railways Minister Court told Opposition Leader Hawke in the Legislative Assembly yesterday that only five claims had been completed.

Most claims had been received last year but they could not be settled till the completion of the work, though only minor blasting was still to be done.

The Commissioner for Railways was trying to fix a date by which assessments could be made and claims settled promptly.

I stress that it was not the insurance company and not civil action, but the Commissioner of Railways who was trying to fix a date by which assessments could be made and claims settled promptly.

I should like to quote one paragraph of a letter dated the 15th October, 1965, which was written to Mr. Hawke from Mr. Court, the Minister for Railways. This reads—

Notices of acceptance of the claims were despatched on July 28 and claimants were informed that when these had been signed and returned cheques would be forwarded by the Department.

I emphasise that the wording is, "by the department," and not "by the insurance companies." I would like to refer to a letter dated the 29th October, 1964, which, again, was written by Mr. Court to Mr. Hawke. I do not think the first part of the letter is of much importance to this issue because Mr. Court is referring to a question he had answered the previous day and which had excluded the list of names of people who had lodged claims. Mr. Court had excluded this for the obvious reason that he considered it to be a private affair.

The Hon. A. F. Griffith: You are talking at such a speed that I should imagine you would be very difficult to report.

The PRESIDENT: Order!

The Hon. R. THOMPSON: The part of this letter which is relevant reads as follows:—

The Commissioner and myself have kept in touch with the Consultants and the Contractor in a desire to have the claims agreed and settled quickly. However, I am of the opinion that the present proposal to wait until all work has been completed and then make prompt settlements where applicable is the most practical and desirable way of handling the position. Instructions have been given accordingly.

On the 29th April, 1965, Mr. Brand, the Premier, wrote to Mr. Hawke, and part of his letter reads as follows:—

The Minister informed the meeting—Here, Mr. Brand is talking about the Minister to whom I previously referred; that

is, Mr. Craig. The meeting the Premier is referring to is the one attended by 30 residents of Toodyay in conjunction with the Toodyay Shire Council, and which the then Minister for Transport (Mr. Craig) and Mr. Hawke attended. The letter continues—

—that although the obligation to pay for damage caused by blasting was that of the Contractor, the Railway Department had, through its solicitors, already expressed strong dissatisfaction at the delay in processing claims.

Because of apparent confusion in respect to current claims and associated investigations, it was decided at the meeting that the Shire Council would request all applicants to set out up-to-date details of all proceedings in order that this information could be supplied to the Railway Department. In addition, Messrs. Maunsell and Partners, as Consultants to the Railway Department, have recently written in strong terms to the Contractors advising of their concern at the manner in which current claims are at present being handled.

I have asked the Minister to keep in close touch with developments with a view to informing you at a later date as to progress being made.

As I have said, this letter was from the Premier and it mentions the strongest dissatisfaction at the delay in processing claims.

I do not think I need to read every letter which I have in my possession. I think I will conclude by quoting a letter dated the 28th July, 1965, which was written by the Minister for Railways, Mr. Court. There is little point in continuing to quote beyond this letter, although I have possibly 150 letters in all. The letter dated the 28th July, 1965, was written by Mr. Court to Mr. Hawke and reads as follows:—

You have been interested in the question of any damage that might have resulted from blasting in the Toodyay area as a result of the construction of the standard gauge railway. I regret that I have not been able to get in touch with you until now to give you some information of a more definite nature.

I understand you are aware that there were some legal complications that arose over the position of the Railways in respect of the contractor and the contractor's liability.

These difficulties have not yet been completely resolved. However, in an effort to reach finality as quickly as practicable, action has been taken in consultation with the Toodyay Shire Council to arrive at a basis which will permit settlement of claims without further delay and leave the question of any legal argument between the Railways and the contractor.

I think I have proved, without unduly delaying the House, that at the time I moved this motion 39 applications had been received by the shire council. I do not know the exact number because when I telephoned the shire clerk a few days ago, I could not contact him. However, I believe the number is now nearer 50, and there are still some people who have not yet lodged claims. Among these happen to be some of the officers of the Kwinana Shire Council, so I know, when I make that statement, I am telling the truth.

On moving the motion, I also pointed out that officers of the State Electricity Commission, six weeks prior to the blastings taking place in Cockburn Sound, inspected the house on the corner of Macedonia Street right opposite the site on which the new powerhouse is to be constructed, and it was found to be in A1 condition. Yet some months after the blasting had been in progress, the occupiers of the house complained to the owner that the walls were badly cracked. When the insurance representatives inspected the house they wrote a stereotyped letter denying all liability.

There are 42 people I know definitely who are placed in a similar position. I cited the case of the person who lives in Medina Avenue, Medina. This man obtained a loan from the State Housing Commission to construct a home of his own. Because it had been built with State Housing Commission finance on a private block of land he insured the house through the State Government Insurance Office. This man happens to be one of the shire councillors in Kwinana, and when his home was damaged he contacted the State Housing Commission which referred him to the State Government Insurance Office. That office wrote to him and told him that under the terms of his policy his house was not insured.

At that stage, if my memory serves me correctly, Mr. Watson told me that, in similar circumstances, nobody else would be insured either, because it would have to be a public risk insurance policy. So where do these people obtain redress now? As a result of public works their houses have been damaged in circumstances identical with those that caused damage to the houses in Toodyay during construction of the standard gauge railway line. In one or two cases the damage may be slightly different. Yet the claims of the people whose houses were damaged in Toodyay were fully met, and repairs were effected to the damaged houses at the direction of, firstly, the Minister for Railways, and lastly, the Premier of Western Australia.

I am not making an unreasonable request on behalf of the shire and I will refresh members' memories by reading the motion again. It is as follows:—

That in the opinion of this House, in view of the damage allegedly

caused by underwater blasting operations in Cockburn Sound to private property and public buildings in the Naval Base-Medina-Calista area and, further, as the dredging company concerned denies liability for the damage, we consider that—

- (a) the Government should arrange for an independent and expert investigation to ascertain whether or not the damage is in fact due to this Public Works project; and
- (b) if the result of the investigation reveals that the damage is due to the blasting operations, the Government should provide compensation for such damage.

I have moved the motion because the Government did provide compensation for those people who had their houses damaged in Toodyay. Any honourable member who is interested is invited to have a look at the file I have before me. Finally, I will quote the last part of the letter which was addressed to Mr. Hawke. It is as follows:—

These difficulties have not yet been completely resolved. However, in an effort to reach finality as quickly as practicable action has been taken in consultation with the Toodyay Shire Council to arrive at a basis which will permit settlement of claims without further delay and leave the question of any legal argument between the Railways and the contractor.

That is what I am seeking with my motion, and I trust the House will support it.

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

Ayes—10

Hon. N. E. Baxter	Hon. H. C. Strickland
Hon. J. Dolan	Hon. R. Thompson
Hon. E. M. Keenan	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. F. R. H. Lavery	Hon. R. H. C. Stubbs

(Teller)

Noes—17

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. V. J. Ferry	Hon. N. McNeill
Hon. A. F. Griffith	Hon. T. O. Perry
Hon. C. E. Griffiths	Hon. H. R. Robinson
Hon. J. Heltman	Hon. S. T. J. Thompson
Hon. J. G. Hielop	Hon. J. M. Thomson
Hon. E. C. House	Hon. F. D. Willmott
Hon. A. R. Jones	Hon. G. E. D. Brand
Hon. L. A. Logan	

(Teller)

Pair

Aye	No
Hon. J. J. Garrigan	Hon. H. K. Watson

Question thus negatived.

Motion defeated.

LAND PREJUDICIALLY AFFECTED BY RESUMPTIONS OR OTHER ACTIVITIES

Inquiry by Select Committee: Motion

Debate resumed, from the 13th October, on the following motion by the Hon. R. Thompson:—

That because of the many instances of hardship or inequity caused to persons whose land is resumed or prejudicially affected through town plan-

ning, road or railway construction, public works or industrial activity, this House agrees to the appointment of a Select Committee to investigate the position and make recommendations for an equitable solution of the problems involved.

THE HON W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [5.55 p.m.]: This motion for the appointment of a Select Committee is most important, and I hope the House will agree to it so that a Select Committee can be appointed to investigate the position which has been outlined by Mr. Ron Thompson. Innumerable letters dealing with this question have been published in the daily Press, but for the information of the House I will quote only one or two which will illustrate to members that a line of demarcation has been drawn, on one side of which there are people who find the position in regard to resumptions completely untenable.

In *The West Australian* of Friday, the 9th September, 1966, was published a letter to the editor from Mrs. E. A. McCallum of Attadale, portion of which reads as follows:—

People in Attadale have their homes in jeopardy—homes that are a result of a lifetime's work and thrift. Some owners are pensioners. With the loss of the home they will not have anything left to sell, while the present resumption figures do not by any means meet the position.

Freeway Plan

I believe there is a preliminary plan in connection with the proposed freeway. If so, where is it? Why has it not been published. Obviously for some years there has been much debate behind closed doors, ignoring homeowners who in the government's eyes are of no particular importance.

Now we see similar tactics being adopted in connection with rail links, where, inter alia, "future resumptions would impose big financial burdens on ratepayers and the public, and would create indignation on the part of householders." It is something to know that they are beginning to realise we might become indignant.

These news leaks appearing periodically show clearly the underhand methods being adopted to depreciate values. I challenge those responsible for all this outrageous imposition to prove their right to dispossess any person of his home and then call such action progress when it is nothing but wanton destruction of someone's possessions.

The text of that letter indicates the point of frustration that has been reached by those people who have been caught

up in town planning developments, because the laws of the State are not sufficiently comprehensive to keep abreast of the pace of this development. The Acts on the Statute book are outmoded because they are not keeping up with the progress that takes place following necessary resummptions to implement development throughout the State.

Following on the publication of Mrs. McCallum's letter, another correspondent by the name of Mrs. V. Crocker, wrote to the editor of *The West Australian*, and her letter appeared in that paper on the 29th September, 1966. It reads as follows:—

We, the householders and voters, chose this area to end our days. Now we are told we may be uprooted. When?

If not for a number of years, do we go on improving and painting, or do we just let our homes deteriorate, which would devalue the place and so let the powers-that-be benefit?

Many homes in this area are not fully paid for. Some have been built only two years. If the authorities must have our homes, then take them now—but build us the same in a similar area, with shops, hospital, doctors and bus service, plus floor-coverings and window-treatments, etc., the same distance from Perth and Fremantle as we are today.

Recently an article by H. J. Crowley appeared in *The West Australian* headed, "Doomed House Owners Upset." It went on to say—

The owners of homes which are to be demolished to make way for the proposed Gosnells-Beechboro-freeway are upset because they have received no official notification that their land is to be resumed.

Sixty homes will be demolished in the Belmont Shire and nine in the Gosnells Shire.

These homes are affected by the Main Roads Department's decision to make all future freeways 132 yards wide.

The original plan was to make them 66 yards wide. The homes are built on the extra land required by the department to double the width and are additional to homes already doomed in the original scheme.

This issue is not new to Western Australia, or to Australia, because on the 19th September an article headed, "When Land Is Resumed," appeared in *The West Australian*. The following are extracts from that article:—

As in Perth, land resumption is under scrutiny in Britain. The individual is in conflict with the planner and fair compensation is difficult . . .

Compulsory purchase is a contradiction in terms, because there is no willing purchaser. It is compulsory ex-

propriation subject to a minimal, and often derisory, payment calculated on abstractions which bear no relation to the private injury inflicted on the victim in the name of an alleged public good.

That good is itself very often of extremely doubtful benefit to anyone but the developers concerned and their confederates in authority.

One uses the term "confederates" because of the atmosphere of secrecy and even ambush which pervades the preparation of so many planning schemes, so that the citizens whose lives are going to be torn apart are habitually informed at the last possible moment and, if possible, when the decision has reached the stage of being an irreversible *fait accompli* . . .

Reform of the whole field of "compulsory purchase" is an urgent job for the Law Commissioners. There is no reason to be particularly tender to property speculators who buy to sell again. They are business men and must take the risks of their business.

But the small householder or shopkeeper who is uprooted and thrown rootless into a property famine should in bare justice be compensated on a basis of *restitutio in integrum*—

That Latin phrase means a giving back or restoration in full. To continue—

—by those who are profiting by the injury done to him.

What is vital enough for the powerful to covet is vital enough for the obscure to defend.

That is quite a reasonable summation of the problems we are facing, not through deliberate intent under the wording of the law but because of the situation which is developing under which the individual concerned, through sheer frustration, feels that when he turns to some other alternative of justice there is no hope for him. Indeed, he has no alternative, because our laws do not compensate him fully for the things which are done to him in the name of progress, if he happens to be in the way of that progress.

The leading article in *The West Australian* of the 15th October states—

There is still on the council notice paper a motion for a select committee on land resumptions. This could serve an important purpose in clarifying the rights of individuals in the face of increasing resumptions. It could be expanded to examine the avenues of raising money for compensation.

Sitting suspended from 6.4 to 7.30 p.m.

The Hon. W. F. WILLESEE: Prior to the suspension I was on the point of stating that as a result of newspaper articles by correspondents, and also leaders, subleaders, and articles that have appeared in *The West Australian* it is obvious this

motion for a Select Committee is a very worth-while and necessary one in order that we may place upon the Statute book something commensurate with the requirements of present times.

If hardship is consistently placed upon the shoulders of people affected by progress, whether that progress be in the form of a railway line from point A to point B—and which disturbs a farmer's property, a businessman's premises, bisects a street, obliterates houses, and inconveniences many others—or anything else, surely it is a problem of which the Legislature should take full appreciation so that those people affected by such a project are adequately compensated for what they have lost.

Whilst it is admitted there is a difficulty with this problem at all times, the difficulty is not being met in any way by the obsolete legislation we have on our Statute book at this moment. When hardship and inequity prevail, it is high time definite and positive action was taken by Parliament; and, in this request for a Select Committee, we ask no more than that selected members from this House examine the question in its broadest terms and report back to the House so that all members in turn can fully consider the results of the work of that committee.

Furthermore, the report of the committee would be a guide to future Governments and would act as the basis of future legislation in order to alleviate a most difficult problem. We would at least endeavour to cope with this very frustrating situation which is occurring every day of our lives at the present time and which is buried under the title of "progress." No-one, of course, would desire for one moment to obstruct progress in any form, but progress must go side by side with fair play and fair treatment to the individuals who are unfortunately circumstanced by this progress. So I hope the House, without any fears at all, will agree to this proposal to appoint a Select Committee so that we may come to grips with this problem and deal with it on a more modern basis.

THE HON. J. DOLAN (South-East Metropolitan) [7.38 p.m.]: In support of the motion I wish to refer to one case which I think might be typical of many which could be found under this category of resumptions. I refer to the case of a Mr. Bush, who had a property in Bickley Road, East Cannington, on which he ran a Jersey stud. His area of land was just sufficient for him to enjoy a good income. As soon as any land was taken away from his area, he would be in difficulties.

The railway line cut through the centre of this property. Mr. Bush has not made the slightest complaint about any of the officers who inspected and eventually recommended a certain payment. The land in that area had a certain value and he was quite satisfied with the compensa-

tion paid. However, this was the position: In order to use the portion of his property on the other side of the railway line, Mr. Bush had to take his Jersey herd—and they are most temperamental animals—nearly a mile along Bickley Road to get them across to the other paddock. Trucks conveying metal are continually going backwards and forwards along Bickley Road and it is no easy task to take cattle from one side of the railway line to the other. In fact, it is almost impossible.

Unfortunately I have not my file with me as I did not know I would be speaking tonight. I will not be able to be specific, but will convey the position in general terms. There was an area of ground adjoining his property. This piece of land belonged to the zoological department which used it as an area for grazing horses which were used as meat for lions; and that department had no further use for the land. Evidently it had found an area somewhere else. Anyhow, Mr. Bush felt that with that property as a substitute for the other one, he would be able to rehabilitate himself and not show any loss—that he would be able to carry on his usual occupation. Nevertheless, he missed out on this property and, as I said earlier, he was faced with the most impossible task of trying to run a dairy herd under the conditions I have mentioned.

He was compensated, but that compensation was not sufficient for him to move to another district where he could take his dairy herd and re-establish himself. The consequence was that he had to disperse with the dairy herd and try to establish himself in an unaccustomed role as a pig farmer. Here we have a situation where the man was perfectly satisfied that he was treated as fairly as possible, but because of these particular circumstances which came about through the resumption, he felt that an injustice had been done.

I was brought into the matter and carried on correspondence with the various departments and eventually appealed, without success, by taking the case to the Governor. The case then went through the whole rigmarole of going from the Governor to the department and back to the Governor again. It was like appealing from Caesar unto Caesar, and Bush has been battling under difficulties because his regular livelihood and income have gone.

Although he felt the department did everything to give him adequate compensation, it was necessary for this man to be fitted into a situation for which he is not suited. I feel many similar cases could be quoted which would support this motion for the appointment of a Select Committee to investigate these matters to see whether some equitable basis for a satisfactory settlement of these problems could be arrived at.

I support the motion.

THE HON. F. R. H. LAVERY (South Metropolitan) [7.43 p.m.]: In supporting this motion I wish to draw attention to two or three points, to which I believe members of the House should give some consideration before they cast their vote.

I am of the opinion that here is an opportunity for democracy to work at its best. I suppose some of the greatest problems of land resumption occurred in the Cockburn-Kwinana complex since the McLarty-Watts Government was able to make an agreement with BP to bring that company to Western Australia.

When land resumption officers are approached, perhaps to amend their valuations, I must admit that in some cases they have made reasonable re-assessments of their original estimates.

I have quoted cases in this House before, and at the risk of repetition, I will quote them again. In 1953-54, when land resumptions were taking place for the site of the town of Kwinana—with its suburbs of Medina and Callista—there was a dairyman living in that area who was offered £1,200 for his property. At the time he owned 36 acres, five acres of which were very valuable for the growing of green feed. That dairyman was able to take 690 bales of pressed hay from that five acres of land.

Being a farmer of repute, Mr. President, you can imagine that an area of five acres which could produce that amount of hay was a very valuable piece of land. The land resumption officer offered £1,200 for the 36 acres. The farmer had a 50-gallon milk quota, and a very good record with the Milk Board because his milk was of exceptionally high quality.

At that time I approached the resumption officer on behalf of the farmer, and during discussions various buildings were valued. Included in those buildings was the farmer's home, where he was born, and where his father had lived for many years prior to that. The land resumption officer said that the house was not worth £200. He pointed out that it was built with poor quality timber and had a galvanised iron roof. It contained only three rooms and a verandah, and the officer said that if the building were pulled down it would not be worth 10s. I told the land resumption officer that I would not pay £20 for the material in the house. The point I want to make is that that building was the farmer's home. He was born there and wanted to conduct his business on that property. He had four children who were born in the same house, and who were attending a school not more than half a mile away.

Because progress was paramount, the farmer was prepared to accept the inevitable—but not £1,200. After many months we managed to get from the de-

partment an offer of a sum between £4,600 and £4,800. The minimum amount received would have been £4,600.

There was a change of Government; and the new Minister for Works approved of an advance of 80 per cent. on the original offer made by the Government, to any person placed in the position of the farmer I have mentioned. The money was to be advanced so that a deposit could be paid on a replacement property. It took 5½ months for the farmer to find another property, for which he paid £8,000. That property was almost double the acreage of the previous property, but it was only recently that he was able to produce 600 bales of hay, and certainly not on five acres, but on something like 100 acres. Although the new property was a larger area, there was a diminution of his actual asset.

I want to point out that on many occasions people are offered a sum of money far below what is the ordinary market value of their properties, just because the Industrial Development (Kwinana Area) Act stated that valuations for resumptions shall be deemed to be those operative as at the 1st January, 1951.

Coming a little closer to the city, the Minister for Public Works on behalf of the Minister for Housing in the previous Labor Government resumed a lot of property which is now being used by the present Government for a very fine housing project known as Coolbellup. However, the people in the Hamilton Hill area were not prepared to accept the £4 an acre which was offered for the major portion of the land in the Kwinana industrial set-up. The man who originally owned the Naval Base Hotel opposed the offer of £4 an acre for land where the Alcoa refinery is built today. I am sure that company would value the land at more than £4 an acre.

Some years ago I took that man, a Mr. Risely, to the Public Works Department office in a deputation to the Minister. Unfortunately, I did not know that he was a heart case. That man was offered £4 an acre, but at the meeting he was finally offered £7 an acre. At the conclusion of the meeting that man walked up the stairs from the old Public Works Department building to Parliament House to have a cup of tea with me. At four o'clock that afternoon, he died.

I do not want to be melodramatic about that incident, but had that man received a reasonable offer for his land there would have been no need for him to go to that office, and probably he would have died from some other cause. I have never forgiven myself for bringing that man up those stairs. Had I known of his condition, I could easily have driven him here in my car. That incident may not concern a Government, or a Government department, but as I said when speaking to another Bill last night, such things affect human rights.

I know of members in this Chamber who own large areas of land, and I am sure not one of them would want to surrender his land to any Government, unless he was reasonably compensated.

The Hon. E. C. House: The Government paid the bare minimum value for all the land it took.

The Hon. F. R. H. LAVERY: I would say that even the bareness would be over-dressed! I have in my hand a map which shows the area of land which was resumed for CSBP & Farmers Ltd. for the building of the superphosphate works. If members can see this map I am holding in my hand, it will be seen that there are a great number of privately owned blocks in that particular area. I know, and members know, that the Government acquired quite a good deal of this land at a certain price. There was nothing wrong with that practice.

The Hon. A. F. Griffith: The land was acquired at a negotiated price.

The Hon. F. R. H. LAVERY: I said, "acquired".

The Hon. A. F. Griffith: Negotiated is more proper.

The Hon. F. R. H. LAVERY: That might suit the Minister, but it does not suit me.

The Hon. A. F. Griffith: No, because it does not tell the story.

The Hon. F. R. H. LAVERY: I said, "acquired" because the department sent along land agents to buy the land. One person affected was a Mrs. Leslie who received such a low price for such a large area, that she was hardly able to build another home. On the other hand, those who squealed received the best price. As we all know, the squeaky wheel gets the most grease.

The area of which I am speaking, is bounded by Rockingham Road and Pioneer Road for a distance of approximately 500 chains. It does not matter whether a land agent is acting for and on behalf of the Government, or a land agent is acting for and on behalf of a landowner, we believe that if there is an inquiry held into this type of unfair pricing of land, many problems will be overcome. We, as members of Parliament, are responsible to see that Government funds are not wasted. It is our job to see that somebody does not make a fortune, and also to see that somebody does not get robbed. I can tell the House that in the area to which I referred, some people made a fortune, and some people were robbed.

The Hon. H. K. Watson: Were the transactions by private treaty?

The Hon. F. R. H. LAVERY: Not all of them. If they had all been by private treaty all I could say would be that the person who sold for practically nothing, made a mistake.

The Hon. R. Thompson: The valuations came under the 1950 Industrial Development (Kwinana Area) Act.

The Hon. F. R. H. LAVERY: The whole set-up is unfair, and why should we, as ordinary members of Parliament, have to negotiate with the land resumption office on behalf of people? Surely the Government should make it clear that people have certain rights, and they have certain avenues through which to assert those rights. Take the case of Jesse Lugg, who was offered £22,000 by the Government for a vast area of land at Wellard. Mr. Boas, one of our valuers in the city, valued that land at \$205,000. Mr. Lugg accepted the 80 per cent. of the £22,000, and he bought a property at Bremer Bay. He also bought some plant and a cattle truck to shift his herd, and with part of the money, he paid a deposit on some land in the Eneabba area. Unfortunately, however, the negotiations were so protracted that the businessman in the city from whom Mr. Lugg was buying the land, repossessed it and Mr. Lugg lost his deposit. He also lost his property at Eneabba.

He appealed to the court, and the court decided against him, and the Government paid him the £22,000 which was originally offered. Just recently, Mr. Lugg died. Mr. Heenan and I know that land, and some of it has been offered for sale at a tremendous figure.

The Government does not want the land now, although it was resumed at the time because of the overall plan. We are not objecting to that, but when the Government does resume land surely it is right that a proper valuation should be offered. When such things occur, surely it is in order for members of Parliament to ask for a committee to be appointed to investigate them so that we can bring better legislation before the House. Because Governments come and Governments go, and whether it be this Government, or another it is the Government which is responsible for administering the Act.

The Hon. A. F. Griffith: This sort of view would have been very handy in 1954 to back me up when I was battling hard for the people who were having huge areas of land taken away from them by the Labor Party.

The Hon. F. R. H. LAVERY: I can remember the Minister, when he was on this side of the House, taking the Labor Party to task for resuming land.

The Hon. A. F. Griffith: After promising not to do so.

The Hon. F. R. H. LAVERY: And my word, when the present Minister was Minister for Housing how pleased he was to have that land available!

The Hon. A. F. Griffith: I bought land by private treaty. I did not resume it after having said that I would not do so.

The Hon. F. R. H. LAVERY: I can remember the Minister, when he was sitting on this side of the House, castigating the Labor Party for auctioning a block of land

on which a hotel was to be built. Some of the land to which he was referring was being purchased for housing, and this block was auctioned. He does not mention the fact that some of these resumed blocks to which I am referring, and which are of less than a quarter of an acre, are being sold for £2,000 by the State Housing Commission at the present time. He does not deny that and this is the unfair sort of set-up to which I am objecting. We want people, whether they are rich or poor, to have equal rights. I am now coming a little closer to home.

The Hon. A. F. Griffith: My word, you are!

The Hon. F. R. H. LAVERY: I am not dodging the Minister. I supported him at the time inasmuch as we fought the then Minister for Works (The Hon. J. T. Tonkin) in regard to the land that was resumed in the Hamilton Hill area, where Coolbellup is being established. The people concerned received not £4 an acre, but something in the vicinity of £300 an acre. The Minister knows that as well as I do. He cannot deny it, so it is of no use his waving his hands.

The PRESIDENT: Order!

The Hon. A. F. Griffith: You keep on shouting so that nobody can make a point on you. You know that the man who resumed people's land, after having said he would not do it, was the Minister for Housing in the Labor Government. You know that.

The Hon. F. R. H. LAVERY: And what did the present Minister do with the land when he got it?

The Hon. A. F. Griffith: You stick to the truth. You know what I am saying is right.

The Hon. F. R. H. LAVERY: What did the Minister do when he got it?

The Hon. A. F. Griffith: When I got it?

The Hon. F. R. H. LAVERY: Yes, as Minister for Housing. He built a number of houses on it.

The Hon. A. F. Griffith: Of course I did.

The Hon. F. R. H. LAVERY: With the money made available to him; and that is one of the reasons why the State Housing Commission has no land now.

The Hon. A. F. Griffith: What sort of an argument is that?

The Hon. H. C. Strickland: And you also increased the rents.

The Hon. F. R. H. LAVERY: That was the position in this Chamber at that time. We have never had a majority of Labor members in the Legislative Council. The majority of members here were against the Minister at that time on the matter of the State Housing Commission resuming land to give working people an equal opportunity to build houses at a cost of £5,000 or less, including the cost of the land.

I have a letter which I would like to quote. The first part of it is rather amusing. It reads as follows:—

Mr. Fred Lavery:

If there is going to be any cost attached to this business in any way you had better forget the whole thing as I am flat broke, and don't like the inside of gaol walls.

Re the information that you requested, I have no longer got the letters that were written regarding the sale offers, etc. of my block (Lot 413, Kwinana) but from my memory I have put down a few of the offers which we have received.

One was for £6,500, another was for £6,500, another was for £8,000, and then there were several offers bracketed between £6,500 to £7,500. He is not able to sell because as soon as he attempts to accept one of the offers he finds that the interim development order of the Metropolitan Region Planning Authority will prevent him from selling because of the overall embargo placed on land in his area. He went on to say—

We were in financial strife and had already a loan that we couldn't afford, so we put the land on the market but because of the resumption of land in our general locality we were unable to sell.

We (my wife and myself) have now had to get another loan of £1,100—\$2,200—to pay off the old loan and finalise a few of the more pressing debts. If we could have sold our land this would not have to be done.

As a result of the rumours of resumption, the advertising of maps and written accounts in the papers of how much land was to be taken and the area it was to be resumed in, etc., I have already had to pay a large sum in loan and interest and am still paying off a loan plus interest. On top of my food bill and a couple of h.p. agreements it takes a lot of keeping up with on the basic wage.

I did make some inquiries about this land and I found that the Main Roads Department has no embargo on it, but the Metropolitan Region Planning Authority has an interim development order covering the area—the Rockingham-Medina area. As a result, this man has land, for which he was offered £6,500 to £7,500, which he cannot sell. He could have it resumed at any time, but will he get the figure I have just quoted for it? I am sure he will not. He will probably get £2,000 for it.

I should like to finish by quoting a letter from the Shire of Kwinana to show that in the planning of certain areas, or when industrial complexes move into areas, it is not only the individual who suffers. It will be remembered that when the piece

of land, to which I have already referred and which is shown on the map, was resumed for the new super works, a Bill was passed in Parliament to authorise the construction of a railway from Kenwick to Kwinana, and there is a big loop which runs into the super works. A new road was built—Pioneer Road—when a portion of the Rockingham Road was closed.

The Kwinana Shire had previously paid for lighting the portion of Rockingham Road concerned, and the shire is now trying to seek aid to light Pioneer Road. In this regard the shire, through me, received a letter from the Minister for Industrial Development to the effect that he believed his department could not help; and in one portion of the letter the Minister said—

In the circumstances I suggest it is the shire council's responsibility to arrange for resiting of the street lighting but I would be prepared to discuss the matter with the council, if they could demonstrate that they will be out of pocket because of the establishment of the CSBP fertiliser industry and the boundary adjustment resulting from such establishment.

The letter from the Shire of Kwinana to me reads as follows:—

My council is not unmindful of the ultimate benefits to the shire of the establishment of the fertiliser works; its impact locally would be difficult to assess in dollars. Immediate loss in rating, however, has been suffered, and I attach hereto a map showing the manner in which this has been brought about.

That was the map to which I referred. To continue—

Area D (Brown).—

Estimated rating potential private	
land Taxation Dept. U.C.V.	\$17,600
Now CSBP Taxation Dept. U.C.V.	\$14,000
	<hr/> \$3,600

Area B (Blue).—

Estimated rating potential private	
land Taxation Dept. U.C.V.	\$36,000
Now BP Taxation Dept. U.C.V.	\$23,000
	<hr/> \$13,000

Total \$16,600

There are something like 102 blocks of land in this area that have been taken for industrial development purposes.

The Hon. H. K. Watson: That is a reduction in unimproved value of \$16,600, not rates.

The Hon. F. R. H. LAVERY: It is a reduction in the potential rating of an area of land. It was land owned by many individuals but it is now to be used by one big industrial complex. I am not objecting

to that but I am stating a case for and on behalf of the shire. The letter continues—

It can be seen from the above that the land valuation has dropped \$16,600 and which of course must affect rate collection. I would also add that Area A which was previously owned by Messrs. BP and rated, was lost to the Crown under the CSBP Agreement, U.C.V. about \$20,000. The section of Rockingham Road along Area A however, is not as yet affected with the street lighting problem.

The lighting of Pioneer Road would not be difficult if S.E.C. poles were existent along this road, however, there is a long section of Pioneer Road without any poles.

Perhaps if the above facts could be again presented to the Hon. Minister he would be prepared to reconsider his attitude to my Council's request.

That letter may seem to be not in keeping with the motion moved by Mr. Ron Thompson; but in my humble opinion it is because it shows that owing to resumptions—perhaps necessary resumptions—and because of acquisitions or, as the Minister would like me to term them, negotiated purchases, that is what has happened. If it happens to a shire, members can imagine what happens to the small individual.

Nothing but good could come from a Select Committee being appointed and if only members would give consideration to the facts, and state what they believe in their own minds, I am sure a committee would be appointed. I have heard members who are not members of my party, in a previous debate on an amendment to the Public Works Act, speaking very much against what is happening with land resumptions. I know many other members believe as I do, that if a Select Committee were appointed its report would provide some staggering information of which the people of Western Australia, the Government, and those concerned with land resumptions are probably not aware. I am sure they do not know of the damage being done.

I support the motion.

THE HON. R. THOMPSON (South Metropolitan) [8.14 p.m.]: I think members will recall that on the 16th August of this year I moved the motion which stands in my name on the notice paper. I did this because over a number of years I have, from time to time when opportunity offered, such as on debates on Supply Bills and the Address-in-Reply, and on other occasions, complained about the injustices to which people are subjected when land is compulsorily resumed from them and when some are dispossessed of their homes. This year the Supply Bill was the first opportunity I had to speak and I again spoke on this subject.

I was followed by several speakers who continued along the same lines as I had spoken, and who pointed out injustices that had been done to people in particular areas. When the debate on the Address-in-Reply was before the House other members also addressed themselves along the same line of thought as I did. These members were from the three political parties represented in this House; they were not all Labor members.

However, on the 16th August I gave notice of this motion, and it has been kept at the bottom of the notice paper for obvious reasons, which are that the Government possibly felt embarrassed by the number of speakers who had spoken against the provisions of the Public Works Act, and therefore it felt something had better be done about the matter.

Accordingly notice was given of a Bill which was to be presented. The first I knew of it was three days prior to my motion being moved, although it had already been framed ready for presentation on the 13th August. I saw mention of the Bill in the *Weekend News* which came out with the headline, "Public Works Act to be Amended—Landowners To Get More".

The Bill—which is now part of the Act—eventually came before the House, and one provision in it did give some relief, but to only one section of the community.

The Hon. F. R. H. Lavery: And very minor relief at that.

The Hon. R. THOMPSON: The Bill did not come to us until October of this year; and my motion was kept at the bottom of the notice paper during August, September, and October. I do not blame the Government for this, because it is the Government's right, and the Minister's right, to place the legislation of private members where it likes on the notice paper. One of these days we will be in a position to do the same thing, and we will certainly take advantage of it.

We find that the very day after the Public Works Act Amendment Bill passed through this Chamber my motion was brought to the head of the notice paper.

The Hon. A. F. Griffith: Which day was this?

The Hon. R. THOMPSON: A fortnight ago.

The Hon. A. F. Griffith: Which day was it?

The Hon. R. THOMPSON: It was the 13th October; that is when the Minister spoke to the motion I moved on the 16th August.

The Hon. A. F. Griffith: You said it came to the head of the notice paper.

The Hon. R. THOMPSON: If the Minister wishes to be technical, I will say that it came before the House, though it had been kept at the bottom of the notice paper.

The Hon. A. F. Griffith: That was done, as I told you, because there was a Government Bill coming forward. You could not expect anything else in the circumstances.

The Hon. R. THOMPSON: I admitted that a moment ago. The Minister need not get off his bike.

The Hon. A. F. Griffith: I am not getting off my bike.

The Hon. R. THOMPSON: We now come to the point where the Minister read his speech on the 13th October. There were not many members in this Chamber and I commend them for their forethought in not being present and thus not having to listen to 30 pages of absolute guff written by a public servant. I would say that the Minister did not check the notes before he read them, because had he done so I feel sure he would not have gone along with what he read to the House.

The Hon. L. A. Logan: I would have done, because I did check them.

The Hon. R. THOMPSON: Those 30 pages of notes are indicative of what goes on in the Public Works Department, and it shows why landowners and home owners are being dictated to by this bureaucratic department.

The Hon. F. R. H. Lavery: You mean the land resumption office.

The Hon. R. THOMPSON: That is covered by the Public Works Department. The Minister started by saying—

It has been said in this House that the Public Works Act is an unjust Act, and that it permits the payment of inadequate compensation, or in other words it does not provide for the payment of adequate compensation. Such an indictment is based on personal opinions as to what is adequate or inadequate compensation.

Every member who has spoken on land resumption matters since I have been in this Chamber has complained about the position. I have never heard one member say that the Public Works Department has paid a just or fair price for land that has been resumed. By way of interjection to the Minister I asked whether he could name one case where the first offer made by the Public Works Department to an owner of land of which he was going to be dispossessed was accepted by that owner. The Minister said that Mr. Strickland had told us of a case the other night; but Mr. Strickland refuted this straightaway. He said that the man accepted a price, but not the first price. Further on the Minister—or I should say the notes supplied by the Public Works Department—went on to say—

Research has shown that the Public Works Act in this State already compares favourably with similar legislation in other enlightened countries.

The Hon. L. A. Logan: Quite true, too.

The Hon. R. THOMPSON: He then goes on to talk about values. A lot has been said about what takes place in other States. I do not care two hoots about what takes place in other States; I am concerned about the people I represent; the people who have been robbed, and who are being dispossessed of their properties and of their livelihoods without just compensation being offered to them.

Let us consider a few of the cases. The department talks about supplying us with criteria. I would cite the example of a case in North Fremantle mentioned by Mr. Lavery, where the bulldozers were waiting to knock down the house belonging to a man with a reasonably young family. He had no chance to get other accommodation to replace that in which he was living.

Whether his house was good or bad does not enter into the matter at all. When the department talks about replacement values, it says it cannot give replacement values because it is spending public moneys. I am not talking about public moneys, but about the injustice that is being done to individuals who, in some cases, are being put out into the street. That is what it amounts to. The Minister said that in most cases the officers do their best—and I admit this in certain circumstances—to give replacement accommodation on a rental basis. In the main, houses that have been resumed for future public works, but not necessarily required at the time, are replaced by houses in the \$8 to \$10 a week rental range.

The Hon. F. R. H. Lavery: The man to whom I referred had to pay \$10.

The Hon. R. THOMPSON: Mr. Lavery has just said that the man he referred to had to pay \$10 a week rent, where previously he was living in a home for which he had no rent to pay. These departmental claims as to resumption costs, and advances, or valuations, being accepted are not always accepted in the first instance, in any case.

The Hon. L. A. Logan: I told you they were, and they have been.

The Hon. R. THOMPSON: That might have been the case for a block of land out in Woop Woop.

The Hon. L. A. Logan: You said there were none and I said that there were some cases.

The Hon. R. THOMPSON: I am talking about the case of people who are dispossessed of their homes and who have to re-establish themselves; I am talking of pensioners' houses that are resumed. I have pointed this out on several occasions to the Minister for Housing, and I have tried to have something done on a nation-wide and State-wide basis in an attempt to have the Commonwealth Social Services Act and the State Housing Act brought into line.

We find, under these Acts, that when a pensioner receives £3,000 as a resumption price for his home and is put into pensioner flats, because he has over £200, he must pay the full economic rent until such time as his capital is whittled down to the £200 allowed under the State Housing Act.

The Hon. H. K. Watson: You cannot blame the resumption officer for that.

The Hon. R. THOMPSON: I am not blaming the resumption officer. I am merely trying to point out the injustice that is done under the various Acts. I think this sentence is worth repeating—

Research has shown that the Public Works Act in this State already compares favourably with similar legislation in enlightened countries.

The department concocts its values to suit an estimate which it has made; and I will prove this as I continue. It sets these valuations to an estimate which has been set for the work, 12 to 18 months previously. If, as the department says, the value it offers is fair, just, and above board and the people have no reason to complain, it would not be necessary for me to move this motion; it would not be necessary for 250 people to attend a meeting in a hall in Palmyra. Although I was not present at that meeting, I read about what took place.

These are the people—the residents and the voters of Western Australia—who are being so badly affected by a very harsh Act. The Minister further said—

Value to the owner is therefore consonant with replacement value to the extent that it places the dispossessed owner in the same financial position he was in before the resumption. Compensation should provide finance for purchase of another property, similar in condition and value, in addition to allowance for disturbance, removal costs, contingent losses, etc.

I do not think Mr. Clive Griffiths is likely to agree with what the department has told the Minister here, because he got up in the House and further questioned for several days, and pointed out, what the Public Works Act did to one of his constituents in Kewdale.

The Hon. L. A. Logan: He may have found out he was misled in the first place.

The Hon. R. THOMPSON: Who is that?

The Hon. L. A. Logan: Mr. Clive Griffiths.

The Hon. R. THOMPSON: No, he was not misled.

The Hon. A. F. Griffith: You would know that, too.

The Hon. R. THOMPSON: The person in question contacted me; and I say he was not misled.

The Hon. L. A. Logan: I have looked at it too.

The Hon. R. THOMPSON: This is virtually laughable. No-one loses anything from disturbances! All right. Let us reconsider the two cases I mentioned in this Chamber before; namely, Pesich and Bacich. One person had three and a half acres of market gardens which provided an annual amount which would be larger than my salary. The department has taken two acres of his land including the reticulation and all the other amenities necessary for a market garden.

This land has been worked for 20 years by this person and, unfortunately, his solicitor has all the documents at the moment and I am unable to quote exact figures. However, I would not be far wrong if I said that he was offered by the department in the vicinity of \$15,600. He could make that in two years from his market garden, and still have his property. However, because it is wanted for a school ground it is to be resumed. His neighbour, Pesich, was offered double the amount because the department resumed four acres of his land. Ivankovich, who was not using his land for any purpose, on the other side of Pesich was offered the same amount of money per acre.

How can the department say that just compensation is paid for disturbance, removal costs, and contingent losses? It is just not true in any shape or form. I challenge the Minister, or Mr. Jarvis, the person who compiled these notes—

The Hon. H. K. Watson: I do not think you are fair dealing with an officer who is with the Minister. He is with this Minister today and another Minister tomorrow. I think you should deal with the Minister.

The Hon. R. THOMPSON: All right, I will deal with the Minister.

The Hon. A. F. Griffith: He was with the Minister's officer in 1954.

The PRESIDENT: Order!

The Hon. R. THOMPSON: If ever I were in a position to have him as an officer under me, he would not give me stuff like this to bring to the Chamber. As I go on reading this document, members will realise that it becomes arrogant rather than a justifiable argument on behalf of his department. The notes continue—

As one learned judge put it—

The statutory compensation cannot, and must not, exceed the owner's total loss, for if it does it will place an unfair burden on the resuming authority and it will transgress the principle of equivalence which is at the root of statutory compensation—the principle that the owner shall be paid neither less nor more than his loss.

That is what a learned judge said, and probably we have not a great deal of argument with that. However, loss cannot be measured in money alone at all times. If a person has to get out of his home, no matter how humble it may be, he is entitled to a replacement. If a person has been deprived of his livelihood he is entitled to a replacement of his livelihood. However, that is just not being done in Western Australia at present under the Public Works Act. The quotation continues, but not from the learned judge—

It will no doubt be agreed that this principle of equivalence should be the guiding light in the basic assessment of compensation. This State is practically alone in retaining any additional allowance for compulsory taking. I will enlarge on this element later.

Reverting to the extent to which compensation should provide for replacement of a dispossessed owner, it is held, and should be agreed, that the basis of this is limited to the most reasonable and economic method by which the owner could replace the asset taken. This does not stipulate that the owner must re-establish himself by purchase of another similar property, but only that this element of compensation is assessed on this basis.

If that were true, I would agree with it entirely; but it is just not true, as I have indicated by quoting the case of the market gardener. Further on is the following:—

It rests with the owner concerned to decide how he will apply the compensation, and claimants generally take advantage of the acquisition to improve their position by using for this purpose much of the compensation received, mainly the 10 per cent. for compulsory taking.

As I pointed out when I started my speech tonight, these notes were prepared a long time before the amending Bill came before this House.

The Hon. L. A. Logan: My notes?

The Hon. R. THOMPSON: Yes.

The Hon. L. A. Logan: Don't be silly! That is not true, and you know it.

The Hon. R. THOMPSON: How does the Minister explain the 10 per cent. for compulsory taking? Under the amendment a greater amount is allowed.

The Hon. L. A. Logan: The Bill was not through Parliament. It was still before the House.

The Hon. R. THOMPSON: My word, it was not.

The Hon. H. K. Watson: Yes, it was. We were debating the Bill.

The Hon. A. F. Griffith: After all, there may be a lot of merit in what you are saying, but how do you know when notes are prepared? How do you really know?

The PRESIDENT: Order!

The Hon. R. THOMPSON: I will say—

The Hon. A. F. Griffith: You will say anything at times.

The Hon. R. THOMPSON: —that the third reading of the Public Works Act Amendment Bill had passed this House when the Minister read these notes to the House.

The Hon. L. A. Logan: I only received those notes the day I read them.

The Hon. R. THOMPSON: You may have received them. I said they were prepared beforehand, otherwise this would not have referred to the 10 per cent. It would have been the 10 per cent., or what is allowable for the displacement in certain circumstances.

The Hon. L. A. Logan: They were altering those notes the day they gave them to me.

The Hon. R. THOMPSON: Yes; they altered pages 8 and 9, I think.

The Hon. A. F. Griffith: What does this prove?

The Hon. R. THOMPSON: The notes continue—

As an example, if a dwelling worth, say, \$2,000, is acquired and the resuming authority is prevailed to allow, say, \$3,000 as a concessional value—in addition to contingent allowances—to enable the claimant to purchase a better home and he does purchase such a property but sells it again, would he not make a cool profit of \$1,000, and would not this transgress the principle of equivalence?

Of course it would transgress the principle of equivalence. This Government is a private enterprise Government. It stands for private enterprise and home ownership. My party also stands for home ownership; but if a person is displaced from his home and the department offers him a home which costs \$3,000, and then at a later time he is able to sell that house for a profit, what is wrong with that? We all know that the value of houses has been consistently rising. I know that houses I could have bought, if I had had the money, for £200 or £300 are now bringing \$4,000 and \$5,000. That is a business transaction. If a person lives in a house for a period and values increase, of course it is equivalence if he decides to sell it. To continue the notes—

It is found, however, that some elderly people do not wish to purchase another home, but prefer to seek rental accommodation so that they can retain the compensation money for other purposes.

It was stated at the time that these people could qualify for a pension after they had been for a trip around the world. That is a personal matter and has nothing to do with the Public Works Department. It

is a person's own business whether he purchases another home or puts the money in the bank.

I say very sincerely that the elderly person particularly is really frustrated when a resumption notice is received. The elderly person genuinely worries about where he will live. I have had these people in my office, not once, but on innumerable occasions and they have been in tears. Mr. Dolan and Mr. Lavery also had this experience when they shared an office in Fremantle. This is a human story and the department should deal with it humanely. On page 7 of the notes is the following—

It is the duty of the valuer to discern the most economical way of restoring the financial position of the dispossessed owner and to assess compensation accordingly, it being left to the claimant to do as he wishes with the money.

So here we are told the valuer discerns the most economical way of restoring the financial position of dispossessed persons. If it were only true, it would be good; but it is not true. The notes continue—

In addition to the principles involved, it would be quite impracticable for the department to undertake a definite obligation to replace properties acquired, because of the multiplicity of properties affected by acquisitions, the unending task of trying to satisfy some claimants, responsibility for defects in the new premises which might subsequently come to light, the resultant increase in staff entailed or, alternatively, the delay in commencement of urgent works. Can it not be envisaged that if this obligation were placed on the resuming authority, a number of owners of properties required—and tenants for that matter—would sit back and laugh at all efforts to reaccommodate them and would refuse to fend for themselves?

So the department says that it cannot allow that to happen. This is where bureaucracy really reigns supreme. The department itself is not concerned, although these notes are rather ambiguous. In one place the notes say that the officers do this and that, but when we get down to taintacks, we find that the department is not going to consider the views of these people.

This particular aspect is worrying 250 people at present in the Stock Road and Attadale areas, so they have held a protest meeting. But they represent only a fraction of the people who are being affected in the metropolitan area at present.

Probably country members are more fortunate. However, in the metropolitan area we see what is happening and this is where an unjust basis is set by the responsible body, whether it be the Public Works Department, the Metropolitan

Region Planning Authority, the Railways Department, or any other resuming authority.

People hear that a public works project is going to be undertaken. How they hear, I do not know, because the Government does not make its forward planning and notices of resumption available even to local authorities. I would like the Minister to challenge that point, but apparently he will not.

The PRESIDENT: Order! The honourable member cannot invite an interjection.

The Hon. R. THOMPSON: No, Sir, I realise that and I thank you for pointing it out to me. However, that is the situation which is arrived at—news gets out that such-and-such a project is going to be proceeded with. People cannot sell their homes, depressed values set in, and what happens when the resuming officer comes along to have a look at these homes? Some people become scared and say, "I am going to sell out." Most people would have an equity of at least \$10,000 in a home of any standard in this area, and I would say the average equity would be much higher than that. However, because the individual has become scared he sells out and might accept \$1,000 less than the true value of the house. The resumption officer marks a cross against that house at, say, \$9,000. A little further down the street another house is sold several months later for \$10,000. This is marked off and, consequently, a series of sales is worked up in a particular locality. The prices are being depressed, because some people are afraid of resumption and they sell out when they see the opportunity to re-establish themselves. Consequently, a few people sell out, but the bulk of them have their properties resumed.

I have been connected with many valuations and I know the method of valuation is based on the prices which have been obtained for sales in the area. The valuers say, "We cannot give that price, because this house was sold for \$9,000, that house for \$10,000, and the other house for \$8,000. Therefore, we have to strike a level." The level could be on property which was sold 18 months to two years previously. The department cannot deny that that is true.

When an amendment to the Metropolitan Region Planning Scheme Act was before the House, the Minister was queried on the question of market value and he said—

The resumptions will take place at market value.

But, the Minister did not tell us it would be at the depressed market value!

The Hon. C. R. Abbey: Surely, you do not expect us to believe that the department has deliberately lowered the values?

The Hon. R. THOMPSON: As I have explained, these are depressed values. People get to know that resumption will

take place. Two hundred and fifty people in the Stock Road, Attadale, area have found out that a major road is going through their area.

The PRESIDENT: Order! The honourable member will address the Chair.

The Hon. C. R. Abbey: That was advertised in the paper so everyone would know about it. However, when is the land going to be resumed?

The Hon. R. THOMPSON: The time at which it will be resumed has no bearing at all on the matter.

The Hon. E. C. House: All land is valued too highly. It should be put on a 99-year lease.

The Hon. F. R. H. Lavery: That is why people have to wait 15 years to buy their properties.

The PRESIDENT: Order!

The Hon. R. THOMPSON: A most interesting section appears on page 10 of the Minister's notes, which reads—

The principle also applies where higher valued residential or industrial land is occupied for a lesser use, such as market gardens, or poultry farms. It has been held judicially that to realise the higher value for the land, the owner must abandon his lesser usage of the breakup value.

Let us turn this into common-sense language. The market gardens which I referred to just previously were in a zoned residential area, although the owners were using their properties and paying rates to the Fremantle City Council on an annual rental valuation, which was based on the valuation of the soil and the profits which the market gardeners had reaped annually through their own efforts and labour. Probably from the point of view of the Public Works Department, this land, as stated, had had less use, but it had a breakup value far in excess of the offer made by the department to the owners.

There is no restriction on subdivision, and if these people had wished to subdivide their land, they would have received about \$3,600 a block, or upwards, on the market values, because land in that area is selling at prices ranging from \$3,600 to \$4,000 a block. However, the department has actually offered less than if the individual had chosen to subdivide.

I could go on and on, but I would be wearying the House, making myself hoarse, and not achieving very much at all. However, before I conclude, I must deal with one particular resumption I mentioned; that is, the one dealing with Mr. Cicerello at the fish markets at Fremantle. This is where I have claimed, still claim, and always will claim that this person is paying for the construction of a section of earthworks for the standard gauge railway line.

The Hon. F. R. H. Lavery: How true that is!

The Hon. R. THOMPSON: No-one can challenge me and say that I am telling an untruth, because this person had a lease on land on which he had to use fill. I have here a plan showing the extent of the fill, which was something in the order of 4.5 feet over the top of the land. Now the standard gauge railway is going over this land, but he is not entitled to compensation.

Much is said in the Minister's notes of this person's right entitlement to his lease. I think Mr. Watson would remember this quite clearly. It is stated that he is entitled to a 10-year lease, which would expire in 1969.

Although the Minister appended to his notes a photostat copy of a Cabinet decision which was made at the time the Hawke Labor Government was in office, Cicerello has always denied, and has never accepted that it was a 10-year lease. I will prove this to the Minister, because in my hand I have a letter and also a receipt which was not mentioned in these notes, but which should have been mentioned. If the department was completely honest, it should have gone a little outside of the Public Works Department, or the Lands Department, because this letter is dated the 6th December, 1956, and is from the Harbour and Light Department, 53 Cliff Street, Fremantle. It is addressed to Mr. S. Cicerello of 16 Howard Street, Fremantle, and it reads—

Re: License—Site in F.B. Harbour for Auction Mart.

With reference to your application of the 29th October last for a site in the Fishing Boat Harbour for the purpose of establishing a fish auction mart and restaurant, I have to advise that the Hon. Minister has approved the granting of the site in question.

The Minister has directed that the Agreement shall include conditions that the principal objective is the sale of fish by public auction and that sales shall take place at regular periods.

The Lease will be for a period of 21 years as from 1st December, 1956, at a rental of £26 per annum, and an Agreement will be prepared and submitted in due course for necessary signature.

The Hon. H. K. Watson: By whom was that letter signed?

The Hon. R. THOMPSON: It was signed by Mr. K. G. Forsyth, Manager of the Harbour and Light Department, and the receipt is dated the 12th December, 1956. This is for the sum of £26, and this document was signed by Mr. C. Hughes.

The Hon. L. A. Logan: That is the site on which the shop is situated?

The Hon. R. THOMPSON: At a later stage, it was agreed that there were three sets of tenders eventually called for this lease.

The Hon. H. K. Watson: Before, or after the letter which you have just read?

The Hon. R. THOMPSON: After this letter. Although he was granted this land, there was some argument at the time as to who owned the land because this was reclaimed land. I think Mr. Watson might remember this better than I, because I was not in the Chamber at that time. The Lands Department claimed it owned the land, and the Harbour and Light Department claimed that this was not so, and that the Harbour and Light Department owned the land, because it came within the confines of the fishing boat harbour. Then the Public Works Department came into it, probably through the Fremantle Harbour Trust and the Fremantle Port Authority. Consequently, there were three lots of tenders called with an eventual annual rental of £208 per year.

Cicerello has consistently refused to sign a lease for a 10-year period. All along the line, he has claimed it was for a 21-year period, and that he had no intention—nor would he have had any intention—of establishing a works on this land and possibly expending \$200,000 in all, if it could be written off over a 10-year period. I do not think that any businessman would undertake to do such a thing as that.

The Hon. F. R. H. Lavery: Most Government contracts are for 21 years.

The Hon. R. THOMPSON: In the lease which Mr. Cicerello has refused to sign, there is no continuing period. The lease is for a 10-year period. There is no definite term in the lease which has been offered to him to sign, but on six months' notice, after the 10-year period has expired, he can be evicted.

In all, the section of the land over which the standard gauge railway is now going, cost \$70,000 for filling. This is the amount on which the department claims he is not entitled to compensation, because he was the lessee.

If one reads the Minister's notes and takes them as gospel, no one has any reason to complain. Is it fair, just, or reasonable that a person who has just expended a total sum of \$70,000 to establish his business should then find a railway being constructed in front of his premises which results in reducing his trading by half, or even more; which denies him a road frontage; and which deprives him of the bitumen parking area he constructed? Not only does all this occur, but also the filling he provided to build up a surround for his shop was used by the department which then commenced to fence him off from the main road. Finally, he was told he was not entitled to compensation, be-

cause the standard gauge railway had been planned to be constructed through that area.

The department did say to him, "If you can prove to us that you have suffered a loss of earnings, we will compensate you for that." This is not justice. Many reasons for the appointment of a Select Committee have been advanced by other members in the Chamber, but the reasons I have just outlined would, in themselves, justify the appointment of a Select Committee at this stage.

The Hon. H. K. Watson: What you really want in this case is the appointment of a Select Committee to ascertain whether it was Mr. Forsyth, Mr. Tonkin, or the third officer—whoever he was—who made such a mess of things.

The Hon. R. THOMPSON: Absolutely! Somebody made a mess of things somewhere, but I cannot find out who it was. Unfortunately Cicerello is the man who must bear the loss. I am prepared to forgive the Minister who has made the mistake, no matter to which Government he may belong. This is a question of obtaining justice for an individual and there is nothing political about it.

When we come to the situation surrounding the Moylan Road property, the notes I have here read as follows:—

A detailed soil classification carried out by the departmental valuer showed approximately 16 acres of good garden land remaining—not only five acres as has been stated.

It will be seen that assessments of this nature should be examined on the basis of true facts and not uninformed opinion.

In this instance, that statement is purely and simply arrogant. Let me put this case to you, Sir, as a practical farmer. I know nothing of farming, and very little about market gardening. If I entered your farming property and asked you how many acres were in a certain paddock, you would be able, immediately, to tell me that the paddock comprised 3,000 acres if, in fact, that were the acreage. If I then asked you how many acres of the paddock consisted of first class soil, and how many acres were of second class soil you, being a practical farmer, would be able to supply me with the correct answers.

I posed similar questions to Mr. Caratti in regard to the Moylan Road area. When I asked him what his total acreage was he told me it was 30. After 10 acres of his land had been resumed for the construction of the railway and the proposed road construction, together with three acres of severed land, I asked him how many acres were left and he replied that five acres of good market gardening land had been left to him. Is the House to believe that the land resumption officer

can rightly decide that my opinion is uninformed? I will not concede that it was uninformed.

When I ask a practical person to estimate the number of acres remaining on his property suitable for market gardening, and he informs me that he has five acres for such purpose, I am prepared to accept his estimate. I will admit that when the matter was further discussed with him he said that possibly he had between five and six acres available to him for market gardening, and I accept that as being a correct statement. Yet the department is quite prepared to state my opinion is uninformed.

The departmental notes continue as follows:—

The insinuation of undue pressure being applied by departmental valuers in effecting settlements is entirely without basis and cannot be too strongly rebutted as completely unworthy.

I have pointed out to the House on many occasions that I know of only one case which I have been able to cite as an example of an offer and an acceptance being satisfactorily negotiated by the resumption officer, and when payment was granted within three weeks without any further negotiation. Only once has that happened. I have also set out the many offers that have been made to owners of resumed land one of which commenced at a figure of £7,000, and then was increased to £7,000, £8,500, £9,300, £10,000, until the final figure of £22,000 was reached. Therefore it can be seen that every block of land required to be resumed for railway construction or road construction was the subject for consideration by the department, and that every offer that has been made to the owner of any land that has been resumed, was a final offer. I have never known any resumption officer to make an offer that has not been a final offer.

Therefore it is ridiculous for the department to say otherwise. The Minister's comments, which are slightly different from the notes made available to me, continue as follows:—

Where, however, the site has a special value to the resuming authority which could have been exploited by a private person (the owner or a purchaser) then compensation is payable accordingly.

Generally it can be said that land required for public works has no special value to the owner for that purpose, and if he is compensated for his loss why should he be paid on the basis of a special value for land which was of no use or value to him and which value he almost certainly did not foresee? Assessment of special value to a resuming authority would, of course, be extremely difficult and

contentious if not impracticable for want of a tangible basis. It has been suggested that the measure of special value to the resuming authority is the saving in cost by the adoption of that site or location, but what alternative site or location is to be considered as a basis?

Even when the location of a work, for instance, the route of a railway or road, is altered as the result of objections to resumption or independent review by the constructing authority, the difference in estimated costs could hardly be used as a basis for compensation payable to owners finally affected.

The reason for that statement was that I claimed that the Rivervale lime company, the Swan Portland Cement Company, and the Cockburn Cement Company were one and the same company, and when the railway was being constructed through this man's property, following a request made by this large and influential company, the railway line was diverted, and the department resumed this man's good market garden land for the construction of the railway line. If, however, the line had continued along its original route it would have passed through only limestone country forming portion of the property with which this man is now left and which is depressing the value of the land remaining in his possession, because that portion of his block which comprised good market gardening land has been resumed.

To date I have been unable to ascertain what compensation is being paid to the Cockburn Cement Company, but I would be most interested to find out, when a final settlement is made, because I am curious to know whether the sum offered will be as small as the department offered to the man whose land has been jeopardised as a result of rail and road construction. The departmental notes which were outlined to the House by the Minister continue as follows:—

Constructing authorities are bound, in the expenditure of public funds, to explore all practical alternatives and to adopt the most economical location for works, having regard to construction and operating requirements, together with the disruption of owner-ships and occupancies of land affected and compensation payable therefor.

That was the consideration that was shown to the cement company, but the same consideration was not shown to the individual whose market gardening land was resumed. Continuing with the notes—

Numerous alternative locations for such works as railways and roads are investigated, and even pegged on the land, and preliminary estimates of all costs prepared before the final location is established.

Plans and estimates are always made for any public works, and the costs of resumptions are always included in the estimated cost; but two or three years may elapse before the resumptions may actually take place. I do not consider I need to continue to quote these notes in their entirety, but in preparing them the department has set out to justify its existence at the expense of those persons who have been dispossessed of their land and unjustly dealt with under the provisions of the Public Works Act.

Probably one of the most concise statements I have ever read was contained in a leading article published in *The West Australian* of Saturday, the 13th August, 1966. The contents of that article read as follows:—

INDIVIDUALS' RIGHTS NEED SAFEGUARDS

Mr. R. Thompson brought recurring complaints to a head when he told the Legislative Council that an independent tribunal should be formed to value resumed land.

As the effects of town planning and public works activity cover more and more of the metropolitan area, the public needs tangible assurances that individual rights will not disappear under a bureaucratic juggernaut.

Compensation for resumed land is only one aspect of a growing problem. The principle of just compensation for property compulsorily acquired in the public interest is recognised in the town planning and other statutes and there are provisions for arbitration. But for all practical purposes the individual finds himself appealing from Caesar unto Caesar. Few people can afford to challenge a government department in the courts.

There are many examples of an individual being put at a disadvantage when his property is involved in public schemes or even private subdivision. The government has wide powers to enter properties, disrupt the lives of occupants and jeopardise future income without any real assurance to the individual that his interests will be protected. People may know nothing of works projects until bulldozers arrive on their properties.

It is not that government departments deliberately harry people or that their officers are unsympathetic. They try to be fair. But an individual's property, his use of it and the security it gives him are usually worth more to him than an official assessment of its value in bricks and mortar.

These problems of town planning and government activity should be examined by a select committee of parliament. Its object would be to see whether the rights of the individual are fully safeguarded, whether the law is as simple

as it ought to be and whether the machinery for planning schemes and for resummptions should be improved.

Such a committee would look for practical ways to prevent hardship at the hands of the government and to ensure that people know what is in store for them in time to have an effective say in their own affairs. This is a question of equity in which a type of ombudsman could serve a useful purpose.

The Minister gave us some figures which showed the small number of people who have taken legal action against the department, out of the many thousands who have been affected. I agree they cannot afford to take legal action.

I thank members who have made contributions to this debate, and who have supported me. Probably my reply has been lengthy.

The Hon. L. A. Logan: Nearly as lengthy as mine.

The Hon. R. THOMPSON: I could go on for a much longer time if I wanted to, and I could analyse and criticise the contents of the 30 pages which were read out, but I do not intend to do so. The proposal in the motion is long overdue. In 1913 a move was made along similar lines, and people at that time were complaining of injustices. Subsequent amendments to the Act brought some relief but in the year 1966 I think the legislation should be brought up to present-day standards. We should pay 1966 valuations for properties that are resumed, and not the 1960 or 1961 valuations which are being offered.

We should ensure that justice is done to the people who have been affected, such as the farmer mentioned by Mr. Jones who became bankrupt as a result of a public work activity on his land which caused subsequent flooding. Cases were also brought forward by Mr. Baxter, Mr. Clive Griffiths, Mr. Wise, Mr. Dolan, Mr. Lavery, and others. They have mentioned cases where injustice has been done to the people; therefore, I sincerely hope and trust that a Select Committee, representative of all parties—a non-political committee—be appointed. Members will agree that the previous Select Committee of which I was a member was non-political in the true sense of the word, and 98 per cent. of its recommendations were accepted in the following session of Parliament. I sincerely trust the House will give consideration to the motion, and will support the appointment of a Select Committee.

Question put, and a division taken with the following result:—

Ayes—11

Hon. N. E. Baxter	Hon. H. C. Strickland
Hon. J. Dolan	Hon. R. Thompson
Hon. E. M. Heenan	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. A. R. Jones	Hon. R. H. C. Stubbs
Hon. F. R. H. Lavery	(Teller)

Noes—16

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. G. E. D. Brand	Hon. N. McNeill
Hon. V. J. Perry	Hon. T. O. Perry
Hon. A. F. Griffith	Hon. H. R. Robinson
Hon. C. E. Griffiths	Hon. S. T. J. Thompson
Hon. J. Heitman	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. E. C. House

(Teller)

Pair

Aye	No
Hon. J. J. Garrigan	Hon. H. K. Watson

Question thus negatived.

Motion defeated.

BILLS (2): RETURNED

1. Optical Dispensers Bill.
 2. Optometrists Act Amendment Bill.
- Bills returned from the Assembly without amendment.

FLUORIDATION OF PUBLIC WATER SUPPLIES BILL

Second Reading

Debate resumed from the 1st November.

THE HON. A. R. JONES (West) [9.24 p.m.]: I do not expect to speak at length on this Bill, and in fact I still do not wish to cover the ground which I covered some three years ago when a similar measure was before this House. I did a lot of study on that occasion, but on this occasion I did very little.

After listening to some of the things which were mentioned last night, it sounded as though the members concerned were only telling half the story, so today I decided to make some investigation in an attempt to answer some of the things which were said by Mr. Strickland.

I, like many others, do not wish to compel people to do anything, but we have come face to face with this problem. As the people of Australia are credited with having about the worst teeth in the world, we should do something about the matter.

It is a well-known fact that fluoridation of water supplies is a very big aid towards the improvement of the teeth of children. Fluoride will not do any good to the teeth of persons as old as I am, but children who are just born, or to be born, will reap some benefits in future years through the fluoridation of water supplies, should this Bill be passed.

Even though it is distasteful to force medication on the people, this is one instance when we should take action. Whilst we are aware it is possible to overcome this disability by providing tablets for the people, there is some danger in this method, because we do not know the correct quantity which might be given to a child. If we can be certain that a child will have an intake of a certain quantity of fluoride per day, spread over the whole of the day—in the way children ingest fluoride by drinking fluoridated water coming through the tap—then we would not

have so many worries. But the taking of fluoride tablets and the drinking of one glass of water does not seem to be the answer.

The main problem is that about one out of every five mothers or fathers will religiously provide their children with fluoride tablets, if that system is adopted. For economic reasons, and for the reasons given by Mr. Stubbs when he spoke last night, we should try to relieve the children of the anguish which they suffer through having bad teeth.

I have said that Australians are credited with having the worst teeth in the world, but Tasmanians are credited with having the worst teeth in Australia. The west coast of Tasmania is very remote. Many of us have visited Tasmania, and are aware that the only way to get to the west coast is by ship, unless one is prepared to travel by air. If one decides to go to the west coast by air, I do not know where the plane will land. I had occasion to cross the mountain ranges to the other side of Tasmania, and it was a very rough passage. I believe there is now another way around by road to Burnie. The west coast is a very remote part of Tasmania, and apparently the water there is not as good as that in the eastern part of the island, and the teeth of the children in the west are in a shocking condition.

Last evening Mr. Strickland gave the House some figures, but I felt that he was not giving us the whole story. I do not think he did that purposely to mislead the House; I am sure he did it to shorten his speech. I will refer at a later stage to some of the points which he mentioned.

Before doing so I would like to point out that Tasmania is in its infancy so far as fluoridation is concerned. The first centre where this was tried was Beaconsfield which had a population of 2,000 people in 1953. The young children of that area who were among the 2,000 in 1953 would have benefited from fluoridation many years ago.

I am given to understand there is not much evidence to show that fluoridation has any effect on children until they are five or six years old. Children receiving regular doses of fluoride from the age of six years will show a slight improvement as a result of the buildup of fluoridation in their bodies, but they will not show the same results as those children who have received fluoridation from before birth. So these 2,000 people are the only ones in Tasmania who would have had a fair trial and in regard to whom any figures could be taken.

Later the water supplies, which were treated, were extended to include a further 8,000 people in 1961. Some of those children would receive a little benefit, but nothing like the benefit of those aged six years who were born in Beaconsfield in

1959 or 1960, because they would have had the benefit of fluoridated water for the whole of their lives.

Hobart has 50,000 people and they only came into the scheme in 1964. Launceston, with 40,000 people, came in in 1962; so some of the children there would be receiving benefit, although not the maximum.

The figures given by Mr. Strickland were rather misleading; and I propose to refer to the same book, and quote from the same page as he did. In fact, he was good enough to mark the place for me from which he read. However, he read only half of what there was to read. I am going to read only half, but a different half from that which Mr. Strickland read in relation to Western Australia. It is as follows:—

During 1963 the School Medical Service of the State Health Department employed seven full-time medical officers for schools. During 1963 these officers examined 55,463 children (metropolitan 34,409, country 21,054).

When we talk about examining children and visiting schools in Tasmania and Western Australia, the position is totally different so far as this State is concerned because of the distances that have to be travelled here as against those travelled in Tasmania.

The second part of this quotation contains the meat, and reads—

During 1963 the twelve full-time dentists employed—

Mr. Strickland mentioned the fact that we had 10 to 12, while the Tasmanians had 14 employed—

—by the School Dental Service visited 6 metropolitan schools, 84 country schools, 7 orphanages and 7 native missions. The number of children examined was 8,259. With the consent of their parents, 5,280 of these were treated.

So, in fact, the 12 dental surgeons treated 5,280 children in widely separated areas throughout the whole of the State from Derby to Esperance, Kalgoorlie to Leonora and Albany. They all come within the jurisdiction of the scheme. As regards Tasmania, I think I told members there was only one place, Beaconsfield, with a population of 2,000, that received fluoridated water, in 1953, and there would be no chance of knowing any results by 1963. The rest of the places in Tasmania, such as Hobart and Launceston, would not have received any benefit. Therefore, we can just about wipe out the possibility of any benefit being received in Tasmania in 1964. This Year Book states—

During 1964, three full-time and four part-time medical officers examined school children in Government and non-government schools. In addition, two regional medical officers

of health and one specialist medical officer also examined school children. Eighteen full-time and five part-time sisters visited homes and schools.

I am led to believe there is a scheme in New Zealand under which dental nurses are trained for two years. I believe the training is for the extraction of teeth and for simple fillings. Continuing—

Of the 22,567 children examined—
That is the word that is used again—

—by medical officers, 6,579 were found to have defects.

So we find—

Fourteen school dental officers were employed during 1963-64, operating from surgeries at Hobart, Launceston, Burnie, Devonport, Ulverstone, Currie and Flinders Island, and from mobile clinics in other districts. A full-time dental surgeon is in charge of each surgery or clinic. During the year there were 20,140 new visits to the school dentists and 26,238 repeat visits.

So when one takes the figures and has a good look at the two paragraphs, one will find the Western Australian dentists have done a marvellous job because, quite apart from the distances they have to cover, they did, in fact, treat nearly as many children as did their counterparts in Tasmania. So I cannot see where there was any go-slow policy on the part of the dental service here.

The Hon. H. C. Strickland: I think the honourable member is confusing medical with dental.

The Hon. A. R. JONES: No, I am not. I think this quotation is rather ambiguous, because some of the facts are not presented for each of the two States. It was not a fair quote to make in the first place, but I thought it was only right that I should point out we got only half the story last night.

I do not know if there is any need for me to go any further after what has already been said in this House, but I wish to quote two more facts which I feel are worth while. This is something which has been mentioned before. In America tests have been carried out in Newburgh and Kingston. These are suburbs of New York and are of comparable size. In Newburgh, the water has been fluoridated since 1945, so they have had the benefit of experience over a period of 21 years.

In a recent survey taken in regard to costs per child over 12 months in Newburgh, where fluoridation has been in existence for 21 years, the cost of the first year's treatment of a child of 6 years of age was \$14.16; and in Kingston, where there was no fluoridation at all, the cost of treating children to bring their mouths to a proper standard of dental health was \$32.38.

Passing to the next year, we find the Newburgh cost was only \$5.90 per year while the Kingston cost was \$11. So there again, the amount is nearly double that for the second year in the fluoridated area. Contrary to what Mr. Strickland and Mr. Lavery said last night, there is a considerable saving to a family of four or five children at a cost of \$5.50 instead of \$11, for the purpose of keeping their teeth in order for the second 12 months after the initial 12 months.

In regard to the New Zealand scheme, girls are trained for a short period and they attend to children for extractions and fillings. Figures have been given me recently; and I intend to quote a letter written to one of the dental surgeons of this State. He is one of the senior lecturers at the University of Western Australia, Dental School, and has given me this letter to read. He was inquiring into the saving in New Zealand after a certain town had been using fluoridated water for a number of years. I will read the letter, which is not long, and which gives the saving to a family after a certain number of years. It reads as follows:—

Regarding the effects of ten years of fluoridation in the town of Hastings in terms of the cost and amount of dental treatment required, these are being studied.

Already as the notes in the FDI Newsletter show we have noticed an appreciable increase in the number of children that each dental nurse can control. By control is meant examination and treatment at regular six-monthly intervals. On the present national average each nurse can control 438 children. The figure for Hastings is 647 children per nurse. From another angle improvement is evident from the fact that the number of fillings per child per completed treatment is 1.99 in the case of Hastings and 3.13 in the case of a comparable town where the water is not yet fluoridated.

That is a difference of 36.4 per cent. Continuing—

You may know that in New Zealand after the children leave the school dental clinics they are treated by private dental practitioners on a fee for service basis until they are sixteen years of age. The national average cost for each completed treatment per child (examination, X-ray and fillings) is at present £3 19s. 10d.

The Hon. R. F. Hutchison: They have a national health scheme there.

The Hon. A. R. JONES: To continue—

The average cost in Hastings is £2 7s. 3d. or 40.3 per cent. less than the national average.

This, I should explain, relates to each completed treatment, not the annual cost. Theoretically each child

should receive two completed treatments per 12 months period. The reduction in fillings alone is 55.3 per cent.

So it is clearly shown that the figure of £3 19s. 10d. doubled would involve a cost of approximately £8 a year. However, in the case of a Hastings child, the cost of two treatments a year would be £4 14s. 6d. That would mean a considerable saving to the parents of families.

I do not think it is necessary to read the rest of the letter. I hope the three illustrations will, perhaps, give further evidence to those members who have not yet made up their minds which way to vote. I appeal to those in this category to think of the children who have just been born, and those yet to be born. If we can give them fluoride in their drinking water, we will save a lot of unnecessary suffering and treatment.

I remember that last night Mr. Strickland said he never knew of anyone having to leave his job to go to the dentist. I can tell the honourable member that on two occasions when living in the bush I had to dash away to a dentist, as quickly as I could. On one occasion I sat on a bag of chaff and asked someone to pull out one of my teeth with a pair of pliers. Also, a man working on the farm once came to my father with a pair of pliers and asked him if he would pull out his so-and-so tooth.

I am suggesting a lot of that kind of suffering could be eliminated because it has been proved by tests carried out everywhere that 60 per cent. less dental care is necessary where children have had sufficient fluoride in their drinking water.

The Hon. R. F. Hutchison: Where?

The Hon. A. R. JONES: I am like Mr. Griffith; I cannot talk to you!

The Hon. R. F. Hutchison: You do not know the answer, that is why.

The PRESIDENT: Order!

The Hon. A. R. JONES: There is not much more I wish to add. I can well recall the suffering I have witnessed, particularly amongst young children. Children's teeth mainly ache at night time and I know what a worry it can be to parents. With the introduction of fluoride, it is possible to have relief from 60 per cent. of that suffering.

I have two daughters, and one was blessed with good teeth and the other was not. Because of that, it has cost something like £800 to have her teeth preserved to the present stage. Surely fluoride would be a worth-while benefit to a person like her. At the time, when bringing up my children, I did not know there was such a thing as a fluoride tablet which could be placed in drinking water. My children did receive the initial care provided by the average parent, but I suppose my daughter was

unlucky and got a bad start with bad teeth. She could have had a lot better teeth had fluoridated water been available.

I wholeheartedly support the Bill and I congratulate the Government for having the courage to introduce this legislation. None of us likes to force anything on anybody, but I think this step is necessary.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [9.49 p.m.]: Before this proposed legislation became anywhere near as controversial as it is now, I received a communication from a Christian Science committee regarding the anticipated legislation now before us, and in that communication the committee put its views. Under the heading "Statement on Fluoridation," the committee presented the views of that particular church. I feel the views were very modestly put and were very reasonable. I would like to make them available for the information of the House. The statement reads as follows:—

We wish to make it clear at the outset that it is certainly not our desire or intention to oppose legitimate public health and sanitation programmes, or to deny any of the various medicinal health measures to those who desire them.

But when it comes to compulsory fluoridation or any other programme that would undermine the basic freedom of the individual in matters of personal health and religion, then we feel it is our duty to register our convictions and deepest protest.

We wish to emphasise that our Church supports the establishment of an orderly, just, and lawful society—and that as individuals, we obey the laws, including public health laws, whenever they apply to us. At the same time, however, we are definitely opposed to any measure which involves unnecessary compulsion, especially on something so personal as individual health. We believe that the question of fluoridation cannot be separated from those larger issues of individual freedom, and compulsory regimentation, including mass medical treatment, which today loom large in our society.

We believe that fluoridation of the public water supply violates the individual rights of all citizens; that the government should not have the power to compel any citizen to submit to unnecessary treatment which violates the dictates of his conscience, his personal integrity, or his day-by-day control and responsibility for the care of his own body.

We believe that the individual's right to choose his own diet and method of health treatment should

be preserved because this is a fundamental human and civil right. It is therefore our deepest conviction that the public water supply should not be used for the purposes of mass medication, nutritional additives, or for any substances except those necessary for purification of the water.

It should be made very clear that we are not concerned here with the medical question of whether fluoridation is effective or ineffective. Our only concern is with the methods being proposed, which would deny the individual his freedom of choice.

The fact is that other methods of making fluoridation available do exist—tablets, toothpaste, direct application, milk, and so forth—and these methods can be used in a large scale community-wide programme without infringing unnecessarily on the rights of those who do not want to take part. These other methods have been endorsed by many medical and dental authorities and can be made available to all those who desire their children to have such treatment.

This being the case, we earnestly question the justification or necessity for medicating all citizens involuntarily by means of the public water supply—especially since it is clear that no threat or danger to the public welfare is involved in any way.

On the contrary, we wonder if compulsory fluoridation would not be a dangerous precedent for a very serious erosion of individual freedom.

We would like to call attention to the fact that compulsory fluoridation goes far beyond almost all public health measures now in existence, even those for serious contagious diseases. It would force "automatic" mass medication on every citizen using the public water supply, without regard to individual needs and conditions. It introduces a whole new order of compulsory public health measures which deprive the individual of his right to determine his own form of treatment—on even so personal a matter as dentistry.

We would therefore like to respectfully request that consideration be fully given to the effect which the enactment of compulsory fluoridation would have on the individual freedoms of all those who use the public water supply of this State and the ultimate cost in terms of fundamental individual human rights.

I thought that was a very moderate and fair summation of this problem that is before us. It is obvious that the longer we discuss the Bill in the Houses of Parliament, and the more experts we bring forward on one side, the more experts will be brought forward on the other side to refute the first claims. I am not by any means convinced

—by all that has been said by various speakers—that one is exclusively right or that the other is exclusively wrong. But it does seem that where there is no consensus of opinion at a high level on an issue of this nature, an alternative might be tried rather than proceed with the matter before giving it a trial. That, in essence, is what is happening.

I for one, would not believe that a mother would not look after her children. She will do anything to look after them irrespective of circumstances. For those rare few who do not look after their children there is a place in society for such neglected children. We could go on listening to what is right and what is wrong, and listening to the various disabilities which affect children's mouths and still not be satisfied that fluoride is the complete answer.

If one were to put one's faith in the story behind the fluoridation of water, one must accept that the emphasis laid upon the natural quantum of fluoride at Cue should, in effect, prove his faith. This faith should be proved by any test which might be made of the Cue population, as against a population of any other area with a lesser quantity of fluoride in the water. In that respect, I was surprised to find in a report submitted by the school dental section in October, 1950, a set of tables. In that report, the various towns tested were listed. The source of the water supply was also described. The part per million of fluorine was established, and quoted, and the percentage of sound mouths established. The table also showed the number of D.M.F. which, I understand, means decayed, missing, or filled teeth.

The most striking information in this report is contained in the information regarding the first two towns mentioned. The first town, of course, is Cue. According to the table the water supply at Cue has 1.25 parts per million of fluorine. That is the highest percentage in the report. My point is that it should follow that Cue should have the highest percentage of sound mouths if fluoride is the success we are led to believe it will be if children take it. Cue had an 8.9 per cent. of sound mouths.

The next place mentioned on the list was Marble Bar, with one part per million of fluorine in its drinking water. The percentage of sound mouths in that town was 35 per cent. Now, is there not something more to this than fluorine? If there is so much faith in a given quantity of fluorine, it must follow that if there is a variation, that variation will compare with the base figure. However, we can go on down the list and find a complete variation of percentages, even though there is a steady decline in the percentage of fluorine.

Quite a few towns, in fact, have a higher percentage of sound mouths than does Cue. For example, the town of Roebourne with bore water containing 0.4 parts per million

of fluorine, carries a 26.7 per cent. of sound mouths as against Cue with 8.9 per cent. In Broome the figure is 14 per cent. with 0.35 parts per million of fluorine. Those figures, I believe, should be effectively answered before we agree to adopt the mass fluoridation of water supplies in Western Australia.

The Hon. G. C. MacKinnon: It has already been answered but will be again.

The Hon. W. F. WILLESEE: It may be answered to the Minister's satisfaction, but will it be to mine?

The Hon. F. D. Willmott: I doubt it.

The Hon. G. C. MacKinnon: That is one I could not answer.

The Hon. W. F. WILLESEE: Among the many references that have been presented, I have one which I thought was well prepared and contained some useful material. It is of a good standard and the information is well worth reading and should be worthy of consideration by everyone. It is not something which should be put aside as being unworthy of consideration just because one may not agree with it. It is contained in a folder and provision is even made for the other side of the story in the information which is presented. All the documents are well prepared. The Anti-fluoridation Association of Victoria saw fit to prepare this folder and to send it with a covering letter regarding the association's proposals.

So many letters have been read in both Houses, and so much has been said, that I do not think one can further the issue by a prolonged reading of more publications. However, it is noteworthy that in a letter written by the Dean of the Faculty of Dental Science at the University of Melbourne, Professor Sir Arthur Amies, C.M.G., on the 9th March this year, he concludes by saying—

I am still opposed to the artificial fluoridation of community water supplies for a number of reasons, and I continue to hold the opinion that such a procedure should not be implemented until a great deal more knowledge is obtained concerning the possibilities of long range toxic effects on individuals.

There must be some room for doubt when a man such as that signs his name to a document of that type, particularly in view of the undoubted qualifications he possesses.

I should next like to quote an extract of a reprint from *The Times*, London, of the 12th July, 1965, in which a statement was issued by 14 Labor and 12 Conservative members of Parliament, and signed by all of them. Is not that relevant? Should not that be considered? Should it be thrown down the drain and receive no consideration whatever because one does not agree with it? Among others, these points were raised—

The fact that experts are widely divided in their opinions both as to the

action of fluorides on the human body, as well as to their safety, serves to emphasise the need for preventing the artificial fluoridation of public water supplies. But even if all the experts were agreed that fluoride is absolutely safe, we do not think that local councillors—or members of Parliament, for that matter—are, or should be, empowered to decide by a majority vote that their fellow countrymen shall be dosed with this substance.

I agree with that entirely. If the issue is so important, and advisers of the Government believe fluoridation should be given a complete test, let the people of the State decide the question.

I should now like to quote a reprint from the *Medical Journal of Australia*, dated the 11th November, 1961. Should that be passed over as a matter of no concern? Is it not worthy of more than passing interest? Because it says this in one of its paragraphs—

For the purpose of argument, I will accept without prejudice a 50% reduction in total caries incidence, however estimated. This does not mean that 50% of children will develop no caries. It means that the total number of cavities in the teeth of all children is reduced by 50% compared with controls. Some will show little change others a great improvement, but the figures refer only to averages. Approximately 5% will inevitably disclose varying degrees of dental fluorosis, which is a brown mottling disfigurement of the teeth. If by a remote chance your child proved to be a bad case, would the statistical explanation mollify you?

The folder contains a series of well-documented and, I think, authenticated presentations, and one would need no more than this, if one were not convinced on the issue, to raise some doubts at least in one's mind as to whether fluoridation was worthy of consideration.

It is unfortunate that when we endeavour to discuss legislation in this Chamber it is almost a physical impossibility for any of us to convince another member if he does not wish to be convinced. I well remember the last occasion when a Bill for the fluoridation of water supplies was before us. I read extensively from the works of many authorities and then Dr. Hislop got up and quoted just as many authorities who took the opposite view. I am sure neither of us convinced the other, and the same thing will happen on this occasion.

However, if this Bill becomes law there are some matters to which I think the Government should give a great deal of consideration—and I propose to deal with these points in Committee—in order to provide some safeguards and, if possible, still give to the community at large the right to decide on this very important

question if the Government believes that it must go on with it. For my part I am opposed to the mass ingestion of fluoride and I believe the alternatives that are available are superior so far as the health of our children is concerned.

I cannot help but wonder what the position would be with a person drinking copious quantities of water in a hot town, such as Marble Bar, during a hot summer—say during March—as compared with a person in the south-west, where there is a comparatively cool climate, drinking much smaller quantities of water. Obviously the intake of fluoride must be completely different in those two cases, and there is no guarantee that the person drinking large quantities of water, and therefore having a greater intake of fluoride, would not get more than the approved minimum amount.

On the other hand, if a dentist or a doctor whom I attended told me to take fluoride tablets I would certainly take them because I would realise he would be telling me to do so for my own good. However, it is interesting to note that recently, when I attended my dentist, he told me I had reached the stage of immunity to cavities. He said it was unlikely, provided I took reasonable care with my teeth, that I would suffer further teeth decay in the future. I can only conclude from that that there would be many people in my age group throughout Western Australia who would be in the same position. Surely if it is not necessary for me to protect my teeth by the taking of fluoride, if I do not want to take it, and I am managing all right without it, and there are many others in a similar position, it seems unnecessary that the Government should move to force something upon the people when many of them will receive no benefit from it.

By all means let us help the children, but it seems to me that on this issue we are losing our sense of proportion because, in the life of a human being—three score years and 10—60 per cent. of the time will be spent taking a substance which is unnecessary for his dental health. I feel there is no point in labouring the issue any further and I merely say that I oppose the Bill.

THE HON. J. G. HISLOP (Metropolitan) [10.11 p.m.]: Firstly I should like to take this opportunity to apologise to the many people who have sent me pamphlets in regard to fluoridation because I just have not had sufficient time to reply to all of them. However, I do wish somebody who believes in the use of fluoride—even one person—had sufficient faith in it to write to me and tell me that he believed in it. Every piece of literature I received was from those who do not agree with it. Apparently those who do not take an interest in the question and cannot be bothered letting us know that they are in favour of it.

As I went through the letters that were sent to me it was obvious there was a pattern in the story, and the story was repeated almost exactly by Mr. Willesee just now. This seems to have been a prepared doctrine and one which has appealed to a number of people. On the last occasion this legislation was before us I read extensively during my contribution to the debate and at that stage most of us were trying to sort out who were the reliable people and who were the unreliable ones, and it was not easy to do. In the pattern that has been more or less set by those who have written to me I think one could divide the objections up under certain headings.

First of all I think the greatest concern of the individual was exactly what Mr. Willesee said it was—that the elderly people were not going to receive any benefit from fluoridation and, if that was so, why should they have to take fluoride? That is one of the things I will endeavour to explain as I go along.

One person sent me a note but as it has already been reprinted in *Hansard* through having been quoted in another place, I shall not read it. This person said she was very worried about the fact that the brain could be damaged by fluoride, and almost all the other organs of the body could be involved. This, of course, is very far from the truth. I feel very sorry for the person who is already making arrangements for rainwater tanks because of the damage that fluoride will do. Other people said they were opposed to mass fluoridation because they felt it was repugnant to their rights to be compelled to do something for their own health and the health of the community.

Then, of course, there was one group that felt they could rely on parents to give their children tablets in the proper way. Others found it difficult to believe that with a percentage of one part of fluoride per million of water there could be regular doses.

Later on I might be able to relieve Mr. Willesee's mind of what would happen if, for instance, we were living in a place like Marble Bar and were drinking extensively. I think it would be necessary for us to drink a bathtubful before it became dangerous; and even then I do not think it would be dangerous. In order that we might start off on the right foot I would like to read to the House just what fluoride is. I give the following interpretation of fluoride:—

Fluorine, together with chlorine, bromine and iodine, is one of the halogens. Being an active element—one of the most active known—it is not found as an element but as a fluoride occurring especially in igneous rock formation as fluorspar, fluorapatite and fluoride, all of which are fluorides of calcium. It also occurs in the endemic regions in soils and rocks,

it is present in sea water at a concentration of about one part per million, and it is found in many foods as a trace element.

One word that might be difficult to understand as we go along is "ion." That is an electrically charged particle or molecule in which certain chemicals are associated with water. Having read extensively from many authors, both for and against fluoridation I have chosen tonight an article which was presented in the *British Medical Journal* of the 30th July, this year. This article was written for the *British Medical Journal*, and the following short paragraph can be found early in the journal:—

The artificial fluoridation of public water supplies, like the natural presence of fluoride in them, is known to be efficacious in reducing the incidence of dental caries. At the same time studies carried out in areas where the water supply contains natural or added fluoride have never shown any ill-health from it when the level of the fluoride is at one part per million. Many medical bodies in Great Britain (and abroad) have expressed their approval of the fluoridation of water as a public-health measure.

I have based my belief in this presentation on the fact that the Medical Research Council of Great Britain, the British Dental Association, and the British Medical Association have all accepted this article as a very genuine investigation of the situation. The *British Medical Journal* therefore invited Dr. Roy Duckworth, who has gained his doctorate, and is both a Bachelor and a Fellow of Dental Science, and also a member of the College of Pathologists to write an article. Nobody could have been better qualified than Dr. Roy Duckworth to present this article. In the first short paragraph he says—

Fluoridation of water entails the adjustment of its fluoride content to levels which reduce the prevalence of dental caries without causing damage to teeth or other organs. Fluoridation aims to reproduce the natural situation where some drinking-water contains fluoride in quantities which are sufficient to confer relative resistance to caries.

I do not want to read the whole of the article because it is rather technical and some of it can be left out. But we might have a look at the Epidemiological Studies where we find the following:—

Field investigations first revealed the important role of fluoride in the control of dental caries. During the early part of this century epidemiologists in the United States investigated a brownish mottling of dental enamel which proved to have a geographical distribution and was therefore thought to be due to a water-borne chemical. After this had been

identified as fluoride (Churchill, 1931) Dean (1938) demonstrated a quantitative relationship between mottling and the fluoride content of water, and he went on to show that teeth with mottled enamel were less susceptible to dental caries than unmottled teeth (Dean *et al.*, 1939). Later surveys revealed that the prevalence of dental caries decreased as the fluoride content of drinking-water increased (Dean *et al.*, 1942) and that almost maximum protection, without enamel-mottling, was obtained when fluoride was present in the water in a concentration of about 1 part per million (p.p.m.).

These findings have since been confirmed by workers in many countries, including Forrest (1956) in the United Kingdom. Under a variety of conditions of diet and climate, epidemiological surveys have repeatedly shown that the presence of approximately 1 p.p.m. of fluoride in public water-supplies is associated with a reduction in the mean D.M.F.—

which means decayed, missing and filled teeth—

—children drinking such water having a D.M.F. usually less than half the D.M.F. in children reared in communities where the drinking-water is virtually free of fluoride. The benefits are not limited to children, for where adults have been continuously exposed to a water-supply containing about 1 p.p.m. of fluoride their caries rate has also been halved (Russell and Elvove, 1951; Englander *et al.*, 1964).

I will pass by some of these controlled trials on fluoridation, because they were quoted extensively in the last debate. But it would be important to have a look at the section "Mode of Action of Fluoride in Preventing Dental Caries." The article states—

Caries-susceptible surfaces of the teeth are covered by films of adherent bacterial plaque. It is in this plaque that glycolysis leads to the formation of acids which are responsible for solution of the enamel and for the initial lesion of dental caries. Fluoride may control caries by increasing the resistance of the enamel to this acid decalcification or it may inhibit the bacterial enzymes active in the formation of acids in the plaque.

Support for the first hypothesis has been obtained in the laboratory, where enamel, consisting largely of hydroxyapatite, reacts with fluoride to produce the more stable fluorapatite (Leach, 1959), which is less soluble in acid. Similarly, enamel from teeth developed in regions where the water-supplies contained 2 p.p.m. of fluoride was less acid-soluble than enamel formed in low-fluoride areas (Jenkins *et al.*, 1952).

Until recently the concentration of fluoride in the bacterial plaque has been considered inadequate for the inhibition of glycolytic enzymes. However, Hardwick (1963) has reported the presence of relatively large amounts of fluoride in the plaque, and he suggested that this is concentrated and stored in an organic form until it is released as the pH falls. The ionic fluoride thus released inhibits further acid production and hence enamel solution, and the development of a carious lesion is avoided.

I will leave out some of the experiments and continue with the quote as follows:—

Although fluoride intake depends partly upon the nature of the diet, the fluoride concentration in drinking-water and the amounts of water consumed are more important. Where the fluoride content of water is high and the climate hot, as in parts of India (Singh *et al.*, 1962), the daily intake of fluoride may reach 10 mg. or more, but in the United Kingdom the additional intake from fluoridated water is only about 1 mg. per day.

Alternative methods of supplementing fluoride intake are the distribution of fluoride-containing milk and the use of fluoride tablets (Held, 1965) or fluoridated salt (Wespi, 1964). These methods of administration are effective in controlling dental caries if they are used conscientiously, but therein lies their chief disadvantage. In comparison with water fluoridation these alternative measures depend upon the efforts of individuals and therefore often fail through lack of cooperation. However, fluoride tablets and fluoridated salt are of value in regions without piped water-supplies.

Then we move on to the interesting point which is as follows:—

... that relatively large amounts of calcium in the diet reduce the absorption of fluoride (Wagner and Muhler, 1960), probably by precipitating calcium fluoride, which is poorly soluble, or by the formation in the gut of calcium phosphate, which binds fluoride. In man this action of dietary calcium could reduce the amount of fluoride absorbed from drinking-water and foods containing fluoride, but the effectiveness of fluoridated milk in preventing dental caries suggests the calcium has no significant effect.

I will go on and leave a considerable amount of this article out, and deal with the deposition of fluoride in teeth. I quote—

The calcified dental tissues incorporate fluoride during accretion of mineral and absorb it by ion exchange.

In other words by solution in water—

However, these tissues have limited opportunity for fluoride uptake because of their short period of contact with fluoride-containing tissue fluid. It is the mineralized tissues at the interfaces with tissue fluid which contain the most fluoride; thus enamel is relatively rich in fluoride at the surface, the amount, which increases with age (Brudevold *et al.*, 1956), being related to the concentration of fluoride in the drinking-water (Isaac *et al.*, 1958). Brudevold *et al.* (1956) have postulated that fluoride enters enamel during three different stages in its development: during mineralization; prior to eruption, when the completed enamel absorbs further fluoride from the tissue fluid; and after eruption, when the fluoride content of surface enamel is augmented by absorption from water and food.

In appropriate amounts fluoride incorporated into enamel increases resistance to dental caries, and in greater quantities it may cause mottling of the enamel. This mottling, or enamel fluorosis, is the most sensitive indicator of the amount of fluoride being absorbed, although the most delicate physiological effect of fluoride is its ability to reduce the prevalence of dental caries.

Enamel fluorosis of the permanent teeth results from the drinking of water containing more than 1 p.p.m. fluoride during the first ten years of life.

Once enamel formation is completed fluoride cannot cause mottling. This varies from tiny opaque white spots, over which the surface glaze is preserved, to gross, dark brown, disfiguring lesions with a pitted, unglazed surface. The severity of individual lesions, the number of teeth affected in any one mouth, and the number of affected individuals in a community depend upon the fluoride content of the water supply. Although a trained observer may find slight changes in a few teeth in some individuals drinking water containing 1-2 p.p.m. of fluoride, aesthetically objectionable mottling has not been reported at this concentration. Indeed, the community index of hypoplastic defects in enamel is at its minimum when the fluoride concentration in water is 1 p.p.m. (Forrest and James, 1965). Staining does not occur until a concentration of about 3 or 4 p.p.m. is reached, and numerous gross lesions appear only when the drinking water contains 5 or 6 p.p.m. of fluoride.

I now want to deal with the deposition of fluoride in bone. Many people who have written to me have felt their bones might grow brittle and break; and they were

fearsome of spending their old age in company with fluoride. One man to whom I wrote concerning this evidence of bones wrote back and said he did not agree. I think when I have read this section of the article, members will see what I am driving at. It is as follows:—

The hard tissues of the teeth are not the only mineralized tissues to react with fluoride. The facility with which the fluoride ion exchanges with the hydroxyl ion of hydroxyapatite makes fluoride the most avid of bone-seeking elements. It is rapidly taken up by existing bone and incorporated into forming bone, a reaction which is protective because it aids the kidney in fluoride homeostasis.

In other words, it protects the kidney from excess. Continuing—

Data from studies of fluoride balance in man show that, when extra fluoride is ingested, up to half is bound by bone and the remainder is excreted in the urine. If the raised intake continues the skeleton approaches saturation and the proportion of absorbed fluoride excreted in the urine rises.

I recently looked at a book in which there was a most horrible looking bone exposed, and underneath were the words, "presumed to be caused by fluoride." I feel that when anyone is preparing a book for public consumption, a statement such as "presume that it is right" should not appear in such a book. Continuing to quote—

Increases in bone fluoride with age have been found in subjects from communities with water-supplies containing less than 0.5, 0.8, and 1.9 p.p.m. of fluoride; the increase continuing to middle and old age. In these studies the higher the fluoride concentration in the drinking-water the higher was the level of bone fluoride at any given age.

The effects of larger intakes of fluoride upon human bone have been studied in regions where there are naturally high concentrations of fluoride in the water, and where workers engaged in aluminium-smelting, rock-crushing, or fertilizer manufacture have in the past absorbed vast amounts of fluoride. For many years the water of Bartlett, U.S.A., contained 8 p.p.m. of fluoride, but neither clinical nor significant radiological changes were found in the bones. Above this level of intake skeletal fluorosis may appear as a symptomless diffuse osteosclerosis; not until very large amounts of fluoride (20 mg. per day or more) had been absorbed over many years did cryolite workers in Denmark complain of bone pain and joint stiffness due to severe osteosclerosis and calcification of ligaments and tendons.

Sometimes this can be found even without added fluoride. Continuing—

These high levels of intake will not be achieved with fluoridated water.

I feel we may have a look at the safety of fluoridation. Before I do let me say this, as a personal explanation: The reason why I have emphasised this question of the deposition of fluoride in bone is because of what I, as a physician, and many members of our profession see from time to time. I am horror-stricken at times when I have a number of elderly patients to look after. Often they have to be sent to a hospital for treatment, or to a "C"-class hospital. One of them will often fall out of bed; and one can almost inevitably say that that person has fractured the femur near the hip bone. The patient must then obviously go to hospital for a considerable operation, which is quite costly; and it is necessary to have an expensive metal head put on to the epheuma. That is designed in the ordinary form of a hip bone; and then the patient may spend five or six weeks before he can develop courage to walk. For a long time afterwards those patients hesitate to go more than a short distance.

This is something that happens in aged life. They are not isolated cases. Those of us who are physicians see these aged persons; and I should say the general practitioners would see even more. Our experience has been that when these people have been left alone for a few minutes in a hospital they often fall out of bed. As a matter of fact, at the moment I am looking after an old friend who has broken each hip femur by falling out of bed. Two artificial heads are fitting into her hip joints. This is the sort of thing I feel can be cured if the elderly people have the addition of fluoride to their drinking water.

It is quite obvious that as the control of the bone function is so well controlled, there can be no danger to the aged person who has taken fluoride for the whole length of life. When the bone is saturated with fluorine and no more is needed, any increase, as I read to the House, will be passed out in the urine. If fluoridated water could be given to these elderly people—some of us in this House are getting near that stage—we will have given them considerable benefit. Therefore I would say to those people who have conscientiously written to me fearing what the future will bring to them because of the unwanted fluoride which they think is useless to them and should not be taken, that their fears are groundless.

I believe that in this State or in Australia one or two people have been treated by injections of fluorine in the hope that this will be taken into the bone. I think it is probably too late at that stage to use that form of treatment, but it is probably well worth trying. The use of fluoride in water will, I hope, turn out to be a real salvation to our aged folk. Now let me talk

about the safety of fluoride. I quote as follows:—

Accidental or suicidal swallowing of inorganic fluoride has enabled estimates to be made of its acute lethal dose; these vary from 2.5 to 5 g. of fluoride or about 50 mg. per kilogram of body-weight.

We would never see that amount in the water. Continuing—

Clearly, if only 1 p.p.m. of fluoride (1 mg. per litre) is added to water it would be impossible to drink at once sufficient to cause death. Although the earliest symptoms of acute fluoride poisoning, such as nausea, vomiting, and sweating, can be caused by an intake of as little as 125 mg. of sodium fluoride, the equivalent volume of fluoridated water, 60 litres, could not be drunk at one time. Therefore there is no danger of fluoridated water causing symptoms of acute fluoride intoxication.

Chronic fluoride poisoning, showing itself in childhood as enamel fluorosis and in later life as skeletal fluorosis, does not occur when water contains 1 p.p.m. of fluoride. Cosmetically objectionable mottling of enamel appears in some subjects when the communal water contains 3 p.p.m. fluoride or over, and skeletal fluorosis may be apparent radiologically when the water contains about 8 p.p.m. of fluoride; even then the changes observed are symptomless.

The Hon. R. F. Hutchison: What about the person who drinks a lot of water?

The Hon. J. G. HISLOP: One would have to drink a bathful of water to get a kilogram. I do not like drinking bath-water! Continuing—

Because much of the excreted fluoride passes through the kidney, this organ could be in a position of special risk from any toxic actions which fluoride might have. A high concentration of fluoride (125 p.p.m.) in the diet of rats caused renal tubular necrosis (Pindborg, 1957), but there is no epidemiological evidence that renal disease in man has resulted from drinking water containing only 1 p.p.m. of fluoride. Conversely, experimental renal disease (acute chemical nephritis) has not been shown to be associated with fluoride retention, and there is no clinical evidence to show that impaired renal function in subjects drinking fluoridated water could limit fluoride excretion sufficiently to produce skeletal fluorosis. Indeed, it is probable that a degree of renal failure, incompatible with life, occurs before there is significant fluoride retention.

One has to realise that the failure of our kidneys is often seen by us as a fatal disease. Continuing—

In numerous epidemiological surveys, in regions where the fluoride

content of water varied from 1 to 8 p.p.m., data upon disease prevalence and mortality have been collected and compared with similar data from low-fluoride regions.

I think that this fits in with what Mr. Jones spoke about just recently. Continuing—

Examples of these surveys are the Newburgh-Kingston study reported by Schlesinger *et al.* (1956) and the Bartlett-Cameron investigation (Leone *et al.*, 1955). At the end of ten years there were no differences of medical significance between the children drinking fluoridated water in Newburgh and children not doing so in Kingston. In Bartlett the effects of prolonged exposure to water containing 8 p.p.m. of fluoride were assessed by comparing the health of its residents with the health of the people of Cameron, a town with a water-supply low in fluoride. Medical, dental, and radiological examinations of the inhabitants of Bartlett revealed that the only significant effect of their high intake of fluoride was, as would be expected, fairly severe enamel fluorosis. Further evidence of the safety of fluoridation was provided by Hagan (1959), who reviewed mortality statistics in relation to fluoridation in Illinois and concluded that there was no relationship between mortality and the presence of fluoride in drinking-water. These are but a few of the many studies which have demonstrated that traces of fluoride in drinking-water do not have adverse effects upon health.

The Hon. R. F. Hutchison: Does the fact that so many doctors have differing opinions on this subject have any significance for you?

The Hon. J. G. HISLOP: I have read and re-read literature for and against fluoridation of water supplies, and this is the one article which has persuaded me, as a trained physician, to accept what this man has said, because for every statement he quotes he has given the name of the individual who has made it. Such opinions are based on 40-odd research reports, all of which have been noted in this journal, and I would think that this certainly would be the accepted document to support the use of fluoride in every country.

The Hon. R. F. Hutchison: Do you think any person is being unreasonable if he objects to being forced to take anything he does not want to take? I object to being forced to take anything against my will.

The Hon. J. G. HISLOP: I will deal with that point in a moment if the honourable member so desires. The article in this journal continues as follows:—

Judgment upon the desirability of fluoridating communal water must be

based upon an evaluation of data that have been obtained in epidemiological studies which first revealed the dental importance of fluoride, in controlled trials of fluoridation which have demonstrated its preventive action, and in laboratory and other experiments designed to elucidate the physiological properties of the fluoride ion and its possible toxic effects. If this evaluation is made it will be seen that fluoridation is not a new and untried procedure for in certain parts of the world naturally fluoridated water has been drunk for decades; and in the United States, where over 58 million people now drink water containing significant amounts of fluoride, there is 20 years' experience with fluoridation. Indeed, the available data suggests that probably no other procedure in the whole field of preventive medicine has had its effectiveness and safety so thoroughly established; yet, in spite of this, and our ample knowledge of the physiological actions of fluoride, we in this country still await the widespread introduction of fluoridation.

The country referred to in the last line is the British Isles.

There is one great man who answered "Yes" to the fluoridation question. I do not think we could ever take any action that would, in any way, lessen the status of Sir Macfarlane Burnet, director of the Walter and Eliza Hall Institute in Melbourne. I have here an article taken from the Melbourne *Herald* dated the 6th October, 1964, which was contributed by Sir Macfarlane Burnet. I will read only a small extract from it for the information of the House, and it is as follows:—

Dental decay is not simply due to lack of fluorine. It will occur even in regions whose water contains adequate amounts, and proper diet and the use of the toothbrush will always be important for its prevention.

Parents and children must play their part, but equally, they can demand that health authorities should at least provide the possibility of healthy teeth for every child by ensuring, where necessary, that public water supplies are brought up to Nature's standard of healthfulness.

If one is to respect anybody one has to respect Sir Macfarlane Burnet, probably one of the greatest scientists Australia has ever seen.

I will now deal with the question of the person who objects to being pushed around to do things. I do not like being pushed around to do things.

The Hon. R. F. Hutchison: We never heard of fluoride here until the refinery produced it as a by-product.

The Hon. J. G. HISLOP: In regard to this particularly question, I do not think

we expect anybody to force another person to do something or to do anything stupid. We are a civilised type of people to some extent and we have to conform to the needs of society.

I have set out what I am about to say in a letter I have written to some of those people who were good enough to write to me. I can remember being in Victoria when I was a youth at a time when smallpox inoculation was compulsory. If I remember rightly, the compulsion was lifted and the people were given liberties. I can then recall when a ship arrived in Melbourne and one of her crew, or a passenger, was notified he was suffering from smallpox. What happened after that was nobody's business. The crowds just made their way to the premises of the nearest doctor and they jumped over fences, damaged gardens, and scrambled with other people in order to be the first to enter the doctor's surgery. It was a wonderful example of the effects of non-compulsion.

It was also realised that such a situation was stupid and that compulsory smallpox inoculations should have been continued. I can continue by saying that when I returned to Perth and was the Superintendent of the Children's Hospital I was appalled at the number of diphtheria cases. In my opinion they were probably due, to a large extent, to the fact that a type of duckboard had been placed across the gutters to enable people to reach the footpath. The gutters underneath these duckboards were not being cleaned and, among other things, were contributing to the incidence of diphtheria.

I was determined that the Schick test should be introduced to Western Australia, and I thought the best approach was to speak to the Perth City Council. I addressed the members of the council one evening but did not know that members of the Press were present, and the following morning there appeared an article in the newspaper. It was not long before I was told by some of the senior people who lived around me that they did not think I should continue as I was continuing because, as a young man, I was getting too much publicity. So my efforts in that regard were put off for a time.

I can remember many other things that were made compulsory. I can recall standing in this Chamber protesting vehemently not against X-rays being taken for the diagnosis of tuberculosis which was the treatment then in vogue, but because I felt that that form of treatment would not last for long. I was of the opinion that it was crude and it turned out to be so. There were many others who wanted to protest against having anything to do with radiological investigation of tuberculosis. Today, when we look at the situation, we find that mothers are intent on the inoculation of their children against all sorts of infectious diseases. In fact, there is no need now to ask for

any compulsory control for the institution of health ideas, because the public asks for them. Therefore we have no fear in that regard.

It is a healthy community and I trust it will long remain a healthy community. I believe the public at large will not protest against the fluoridation of water supplies as compulsory treatment for healthy teeth. Within a short space of time I think they will be glad to realise that the Government has given them a means to protect children's teeth and our bones when we grow old.

THE HON. F. J. S. WISE (North) [10.56 p.m.]: I think I am the seventeenth speaker to this debate. In my long parliamentary life and experience I have always set myself against two things: One is over-stressing the obvious, and the second is unnecessarily beating the air. There are three aspects of this debate which are absolutely obvious. To me it is obvious the Bill will pass. The second obvious thing is that the subject is most controversial, one on which lay people, skilled men, and scientists have sharply differing views.

The Hon. R. F. Hutchison: Yes, indeed!

The Hon. F. J. S. WISE: The third obvious aspect to me is that many members who have spoken speak far too infrequently and should not let their abilities to think, and to express themselves be latent assets. On this third point, it has been most interesting to find that in this Chamber there are men who are prepared to work hard on the study of a subject such as this one. They are prepared to give us a glimpse of their capacity to think, and yet session after session they are prepared to allow 100 Bills of some importance—some at least of as great importance as is this one—and matters of national interest to pass on and to remain silent on them.

In passing I would say to those members that there is need for a close examination of all legislation and I would hope that some members who have already spoken, and who normally speak for a few minutes once or twice a year, should become more anxious to contribute to debates in this Chamber and to provoke thoughts in the minds of others. It is obvious that many speakers who had an inclination to support fluoridation have believed in it; have studied authorities on it, living and dead; have consulted the authorities of today, and indeed, have consulted highly-placed officers in the State for ideas and references.

That is a good thing. Even though they may receive support of their own ideas, it is a very good thing to consult with others even if their views are unswerving and unlikely to alter as a result of any argument. I repeat, I would like to see an interest clearly shown in this

Chamber when the 100 matters, which this Chamber will deal with and pass this session, come before us.

On the second point, that the subject is a most controversial one, there is no doubt. I find myself sorely perplexed as to which of the authorities we have had quoted to us, and which of the pressures, are correct in their attitude; and which is the right solution. I have the greatest respect for the medical scientist and support wholly the unity extended to him as a person. I have a personal reason for respecting him, but there are national reasons.

Had it not been, for example, for the work of Doctors Banting and Best from 1921 onwards, thousands of people would not be alive today; and I am one of them. Tens of thousands of people are being kept alive, and being kept active physically and mentally by the daily use of the hypodermic needle, the contents of which are injected into the human body.

That is a very different matter from this subject; the subject matter of this Bill. It is a very different matter from dealing with lung cancer, tuberculosis, smallpox, cholera, and all the things for which there is, necessarily, compulsory inoculation. This is a very different matter from those. I cannot agree at all with those who have used smiles that compulsion in regard to X-rays for tuberculosis is a basis for comparison with this matter. Tuberculosis is something which one can transmit to another. A compulsory necessity affecting people visiting countries where exist yellow fever, malaria, and all of the things which require personal attention, public attention, and public demand to prevent epidemics, is very different from this matter.

Dental decay, I suggest, is very different from those diseases which are transmissible. They are matters for which inoculations are made compulsory as a basic, primary, and moral attitude—quite apart from the health aspect. How grossly unfair it would be for any person having a disease which is transmissible from one person to another, to be a carrier. Dental decay, I again suggest, is very largely a personal matter; a matter requiring personal attention. Some families are fortunate in inheriting good teeth. We have all seen malformations in mouths, and we have all seen families going to the dentist regularly, almost monthly.

I refer to this as a personal matter; and I refer to it as the father of seven children. The eldest is 43 and I know that puts me in the "old" category referred to by Dr. Hislop. Be that as it may. As I said, I have seven children from 43 years down to high school age, and of today not one of them has a false tooth.

Most of my children lived in the areas where rainwater was the only drinking water available in their early youth.

Wherever practicable, those children had every encouragement in the cleansing of their teeth—twice daily at least—and always when available and accessible, attention by a dentist. That was a part of family responsibility, and family investment. It was also irrespective of cost.

Dental caries, or dental decay, certainly cause inconvenience and pain to the person concerned, but it does not cause death. It causes other troubles, other medical disabilities, other health disabilities, but it does not directly cause death. It does not cause absenteeism to the extent caused by colds or influenza. Indeed, it is not an epidemic in any form. It is not a danger which can affect a large number of people because of contact; and indeed, if I may use an extreme view for the purpose of illustration, natural teeth can be done without entirely. Tens of thousands of people who are healthy and physically sound and mentally alert have no natural teeth.

The Hon. R. F. Hutchison: I am one of those.

The Hon. F. J. S. WISE: Many people have no natural teeth at all and indeed, if the absence of teeth were a threat to lives, within my ambit of visibility 80 per cent. of the persons present would be dead; because within my sight, 80 per cent. of the people have some artificial device in their mouths. Some of them may have accidentally had fluoride, but that is a situation that we must have an appreciation of. I repeat, 80 per cent. of the people within my vision have some device such as a bridge, an upper plate, or a lower plate, or a complete set of dentures. It is a personal matter. Some of those who wear dentures wear them so well that they are very difficult to detect. I suggest that being toothless and arranging for one's mastication by seeing a dentist is not as bad as the disfigurement of baldness. I am not looking at any one in particular. After all, does the Government intend to insist that some people wear a wig, or does it prefer baldness? I suggest that neither baldness nor teeth decay is deadly.

The disease of lung cancer is both deadly and dreadful. Much is being done by the medical profession to find a cure for lung cancer, but not much is being done about its cause. What we should be concentrating to do under this measure is to eradicate the cause—I will not say the alleged cause, because I am prepared to concede to those who have not convinced me that the cause of tooth decay is what we are endeavouring to correct by this medication.

But what about the cause of lung cancer? Intensive, pressurised advertisements for the use of tobacco appear day after day, and night after night, and the Federal Government is getting as much as £82,000,000

a year—that is the figure from the latest *Year Book*—in excise from tobacco. What is being done to limit, and to insist that something be done about the cause of lung cancer? Marvellous things are being done to effect a cure, and I suggest the cure is much more important than the use of fluoride for teeth.

What about the excessive use of alcohol by some people? Perhaps the greatest cause of misery and disservice to the human race is the excessive use of alcohol; but what is being done about that in the public interest? The trend is to widen its consumption, perhaps to add to the £132,000,000 which was received last year by the Commonwealth in excise. I suggest there are many more urgent matters in respect of finding the causes of ills from which human bodies suffer, than the wholesale introduction of fluoride into the water supplies of the whole community.

There are many more things which the medical profession is attacking assiduously, and to a great degree successfully; for instance, to find a cure for the common cold which causes much more distress, disturbance, and upset to industry than tooth decay. Medical science is extremely active in seeking to remedy the abuses caused by the excessive use of alcohol—and this is a colossal task. Medical science is not merely keenly active in investigating the causes of death; it endeavours to lengthen the life span of human beings by reducing the incidence of heart disease, cancer in its many forms, mental diseases and other ailments.

Doctors are as one in their objective to find a remedy for all of these diseases, but they are not as one in the simple proposition as to whether the human body should have an intake of fluoride to prevent the loss of teeth, or to prevent people from becoming toothless at an early stage of life. But what if human beings do lose their teeth? I have taken a survey among the members of this Chamber, so I know the percentage who have artificial devices in their mouths. I understand the result of this survey can be applied to the whole community. I am not guessing when I say that at least 75 per cent. of the community who are over 40 years of age have some form of artificial device in their mouths.

Then we come to the unfortunate position where learned men are in opposite camps in respect of this subject. Who dare say that Sir Arthur Amies, who has been mentioned this evening, is up the wall just because he differs from the viewpoint of other eminent people? Who will say that Dr. Waldbott, one of the greatest anti-fluoridationists in the world, is a clown or is unqualified? Those people are just as emphatic on their views on fluoridation as are those who are anxious to have the public water supplies fluoridated.

I would point this out: The objectors of fluoridation are not a handful of abnormal or subnormal people; they include leaders in public life and some of the most skilled in the professions, but they differ sharply and widely from the views of those who advocate the use of fluoride.

I realise the hour is very late. I promised I would not speak for more than 20 minutes, and I have still two minutes to go. Last evening my colleague, Mr. Strickland, said that the taking of a Gallup poll might be a good idea, but I do not know whether Gallup polls on arches in the mouth or arches elsewhere are very popular. I do, however, suggest that the taking of a Gallup poll or some other poll on this question would dispel the foolish notion—I use the word deliberately—of those who contend that the opinions of anti-fluoridationists are held by a few.

We will find that a very large proportion of the people are still fearful of the consequences of fluoridation, perhaps mainly because they do not understand the merits or demerits of the case. But that is not their fault. I would prefer to see a positive campaign launched on this subject—not a negative one—to give the people the information to which they are entitled in order that they might achieve an understanding. This would be preferable to forcing the use of fluoride on all the people. Many people are unwilling to take fluoride, because of the very strong views which they hold.

For the time being, in spite of all that has been said in this Chamber and in another place, I am not satisfied with the case that has been put forward—not on the basis of compulsion, not on the basis of human rights, but on the basis that the community must be confident of the benefit of fluoridation of water supplies. If they are confident, they will agree willingly to assist in the implementation of the scheme should the case be proved.

Debate adjourned, on motion by The Hon. J. M. Thomson.

House adjourned at 11.20 p.m.

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