STATE FORESTS

Revocation of Dedication: Assembly's Resolution

Message from the Assembly received and read requesting the Council's concurrence in the following resolution:—

> That the proposal for the partial revocation of State Forests Nos. 22, 27, 33, 37 and 70 laid on the Table of the Legislative Assembly by command of His Excellency the Governor on 31st October, 1972, be carried out.

House adjourned at 9.36 p.m.

Legislative Assembly

Tuesday, the 7th November, 1972

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

FRUIT-GROWING RECONSTRUCTION SCHEME BILL

Message: Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

METRIC CONVERSION BILL

Introduction and First Reading

Bill introduced, on motion by Mr. J. T. Tonkin (Premier), and read a first time.

Second Reading

MR. J. T. TONKIN (Melville—Premier) [4.35 p.m.]: I move—

> That the Bill be now read a second time.

The object of this Bill is to amend the number of existing weights and measures references in Acts to express them in the metric system of measurement, and to provide for the amendment of other Acts, as required, in the future.

The metric system of measurement is defined as the international system of units—S.I.—and, in addition, approved units decimally related to S.I. units and units declared pursuant to the Commonwealth Metric Conversion Act, 1970.

The decision that Australia should convert to the metric system was announced by the Prime Minister in January, 1970. This decision stemmed from the report of the Senate Select Committee on the metric system of weights and measures presented to the Senate in May, 1968, which recommended that—

> It is practical and desirable for Australia to adopt the metric system of weights and measures at an early date.

The Select Committee made this recommendation for the following reasons:—

> Submissions to the committee from individual citizens, Commonwealth Ministers and departments, State Governments and departments, Commonwealth and State instrumentalities, and organisations, overwhelmingly supported an early change to the sole use of the metric system and clearly indicated that there would be no insuperable difficulties in effecting such a change.
>
> The metric system is already used by a large majority of the countries of the world, representing about 90 per cent. of the world's population, and its use is extending further.
> The United Kingdom is actively converting to the metric system and expects to be predominantly metric by 1975.
>
> Approximately 75 per cent. of world trade is being carried on in metric measurements.
>
> Already 70 per cent. of Australia's export trade is to metric countries, or to countries converting to the metric system, and this proportion can be expected to increase as the nation's trade with South-East Asia grows. Some countries, including Japan, have made use of the metric system mandatory for some of their import trade.
>
> Almost without exception, education authorities favour the early adoption of the metric system on the grounds that this would simplify and unify the teaching of mathematics and science, reduce errors, save teaching time, and lead to a better understanding of basic mathematical principles.
>
> A cost advantage may be expected in the purchase of imported materials from the broadening metric system market, rather than from the shrinking market using the imperial system. Because of its inherent advantages over the imperial system of weights and measures, particularly its decimal nature, and the simple relationships between its units, all operations involving weights and measures would be greatly facilitated with, in many cases, a substantial increase in efficiency.
>
> The advantages of the metric system referred to in the previous paragraph, are most evident in the restricted system known as the International System of Units—S.I.—which is the internationally preferred system. The full advantages of decimal currency will not be experienced until decimal weights and measures are also used. The adoption of the metric system is widely accepted as a natural consequence of the currency conversion.

The use of decimal fractions of imperial units, while giving some advantages in restricted applications, is not an adequate substitute for the adoption of the metric system because of lack of universal recognition, and would lead only to proliferation of imperial units.

Industrial standards specifications play an important part as a basis for industrial purchases. The standards of the International Standardisation Organisation, the International Electro-technical Committee and the British Standards Institution are being increasingly expressed in metric units, so that a local manufacturer, hoping for overseas orders, must be prepared to work in both metric and imperial units, at the cost of efficiency.

The adoption of a different system of weights and measures would provide an opportunity to rationalise industrial practices and to reduce the varieties of sizes of materials and components.

The metric system has already been successfully adopted within Australia in many fields of activity, without difficulty, and with considerable satisfaction to its users.

Australia has, at present, a very large body of people who had experience of the metric system before coming to this country and who could greatly assist the dissemination of knowledge about the system and the building up of a confidence in its use.

Although no meaningful estimate could be made of the cost and benefits which would result from the adoption of the metric system, the committee is satisfied that the ultimate benefits would greatly exceed the costs of the conversion. The actual conversion costs could be considerably reduced by careful planning.

Almost every witness expressed the view that the ultimate adoption of the metric system by Australia was inevitable. As it was also generally accepted that the cost of conversion is increasing substantially each year, it follows logically that conversion should be commenced with the minimum delay.

To give effect to this decision, the Commonwealth introduced the Metric Conversion Act which received Royal assent in June, 1970. This Act provided for, *inter alia*, the establishment of a Metric Conversion Board to help plan and guide the changeover.

Since its appointment in July, 1970, the board has established a comprehensive committee framework of 11 advisory committees, some 90 sector committees, and also a number of subcommittees to assist it in its task. These committees, composed of Commonwealth and State Government officers and representatives from appropriate private firms and organisations drawn throughout Australia, have prepared or are preparing recommended conversion programmes for the changeover in close liaison and co-operation with Government departments, industries, associations, etc.

Unlike the conversion to decimal currency when it was possible to have a single conversion date, the metric changeover will extend over a number of years. The various sectors will commence conversion at different times and they will convert at different rates. Broadly, a conversion period of 10 years commencing in 1970 has been set, and the Metric Conversion Board hopes that 60 per cent. of the conversion will be completed by 1976.

The stage has now been reached where a number of sectors are converting or will soon be converting. It will be necessary to amend references in existing legislation to enable these programmes to be implemented. The relationship between imperial and metric units is not as simple and direct as the relationship between decimal and sterling currency. Whereas it was possible to effect the majority of amendments necessitated by decimalisation by a general Act setting out the equivalents, this is not so for metrication. In fact, all references in Acts and subordinate legislation will have to be dealt with specifically.

This Bill therefore provides for amendments to 19 Acts, as set out in the schedule. The proposed amendments have been prepared by calculating the precise equivalent and then rounding it to a practicable and workable metric measurement. Some of the amendments have been included because it is important that particular Acts be amended in time to allow the appropriate sector of activity to adhere to a conversion programme. Although it is not critical that they should be amended in the near future, others have been included because there is sufficient information available to allow the references to be converted, and it is considered desirable to effect amendments as soon as practicable.

Because it is desired to be able to effect various proposed amendments at different times, to the extent of various amendments to the one Act at different times, amendment numbers have been allocated to permit precise reference to each amendment. The dates shall be fixed by the Minister administering the Act so amended by notice published in the *Government Gazette*.

The Bill provides the necessary machinery for selective conversion in Government, industry, commerce, and other sectors to accord with the timetables of conversion not yet approved by the Metric Conversion Board. In some cases it may be necessary to act quickly with conversion applying uniformly throughout Australia and a simple method is needed to effect the change from imperial to metric units.

For this reason clause 5 permits references to weights and measures contained in Acts of Parliament to be amended by proclamation. It has to be noted that under the provisions of the clause the power cannot be exercised unless it is necessary or expedient to do so; and further, a precise limit is fixed on the value of the unit that may be altered. It is not intended that this clause should be used as a device to avoid amending the relevant Acts of Parliament in the usual way, but only in case of emergency. Moreover, either House of Parliament will be able to disallow any proclamation issued under the proposed clause.

Another clause has a similar provision in that it enables statutory instruments—proclamations, Orders-in-Council, regulations, by-laws, etc.—made under an Act of Parliament to be amended in the manner set out in the clause. This clause may be used to change instruments made under the Act of Parliament for which no power to amend is contained in the parent Act. It is also proposed to use the powers contained in the clause to provide a simple method to amend local government by-laws and other similar subordinate legislation which would otherwise require the giving of public notice, advertising in newspapers, and the like.

It is considered unreasonable to expect local government councils to be forced to bear the heavy expense of advertising and giving public notice of the very numerous amendments to their by-laws that would be brought about by metric conversion, particularly as a majority of amendments would be merely a substitution of the nearest metric unit for the expressed imperial measure.

The clause permits either House of Parliament to disallow, and this retains for both Houses of Parliament the same powers of disallowance they would have had if the by-laws were amended in the ordinary way. I commend the Bill to the House.

Debate adjourned, on motion by Sir Charles Court (Leader of the Opposition).

TOTALISATOR AGENCY BOARD BETTING ACT AMENDMENT BILL (No. 3)

Introduction and First Reading

Bill introduced, on motion by Mr. J. T. Tonkin (Premier), and read a first time.

Second Reading

MR. J. T. TONKIN (Melville—Premier) [4.51 p.m.]: I move—

That the Bill be now read a second time.

This measure has two main objectives: Firstly, to provide for a person other than the Manager of the Totalisator Agency Board to be appointed as chairman of the board; and secondly, to provide for the payment into the Consolidated Revenue Fund of unclaimed refunds.

At present, the Totalisator Agency Board consists of seven members one of whom is appointed upon the nomination of the Minister; and, as the Act now stands, the person so appointed becomes the chairman of the board.

Although the Minister is not obliged to do so, it has been the practice in the past to nominate the manager for appointment to the board, and he has therefore automatically become its chairman.

The combination of the positions of chairman and manager is most unusual among Government boards and instrumentalities in this State and the Government sees no reason for a dual appointment in the case of the Totalisator Agency Board.

In other States where there are totalisator agency boards the positions of chairman and manager are separate offices. There is no indication that this has been found unsatisfactory.

Indeed, the Act itself appears to envisage separate offices by providing, on the one hand, for the appointment by the Governor of a board including the chairman; and, on the other, for the appointment by the board of a manager, secretary, and other officers as the board considers necessary.

The board also has the power to remove the manager, the secretary, and other officers.

In view of the separate provisions for the appointment and removal of the chairman and the manager, the combination of these offices is not desirable.

It is possible, of course, under the existing provisions of the Act, for the Minister to nominate a person other than the manager for appointment to the board, but if this step were taken the manager would cease to be a member of the board.

Although the Government is not in favour of the manager also being the chairman, it does agree that there would be advantages in his sitting on the board and accordingly the Bill provides for an increase to eight members, one of whom shall be the manager.

The proposal will not in any way affect the status or salary of the manager or, for that matter, any other member of the staff. Furthermore, there is no reflection on the present manager who has the full confidence of the Government.

I now turn to the second objective of the Bill which concerns the payment of unclaimed refunds into the Consolidated Revenue Fund. These refunds arise from bets placed on horses which are scratched or do not run because of the abandonment or postponement of a race meeting. A number of these refunds are not claimed.

Currently, the principal Act provides for unclaimed dividends to be paid into the Consolidated Revenue Fund, whereas unclaimed refunds are left to form part of the board's funds and are available for distribution to racing and trotting bodies.

It is normal for unclaimed moneys of various kinds, such as moneys held in bank accounts or by other organisations for which no owner can be located, to be paid to the Treasury. Unclaimed dividends, which are of course really unclaimed moneys, are treated in this way but, for some reason unknown to me, unclaimed refunds arising from the board's operations are not so treated and this could be described as anomalous.

All that the provisions in the Bill concerning refunds are designed to do is to bring the treatment of unclaimed refunds into line with the normal method of dealing with unclaimed moneys.

This change is estimated to yield an additional $25,000 to the Consolidated Revenue Fund in the current financial year and produce an additional $45,000 in a full year. I commend the Bill to members.

Debate adjourned, on motion by Sir Charles Court (Leader of the Opposition).

WORKERS' COMPENSATION ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Mr. Taylor (Minister for Labour), and read a first time.

Second Reading

MR. TAYLOR (Cockburn—Minister for Labour) [4.57 p.m.]: I move—

That the Bill be now read a second time.

Prior to the last State election, the Premier, in his policy speech, promised to update the Workers' Compensation Act. After full consideration, the Government has become convinced that what is really needed is a complete revision of the whole Act which, although amended in detail from time to time, was substantially enacted in its present form as long ago as 1947. Since then not only has the philosophy of compensation changed considerably but experience has shown that a number of the provisions have such basic structural weaknesses as to be unsuitable for amendment in the ordinary way. What is required is a complete revision of the whole Act—a fresh approach when advantage can be taken of the experience and legislation of other States and other countries. This task is one of too great a magnitude to manage this year but the Government is taking steps to begin this work during 1973.

In the meantime, it is proper that we remedy a number of badly needed wants without delay. Firstly, it is proposed to increase the present benefits to reflect the increases in earnings, costs of goods and services, and general living costs. In general, it can be said that the amount payable in cases of the death of the worker where there are dependants, will be raised to $15,000 as compared with the sum presently paid, which is $12,208. The amounts of other benefits have been increased in that proportion with some rounding off of odd figures. This will bring Western Australia into line with other Australian workers' compensation legislation.

Probably the single most important amendment is the proposal to increase weekly compensation to the level of the injuried workers' normal weekly wages, excluding allowances. Although such benefits are not provided in other Australian workers' compensation legislation the concept is not uncommon in Australia. Systems of "make up" pay are already widespread throughout New South Wales, Victoria, and Queensland and it is becoming so in other States, including Western Australia. To illustrate this point, over the last six months all workers in the building industry in Western Australia and all State Government employees have received 90 per cent. of their normal award rates which will increase to 100 per cent. on the 1st February, 1972. These workers have now joined those who already receive this benefit, such as all Commonwealth employees and employees of such large companies as Hammersley Iron Pty. Ltd. The principle of compensation at normal weekly wages has been accepted by the Governments of the Commonwealth and of New South Wales as well as by this Government.

When adopting this principle a major issue was put on the basis of equity. The Government considered whether the community should "maintain a person at his pre-accident income if the income was different from what the average person would receive in full-time employment." Our answer is that if such a person should become the chance victim of socially acceptable activity it would be wrong to leave him to make drastic adjustments in his standard of living merely to pay lip service to egalitarian doctrines unneeded by any economic consideration. The community should accept responsibilty for all victims of accident; and if that responsibility is to be fairly discharged, every man should be provided with a fair measure of his actual losses. Real compensation is the aim, and, to this end, injustice by discrimination must be avoided.

Questions may well be asked why there is the need for any change at all. It is not remarkable, however, that compensation for injury has failed to attract the crusading interest of people. The average man is not greatly stimulated by potential difficulties; until they actually beset him he remains an optimist and a sturdy supporter of what is familiar. Nevertheless, there is clear dissatisfaction with the present level of benefits provided under the Workers' Compensation Act, and the very severe limitation put upon their recipients.

Clearly, if compensation is to meet real losses, it must provide adequate recompense, unrestricted by earlier philosophies which put forward tests related merely to need. Such an approach may have been appropriate when poverty was a widespread evil demanding considerable mobilisation of the country's financial resources. But average modern households, geared to the regular injection of incomes undreamed of at the turn of the century, have corresponding commitments which do not disappear conveniently if one of the hazards of modern life suddenly produces physical misfortune. Increasing affluence has brought with it additional social hazards for every citizen; but fortunately, at the same time, it has left society better able to afford their real cost.

To the individual concerned, the cost will include any permanent physical deprivation which he might have to endure following an accident. Such disabilities can have damaging effects upon the ordinary activities of both young and old, regardless of their influence upon a capacity to work in any given occupation.

Accordingly, we are in no doubt that in modern conditions a compensation system should rest upon a realistic assessment of actual loss, which is of course the worker's usual wage.

Some members may consider increasing compensation payments to the level of a worker's normal wages will encourage abuse of the system. For the benefit of members who hold this unfounded opinion I will read some comments made in the 1967 report of the Woodhouse committee into the compensation system in New Zealand concerning the risks of abuse as follows:—

> We are aware that there are claims that fixed periodic compensation will encourage what is described as malingering. The word is intended to describe those who will put up a pretence that the injury is more serious than is really the case. Certainly there will be some who will attempt to take advantage of the system. But they are doing much the same in a different fashion at present. And we entirely reject the suggestion that there are substantial numbers of work-shy or dishonest people waiting for the moment of injury in order to batten on to a compensation fund for extended periods of time.
>
> The matter needs to be mentioned because it troubles many reasonable people. For this reason some of the material which has been gathered together in regard to it has been examined.
>
> In England the matter has been considered on several occasions over the last half century. In 1911 the report of the Departmental Committee on accidents in places under the Factory and Workshops Acts made it clear that in the opinion of the Committee injured workmen were not disposed to malingering. Ten years later, the well-known Holman Gregory Report expressed similar conclusions-having "made careful inquiries of employers and insurance companies' officials". Indeed the Committee had devoted a whole section of their questioning of witnesses to the matter. Their conclusion was that "we are satisfied that the average workman is anxious to return to his work as soon as possible".
>
> In 1961, Freda Young, a perceptive student of the British Social Services, considered the question in relation to the medical and other safeguards against abuse of welfare programmes. She considered on the experience of the Ministry of Pensions and National Insurance (of persons who persistently refused to maintain themselves) that "if malingering does exist it is of tiny proportions"; and that "the medical safeguards against malingering in the welfare state are fairly comprehensive."
>
> Then in 1965 the same matter was raised before Mr. Justice Tysoe in British Columbia. In his report he has said—
>
> > As to malingering, I imagine there are cases of this . . . but the number of these compensation cases must be very small indeed, and they are very hard to prove. The malingerer is a different person to the workman who honestly but wrongly believes he is not fit for work.
>
> Obviously enough, any scheme of the sort proposed in this Report must be administered by methods which will keep abuse to the "tiny proportions" mentioned by Freda Young. But primarily the problem, to the extent that it exists, can be controlled by an experienced and efficient medical profession. We are in no doubt that the profession in this country is well able to discharge its responsibilities in regard to the matter. And in addition there will be the central oversight and control exercisable by the Medical Department of the authority itself.

Mr. Williams: During this survey, was there any information as to the effect on premiums?

Mr. TAYLOR: I am completing a long quotation from a report in New Zealand concerning malingering. I can show the

figures and report to the honourable member if he desires. To continue my quotation—

> The short survey we have been able to make has left us satisfied that the issue of malingering is one of minimal proportions when set against the vast number of reliable citizens who may have reason, from time to time, to seek the support which the scheme is designed to afford. It is a problem with a nuisance value but this is certainly so insignificant that it would be entirely wrong to allow it to bear down upon a scheme otherwise able to produce widespread and necessary benefit for the community as a whole.

That concludes a summation of the report in New Zealand.

Looking at the situation in Australia in relation to the rest of the world, by comparison with other countries, generally Australian workers' compensation payments in relation to a worker's normal earnings are lagging considerably. A publication of the United States Department of Health, Education and Welfare in the possession of the Workers' Compensation Board indicates just how far Australia is lagging behind. Unfortunately, the publication is three years old, but, nevertheless, it is the latest information of this sort available. It indicates that in 1969, the most advanced States in the field of workers' compensation in Australia—New South Wales, Tasmania, Queensland, and South Australia—lagged behind most comparative western countries. Western Australia was at the time, and still is, a long way behind these four States. By increasing compensation payments to the level of normal weekly wages, Western Australia is merely coming into line with standards expected and accepted by most people in the developed world.

It is proposed that no limit of time should be placed on the payment of compensation at the level of normal weekly wages. It is wrong that the short-term or minor incapacities should be preferred to protracted or serious ones. It is indefensible to provide a man with 100 per cent. of his wages during a limited absence from work while leaving the long-term victim of a crippling accident without adequate assistance. It is disheartening for an energetic and skilled tradesman to find once the makeup pay time period has been exhausted that the compensation he must accept in respect of his lost wages is the same as that provided for the most recent recruit to the industry earning half his income and facing half his losses. Instead, there should be a system of wage-related payments kept to a sensible level without any limitation of time.

The alternative — a limited payment scheme—will give preference to all with lesser losses at the expense of those whose losses are great. A man with an income loss lasting two or three days would receive his full wage, whilst his fellow worker whose injury is greater would suffer loss of income once the limited period has been exhausted. It is inequitable that the system should operate to the benefit of people who financially suffer the least loss, but to the detriment of those who financially suffer the most, no matter how small in numbers these people may be. It is considered that the greatest happiness of the greatest number is not a suitable foundation for a just system of injury compensation. The real purpose of such a scheme is "not to smooth out the routine ups and downs," but to provide for the material strains and needs of incapacity. It is firmly believed that if preference should be needed in the distribution of the available funds, then it should go in favour of the longer-term incapacities and the more severe cases of permanent partial disability.

Besides increasing benefits generally and increasing compensation payments to the level of normal weekly earnings, the Bill will also provide compensation in some circumstances and for certain types of injury which although covered in other States, are not covered by our Act at present.

Finally, it is proposed to correct a few anomalies and changes consequential upon the new provisions.

I would also mention that it is proposed to amend the District Court of Western Australia Act to provide that the Chairman of the Workers' Compensation Board be made a District Court judge, a status given his counterparts in England and all other States of Australia. One expects that it would have also been done in this State except that we have only in recent years created a District Court. This step was recommended by the previous Minister, but action was deferred.

I turn now to the Bill itself.

Clause 2: Interpretation—The interpretation of "wife" and "widow" has been rationalised to overcome difficulties that have been experienced in obtaining payment of wife and child allowances in cases of children being born after the date of accident or during disablement. It is understood it was the intention that such payments should be made and it is the opinion of the chairman of the board that the present provision should be sufficiently clear. However, there are doubts as to the interpretation and as from time to time it causes real hardship, clarification is desired.

The definition of "worker" is to be amended to include within the provisions of the Act clergymen of the Anglican Church. This has been done at the express request of the church made to the Premier. Officials of other large churches

have been approached and, as a number of them have expressed interest, provision has been made for inclusion quite simply at their request.

Clause 3: Journey Provisions—Cover is at present only given for accidents between work and one only place of residence. It is intended to extend this in the case of men working in camps who, if they are to maintain any semblance of family life at all, must make weekend or even less frequent trips to their true homes. This is not a large extension of the present position but it is felt to be an important one.

Clause 5: Hernia—Western Australia is the only State that has placed restrictive conditions on a particular injury; that is, hernias. All other Australian workers' compensation legislation treats hernias the same as any other personal injury by accident. The repeal of section 10 from the current Act will have this effect.

Clause 6: Regular Payments—The report from the Senate Standing Committee on Health and Welfare in May, 1971, recommended that urgent steps be taken to eliminate the long delays occurring in disputed workers' compensation claims. South Australia, New South Wales, Victoria, and the Commonwealth have already complied with this recommendation by amending their respective Acts. The addition of the two new sections, section 12A and 12B, will likewise implement this recommendation.

Annual and Long Service Leave: The addition of section 12C will allow for the continuation of the accrual of long service and annual leave entitlements during any period of incapacity.

Public Holidays: The new section 12D stipulates payment of full rates for public holidays falling within any period of incapacity.

Employer to Provide Suitable Employment for Partial Incapacity: The addition of the new section 12E provides a new additional factor to those provisions already operating under clause 3 (b) of the first schedule. This is to make provision for the employer to provide suitable re-employment opportunity, if available, which should hopefully reduce part of the misunderstandings that flow from the current provision. This additional factor has been incorporated in the New South Wales Act for some years and apparently has worked very well.

Recovery of Cost of Services Rendered: Although the present provisions have proved to be satisfactory in most ways complaints have been received from the medical profession and from hospitals that through the disappearance of the patient they are often left without payment; this is most frequently in the case of Aboriginal and outback workers. At present they have the power to claim only from their patient and they desire—and we think should be entitled to do so—to claim direct from an employer or insurer in a proven or admitted compensation claim. The addition of the new section 12F will enable this to be done.

Clause 7: My announcement earlier in the speech as to the intention of the Government to elevate the status of the Chairman of the Workers' Compensation Board has necessitated this machinery clause.

Clause 8: First Schedule—The first schedule requires amendment to provide for the general increase in benefits, mentioned earlier, and the increase in weekly compensation payments to the level of the injured worker's normal earnings, the reasons for which I have already dwelt upon for some time.

In addition, provision has been made for the repair or replacement of a worker's clothing and tools damaged by reason of an accident arising out of or in the course of the worker's employment.

The board has also been provided with the discretion to define certain children, including those 16 years and over, as dependants under the Act.

Clause 9: Second Schedule—The second schedule has been updated to bring it more into line with the standards adopted in other States, with particular reference to the schedules adopted in the most recent legislation of the South Australian and Commonwealth Acts.

The additional items included for the first time are—

total loss of the power of speech;
loss of genital organs;

permanent loss of the capacity to engage in sexual intercourse;

severe bodily or facial scarring or disfigurement;

a very important provision for noise-induced hearing loss, otherwise known as industrial deafness.

The SPEAKER: There is too much talking in the Chamber.

Mr. TAYLOR: There has also been a rationalisation of the basis of settlement for hand and finger injuries which removes the anomalies which exist under the current schedule. Also the differential of right and left hand has been deleted removing an anachronism of the ancient schedule which has existed for so long.

Clause 10: Third Schedule—Cover for industrial deafness is to be provided under the third schedule. Compensation is provided in all other States and it is time the omission here was remedied. I commend the Bill to the House.

Debate adjourned for one week, on motion by Mr. Williams.

Message: Appropriations

Message from the Lieutenant-Governor and Administrator received and read recommending appropriations for the purposes of the Bill.

QUESTIONS (12) ON NOTICE

1. POND WEED

Canning River

Mr. BATEMAN, to the Minister for Works:

(1) Is he aware that pond weed is growing in the upper reaches of the Canning River?

(2) If so, will his department take action to eradicate this weed?

(3) If no action is contemplated, can he advise what steps could be taken to overcome this problem?

Mr. JAMIESON replied:

(1) Yes.

(2) and (3) Action has been taken to control pond weed growth in the stretch of the river below Nicholson Road by the introduction of saline water. Because of the number of properties irrigating from the river, this method cannot be used above Nicholson Road. Experiments with other methods of eradication have been carried out but to date no acceptable chemical has been found which will control this weed.

2. IRRIGATION

Harvey: Additional Storage

Mr. I. W. MANNING, to the Minister for Water Supplies:

(1) What are the Government's plans for the provision of additional water storage to serve the Harvey irrigation district?

(2) When is it anticipated that work on the construction of a new weir will commence?

Mr. JAMIESON replied:

(1) Available information on Harvey district irrigation production and marketing is currently being compiled and additional field investigations programmed with a view to the submission of a case to the Commonwealth for assistance to construct additional storage.

(2) Dependent on Commonwealth Government decision.

3. WATER SUPPLIES

Eaton

Mr. I. W. MANNING, to the Minister for Water Supplies:

(1) What improvements to the Eaton water supply are planned for the current financial year?

(2) Will the planned improvements ensure an adequate water pressure at all the high points of the township?

Mr. JAMIESON replied:

(1) (a) Drill and equip one bore—$40,000.

(b) Reticulation improvements—$5,000.

(2) Extensive reticulation improvements carried out last winter should ensure satisfactory pressure to all consumers. The above reticulation improvements will further increase pressures.

4. WATER SUPPLIES

Rates: Commercial Properties

Mr. THOMPSON, to the Minister for Water Supplies:

(1) Is he aware of the discontent in the business world with the system of assessing water rates which, because of the high valuation placed on commercial buildings, renders the proprietor liable to charges quite out of proportion to other consumers?

(2) Will he investigate a way of assessing a more equitable charge and so relieve the burden carried by such persons as the proprietor of the Kalamunda "Kash and Karry" (a liquor store) who has calculated that it would be cheaper for him to serve champagne to his staff at morning break than to use the necessary water to make coffee?

Mr. JAMIESON replied:

(1) No. In recent years inquiries have been made regarding the system of assessment of water rates but, almost entirely, these inquiries have been confined to residential properties.

(2) An investigation is already in hand.

5. FORESTS

Dieback Disease

Mr. RUNCIMAN, to the Minister for Forests:

(1) How many acres of the State forests are affected by the disease known as dieback?

(2) To what extent has the disease increased over the last five years?

(3) Does the department consider that it can contain and entirely eradicate the disease?

(4) What percentage of the State forests is affected by the disease?

(5) What are the main methods of containing the disease?

(6) How many acres have been replanted on dieback areas?

(7) What are the main species which are planted in dieback areas?

(8) Is the replanting considered successful from a commercial milling point of view?

(9) Is the department aware of the large number of jarrah trees which appear to be dying along the coastal belt between Mandurah and Bunbury; if so, is dieback the cause; if not, what is?

Mr. H. D. EVANS replied:

(1) 150,000 acres comprising 119,000 acres within 1,850,000 acres in the north which can be accurately mapped and 31,000 acres estimated in southern areas.

(2) The best available estimate is for an increase of 4% of the observed area per annum, i.e., 20,000 acres increase over five years.

(3) No. Containment is practicable but eradication is, on present knowledge, impossible.

(4) Between 3 and 4%.

(5) The main methods of containing the disease are:

(i) Location and mapping of diseased areas.

(ii) Quarantine to restrict movement of the fungus into healthy forest.

(iii) Enforcement of hygiene within all forest operations to restrict movement of the fungus.

(iv) Logging to produce buffer zones around affected areas to reduce rate of spread.

(v) Clearing and replanting critical sites with species resistant to dieback.

(vi) Intensive silviculture of high value, healthy forest to reduce the favourability of the environment for activity of the dieback fungus.

(6) 4,800 acres.

(7) Main species planted on dieback areas are—

Eucalyptus microcorys
Eucalyptus saligna
Eucalyptus resinifera
Eucalyptus globulus
Pinus pinaster

(8) Yes.

(9) Yes. Dieback is not the general problem. The trees are heavily infested with the jarrah leaf miner.

6. PINE PLANTATIONS

Dwellingup District

Mr. RUNCIMAN, to the Minister for Forests:

(1) Will he place on the Table of the House a report made by the forestry officer on the bushfires board?

(2) In his recent statement that 300,000 acres of pine forest would be planted by the turn of the century, how many acres of pine forest would be planted in the Dwellingup district in that period?

Mr. H. D. EVANS replied:

(1) No. The report concerned was an internal departmental document presented to the Chairman of the Public Service Board. The member can examine the report at my office if he so desires.

(2) 1,500 acres have been planted in the Dwellingup district. Apart from scattered areas considered for dieback rehabilitation, present planning does not allow for any further increase of the pine forest in the district.

7. PICKERING BROOK SPORTS CLUB

Effluent Disposal

Mr. THOMPSON, to the Minister for Water Supplies:

(1) Has the Metropolitan Water Board given consideration to a request made by me to pump waste waters from the present clubhouse of the Pickering Brook sports club away from the department's water catchment area and thus avoid the need to shift the facilities?

(2) If "Yes" with what result?

(3) If "No" why not?

(4) Is it true that the Pickering Brook sports club does not wish to move to another site?

Mr. JAMIESON replied:

(1) Yes.

(2) The board raised no objection to extensions of the club house building provided arrangements were made for effluent to be disposed of away from the catchment area.

However, objections were raised to a proposal to construct a swimming pool on a proclaimed and active water catchment area.

(3) Answered by (1).

(4) Discussions were held with the president of the club and shire representatives. As a result, an agreement is being prepared for execution which will provide for the payment of compensation. This will enable new facilities to be provided on another site.

8. HOUSING

Population Densities, and Sociological Problems

Mr. RUSHTON, to the Minister for Housing:

(1) What are the population densities per acre for the commission's developments and projects at—
  (a) Southwell;
  (b) Orelia;
  (c) Balga;
  (d) Manning;
  (e) Coolbellup;
  (f) Medina;
  (g) Koonawarra?

(2) What has been the percentage or estimated benefit in sociological problems resulting from the acclaimed Orelia-type urban development?

Mr. BICKERTON replied:

(1) Original planning designs and development provided for ultimate population densities of:—
  (a) Southwell—15 persons per gross acre.
  (b) Orelia—12 persons per gross acre.
  (c) Balga—11 persons per gross acre.
  (d) Manning—10 persons per gross acre for Commission development.
  (e) Coolbellup—12 persons per gross acre.
  (f) Medina—11 persons per gross acre.
  (g) Koonawarra—18 persons per gross acre; when allowance is made for a special regional open space requirement, the density reduces to 15 persons per gross acre.

(2) It is not possible to measure the benefit or disadvantage, in terms of sociological problems, of any particular type of urban development. However, there is a considerable body of informed opinion which inclines to the view—adopted by the commission—that socio-economic diversification in urban estates is more conducive to minimising sociological difficulties and creating a more satisfying community environment.

9. BUILDING SOCIETIES

Allocation of Government Funds

Mr. RUSHTON, to the Minister for Housing:

(1) As the allocations to building societies were made in July 1969-70, July 1970-71 and December 1971-72, when will the allocations be made this year?

(2) Was the considerable delay in 1971-72 due to the Government's changed policy of re-directing 50% of the societies' allocation back to the commission's purchase homes?

(3) When were this year's recommended allocations posted to the Commonwealth department?

(4) Is it intended to continue last year's policy of directing 50% of the allocations back to the Commission?

(5) How many applicants have been helped under this 50% redirection policy introduced last year?

Mr. BICKERTON replied:

(1) As stated in answer to a question without notice on 31st October, 1972, allocations of home builders account funds to building societies will be made as soon as formal approval to my proposals is received from the Commonwealth Minister for Housing.

(2) No. The delay was occasioned by the protracted negotiations with the Commonwealth to replace the housing agreement which expired on 30th June, 1972, and by the need to formulate—and obtain Treasury and Government approval to—machinery to operate the new conditions unilaterally imposed by the Commonwealth.

(3) 29th September, 1972.

(4) Yes.

(5) 147.

10. LOCAL GOVERNMENT

Loan Polls

Mr. RUSHTON, to the Minister representing the Minister for Local Government:

Since it was enacted to require at least 15% of ratepayers to vote to carry a loan poll what has been the percentage of votes cast at—
  (a) loan polls which have been carried;
  (b) loan polls which have been lost?

Mr. TAYLOR replied:

Records of loan polls are not kept in the department and therefore the information sought is not readily available.

If it is desired that the information be obtained, it will be necessary for the department to contact each local authority for the purpose. This will take quite some time.

11. ELECTRICITY SUPPLIES

Charges: Country Consumers

Mr. W. G. YOUNG, to the Minister for Electricity:

When will the recently announced scheme to reduce electricity charges to country consumers in towns now paying the maximum rate be implemented?

Mr. Jamieson (for Mr. MAY) replied:

The scheme is planned to commence this month and to be fully operative within a further two years.

12. COMPREHENSIVE WATER SCHEME

Extension: Katanning-Dumbleyung

Mr. W. G. YOUNG, to the Minister for Water Supplies:

Has any consideration been given to an extension of the comprehensive water supply scheme southwards from Dumbleyung along the Katanning-Dumbleyung road?

Mr. JAMIESON replied:

Not at this stage.

QUESTIONS (5): WITHOUT NOTICE

1. BOOKMAKERS' TURNOVER TAX

Alternative Revenue

Sir CHARLES COURT, to the Treasurer:

Now that the Government has abandoned its largest single taxing measure—namely, an increased tax on on-course bookmakers and absorption of the whole of the tax into Consolidated Revenue, announced as part of its Budget speech and the Budget papers—what action is proposed to amend the Budget papers and any other appropriate documents which currently incorporate revenue of nearly $500,000 not now to be received for the year ending the 30th June, 1973?

Mr. J. T. TONKIN replied:

No action is proposed.

2. PRE-SCHOOL EDUCATION

Report of Magistrate Nott: Further Submissions

Mr. R. L. YOUNG, to the Minister for Education:

(1) Is it true that Magistrate Nott's inquiry into pre-school education in this State was held in such a way as to provide interested members of the public with an opportunity to make any submissions they thought relevant?

(2) If "Yes" to (1), why does he want further public submissions in respect of the report before he is prepared to make a decision on it?

(3) Is he aware of some public criticisms that a request for further public submissions could be construed as representing a lack of confidence in Magistrate Nott?

Mr. T. D. EVANS replied:

(1) Yes.

(2) While the report is being examined as to the means and costs of implementing its recommendations, interested persons are being given the opportunity to comment on the findings of the report. This procedure was adopted also in the case of the report of the Committee of Inquiry into the Mining Act.

(3) This procedure in no way reflects upon Magistrate Nott. The Government rejects any such suggestion.

3. BOOKMAKERS' TURNOVER TAX

Alternative Revenue

Sir CHARLES COURT, to the Treasurer:

(1) What proposals, if any, has the Government in mind to make up for the loss of revenue resulting from the Government's decision to abandon its Budget proposals in respect of the tax on on-course bookmakers, which were estimated to produce nearly $500,000 extra revenue for the Treasury in the financial year ending the 30th June, 1973?

(2) If no additional revenue raising is contemplated to replace this revenue, how does his Government plan to finance the estimated deficit which will now approximate $5,500,000 for the year ending the 30th June, 1973, if Budget estimates are realised?

(3) (a) When was the decision made to abandon these tax proposals?

(b) When was it announced, and through which channels was it made public?

(c) (i) Was the decision one of full Cabinet before it was announced?

(ii) If not, who made the decision?

Mr. J. T. TONKIN replied:

(1) None at this stage.

(2) The Government will decide on this matter when the actual deficit for 1972-73 is known.

(3) (a) The 3rd November, 1972.

(b) The Press release was embargoed for 7.00 release on Saturday. The embargo was placed on the statement to ensure that letters advising the Government's decision were received by parties concerned before it was broadcast or published. The statement was released for use on Saturday evening for Channel Seven's late news bulletin, to the A.B.C., *The Sunday Times*, the *Sunday Independent*, and to Channel Eight in Kalgoorlie. The statement was delivered by hand to *The West Australian* early Sunday afternoon.

Copies of the statement were also sent by post, marked embargoed, to all of the news media in Western Australia on Friday night.

With regard to the reply to (3) (c) I would be quite entitled to claim that I should not answer this question on the grounds that it is inquiring about a Cabinet decision, and such answers are not generally given. However, I do not mind replying as follows:—

(c) (i) and (ii) The full Cabinet was made aware at its meeting on Monday, the 30th October, that during the ensuing week I was to receive by deputation representations from the W.A.T.C., the W.A.T.A., the Owners & Trainers' Association, the Bloodhorse Breeders' Association, and the Bookmakers' Association, and it was decided that the decision be left to me as Treasurer.

4. WATER SUPPLIES

Water-deficient Areas

Mr. McIVER, to the Minister for Lands:

Has the Minister received any requests from country shires requiring to be declared water-deficient? If so, how many shires, and which of these have been declared water-deficient? What assistance will shires declared water-deficient be able to obtain?

Mr. H. D. EVANS replied:

Yes. Eight shires have applied to be declared water-deficient.
The Shires of York, Cuballing, and Wickepin have been declared water-deficient. The farm water supply position in the other shires is being investigated.

In those shires or districts declared water-deficient, and which are within the area of the comprehensive water scheme, water may be taken free of charge from standpipes.

Shires which are outside the comprehensive water scheme area and are declared water-deficient will be investigated to determine total water needs in relation to possible sources from which water can be obtained.

The Government will endeavour to ensure that an adequate supply is available from public dams and/or auxiliary water supplies.

5. TARGET CHEMISTS

Registration

Mr. R. L. YOUNG, to the Attorney-General:

(1) Is the name "Target Chemists" registered under the Business Names Act in Western Australia?

(2) If "Yes" to (1), what were the dates of registration and commencement of business?

(3) Has the name "Target Discount Shopping Centres" been registered under that Act?

(4) If "Yes" to (3), on what date was the registration made?

(5) Has Target Discount Shopping Centres commenced business in Western Australia?

(6) Is it compulsory for a firm to commence business within two months of the registration of its business name?

(7) If "Yes" to (6), did Target Discount Shopping Centres comply with that regulation?

Mr. T. D. EVANS replied:

(1) Yes.

(2) Date of registration the 27th May, 1971. Date shown on application as date of commencement the 1st July, 1971.

(3) Yes.

(4) The 13th January, 1970.

(5) Not known, but the date of commencement was shown on the application as the 19th January, 1970.

(6) No, but subsection (6) of section 7 of the Business Names Act prohibits the registrar from registering a business name if the application is lodged on a date preceding by more than two months the date shown in the application as the proposed date of commencing to carry on business.

(7) Answered by (6).

GUARDIANSHIP OF CHILDREN BILL

Council's Message

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

LIQUOR ACT AMENDMENT BILL

Council's Message

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

LOCAL GOVERNMENT ACT AMENDMENT BILL (No.3)

Second Reading

Debate resumed from the 1st November.

MR. W. G. YOUNG (Roe) [5.33 p.m.]: This Bill has come to us from another place. When introduced there it contained a couple of clauses which gave rise to very lively debate but they were subsequently deleted. The Bill as presented to this House gives no cause for great criticism by me. It is mainly a machinery measure which irons out some of the minor anomalies that have existed in this very voluminous Act.

Clauses 1 and 2 are the normal machinery clauses which refer to the name of the Bill and the date of proclamation.

Clause 3 seeks to amend section 86 of the principal Act, which provides that the shire clerk shall be the returning officer for the municipality. As the shire clerk is very much involved in the submissions a council might put to the electors, and may instigate arrangements for a loan or referendum demanded by the people, it is thought desirable that he should step down from the position of returning officer and that someone else should be appointed to that position.

In his second reading speech the Minister said "some other officer should be able to be appointed with the approval of the Minister." I would like to pose a question: Is the other officer to be some other officer within the council, or can the Minister, in his wisdom, approve of an outside person stepping into the breach? It will be appreciated that some country councils have only a shire clerk and a female assistant or some other person assisting in the office, in which case there may not be another male officer who could be appointed as returning officer. In such a case, would someone from outside the council be appointed, or would approval be given to the appointment of a member of the council as constituted at the time?

Obviously, the appointee would have to be a suitable person. I see no objection to the Minister approving of the appointment of the type of person who is employed on electoral duties, such as a postmaster or a school teacher. I would like the Minister to clarify the intention of the amendment.

Clause 4 deals with the staff working on elections. Difficulty has been experienced in obtaining sufficient staff. One council has requested that the fees be increased to conform with those applying under the Electoral Act, in an endeavour to overcome the problem. The fees have been increased by adding 20 per cent. to the existing fees, but some amazing figures have resulted. The fee of $14.70 has become $17.64 for one type of returning officer. Some very complicated figures have emerged, and while we are amending the fees I think it would be much simpler to round the figures off. The figure of $17.64 could be rounded off to $18 or $17. Other than the fee for the poll clerk, which is an even $15, every figure listed in the new table is a complicated figure. While the Bill is before the House, consideration could be given to eliminating the odd figures.

I presume clause 5 will apply mainly to country shires, where the mail system is perhaps not as convenient as that in the metropolitan area. It is proposed to enable the mayor or the president to telephone councillors for the purpose of calling a special meeting of the shire council. That is a worth-while amendment but I think it should be extended to include the use of telegrams.

In some of the large country shires people who live some distance from the centre of the shire do not have telephones. Where there are two or three small towns in a shire, letters are often sent to a larger centre for sorting. For instance, a letter posted at Kondinin and addressed to Hyden would go to Narrogin for sorting. A telegram would be much quicker than letter mail, and most people pick up their mail on a regular basis. If a member of a shire council is not on the telephone and a letter is sent to him, he may not receive notice of the urgent meeting until after the meeting has been held, although

the meeting was considered to be of sufficient importance to warrant summoning councillors by telephone.

I think the telephone call should be recorded in a book at the shire office so that in the event of being unable to reach a person by telephone it could be shown that an attempt was made to contact him and that it was not through any fault of the council that he was not present.

Mr. Bickerton: A small post office is not obliged to deliver telegrams.

Mr. W. G. YOUNG: That is so, but a telegram could be lodged in a mail box two or three days before a letter would be received at the post office.

Clause 6 relates to a problem raised by the City of Perth which imposed a trust on certain property vested in the municipality. Property was left to the municipality, which imposed its own trust upon it. This was done at some time in the past and the reason for it is not known as there is no record of it. Section 265 of the Act permits a council to vary a trust. When a shire has seen fit to impose a trust itself some years ago, I cannot see any reason why it should not have the power to alter the purpose of the trust at some future time when conditions change. This is done by a meeting of electors.

Mr. Taylor: That is in the Bill.

Mr. W. G. YOUNG: Yes, it is already in the Bill. I have no argument in regard to clause 6.

Clause 7 refers to the fencing of streets or ways, and in the relevant section of the Act reference is made to roads. In country areas where a road has not been cleared, a neighbouring farmer might have erected a fence on one side of it to delineate a boundary, while the other side may not be fenced. The farmer may be given permission to put a gate at the end of the land and, provided the gate is a reasonable one, or there is a drive-over, he may have use of the land.

Section 334 (4) states—

> (4) (a) If the Governor makes an Order closing the street or way the council with the consent of the Minister may let the land comprised in the street or way.
>
> (b) The council shall not without the prior consent of the Governor let the land, otherwise than by public tender.
>
> (c) If the council lets the land, it shall let it from week to week only, and shall pay the rental and other money, if any, received into the municipal fund.

It is ridiculous to expect a farmer to tender every week for such a portion of land, and to pay a weekly rate. I understand that most farmers concerned pay an annual fee, and I can see no opposition to allowing farmers jointly to use the land without the need to tender on a weekly basis. Therefore, I have no objection to clause 7.

Clause 8 refers to building licenses. Over the years we have heard of and seen in the Press a great deal of controversy over building lines and buildings which have been proceeded with without full permission being granted by the local authority. The amendment in the Bill proposes to remove an anomaly which has been caused by builders proceeding with the construction of buildings after the plans have been approved by the local authority, but without taking out the necessary license and paying the requisite fees. If the fees are not paid by the builder the local authority has difficulty in collecting them once the building has been completed. The amendment seeks to ensure that a building cannot be commenced prior to the council's approval of the plans, the issue of a building license, and the payment of the prescribed fees.

Clause 9 also refers to buildings, and provides for a new section 412A which enables a council to recover as a charge against the land costs incurred in respect of enforcing compliance with building by-laws. Of course, in the past we have seen court actions as a result of a person contravening building by-laws in the erection of a building, and some people have been ordered to pull down part of a building, or to shift a building. The proposed new section has become necessary because at the moment a builder is able to sell the property and thus avoid his obligation, and it is difficult to recover the fees from the purchaser. Under the proposed new section a local authority which incurs costs in the correction of a wrongful action on the part of a builder in the first place, may make those costs a charge against the land.

This provision is required in order to prevent an offender disposing of the property and avoiding enforcement of the requirements of the local authority after the local authority has taken action under the provisions of section 411, which section provides that a person who has been convicted of an offence in connection with the building may be required to bring the building into conformity with the provisions in the by-laws.

I would like now to refer to clause 11, which deals with firebreaks. It is proposed under new section 440A to enable local authorities to provide firebreaks and to dispose of flammable material on private property, and where the cost of such work cannot be recovered from the owner, it may be made a charge against the land. I think we should consider that provision very carefully because it will throw the position wide open.

I understand that under the requirements of the Bush Fires Act a council must publish its bushfire regulations in the

Government Gazette and the local Press. In fact, most councils include a bushfire notice with their rate notices. However, if they do not take that action, the proposed amendment will leave the position wide open. I agree that most people know they are required to provide firebreaks, but for some reason or other a person may not clear a firebreak around his property. In that case the local authority will be permitted to instruct a plant operator to clear firebreaks and to clean up all flammable material on the block. The operator will submit his account to the council, and the cost will be recoverable by the council in the same manner as rates imposed in respect of the land. It may become a charge against the land.

My first objection to that provision is that the clearing of a firebreak is not a job which should be lightly undertaken by a person who does not know the lie of the land. If an operator ploughed firebreaks up and down hills, soil erosion and innumerable other problems could result. My second objection is that a person who, through no fault of his own, is unable to clear firebreaks, may find without prior warning that the work has been carried out by an unskilled operator. He could be involved in personal expense in repairing the damage at a later date.

I suggest that we should include in the Bill a provision to ensure that the local authority still has the power to make any costs incurred a charge against the land, but also to ensure that in the first place the council gives prior warning to the landholder. Before a local authority commences to clear firebreaks on, or to remove flammable material from, private property it should give notice in writing to the landholder of its intention to do so. I think that notice should be given by registered mail to remove any argument about whether or not a letter was sent. The notice could indicate that unless firebreaks were cleared within a period of 30 days the council has the power to hire an operator to clear them and to make the cost of that action a charge against the land.

That would ensure that a farmer has an opportunity to clear the breaks or, if he has not the necessary equipment to do so, he would have an opportunity to hire a contractor, and to issue instructions about how he wants the breaks cleared. He would then know that the work had been done in the manner he wished it to be done, and in accordance with the best practice of soil conservation. However, if the farmer ignores the notice, it is fair enough that the council should move in and do the work, and any charges incurred should be held against the land or be recoverable in the same manner as rates. I request the Minister to consider the points I have raised and to see whether some safeguard for both the landholder and the local authority could be written into the clause.

Clause 12 provides that councillors who attend duly constituted conferences may be reimbursed for loss of earnings, and it is suggested that the amount should be $20. At present councillors who also receive a wage or salary are able to claim for loss of earnings, but no arrangement exists in respect of self-employed people because of their inability to provide evidence of loss of earnings. The clause proposes to delete the reference in section 513 to loss of earnings so that local authorities will be authorised to pay an amount not exceeding $20, irrespective of whether that amount is in respect of loss of earnings or otherwise. Therefore, self-employed councillors will be entitled to compensation for lost time—and to a self-employed person lost time means loss of income.

Mr. Taylor: It means that a member of Parliament who is also a shire councillor could obtain it.

Mr. W. G. YOUNG: That is so, but I think most members of Parliament would have enough sense to get out of local government before that position arose.

Mr. Taylor: I take your point.

Mr. W. G. YOUNG: Clause 12 also provides that a local authority may compensate a councillor who attends conferences as an observer. I think this is a necessary provision and one which should have been applied to local government years ago. In my experience it has always been difficult to maintain continuity of delegates at conferences. Usually the same two or three people are involved. It is now proposed that a person who attends conferences as an observer may be paid $10 for loss of earnings. This is an inducement for councillors to attend conferences as observers, and they will learn the ropes and become far better councillors. They will be equipped to represent their councils at future conferences.

The clause also provides that local authorities may meet the rental charge incurred by a councillor in relation to a telephone at his place of residence. I think that provision is perhaps a little unnecessary. Most shire presidents receive a presidential allowance which covers the cost of their phone calls and stationery. All councillors at present receive an allowance for loss of wages whilst attending council meetings, and the average councillor is not required to use his telephone to any great extent.

I suppose we could call this another perk for shire councillors. I would not think they would find it necessary to use their telephones a great deal in connection with council business. From my experience as a councillor, I do not think the average councillor would incur a big telephone account. Mostly it is a case of people ringing up the councillor to go "crook" at him; it is not a case of his ringing up

people to get himself into more trouble! I have no great objection to the provision. Certainly councillors should be reimbursed for expenses incurred as a result of their position, and they should not be out of pocket as a result of the time they spend on council business.

Section 522, which is the subject of the amendment contained in clause 13, provides that parking funds of municipalities shall be kept in separate bank accounts. I could never see the reason for that. As members are probably aware, nowadays shire councils have a multiplicity of accounts. They are not merely road boards as they were many years ago; they have many different accounts now which are all paid into one fund. I cannot see why parking fees should not be included in that, and I have no objection to the clause.

Clause 14 brings the Local Government Act into line with the Land Tax Assessment Act in respect of residential land valuations I have no argument with it.

We have had some discussion regarding clause 15, which amends section 552. That section states that the minimum rate on ratable land shall be $10 per annum, or otherwise as the council thinks fit. That minimum rate will be changed to $20 as a result of changing money values. We have heard comment that perhaps some small blocks in country areas are not worth $20.

If a person wishes to hold on to a block it would involve the shire council in sending out rate notices. The council also has to safeguard against fire hazards, and establish firebreaks. All this involves the shire council in a great deal of work in attending to these isolated blocks which, in many cases, are held by absentee owners. Often they become areas where rubbish is disposed of, and eventually the shire has to clear away the accumulated rubbish.

For those reasons I have no objection to the increase in the charge to $20. This might be a good move. With the imposition of this fee some of the owners of such blocks might be prepared to surrender their land; if they did the council could send in gangs of workmen to clean them up without the need to notify the owner concerned.

Clause 16 of the Bill deals with loan polls. At the present time the statutory requirement for the holding of a loan poll is a petition by 50 members or 10 per cent. of those who are eligible to vote at council elections. The Bill proposes to reduce the figure to 5 per cent. This provision will affect the shire councils in the metropolitan area where the number of ratepayers in each ward is very large. If the present requirement is continued it will not be difficult to obtain 50 signatures in one street. People with an axe to grind in respect of a local issue which does not actually involve the whole area or the shire could quite easily obtain the required signatures from one street. However, in the country districts the 50 signatures required for a petition might represent the total number of ratepayers in that particular ward. For that reason I have no objection to reducing the figure to 5 per cent. This will make it a requirement in a thickly populated area for those desiring to present a petition in respect of loan polls to go to the ratepayers outside their own ward.

Clause 18 relates to vandalism and the penalties prescribed therefor. The proposed penalties will bring the Local Government Act into line with the Police Act. The penalties prescribed are the maximum. Any steps that can be taken to prevent the ever-present vandalism that exists will be supported by me, because it costs some local authorities thousands of dollars a year in repairs. Sports grounds and sports pavilions seem to be sitting shots for vandals; and these are the places where they invariably smash windows and doors. Some of the damage is caused even before the buildings are completed. Consequently, any move that will reduce the incidence of vandalism is very welcome.

Clause 19 deals with on-the-spot fines to be imposed for litter offences. I am sure the member for Perth will have something to say on this provision, because he was with me this morning outside Parliament House when we saw a motorist starting up a car but before moving off he threw a plastic cup and spoon onto the ground.

I am in accord with the imposition of on-the-spot fines, because it is a means of helping to keep Australia clean. I consider it is the duty of every member of the community to tidy up the road and street verges. In the country when one is travelling one can often determine the distance one is away from a town; this is done by noticing the number of empty cans on the road verges. It takes from one to three miles for a can of cool drink to be consumed, depending on whether the person is a child or an adult. Generally about three miles from a town is where the cans begin to accumulate in number.

Mr. Nalder: Will on-the-spot fines be applied to motorists who throw cigarette butts out of their cars?

Mr. W. G. YOUNG: Of course, that is an offence under the Act. It might be difficult to impose an on-the-spot fine in the case of a vehicle which is travelling at 65 miles an hour. I am appalled at what I often see at country sporting events where cars are parked around the ground. After the vehicles have departed generally they leave behind an accumulation of rubbish. That is another reason I think the on-the-spot fine is a good suggestion.

The final clause in the Bill seeks to bring the monetary figures in the Act into line with present-day values. From time to time we notice that penalties which were prescribed years ago have no relationship to present-day values, or to the desired effect on the hip-pockets of the offenders. For that reason an increase in the maximum penalty, as proposed, is desirable.

As I said earlier, we on this side of the House have no great objection to the Bill. I have mentioned one or two points on which I would like the Minister to give some explanation. I hope when he replies he can assure me that consideration will be given to them, particularly in respect of the protection I would like to see written into the legislation dealing with the powers of a shire to move onto a property and establish a firebreak without having to give prior warning to the owner. This is necessary to enable the firebreaks to be constructed in the correct manner. With those remarks I support the Bill.

MR. RUSHTON (Dale) [6.07 p.m.]: I support the Bill in general, but I wish to make some comments on specific clauses. I am sure members agree that this Act requires continual amendment, but in amending it we need to bear in mind two points: firstly, to help local government to meet the demands which it is called upon to satisfy; and, secondly, to be conscious of the rights of ratepayers and their right of redress against the actions of local authorities. I hope we will always consider local government matters in that light.

The first provision I would like the Minister to consider is in clause 3, which relates to the appointment of returning officers other than shire clerks. The previous speaker in this debate also mentioned this clause, but I am drawing attention to it because further on in the Bill there is a reference to the fees that are payable. It appears that the shire clerk is paid in accordance with the scale of fees proposed, because it is considered that the remuneration for some of the work he does at local government elections is included in his salary.

In this case the scale of fees mentioned applies to an outside person who is appointed as a returning officer. I would like the Minister to look into this matter.

Mr. Taylor: Would you clarify the point you are making?

Mr. RUSHTON: Under this clause there is authority for a shire council to appoint someone other than the shire clerk as the returning officer.

Mr. Taylor: He must be an officer of the council, and this is defined under the Act. If it is not the shire clerk it will be the assistant shire clerk or some other officer of the shire.

Mr. RUSHTON: He would not be as highly paid as the shire clerk.

Mr. Taylor: That person would be paid as a presiding officer.

Mr. RUSHTON: I appreciate what the Minister has said, and I will indicate to him the anomalies that have arisen under the scale of fees. It is possible that after listening to my remarks the Minister might be prepared to effect an amendment. I would ask the Minister to look into the scale of fees. If we do not prescribe adequate fees we will experience difficulty in obtaining returning officers and other officers at local government elections.

I wish to draw attention to the position of a returning officer. This person is responsible for the preparation of a poll. He has work to do before the poll takes place, and he is totally responsible for the conduct of the poll. Furthermore, he has to finalise the result of a poll. However, when we turn to the scale of fees we find that his remuneration is lower than that of a presiding officer.

The Minister might consider it relevant to take into account the scale of remuneration for the conduct of polls under Commonwealth legislation. There is a big difference between what is paid in the Commonwealth sphere and the State sphere. Steps are now being taken to bring the figures which are payable in this State up to date, to induce the qualified people to offer their services.

Mr. Taylor: The returning officer is invariably an officer of the council who would normally prepare the roll and tidy up matters after the poll is completed. He would do that in the ordinary course of his duties. In the case of a State election the returning officer is in many cases the local clerk of courts who would be carrying out the duties of the returning officer as extra work. Returning officers who are not officers of the council receive extra money, but not otherwise.

Mr. RUSHTON: The officers of local authorities have a different point of view. They see the clerks of court doing this work and being paid a higher fee; consequently they regard themselves as second-class citizens. I have a copy of the scale of fees under the Commonwealth legislation, and I am prepared to make it available to the Minister.

Another point that needs to be inquired into is the fee that is paid to a deputy returning officer. He has greater responsibilities than has a presiding officer, but he is paid less. I think that in the future it will become more and more difficult to obtain the services of deputy returning officers. I personally know some of the officers who have acted as deputy returning officers and returning officers, and I am aware of their duties. The Bill

proposes to increase the fee payable to a returning officer from $14.70 to $17.64. However, if we compare this fee with that paid to an officer performing similar duties under the Commonwealth scale we find that he is underpaid.

If we take into account the presiding officer and the fee that is payable to him, we should ask whether the duties performed by him are as responsible as those of the returning officer or the deputy returning officer. The presiding officer could be in charge of a very small booth, but he would receive more than the deputy returning officer who is responsible for a great part of the poll. I suppose one could argue either way on the comparability of their duties and the fees that are payable to them. However, the amendment in the Bill seeks to increase the fee payable to a presiding officer to $21.70 where he is in charge of more than eight tables; but the Commonwealth figure for the same officer is $28.80.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. RUSHTON: Before the tea suspension I mentioned the matter of fees paid to returning officers and deputy returning officers as compared with those paid to presiding officers. I also referred to the fees paid under the Commonwealth Electoral Act.

During the tea suspension I mentioned the matter to the Minister and he has undertaken to have a look at it. Accordingly I will not say anything further because no doubt the Minister will comment on this aspect when he replies.

The previous speaker mentioned the matter of firebreaks which is covered by clause 11 of the Bill. This question is, of course, of great concern to the shires which are responsible for the administration of this part of the Act which they carry out very efficiently in the interests of the community.

I do not in any way query the responsibility of the shires in this regard but we should ensure that they leave no stone unturned in their attempts to find the owners of the land in question, so that they may be given the opportunity to establish the necessary firebreaks.

I think the amendment in the Bill relates only to those cases where it has not been possible to discover the owners in spite of diligent attempts to do so. In the case of an owner not being found it will be the responsibility of the shire to provide breaks. We should, however, make every effort to see that the owner is given an opportunity to carry out the installation of the necesary firebreaks.

The next clause refers to the question of telephone rentals. Innumerable approaches have been made to me, some by people in the Minister's own electorate, indicating that they are not altogether in accord with this amendment. A number of shires do not want it included in the legislation. It has, however, been accepted in another place and, generally speaking, the previous speaker was in accord with it. I feel, however, that if we continue to make all these concessions we will be breaking down the very fundamentals of the services provided by councillors. The amounts in question can be defined and easily controlled.

To my mind the councillors in local government cannot be adequately recompensed for the work they do or for the time they give. A councillor gives of his services freely and this, of course, is one of the greatest traditions that has come down to us in respect of service to local government. It is one which I hope will be preserved. We attempt to attract unselfish people to local government and they give their services freely; they do not look for or expect recompense for those services. I think it would be fair enough to make provision where direct costs are involved as a result of meals and expenses incurred while travelling to meetings, and so on.

As I have said, however, councillors generally carry out their duties without any thought of recompense; it is one of the contributions made by these people in the public service they give to the community. I do not think sufficient regard or acknowledgment is shown for the service given by these people. It is difficult to assess their worth because each member of local government has his own part to play; each one makes a valuable contribution to the community.

Clause 16 of the Bill deals with loan polls. I am very sensitive to this amendment. I think I was responsible for retaining it at the figure of 15 per cent. when the matter was previously before us at about the time I first entered Parliament. The figure referred to then was 25 per cent.

There is no limit on the votes cast when councillors are elected and I think we should be careful about placing a limit on the percentage requirement. I asked a question today in connection with a review being made of this matter, but apparently the information was not readily available. Before any further change is brought down to increase the percentage of votes to be cast for a loan poll to be valid I would like the opportunity to assess what has happened in the interim; since the figure was set at 15 per cent.

To my mind the whole thing is back to front. In the country it is easy to obtain a figure of 50 or 60 per cent. by getting on the telephone and ringing all and sundry. In the city, however, it would be possible to set up one area against another and the council could carry on raising loans with very little risk of the ratepayers being able to object.

The people who are elected to councils are generally regarded as responsible persons and having given them the authority they possess we should not raise any great objection to what they plan to do. It is, however, valuable to have such a provision in the Act, having regard for the fact that the ratepayer has to foot the bill. It is only right that he should be covered by this provision, and we should jealously guard his right to express himself in the manner provided in clause 16. To my mind the provision in the Bill is reasonable although it does seem to make things a little more difficult. We are, however, making it possible for 100 people to sign a petition if the total number of ratepayers exceeds 5,000 but does not exceed 10,000.

This seems reasonable enough. I also agree with paragraph (c) of proposed new subsection (1b). I do not propose to discuss each clause individually. I merely wanted to draw attention to those matters to which I would like the Minister to give some consideration.

I fully support the efforts being made by the Local Government Association to clarify some of the provisions in the legislation in order to make them work more effectively. I am one who supports local government whenever it is possible for me to do so in order that it may work effectively on behalf of the ratepayers.

I support the Bill with the provisos I have mentioned.

MR. TAYLOR (Cockburn—Minister for Labour) [7.41 p.m.]: I would like to thank both members opposite who have spoken to this measure. As perhaps may have been expected they were good enough to indicate their general support for the Bill.

The reason I say "as may have been expected," is that all the provisions in the Bill were, in fact, requested by the Local Government Association in one form or another as being desirable in the interests of local government.

The Government of the day and the Minister for Local Government are merely adhering to those wishes after having given the matter some thought. It is now proposed to incorporate these provisions in the Act for the benefit of the people.

Some comment needs to be made with regard to the speech of the member for Roe who raised the matter of the definition of "officer of the council" as contained in clause 3. The honourable member wondered whether the word "officer" could apply to those outside the council who could become returning officers in the circumstances.

The Act does define the word "officer" in the section dealing with interpretations; so the interpretation of clause 3 is specifically that the alternative to the shire or town clerk being a returning officer must be another officer in local government. If there is no other officer it does not help the situation one bit.

The amendment, however, does provide some flexibility with regard to the bulk of the shires. In the case of a small shire if there is no other officer defined in the Act it could be in trouble. This, however, could call for a further amendment in the future.

Mr. Nalder: Perhaps they could get assistance from an adjoining shire.

Mr. TAYLOR: The definition of "officer" would certainly still be in the Act. The member for Roe then referred to clause 4 and mentioned other figures which are the fees which will be paid to officers who attend as presiding officers and who hold other positions of trust during elections. I must agree that the figures do seem strange, going as they do from $17.64 to $20.16, and $27.72.

I raised this matter with the Minister for Local Government and I point out it is quite obvious what the Minister intended. He has given the figure of 20 per cent. as the percentage increase in fees, and he has done that quite literally.

The purpose of this is possibly to cover anomalies which may develop in the future when an attempt is made to increase charges. By making it a percentage figure it could make the position a little easier. However, I will again raise the matter with the Minister for Local Government.

The member for Roe also referred to clause 5 and wondered whether the word "telegram" could be included in the authority to communicate with councillors in regard to meetings.

I think this aspect is already adequately covered in the Act proper. The provision in section 178 of the Act which we seek to amend reads as follows:—

> A person or persons authorised by this Act to convene a meeting, or the resumption of an adjourned meeting of the council, may do so effectively by causing written notice convening it and specifying the time of meeting or resumption, and, in case of a special meeting, the object of the meeting,—

And this is the important part—

> —to be delivered, or sent by post or otherwise,

The important words are "or otherwise."

The Interpretation Act sets out that a written notice can be typed or presented in some other form. Under the legislation at present, it can be sent by post or otherwise. Of course the written word cannot be sent by telephone. For this reason we are amending the legislation to include "telephone." As the Act now stands there does

not appear to be need to add "telegram" because apparently the legislation already provides for this.

The most important points raised by both the members for Roe and Dale concerned the provisions of the Bush Fires Act. They both expressed concern as to the rights of property owners when a shire officer through carelessness, negligence, or sheer laziness, may prefer to take a short cut to the problem of fire prevention by authorising work to be done on a property without adequate notice being sent to the property owner.

I would like to thank the member for Roe, particularly, for raising this matter with me at an early stage. It was thereby possible to speak to the Minister concerned who has advised the honourable member directly—the information I now give is for the benefit of the member for Dale—that he will arrange for some appropriate wording and regulations to ensure that some adequate record of notice is sent to a landowner before an attempt is made to take action unilaterally and then put a charge on the action concerned.

Mr. Nalder: Is the Minister able to tell the House what it would be?

Mr. TAYLOR: This matter was discussed directly between the member for Roe and the Minister. The honourable member has indicated that he is quite satisfied with what the Minister proposes.

Mr. Nalder: This is important.

Mr. TAYLOR: It is important that the regulations should cover this. I take the point made by the Leader of the Country Party, but I can only emphasise that the member for Roe discussed this matter with the Minister who gave assurances which are quite satisfactory to the honourable member.

Generally speaking, other points concern the provision of telephones, certain points on charges, and vandalism. These are all important matters but the provisions seem to satisfy members opposite.

Apart from expressing concern about bushfires and loan polls, the member for Dale made an additional point in connection with the rates paid to presiding officers as compared with those paid to returning officers. He was good enough to give a scale of charges which indicate that, under Commonwealth elections, the rates appear to be disproportionate. I am not able to give a guarantee to him that this will be amended, but I will certainly pass his comments on to the Minister for Local Government who, in turn, may see fit to bring down certain amendments.

Members opposite have shown their general approval of the measure which I now commend to the House.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Mr. Brown) in the Chair; Mr. Taylor (Minister for Labour) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Amendment to section 135—

Mr. McPHARLIN: This clause refers to the payment of expenses to returning officers. Some criticism has been expressed of the amounts shown in the measure. I wish to refer to paragraph (e) which states, in part—

> (e) by substituting for paragraph (c) a paragraph as follows—
>
> (c) Presiding officer—
>
> Where there are more than eight tables 21.70

I wish to know the definition of a table. It is not defined in the amending Bill and I wonder whether the Minister could tell us precisely what is meant by a table in connection with this measure. Various rates are stipulated in this clause in connection with the number of tables. Will the Minister explain this point?

Mr. TAYLOR: I see the point raised by the member for Mt. Marshall and, on the face of it, it seems to be valid. Certainly the provision which is to be replaced by this clause refers to compensation in terms of the number of electors on the roll, whereas the amendment refers, not to the number of electors, but to the number of tables.

I should imagine all members of the Committee are aware of the intention of the clause in that we all take part in elections and know the number of tables which are generally in the various booths in our electorates. We also know that, generally, these are related to the number of electors. On the face of it, I should think the number of tables would be comparable, in some way or other, with the number of electors, which is referred to in the provision to be deleted.

The member for Mt. Marshall has a point: While the number of electors is clear-cut, the number of tables seems to require some definition. I cannot help him directly, but I will take up the point with the Minister to see whether it requires clarification in some way.

Clause put and passed.

Clause 5 put and passed.

Clause 6: Amendment to section 265—

Mr. RUSHTON: This clause relates to property which has been transferred to a council and states that, under certain conditions, a council may vary the trust upon which it holds any property. I wish to mention this point now because I did not refer to it at the second reading stage.

The point I make is that people may not be encouraged to make grants to a shire if they feel that the intention, with which they make the grant, may not be adhered to and the trust may be reapplied at a later stage.

For instance, in the days of old someone could have made a grant to the City of Perth with the intention that this should be applied to King's Park. It would have been quite contrary to that person's intention if the council decided to build a palace in the park. It could happen also that a person, by this means, may enhance his own assets, but if the shire wished to reapply the trust the original purpose could be annihilated.

I realise a shire must have flexibility in administering the Act. This principle is accepted, but the provision needs to be closely watched by the Minister. Of course, the Minister's approval must be obtained before this provision could be applied. We, as members of Parliament, certainly hope that the responsible Minister will jealously administer this provision. People who transfer grants of land for certain purposes to a shire do so for their own reasons. However, under this measure the trust could be reapplied. I know the clause states that, in the first instance, the electors must give their approval to the change and, secondly, the matter must be referred to the Minister. However it is most important that we should not take away from the person who grants the land any rights without having due regard for the purpose for which he granted the piece of land.

I can see the need for flexibility because an original owner, when transferring a piece of land to a shire, may not be aware of certain circumstances. Nevertheless, this is a matter which should not be dealt with lightly.

I have lived in various shires and I know it is possible for somebody to get a bee in his bonnet, to see a tract of land, and to become inspired with the idea of changing its purpose. This kind of thing can foment indignation and emotion. Something which has been thought out by pioneers and our predecessors can be changed fairly quickly. I hope the Minister will be vigilant in the application of this provision.

Clause put and passed.

Clauses 7 to 18 put and passed.

Clause 19: Addition of section 665B—

Mr. McPHARLIN: Proposed subsection (1) of section 665B refers to penalties exacted by way of notice to an offender. The particular part to which I refer is the appointment of an honorary inspector. I feel the provision gives rise to some doubts as to what the powers of an honorary inspector should be. Appointed as an authorised person, an honorary inspector can apparently be given powers under the provisions of the measure. He may be the type of person who does not carry out his duties in an impartial way. He may be officious or perhaps overcome by his powers. If this were so, he could act in a way which would be contrary to what is expected of an honorary inspector charged with this responsibility. Consequently there is some doubt as to whether or not this appointment should be made. I shall read the provision, which is as follows:—

> 665B. (1) In this section "authorised person" means a person holding office as member, an officer, or other person employed by the council, or a member of the Police Force of the State, or an honorary inspector appointed under subsection (2) of section six hundred and sixty-five A.

I raise with the Minister the point that a person could be appointed who is not suitable for the position. I have mentioned this to indicate that there could be some abuse of the position.

Mr. GRAYDEN: One aspect of clause 19 is objectionable as far as metropolitan local authorities are concerned. I instance the provision which refers to a person who is the owner of land not exceeding one acre in area which is deemed improved land and is ordinarily a resident thereon.

I think this would affect most local authorities in the metropolitan area. In South Perth over many years we have seen the development of high rise and high density accommodation. Local authorities have been concerned with a situation which could develop whereby people who live in residential homes could be confronted with the possibility of paying taxes or rates which are applicable to the blocks on which high rise buildings are erected.

The DEPUTY CHAIRMAN (Mr. Brown): Is the member for South Perth talking to clause 19?

Mr. Taylor: The member for South Perth has made reference to the size of blocks, but I cannot pick this up.

Mr. GRAYDEN: I am sorry, I think I have the wrong Bill. It was amended in another place and I have the original copy.

Mr. Taylor: Two clauses were deleted in another place.

The DEPUTY CHAIRMAN (Mr. Brown): It is clause 19, page 11.

Mr. Taylor: I think the clause to which the honourable member is referring was deleted in another place.

Mr. GRAYDEN: I am sorry, we are on the wrong clause.

The DEPUTY CHAIRMAN (Mr. Brown): We are on the right clause.

Mr. TAYLOR: The member for Mt. Marshall has made a point in connection with the possible abuse of power by those described as authorised persons in carrying out responsibilities under this clause.

In particular circumstances, the provisions of the clause would allow these people to take action against those who have offended under the legislation; that is, in connection with litter. I take the point, although in my belief the same could be said of any officer of the council or member of the council—

Mr. W. G. Young: Even the traffic inspector.

Mr. TAYLOR: That is quite right—all such people who can be appointed as honorary inspectors for the purpose of this section. Whilst abuse can take place, the relevant section in the Act, section 665A (2), seems to provide sufficient protection in that the council itself has to appoint the honorary officers—usually members of the council staff. The responsibility would obviously rest with the council to appoint suitable people. As well as this the legislation contains an ultimate protection in that a person who is dissatisfied or feels he has been victimised by an inspector who imposes an on-the-spot fine has the right to reject the proposition that he should plead guilty. The matter would then go before the court.

Clause put and passed.

Clause 20 put and passed.

Schedule put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr. Taylor (Minister for Labour), and passed.

BILLS (2): RETURNED

1. Reserves (University Lands) Bill.
2. Coal Mine Workers (Pensions) Act Amendment Bill.

Bills returned from the Council without amendment.

STATE FORESTS

Revocation of Dedication: Motion

Debate resumed, from the 1st November, on the following motion by Mr. H. D. Evans (Minister for Forests):—

> That the proposal for the partial revocation of State Forests Nos. 22, 27, 33, 37 and 70 laid on the Table of the Legislative Assembly by command of His Excellency the Governor on 31st October, 1972, be carried out.

MR. RUNCIMAN (Murray) [8.05 p.m.]: This motion for the partial revocation of State forests might almost be called a hardy annual—it comes to us towards the end of each session. The excisions which are proposed from State forest land are usually not large and are agreed to by the parties concerned. Very often the excisions are made at the request of landholders. The Forests Department is under constant pressure from farmers and landholders within the State forest and adjacent to it for extensions to their holdings for one reason or another. I know from experience how very difficult it is to obtain such an extension from the department. I am quite certain that before any land is excised, no matter how small an area, the department will have given the matter very careful consideration.

The department has a most responsible job in maintaining and developing the forest resources of the State, and I believe it does a particularly good job. It is also responsible for the preservation of the forests and must give consideration to maintaining commercial timber and the planting of many species of trees. It also has to contend with dieback disease, and members will recall that I asked some questions on this topic today. This disease is very serious.

The department is also under pressure from people concerned with mining and many other industries. Its officers realise only too well the importance of preserving the forests, not only for the present generation but for all time.

Particularly in the Darling Range, the maintenance of a good forest has a beneficial effect on the quality and purity of our water supplies. I believe this aspect is constantly watched by the department and I commend it for its zeal in this regard. I am aware that the department will always work under these pressures, but I am quite confident it will take the correct action.

Six areas are involved in this motion, and members will note that the first item is quite different from the other five. It relates to the exchange of 7.5 hectares—roughly about 18 acres—in a metropolitan catchment area for a similar area of land adjacent to a country water supply catchment area. The Pickering Brook Sports Club has a number of buildings in this area and this has been a controversial issue for some time. The Metropolitan Water Board will be involved in a fair expense with this exchange, and I hope when the Minister replies he will explain the situation and clarify it. I believe this matter was referred to at one stage by the member for Darling Range as the area concerned is in his electorate and it was a controversial issue 12 months ago.

The second area involves 8.9 hectares, 4 kilometres south of Donnybrook. The timber on this land was infected with dieback disease. This timber has now been cut out and the local farmer whose land is adjacent to the area applied to the department for an excision of this land as it

is of some value for agriculture. The Forests Department is agreeable to the proposition on the farmer's transferring to the Forests Department a corresponding area of 8.9 hectares which was completely unsuitable for agriculture but which is growing quite an amount of timber. This arrangement is mutually satisfactory.

The third area is a very small piece of land—3.2 hectares—south of Boyanup. The adjacent landholder has applied for this land to tidy up and straighten out his boundary. The land has been cleared of all commercial timber and the department has agreed to its excision.

The fourth area is 5.5 hectares of swampy country. The adjacent landholder particularly desired to obtain this land because of its value to him in growing green feed. He took the matter up with the department and it agreed to the exchange of this area for 16.4 hectares of land which is uncleared and contains some timber. Because of the discrepancy in size, the department is prepared to pay all costs and transfer fees. This is mutually acceptable to both parties.

Area No. 5 is 2.8 hectares, 32.2 kilometres north-east of Manjimup. This land is on a corner and contains little or no marketable timber. An area adjoining this land was recommended for taking up as conditional purchase and it will then be found that the corner will be left on its own. The landholder would like to obtain this small area to facilitate the construction of his fence line. As it contains no timber at all, the department has no objection to the excision.

The sixth area is 51 hectares in the Baldivis area 16.3 kilometres south-east of Rockingham. This area adjoins the main drain to the Serpentine River. The Public Works Department is anxious to obtain 5.5 hectares of this land for a drainage reserve. Although only a small area, it is highly productive. However, the department is prepared to allow the landholder 13.7 hectares of land which is not growing any timber and is completely unsatisfactory for the growing of pine or any other timber. Not far distant from this area is quite a big plantation, but it is in hilly country.

As I said before, this area is very low lying and takes a great deal of flood water. Further, the Public Works Department is anxious to obtain a larger area adjacent to the main drain, which comprises 37.3 hectares, and this will be created as a drainage reserve vested in the Minister for Works. The owner of the property is quite satisfied with the exchange. It will be of mutual advantage to both the department and the owner, and everybody seems to be quite happy with this transfer. This covers all the areas involved in the motion and I have much pleasure in supporting it.

SIR CHARLES COURT (Nedlands—Leader of the Opposition) [8.16 p.m.]: I wish to comment briefly on area No. 1. I do so in supplementation of the remarks made most effectively by the member for Murray. In particular I make the comments on behalf of the member for Darling Range. I think the Minister would have been surprised, and perhaps disappointed, if someone had not spoken on his behalf in his absence. However, I must say that we on this side of the House consider this to be a most extraordinary position. We are not opposing the motion, but it is important that it be recorded that we have some misgivings about the matter concerned in area No. 1.

If one looks at the plan dealing with this particular area it will be seen there is a section marked red where the existing clubhouse and some other facilities of the Pickering Brook Sports Club are established, and alongside it is the area marked blue. The intention is to transfer the existing facilities to the area marked blue. In some circumstances this would not be challenged, but the member for the district and many other people who belong to this club find it difficult to understand why the Government is prepared to make a switch of land and at the same time pay compensation of some $82,500 to assist in the establishment of a new clubhouse.

It could be that the club will finish up with a better clubhouse than it has now, but there are some disadvantages. The proposed site is not so well located as the existing clubhouse for reasons that can be readily appreciated. Naturally the founders of the club were careful in their selection of the original site for the clubhouse, and the new site is not as advantageous, and never will be. The real crunch in the matter is that the club is to be shifted from one water catchment area to another. That part marked red on the plan for area No. 1 is in fact under the Metropolitan Water Board's jurisdiction, but the area marked blue is under the jurisdiction of the Country Towns Water Supply Department and it is hard to convince the people in an area such as this that the department is prepared to accept this type of installation, including all the sewerage and the swimming pool that will go with it, in an area which is under the jurisdiction of the Country Towns Water Supply Department, but is not prepared to accept it in the area which comes under the jurisdiction of the Metropolitan Water Board.

It is perhaps unique that these two areas adjoin one another. I do not know the contours, but one can only assume that there is something of a saddle at that point and the contours go down to the area under the control of the Country Towns Water Supply Department, and in a reverse direction in the catchment area controlled by the Metropolitan Water

Board. I cannot comment on that, and it is unfortunate the member for Darling Range is not able to be present tonight because of his official commitments elsewhere.

It was said in answer to a question today that the area where the clubhouse is located is in fact in a proclaimed and active water catchment area. It so happens that the area to which the clubhouse is to be shifted is also a proclaimed and active water catchment area. The new site, for which forestry land is required, is a water catchment area, being lower Helena pipehead dam, under the control of the Country Towns Water Supply Department. That speaks for itself. However, the Minister may have papers from which he can give some answers which will at least place on record that the decision was not quite as foolish as it may seem; because from the reading of the papers, the comments made by the member for Darling Range, and also answers given to questions as far back as August, 1972, it is difficult to understand why $82,500 of public funds had to be paid by way of compensation to the club.

The members of the club are quite happy to remain where they are and to install their own swimming pool. Perhaps the matter came to a head when the club applied to the Water Board or some other authority for permission to build the swimming pool. As far as I can gather from the papers it is at this point the authority rejected the extensions and the club was told that if it wished to expand its activities it would have to move into the area controlled by the Country Towns Water Supply Department, which is the area now being excised.

I repeat: We do not oppose the motion, but we would like the Minister to give us more information as to why it was necessary to make this switch and to pay out, by way of compensation, a sum of $82,500.

MR. H. D. EVANS (Warren—Minister for Forests) [8.21 p.m.]: Firstly, I thank both speakers from the other side of the House for their support of the motion. I particularly thank the member for Murray, because he has indicated to the House that he is familiar with the problems in the timber area and he also recognises, and has paid generous tribute to, the officers of the various departments for their efforts to overcome the problems to which he has referred.

I agree with him that the attitude of the Forests Department is a very professional and most responsible one, and I would like recorded the remarks made by the honourable member and the appreciation he expressed of the officers of this department.

It has been shown that of the six areas referred to in the motion the only one which has attracted any comment is the first, and here the history goes back some considerable time. The Metropolitan Water Board desired the Pickering Brook Sports Club to remove its existing building from the lower catchment area. There has been no objection, and there is still none, to several fairways that will remain in the Victoria catchment area and will be the subject of lease. This has been achieved quite amicably. To meet this request 7.5 hectares of State forest No. 22 were made available outside the catchment area and this land is to be exchanged with the Pickering Brook Sports Club for a similar area of 7.86 hectares on its reserve.

The proposed layout of the club's new facilities are acceptable. They were acceptable up to a point previously before the change was ever insisted upon and discussions were held with the shire council and with representatives of the club. It was only when it was shown that a swimming pool was involved that this was unacceptable to the Metropolitan Water Board within its catchment area and it was for this reason that the exchange was brought about.

Mr. Hutchinson: They were upset because of the possible pollution.

Mr. H. D. EVANS: I take it that even the buildings themselves, and the degree of pollution that this would have entailed, would have been acceptable to the board, but when a swimming pool was introduced as part of the overall plan, the board was not prepared to accept that in its entirety. This brought about the desired exchange, and it was insisted on for this reason. It was accepted by the shire and I think the club was certainly reasonably well treated by way of compensation and assistance in order that it may re-establish itself.

Mr. Hutchinson: Is there any possibility of pollution on the other site?

Mr. H. D. EVANS: Not as I understand the position. My inquiries have shown that the new site has been accepted and is regarded as being satisfactory, and there did not seem to be any dangers concerning the reserve from this point of view.

Sir Charles Court: What amazes us is that the facilities that will be established on the neighbouring catchment area will, if anything, be more elaborate than the original ones.

Mr. H. D. EVANS: This is quite so.

Sir Charles Court: We thought it might save the people from saying, "It does not matter if you contaminate the country towns water supply, but it matters a great deal if you contaminate the metropolitan water supply."

Mr. H. D. EVANS: The run-off of the land is quite different; one is acceptable, and the other is not.

Mr. Hutchinson: It does look strange.

Mr. H. D. EVANS: The line of the Victoria catchment area is shown on the map as running across State forest No. 22. The difference in terrain is brought about by the various gullies, and apparently the danger of possible pollution is considered to be acceptable on the new site, the subject of the exchange.

However, if the member for Darling Range or the Leader of the Opposition requires a full report, with perhaps a map with the contours shown on it, I will be happy to arrange for that to be done. As area No. 1 appears to be the only one at issue, and the other exchanges of land have been satisfactorily accepted—indeed I consider they are justified in every case—I commend the motion to the House.

Question put and passed.

Resolution transmitted to the Council and its concurrence desired therein, on motion by Mr. H. D. Evans (Minister for Forests).

ALUMINA REFINERY (MUCHEA) AGREEMENT BILL

Second Reading

Debate resumed from the 2nd November.

MR. GRAHAM (Balcatta—Minister for Development and Decentralisation) [8.28 p.m.]: It would have been my intention to reply in a very different strain from that in which I now intend to reply, this change of heart being brought about by the concluding words of the Leader of the Opposition when he said, "We support the Bill." In view of that, my approach will be somewhat different from what I intended previously.

Let me here and now say "Thank you" to the members of the Opposition for this indication of support, and I will endeavour to make reference to at least a number of points that were raised during the debate. First of all, however, if members have not already seen them for themselves, I would like to point to some amendments on the notice paper which indicate that the firm with which we were doing business previously, and known as Pacminex Pty. Limited, is now known as Pacminex (Operations) Pty. Limited, and because the company has altered its title the procedural amendments shown on the notice paper are necessary.

The Leader of the Opposition repeated what he stated on earlier occasions; namely, that the Government is passing the buck, or is seeking to divest itself of something which is its responsibility by the procedure which has been adopted. I believe this procedure to be the correct one; that procedure being that before the State enters into an agreement of many years' duration and, as in this case, involving an investment of some $200,000,000, Parliament should have the right to say yea or nay before the Premier, on behalf of the State, signs the agreement with the company.

It is wrong for the Government to anticipate the will of Parliament, sign the document before it comes here, and then virtually place Parliament in the position of being able to do nothing but pass the Bill and the agreement contained therein because failure so to do could have all sorts of implications causing prospective investors to have some doubts as to whether, in fact, they could accept the word or undertakings of a Government.

However, in the case of negotiations undertaken by this Government, it has been patent and explained to the venturers that this agreement is subject to the will of Parliament, and if Parliament seeks to make any amendments, then further discussions will be held and the company can please itself under the new circumstances whether it signs. I think that is the better procedure and in any event it is one this Government has decided shall be adopted.

The foremost consideration of the Government in connection with the matter is that the alumina industry in relation to this company be established if that be within our power and authority, and this agreement makes that possible. It is then up to the company itself to fight its battles to ascertain whether it is able to secure markets for the product at a reasonable price and whether it is able to clinch the deal with regard to sufficient financial support from people who may be considering joining with it.

It was stated by the Leader of the Opposition that the Environmental Protection Authority had practically reversed its earlier decision. I could go to some lengths to describe the differences, but I have a few condensed remarks I intend to make and I trust they will suffice. I say therefore that the principal objection of the Environmental Protection Authority to the Warbrook site was one of land use. The Muchea site is more than twice as far from Perth as the Warbrook site. The new site is also further from developed portions of the State forest.

At Warbrook only some 3,500 acres were available for works and red mud disposal areas while at Muchea selection for areas required can be made from 12,000 acres. At Muchea underground water will be used for refinery needs and will be pumped in such a way as to intercept and collect any slight seepages which may occur from the extensive red mud ponds.

Here let me interpolate to say that it is not anticipated for one moment that any seepage will occur because in point of fact no seepage has occurred in Western Australia in connection with our alumina refinery undertakings. This is a further provision made just in case, and it is designed to satisfy some of those who appear to be a little concerned—almost hysterical—when mention is made of an alumina refinery involving Pacminex but who maintain a deafening silence when other proposed and actual alumina refineries are involved.

At Warbrook piped metropolitan water was to supply most of the company's needs. The new site will enable substantial savings to be made of available hills water.

At Muchea there will be less likelihood of interference of any kind to the R.A.A.F. Pearce operations, as the site is further from the main airfield, and no concern has been expressed by the Air Force relating to its training centre and airfield north of the proposed site.

Also no interference will be made to any rare or unusual species of fauna; and members will recall that this is a matter about which some concern was expressed.

It is true that the Government is granting concessions—or they should be more correctly described as adjustments—compared with the previous site, and these are being granted because of a new set of circumstances. It has been stated from the beginning and acknowledged by the Opposition—and the situation is still the same—that this industry is a marginal one. That, indeed, has been acknowledged by the Leader of the Opposition who has gone further and expressed some doubts as to whether the industry will be able to get off the ground at all.

What has occurred is that the Government, through its negotiations, has made some adjustments under which the State is assuming the responsibility for the capital expenditure, but this will be recouped because of the charges imposed upon the company. This for some most evident reasons is of advantage to the company. Immediately, of course, less capital resources are required. Charges for freight and other considerations are part of the costs of production and therefore have a favourable impact, from the company's point of view, in the matter of taxation; but I am assured that in the several areas where adjustments have been made they have been carefully made by the officers of the department concerned. Here I am making particular reference to the railway freights. I am told that an economic freight charge has been levied and that the Railways Department, whilst being most co-operative, nevertheless has had regard for its own circumstances and welfare.

I do not think it is right to conclude that because the Government has agreed to these adjustments it is setting a precedent under which companies left, right, and centre will be coming forward asking for dispensations of one sort or another. Under this Government every case is treated on its merits and every submission is fully investigated by top-ranking public officers who are specialists in their own domains. Unless it can be substantiated that some trimming of, or some reduction in, a charge is warranted and that it can be properly borne by the State, that concession will not be granted. After all, these are officers of some standing. They are not tyros. They have been negotiating for a number of years with various companies and on numerous types of projects, some of which have become established, and others are still hoping to be or are in the process of further negotiation.

The great difference between this agreement and all others which went before—and I am certain in respect of all agreements which will follow—is that the company had undertaken a great deal of study, research, and prospecting involving, from memory, some $2,000,000. It had proceeded in good faith in the expectation that the Government and Parliament would agree to the project being established in the Warbrook area.

The environmental protection legislation was passed and after approval was given by the Government, and, indeed by this Parliament, the report of the Environmental Protection Authority was such that the Government felt obliged to accept its recommendation, and the company was thwarted in its endeavours to proceed. It was therefore necessary for it to be accommodated in a new position. This, I want to emphasise, was not an easy matter for the company; but the Government, through its officers, worked hard and in co-operation with the company, and finally success was attained.

It is hoped that the company will be able to proceed in succeeding stages of obtaining meaningful partners and securing markets to enable it to progress roughly in accordance with the timetable I outlined when I announced the decision of the Government, in agreement with the company, concerning a new site in the Muchea area.

I do not think I have any need to refer to Amax and the circumstances there, other than perhaps to repeat what I said earlier. There was a hope that the Mitchell Plateau project would get off the ground; and that the alumina refinery at Pinjarra would be expanded and developed to the point originally anticipated. However, because of the general world situation, both of those projects were in the doubtful class.

We were able to achieve expansion of Alcoa at Pinjarra and it is still within the competence of Amax to get going whenever

it feels the circumstances are propitious; in other words, when there is a sufficient demand for its products, having regard for the fact that, because of the overall cost, it is necessary for it now to build a larger plant than was the original intention.

I do not know whether Pacminex will be able successfully to obtain markets for its alumina or, if so, when. This surely is up to the company, and it is up to the Government and this Parliament to give this company the opportunity; to leave it in the position where it is able to get on with the job. Therefore there is no suggestion whatever of the Government building up false hopes.

One would hope and trust that provided resources were available, it would be accepted as a responsibility of the Government to give as many as desired an opportunity to become established; and then it is the province of the companies in the cold, hard world of economic realities to find the markets at the right price and to find the capital and all the other necessaries in order that they might establish themselves as going concerns. Certainly it is the policy of this Government to give them that opportunity.

Because this particular industry is recognised as being marginal—already admitted by the Opposition—I feel that in view of the changed circumstances a very definite obligation rested on the Government to make adjustments in order to give the company a chance; and that is what we are doing.

I want to say here and now that the company was not particularly enthusiastic. It preferred the site at Warbrook which it still maintains could stand up to any rigorous test which might be applied to it. If the company could not go to Warbrook it felt it should be permitted to go to Kwinana; but for rather obvious reasons in both cases, this was not possible. I acknowledge the fact that after some consideration, hesitation, and opposition, the company finally agreed to accept the site in the Muchea area.

Questions were raised with regard to a number of points and one was the transfer of the work force. I cannot hazard a guess as to whether Wanneroo or any other place will be near enough or too far away from the proposed refinery. I cannot hazard a guess as to whether the workers would wish to live at Chittering or Muchea, or somewhere else. This is a matter which only experience will determine. People will go to the areas of their own choosing. Either the company, the State Housing Commission, or some private developers, will make accommodation available in order to meet the demand wherever it may be. It could be that some workers will be content to travel in their own vehicles, or in special buses supplied, between what one could call the northern metropolitan areas and the refinery site.

Another question raised concerned the area which would be mined for bauxite. The plan which has been tabled shows the area but there is provision for the Minister to grant additional areas. It should be borne in mind that quite a deal of the land in the general area of the refinery is privately owned and the owners have the mineral rights to the land. Whether the land is privately owned or not it is intended that every precaution will be taken in restoring all the land which is disturbed.

I have already mentioned rail freights and I am assured that the Railways Department, and the commissioner, have agreed that the freights mentioned will be economic. Much has been made of the concessions offered by the W.A.G.R. The State is anxious to do all it can to make the operation of the refinery at Muchea economically viable. Bearing in mind that the company will supply the extra wagons which will be required, the W.A.G.R. has been able to estimate a price of 35.7c for the Muchea site as against 23.9c for the Warbrook site. The bauxite will be hauled over a greater distance. There are other particulars with which I need not worry members but the W.A.G.R. has been able to set the new rates as a matter of commercial judgment and, surely, we have a Commissioner of Railways charged with a responsibility. I do not think there is any question that he is living up to the responsibility of his office.

Sir Charles Court: That is 23.9c per tonne kilometre, for alumina?

Mr. GRAHAM: Yes.

Sir Charles Court: And the new rate is 35.7c?

Mr. GRAHAM: That is so, for the Muchea site. I think members will find some difficulty in aligning one freight with another because of the telescopic freight arrangement which the Railways Department has applied over a number of years.

The member for Avon expressed some concern about the possible damage that would be done to wheat, and the effect on wheat sales. In respect of this point the Environmental Protection Authority, through the director, has issued a public statement, and an article appeared in *The West Australian* on the 4th November, under the heading, "Dust-grain risk 'under control'." The article stated—

> The Director of Environmental Protection, Dr. Brian O'Brien, believes that the potential problem of alumina dust contaminating grain being loaded on ships at Kwinana is under control.

The matter has been discussed with the Fremantle Port Authority under whose jurisdiction the job and the facilities will fall. We have been assured that all steps will be taken and all precautions will be followed. Also, the Fremantle Port Authority has a great deal of judgment,

and ability, to cause alterations and variations to be made to timetables and features of that nature if any difficulty should be experienced—which is not anticipated.

I know the circumstances at Geraldton are somewhat different, but it is interesting to note in the report of the Geraldton Port Authority that during 1971, 700,000 tons of grain were exported from that port, and also approximately 700,000 tons of iron ore.

Mr. Gayfer: Do you maintain that two wrongs make a right?

Mr. GRAHAM: I do nothing of the sort. I am unaware of any difficulties relating to the sale and price of wheat exported from Geraldton. If I am not mistaken wheat is loaded at Geraldton to a certain point and then the ships come to Fremantle to be topped up. In other words, if the iron ore and manganese at Geraldton are not causing pollution then the stockpiles at Kwinana will not cause pollution.

Mr. Gayfer: Good try.

Mr. GRAHAM: Would that be a fair statement?

Mr. Gayfer: Not with alumina dust.

Sir Charles Court: The physical factors are quite different.

Mr. GRAHAM: Of course, that is so. In the case of iron ore dust, if it blows around, those who own it could not care less. However, in the case of alumina it is an exceedingly valuable product.

Mr. Gayfer: So is the grain.

Mr. GRAHAM: Of course it is.

Mr. Gayfer: Thank you.

Mr. GRAHAM: We have an assurance from the particular company, on the one hand, and the Fremantle Port Authority, on the other hand, that if in the course of the operations any unforeseen or untoward circumstances present themselves, immediate and appropriate action will be taken.

Mr. Rushton: Why does not the director complete his report so that it can be included in the Bill? The Minister claims this is part of the legislation.

Mr. GRAHAM: That is so. Surely it is elementary that the Environmental Protection Authority should investigate and then comment and recommend on the proposed industry. The authority goes as far from—or as near to, if one likes—the possible problem as it decides. Nobody directs; it is an authority unto itself. I would say that if there is to be a public criticism of the activities of the authority—and I make no comment on this myself—the bulk of the criticism would be that it is too finicky, and that it is going to excesses.

Mr. Rushton: Surely the Minister should be satisfied with the report.

Mr. GRAHAM: In contradistinction we have an authority which has been put there by Parliament. Its first major decision was accepted by this Government and the same authority has been looking into the matter now before us. However, the Government to which the member for Dale belonged went ahead and agreed to refineries and other activities when there was no Environmental Protection Authority to which such matters could be referred. No concern was shown then, but because we now have an authority the member for Dale wants to move a vote of no confidence.

Mr. Rushton: That is not so.

Mr. Gayfer: Is the same jetty to be used for alumina and grain?

Mr. GRAHAM: I will come to that in a moment, but the answer is "Yes."

Mr. Gayfer: The answer the other day was "No."

Mr. GRAHAM: I was under the impression, having regard for the fact that this site was adjoining the corridor, that there would have been a separate jetty. However, in any event I think it is immaterial because as explained the other evening the alumina will be in an enclosed carriageway, or conveyor belt, and will be loaded at a different place. A ship will be wharfed at the jetty in one positin loading wheat, and another ship in an entirely different position will be loading alumina.

Mr. Gayfer: They would look funny if they were in juxtaposition.

Mr. GRAHAM: I thought the honourable member had the idea that a wheat ship would get out of the way and then an alumina ship would tie up, but that is not so. It is a very simple matter for members opposite to run around with pins sticking them into every possible place.

This problem about which the member for Avon has some fears is one which is not uncommon throughout the world. It is a matter of one type of loading contaminating or having some effect on another type of loading, and as I have said the probem is not something which is entirely new.

Mr. Gayfer: I do not think the Minister knows his subject in this respect.

Mr. GRAHAM: We have the Environmental Protection Authority and the Fremantle Port Authority—responsible bodies with responsible officers—charged with the responsibility of doing a certain job.

Mr. Gayfer: And likewise C.B.H. is a responsible company charged with doing a responsible job.

Mr. GRAHAM: Of course, and the Pacminex organisation is also a responsible body. I have no reason to reflect on the bulk handling organisation; all I am saying is that this problem has been looked at by the authority set up by Parliament.

Mr. Rushton: Does the Minister acknowledge that there are certain difficulties associated with the loading of alumina?

Mr. GRAHAM: Yes.

Mr. Rushton: By placing the loading facilities in the proposed position would that not inhibit the development of the rest of the area by the Fremantle Port Authority? Surely it would.

Mr. Hartrey: Is the honourable member saying that alumina dust is poisonous?

Mr. Rushton: No.

Mr. Hartrey: It actually protects the lungs from silica dust.

A member: Try to tell the Chairman of the Workers' Compensation Board.

Mr. GRAHAM: From the remarks of the member for Dale it seems he is prepared to go to excesses in exaggeration. I have endeavoured, as calmly as possible, to point out that the highest authority in this land, which has been charged with certain responsibilities, is satisfied in respect of this matter. I am informed that it is not a problem—if one might call it such—which is new to the world, and that it can be coped with.

I have no hesitation in saying that a similar situation would apply here in the event of some of the circumstances arising, as indicated by members,

Mr. Gayfer: Are both conveyors on the one jetty?

Mr. GRAHAM: Yes, but one is completely enclosed—like a water pipe alongside a sewerage pipe, if one likes. If the honourable member opposite lets his imagination run riot he could comment on that.

Mr. Gayfer: Which does the Minister consider is the water pipe, incidentally?

Mr. GRAHAM: If the honourable member had asked me the alternative obvious question perhaps I could have given a direct answer.

I have with me a much longer report than the one which appeared in the Press. I am prepared to make it available. It covers the matters which have been raised by some members opposite. Here and now I want to make further reference to a matter about which I said a few words when I introduced the Bill.

I say without hesitation that Dr. Roberts is a wicked man. I say that definitely and emphatically. I have been appalled to find that there has been concern amongst people who have homes around Yanchep and the beach in that general area and who initially wanted to divest themselves of the land they had acquired. Developers were concerned because people were asking for their money back or they did not want to settle the negotiations they had entered into a few days earlier in regard to land in that particular area.

I am aware—as is the member for Moore—that some members of the farming community are concerned. Certainly one of them is most concerned, feeling that his farm has lost its value and that it would be impossible for him to sell his land because of its proximity to the refinery. He told me that personally on Saturday last.

It is because of the likes of Dr. Roberts that people are imagining all sorts of things and their minds have been poisoned in relation to this project. I am appalled to think that there is loose in the community a person who is saying these utterly irresponsible things which could not only jeopardise an industry involving an investment of $200,000,000 and generating $15,000,000 a year in the community but are also at the same time causing all sorts of dreads and fears in the minds of good citizens of this community. I think it is time that person was stopped. He made his comments without even knowing where the refinery was to be established —so utterly irresponsible is he.

Mr. Hutchinson: How are you going to stop him?

Mr. GRAHAM: I do not know. If he has a degree or a doctorate, I hope to goodness he will have a modicum of common sense and will learn to control himself.

Mr. Hutchinson: He made the same sort of complaint when we were in office.

Mr. GRAHAM: Is that not just compounding the felony?

Mr. Hutchinson: No. We did not say things such as you are saying.

Mr. GRAHAM: I am aware of direct approaches by people—

Sir Charles Court: We do not want to lock people up when they criticise us.

Mr. GRAHAM: As far as the Government is concerned, we can answer any political criticism, but this person is creating fear in the hearts of our people—without substance and without a knowledge of the area. Members will recall when it was proposed to establish the refinery at Warbrook the breeze was going to come from the north, blow all the fumes down to the city, and have all sorts of dire effects. Dr. Roberts and those who support him have now switched the wind around so that it will blow from the east across to Yanchep and the coast, and so on. I think it is time all this tommyrot ceased and we got down to the bald facts.

Because of Dr. Roberts and people of that ilk, the gentleman in the Gingin area who has a farm almost adjoining the refinery site is genuinely concerned and

worried that his land will become practically valueless or certainly worth far less than it was worth a couple of weeks ago.

What is the position? We know that in respect of the refinery at Pinjarra, which will be at least twice as big as the one at Muchea, there are thousands of head of cattle and thousands of head of sheep grazing within the shadows of the structure. The principals of the Alcoa refinery are proving to be adept at stock raising. Their pastures and the condition of their herds and flocks can be appreciated by anybody who knows livestock. There has been no detrimental effect on them whatsoever. The stock have been deliberately put there.

The area at Muchea is not some 3,000 acres, as was intended at Warbrook, but some 12,000 acres—an area approximating that of the establishment at Pinjarra. The town of Muchea is approximately four miles from the refinery. The town of Pinjarra is a similar distance from the refinery in that area, and the town of Carcoola is approximately four miles from the refinery. The Alwest refinery site is approximately four miles from the heart of Bunbury. There are no sheep and cattle grazing there but human beings—young, old, and indifferent—and they are living and working in that general locality.

Mr. Williams: There are not many indifferent human beings down there.

Mr. GRAHAM: Judging by the way some people have been casting votes in recent years, that is another argument.

At the farm about which the member for Moore and I have spoken the possible deposit or fall-out of sulphur dioxide would be something less than half the figure accepted by the agency in the United States of America as being likely to begin to cause any interference to anybody. Therefore, I hope and trust the member for Moore will convey to our mutual friend the fact that he has nothing whatever to worry about, other than the extreme and irresponsible utterances of somebody who should have more sense.

Mr. Lewis: If this refinery used natural gas, would that improve the situation?

Mr. GRAHAM: Very definitely. It is the hope of all concerned—and, I think, of most industries—that additional reserves of gas will be discovered in the area from which supplies are currently being drawn for the metropolitan area and Pinjarra; or that it will not be long before natural gas is brought from the coastal shelf.

Mr. Lewis: Dr. O'Brien said it will be all right as long as oil is used.

Mr. GRAHAM: That is so. As far as oil is concerned, pollution and detrimental effects will be insignificant. They would be almost of no consideration if natural gas were used.

There is only one other aspect on which I wish to speak; that is, to give some particulars regarding the capital outlay of the company. As regards rolling stock, the State will provide locomotives and brake vans as well as the freight reductions or adjustments of which I have spoken. The estimates on this differ but the difference in the capital outlay of the company could be in the vicinity of $2,000,000.

In respect of road access, which I described as being undertaken by the Main Roads Department, a road which will be required in the course of time but has become more urgent on account of the refinery would involve a sum of $700,000, in round figures. The wharf extension was to have been undertaken by the company but it will now be provided by the State, and the Fremantle Port Authority is agreeable to this. A sum of $3,300,000 will be involved.

In the matter of land, a sum of $2,750,000, in round figures, was involved on the part of the company. The area of 12,000 acres will now be leased to the company at a peppercorn rental, thereby saving a capital outlay. When the bauxite deposits have been mined and the industry closes in 40 or 75 years' time, or whatever the period might be, such portions of the land as have been mined will be returned to the Crown in a restored condition. Mining is not likely to be carried out on the refinery site or on the site of the red mud ponds, but areas that have been mined will be restored, and the factory and all appurtenances will be moved.

There is also an adjustment with regard to the railway or grade separation, where a figure of $300,000 is involved.

I think I mentioned that the company had given an undertaking to contribute to the State a sum of $1,000,000 to assist with the provision of hospital facilities in the area. I was rather proud of having been able to extract that undertaking from the company at the time. Because of the new circumstances, that sum of $1,000,000 is to be payable to the State only when the refinery reaches a certain output, and not as a condition of commencement, which by and large was the situation under the previous agreement.

Sir Charles Court: Before you mentioned roads, you said something about a capital contribution for railways which the Government had accepted. What was the figure?

Mr. GRAHAM: The railway itself is the responsibility of the company. I mentioned a figure of $300,000 in regard to grade separation. The State will provide 75 per cent. and the company 25 per cent. of the cost after a certain date—again giving the company an opportunity to get under way. I think members will agree there is a certain amount of fairness in this arrangement because, where the road crosses the

railway line, the traffic will be only partly that of the Pacminex company. Therefore there is a community responsibility. The company will pay a portion of the cost, which will apply in respect of rail traffic as well as road traffic. One would anticipate there will be a standard gauge railway going further north than will be essential for this project.

Sir Charles Court: You did not give us a figure for the rolling stock. Is that $2,000,000?

Mr. GRAHAM: Yes. I have not bothered to tot it up but it is in the vicinity of the $8,000,000 about which mention was made earlier.

I hope and trust the Bill will pass through this House and the Legislative Council without difficulty. The company's principals in this State and in the Eastern States, and interested persons in another part of the world, are waiting for the green light after the very frustrating and disappointing 12 months or so which they have already experienced.

Question put and passed.

Bill read a second time.

Tabling of Plan

MR. GRAHAM (Balcatta—Minister for Development and Decentralisation) [9.15 p.m.]: Mr. Speaker, may I deposit on the Table of the House a plan which shows in some detail the arrangements at Kwinana?

The SPEAKER: Yes.

The plan was tabled (see paper No. 481).

In Committee

The Deputy Chairman of Committees (Mr. Brown) in the Chair; Mr. Graham (Minister for Development and Decentralisation) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Execution of Agreement authorized—

Sir CHARLES COURT: During his reply to the second reading debate the Minister referred to the fact that it is the policy of the Government to present agreements which are unsigned and to seek the approval of Parliament of the signing of the agreements in the form they are presented to Parliament, or in a form which is substantially in accordance with that.

We have heard the arguments advanced by the Government in support of that proposition. We, on the other hand, do not agree with that argument. Superficially, the proposition of the Government seems to be fair enough, but when one understands the practicalities of the matter, as we understand them now in the light of experience on several occasions, it just does not work out; or it does not work out in the way the Government intended it to, if it was the understanding of the Government that the Parliament could, if it so desired, amend the schedule.

One must be a realist in this matter. The simple facts are that an agreement is presented after days, weeks, or months of laborious discussion between the parties concerned, with the Government acting as co-ordinator between its own departments and also co-ordinating the negotiations of the company with its departments.

Eventually an agreement is arrived at which all parties are prepared to accept, and it is brought to Parliament. Parliament considers it, and it may not like it, as occurred in the case of the Rhodes Ridge agreement. But where did we get on that occasion? The Opposition had an undertaking that certain things would be looked at, and due to an oversight by the Government we were approached only a matter of hours before the signing of the agreement to see if a crash programme could be arranged so that we could confer with the Ministry. That did not get us anywhere. One must acknowledge that it is difficult for the Government of the day to ask the Leader of the Opposition or his nominee to attend a conference with the parties to the agreement to try to work out amendments; and we must bear in mind too that the Opposition has no drafting facilities available to it, and it has no direct access to the company. The company is on tenterhooks and would not want to do anything to upset the Government. Certainly it would not negotiate directly with the Opposition.

So, in practice this system does not work out. Even if we accept that the Government followed the course in all sincerity, it just does not work out in practice. I wish to record that fact because there is a misconception abroad that the lot of the Opposition to seek to amend agreements is made easier by the new procedure.

Even with the numbers in the Legislative Council, as a result of its sense of responsibility in these matters that Chamber would be most reluctant to interfere with negotiations carried out by the elected Government of either party. Members of the other House are in a virtually impossible situation if they seek seriously to amend an agreement of this nature.

I take this opportunity before we get to the schedule to express those comments, not by way of criticism, but by way of explanation of how difficult it is in practice to suggest amendments to an agreement once the Government and the parties concerned have reached agreement to the point of being prepared to present the schedule to Parliament.

I cannot imagine any machinery that could be set up by the Government to enable such negotiations to be carried out effectively. The Opposition might indicate that it would like to see a change

in the processing or infrastructure commitment, or in the rents, royalties, or freights; but how it effectively communicates that to the parties concerned is beyond me. One must assume that the Government and its officers have achieved the best that could be achieved within their experience and competence. Whether or not someone else could do better is beside the point at this stage. We must assume that the Government and the departments concerned decided this is as far as they could go, and that the company decided it is as far as it could go; and, therefore, the agreement is presented to Parliament for its acceptance or rejection.

I suggest the possibility of amending the schedule is virtually nil from a practical point of view. It comes down to a decision of the measure being either accepted or rejected, because any suggestions we make would not get very far.

Mr. GAYFER: The effect of this clause is that when the Premier signs the agreement, the schedule attached to the Bill is authorised. I feel I must oppose the clause.

During the Minister's reply to the debate he answered some fairly specific questions. My main concern, as is well known to members, is that alumina will be loaded from the same jetty from which grains will be loaded. Clause 38 (1) of the schedule states—

> 38. (1) The State will in accordance with the proposals as finally approved or determined under Clause 6 cause the Fremantle Port Authority to construct a wharf in the Fremantle Outer Harbour either by way of an extension in a northerly direction of the Fremantle Port Authority's proposed bulk grain jetty in that harbour or in such other suitable alternative location as may be agreed.

However, there is no agreement. Virtually no consultations have been held with the grain authorities, because only five minutes ago the Minister said in answer to an interjection that both conveyor belts will run along the same jetty. It is a *fait accompli*. In other words, the clause I have just read out has been negated by the remarks of the Minister.

I have made it clear that the grain industry cannot allow alumina to be loaded from the same jetty from which grain is loaded. I explained fully on Thursday evening the dangers involved. The vast amount of money invested by the farmers of Western Australia in the provision of a fully integrated, international grain terminal—the best in the world—will be jeopardised by the fact that a conveyor belt carrying alumina will run along the jetty adjacent to a conveyor belt carrying grain.

Mr. Graham: Tommyrot!

Mr. GAYFER: According to some of the remarks he made, the Minister has set himself up as an authority as far as foodstuffs are concerned. He likened the two belts to one carrying water and the other carrying sewage. In the future I would like the Minister, if he does not eat his words, to eat the product of either one or the other of those things.

Mr. Graham: At least you have given me a choice; I might not be so generous.

Mr. GAYFER: In answer to the member for Boulder-Dundas, I will admit that alumina dust is not toxic, but its presence is highly undesirable because it is metallic and has an abrasive effect on the mucous membranes. Therefore, our grain will be highly undesirable to world buyers if it is loaded adjacent to alumina.

I consider the grain-growing industry of Western Australia has been sold down the drain. The farmers of this State backed C.B.H. at Kwinana in the belief that there would be no interference and no possibility of contamination of the grain. If our product is to be exported, at all times its quality must be beyond reproach.

I am sure that in London there would be much discussion amongst shipowners before they entered into an agreement to write a charter for the shipping of grain from Fremantle if they knew that while the grain was being loaded alumina could be loaded at the rate of 3,000 tons an hour from the same jetty. I appealed to the Premier the other night to reconsider this matter. I now appeal to the Minister because it is so important to the grain industry. Surely alternative means could be found to load alumina.

From my reading of the plan the alumina conveyor belt runs along one side of the C.B.H. facilities, then makes a 90 degree turn and runs half way down another side of the C.B.H. facilities, then out along the jetty for 2,000 feet and back again to the berth. One can see that it would be less expensive to take the conveyor belt straight out to where the vessels will be loaded, rather than have the proposed circuitous rigmarole of belting.

I am also concerned about the priorities for the berthing of vessels. I admit this does not mean that alumina will be loaded at the same berth as grain will be loaded. However, as grain vessels are 800 feet in length, and more, C.B.H. will need 800 feet of wharf at 45 feet. Alumina vessels will require the same amount of wharf. I take it the Minister intends to add that length to the end of the jetty. I appeal to the Minister to investigate the effects on our grain of the loading of alumina, especially in relation to the international standards laid down by the grain buyers of the world.

He said the same thing has happened in other parts of the world, but that does not mean a thing, because the buyers of today are more particular about the standards than they were 10 years ago, and I am sure that 10 years hence the standards will be even higher.

C.B.H. wants free and unfettered access to the wharf in order to load a product which should not be contaminated by some outside factor. It costs millions of dollars a year to protect the grain that is produced in Australia. Surely at this stage of the agreement the Minister should be able to come up with some alternative to providing access to a jetty for the loading of alumina into vessels, without causing any problems to the grain industry from which so many people make their livelihood.

Mr. RUSHTON: If we agree to the clause the Premier will be able to approve various arrangements. In the second reading debate certain objections were raised and it was hoped that the Minister would reply to them. In his reply to the second reading debate he did not comment on the report of the Director of Environmental Protection or our claim of contamination arising from joint loading of vessels at this jetty. This puts the director in an invidious position. We have been seeking guidelines as to how environmental protection is to be proceeded with in Western Australia. The Government has not acted in a responsible way in allowing lack of experience and inefficiency to be displayed in the presentation of this Bill.

I am grateful to the Minister for Development and Decentralisation for tabling the map which deals with the Kwinana end of the project under discussion. It is clear that the establishment of the Pacminex bulk store adjacent to the C.B.H. installation, together with the conveyor belt which extends across the waterfront of C.B.H. out to the jetty, is not a practical proposition, especially when we take into account the fact that the Fremantle Port developments will be carried out north of this project area. I am sure that what has occurred in the case of the Alcoa alumina refinery will occur in this case—the depositing of very fine alumina dust when loading takes place.

Not only the Fremantle Port area but also the 200 homes at Kwinana beach will be affected by joint loading on this jetty. The Minister should agree to an adjournment of the Committee discussion with a view to bringing about some change in the arrangement. The loading of alumina, which causes a problem, should be undertaken at the other end of the Fremantle Port development.

Under the Bill it is proposed to extend development close to the residential area. It might be said that the prevailing winds will not blow in the direction of the houses, but I cannot agree. I say there is a real possibility of contamination being caused.

I take this opportunity to place on record my objection to the Minister for Environmental Protection treating the Opposition with contempt when he misinformed the House as to the research that had been undertaken by the Environmental Protection Authority.

I asked certain questions in order to obtain information on the loading, storage, and transport of alumina, but the reply I received from the Minister was misleading.

Mr. Graham: How were you misled?

Mr. RUSHTON: One has only to read *Hansard* to see how the Minister has done that.

Mr. Graham: How were you misled?

Mr. RUSHTON: I asked the Minister for Environmental Protection certain questions but he referred me to the answer he gave to question 23 on the 26th October. The answer he gave then was—

> I see no objection to these being tabled at an appropriate time, which will be decided by the Premier, to whom the reports were made directly, in consultation with myself as Minister for Environmental Protection and the Deputy Premier who is responsible for the Agreement Bill before the House. Indeed, I believe the report has already been tabled.

One would assume that more reports would be presented, but none were. In answer to a question by the member for Avon the Minister said there had been no report, and there had only been some verbal discussion with the Fremantle Port Authority.

If this proposition is fair and equitable it should be included in the third schedule to the Bill. If it warrants a reference to Muchea then it warrants a reference to Kwinana. By including the proposition in the third schedule the people will gain confidence in the Environmental Protection Authority. All I am asking is for the inclusion of a report relating to the loading, storage, and transport arrangements. Surely the Minister should agree to an adjournment of the Committee discussion and give us the undertaking we are seeking. Siting this industry adjacent to the C.B.H. installation at the southern end of the port development is not reasonable. The Minister should consider the points that have been raised by the member for Avon and myself, because we have put before him a reasonable proposition.

Mr. GAYFER: The other night I made an appeal to the Premier to reconsider this matter in the interests of the grain industry of Western Australia. Earlier tonight I made an appeal to the Minister for Development and Decentralisation, but he appears to have made up his mind.

Now I intend to appeal to the Minister for Agriculture who administers the Bulk Handling Act. I challenge him to make a statement in this Chamber indicating he, as Minister for Agriculture, is absolutely satisfied that if the loading of alumina and the loading of grain is undertaken at the same jetty the grain will not be contaminated and no cause for arbitration will occur in the delivery points throughout the world. As I said the other night, if he gives me this assurance, I will be reasonably happy, although I reserve the right to speak again after the Minister for Agriculture has spoken.

Mr. GRAHAM: First of all, as far as the remarks of the Leader of the Opposition are concerned, I wish he would appreciate that the circumstances are entirely different when the duly elected Government has a majority of members in the second Chamber. It is then able to proceed with the certain knowledge that legislation such as this will be passed. This Government is not in that position.

Sir Charles Court: That is not quite right.

Mr. GRAHAM: I said in relation to legislation such as this, in which I am completely right.

Last session, contrary to the high principles enunciated just now, the other Chamber—and there are scores of examples of this—did not have regard for the fact that legislation was presented by the properly elected Government of Western Australia.

Sir Charles Court: The Legislative Council is a properly elected Chamber.

Mr. GRAHAM: The other place has no regard for that circumstance. It makes its decisions in accordance with its own dictates when a Labor Government is in office. In connection with the agreement relating to Pacminex, notwithstanding the fact that an agreement had been arrived at between the Government and the company, another place insisted that certain words be inserted. It was not prepared to accept the word of the Government or the Premier.

Sir Charles Court: You are talking about environmental protection?

Mr. GRAHAM: Yes.

Sir Charles Court: That is what they are there for.

Mr. GRAHAM: That action indicated that, irrespective of what the properly elected Government of Western Australia had submitted, the Legislative Council was prepared to insert particular words for which of course there was no requirement because, as explained to everyone, the industry would have had to come within the ambit of all the current legislation in force and, indeed, any amendments to such legislation, or any new legislation enacted at any time in the future. Therefore the position was adequately covered.

As the Labor Government submits the matter to Parliament in the unsigned form, it is possible, upon any error being found, for the Government to admit such is the case, and for an alteration or amendment to be made either here or in another place. However, after the document is signed, what can be done? Any amendment would be construed as repudiation.

Some people do not appreciate the difference between Parliaments and Governments. Wherever I go in this State or in other parts of Australia, I am condemned because the Government of Western Australia and the Parliament of Western Australia rejected daylight saving. The Liberal and Country Parties are not blamed; nor is the Legislative Council. No! The Parliament and the Government are responsible for making us the laughing stock in the view of so many people.

Mr. Nalder: And that was a good thing, too.

Mr. GRAHAM: We need not discuss the merits or the demerits of the argument. All I am saying is that the Legislative Council is in command of this Parliament.

Sir Charles Court: It is not.

Mr. GRAHAM: Of course it is, because no piece of legislation can pass without the blessing of that Chamber, irrespective of the Government in this Chamber and irrespective of the mandates it might receive or the majority with which it is returned, be it large or small. That is a statement of fact.

Sir Charles Court: And you have complete authority to accept or reject amendments put forward by the Legislative Council.

Mr. GRAHAM: Acknowledging that fact, we bring proposals acceptable to the company and the Government. We do not treat the Parliament with contempt. We bring the matter here and it is possible for Parliament to make whatever determinations it likes.

That is the position, and just as the Leader of the Opposition sought to put the record straight from his point of view, I am putting it straight from my point of view which is, of course, the attitude adopted and learnt in the university of hard knocks. Everyone will, upon pondering, agree with me that the situation is as I have outlined it.

Sir Charles Court: If you want to put the record straight—

Mr. GRAHAM: So much for that. I think we have been spending too much time on that point.

Sir Charles Court: You should also put the record straight on another point so—

Mr. GRAHAM: The attitude of the Opposition and the attitude of the Government are poles apart. We have given reasons on moral, ethical, and practical grounds for adopting our present attitude. It is the intention of the Government to continue in this strain.

With regard to all these shocking, apalling, ghastly, dreadful, threatening, menacing remarks calculated to capture the headlines—which probably went to someone's head because that was the case towards the end of last week—all I can say is that this matter, indeed, all the matters pertaining to this subject generally, have been considered by, amongst others, the Public Works Department, the Department of Agriculture, the Department of Development and Decentralisation, the Metropolitan Region Planning Authority, the Scientific Advisory Committee of the Air Pollution Control Council, the Bureau of Meteorology, the Fremantle Port Authority, and Co-operative Bulk Handling, although I am unaware of the extent of the discussions. These are top professional men in Western Australia, who advised the Government in connection with these matters as they advised the previous Government.

A guarantee has been sought from the Minister for Agriculture. I ask members: Can the Minister for Works give an unqualified guarantee that the ceiling of this Chamber will never fall? Of course it is impossible so to do; but the Minister, the architects, the engineers, the builders, and everyone else connected with the construction of the building know perfectly well that the ceiling has been constructed to certain standards, and so on. Exactly the same thing can be said with regard to the matter under discussion. We have obtained the opinion of those who are skilled and fully trained on the subject. They have a knowledge of procedures and activities in other parts of the world.

All sorts of fears have been raised in connection with this particular company. Already a couple of other refineries have been established in Western Australia and we hope and trust that several more will be established before long. Nevertheless, people say all the fanciful things which come to their minds, or which are fed to them by others, and because they get prominence and publicity perhaps they convince themselves in connection with them; I do not know.

Are members opposite having a little political fun? Perhaps it could be that. All I can say is that the best advice available to the Government is that the position is met, and that in the unforeseen circumstance of something untoward occurring, immediate steps will be taken to offset the trouble.

I do not know what difference it makes whether the conveyor belts are going in one direction or the other. The fact of the matter is, of course, that they will be enclosed and the alumina, accordingly, cannot escape.

This operation will be carried out on the authority of the people in the best position to know, and I do not think it serves any purpose that persons should allow their imaginations to run riot and use all sorts of extravagant language based on a fear of something which might happen. What would happen to the people of Perth in the event of an earthquake? One has only to look at our skyscraper buildings to realise what would happen to the people in those buildings and the people in the streets below them. That could happen but what are the prospects or the possibilities of it occurring? I think some of those who have spoken should come down to earth in respect of this matter and treat it as a serious proposition based on the best advice it is possible to obtain from technical men.

Sir CHARLES COURT: I am sorry the Deputy Premier has adopted the attitude he has. I was hoping that after the very lucid explanation given by the member for Avon last week he would come along and present to us a firm proposal whereby undertakings would be entered into with the Fremantle Port Authority, his own department, and anyone else concerned so that the necessary studies would be carried out to ensure that the C.B.H. installation could be operated safely alongside the alumina loading facility.

Mr. Graham: I have already told the Committee that.

Sir CHARLES COURT: My own experience and opinion of the matter is that a workable and safe proposition cannot be worked out. I have to endorse what the member for Avon said about the sensitivity of people abroad in connection with grain. We have been through the experience with regard to meat. The Americans were a vital part of our meat industry markets, and they called the tune about the health standards not only in our country, but in their own country also.

Mr. Jamieson: They insisted on a higher standard here than that which existed in their own country.

Sir CHARLES COURT: They did not.

Mr. Jamieson: Yes, they did.

Sir CHARLES COURT: I do not want to be sidetracked.

Mr. Jamieson: When the Leader of the Opposition makes a statement he should be sure of what he is talking about.

Sir CHARLES COURT: When we made inquiries in this context about Wyndham we found we were barking up the wrong

tree because more works had been closed in America because of hygienic conditions than were being closed in Australia.

Mr. Jamieson: There are more open.

Sir CHARLES COURT: Let us get down to the question of grain. West Germany used to have the most exacting standards, and it called the tune for the rest of the Continent. Those countries are sensitive to so many things. If one were to go to the C.B.H. laboratories one would get some idea of the type of work being done to ensure that our harvest is delivered in the form in which the buyers are prepared to accept it.

I want to tell the Minister these two wharves will not work together. These products can leave the works under the most strict supervision, and can travel through enclosed tunnels, but no-one has been able to find a way to overcome the air displacement problem with alumina when loading ships. The most expensive and elaborate systems have been tried. As the Minister has said, people do not like to see alumina at $60 a ton floating through the air. However, physical factors are involved.

It was my intention, originally, to place an amendment on the notice paper. I intended to move on page 2, line 5, to add the words, "when an arrangement acceptable to Co-operative Bulk Handling Limited in respect of port, wharf, and berth ship loading operations is arrived at." However, I preferred not to move the amendment.

Mr. Graham: I would think so; that would be sheer and utter stupidity.

Sir CHARLES COURT: I resent the remarks of the Deputy Premier because if he stops to think for a moment he will realise that we are trying to help him with his agreement.

Mr. Graham: To allow an outside firm to be the final arbiter?

Sir CHARLES COURT: It is no more outrageous than what is in the Bill; because in the schedule the Minister has given the company absolute priority in respect of berthing—an outside authority. Within the times available to the Fremantle Port Authority, and with no regard for C.B.H., the company is to receive berth priority.

Mr. J. T. Tonkin: The Leader of the Opposition did that at Dampier.

Sir CHARLES COURT: Of course we did; there was no conflict.

Mr. J. T. Tonkin: You gave power which enables the company to order State ships off the wharves.

Sir CHARLES COURT: The Premier is trying to draw a red herring across the path to get his Government out of trouble.

Mr. J. T. Tonkin: It is no red herring; you gave power to the company concerned.

Sir CHARLES COURT: We are dealing with a different matter.

Mr. J. T. Tonkin: You gave it the power which it used to order State ships off the wharf.

The DEPUTY CHAIRMAN (Mr. Brown): Order!

Sir CHARLES COURT: I have to ask the Deputy Chairman to intervene. I do not mind interjections but when we get the new tactics of the Premier and the Minister for Works talking all the time in an attempt to prevent my comments getting into *Hansard* I object.

Mr. Jamieson: The injured innocent.

The DEPUTY CHAIRMAN (Mr. Brown): Order!

Sir CHARLES COURT: I do not mind interjections, but let them be proper interjections. If the Premier intends to carry on the way he is—

The DEPUTY CHAIRMAN (Mr. Brown): Order! Order! I will have to ask the Committee to come to order or I will ask to report to the Chair—to the Speaker. I will have members understand that I have been quite tolerant and every member who has been on his feet has been fairly treated. I will ask members to continue in that way.

Point of Order

Sir CHARLES COURT: On a point of order, Mr. Deputy Chairman (Mr. Brown), do I gather you are thinking of reporting me, the speaker? Because I happen to be the speaker.

The DEPUTY CHAIRMAN (Mr. Brown): I thought I made it quite clear to the Committee; I said I would report to the Speaker—the Speaker of the House. I presume that answers the Leader of the Opposition.

Committee Resumed

Sir CHARLES COURT: Thank you, Mr. Deputy Chairman, because they are slightly different remarks from those I understood you used.

I want to get back to the point with which we were dealing; that a basic commodity which is vital to the future of the State—and which will be vital long after this project has been mined out—and which will be vital in 100 years' time, should not be prejudiced. No-one is suggesting that the alumina should not go through Kwinana. All we are saying is that as a matter of good sense it has to go out in a way which will not imperil a basic industry.

I read what Dr. O'Brien was reported to have said in the paper the other day, and his assurance to C.B.H. about the alumina.

However, the report did not convince me or impress me. The report showed—with all due respect—that he did not understand the problem which was worrying the people who have to be responsible for sending our grain overseas in a condition acceptable to the market. Quite obviously he did not understand the problem.

It is within the competence of the Fremantle Port Authority, the joint venturers, the Minister and his advisers, and C.B.H. to work out something which would be acceptable. That is all we are asking the Minister to do.

My only regret is that I did not put my amendment on the notice paper because at least it would have clarified, for all time, the attitude of the Opposition with respect to this matter. I hope the Minister will give an assurance before the Bill proceeds any further. Something should have been worked out which was acceptable to C.B.H., the joint venturers, and the Government, and it should have been something which would not create a continuing fear.

This is not a question of one single cargo being affected, contaminated, and condemned. It is a continuing industry. It is the same in the meat market and any other market. The moment a place gains the reputation of this happening at the port, that port gains a reputation throughout the world—not only in West Germany, France, or Britain, but throughout the world. This is quite serious and I hope the Minister will accept that we are putting it forward seriously and are in earnest about it. At this stage I hope the Minister will, in a more conciliatory way, give the assurance that all the parties concerned have been brought into consultation and have been satisfied that a danger does not exist.

Mr. GAYFER: I was rather amazed at the remarks made by the Minister handling the Bill when he accused me of headline hunting. Of course he did not openly refer to me but that was the inference to be drawn—an inference which matches his arrogance. If I am headline hunting in trying to protect an industry I am quite proud of the fact that I am doing just that.

The Minister read 12 or 14 names—I lost count—of people who had been consulted in respect of this matter. He said they were all skilled and trained personnel in their fields and that they knew all about this subject. I waited while he read down the list of names, but I found that Co-operative Bulk Handling Ltd. was never consulted. What organisation would be more skilled or trained in disposing of grain to overseas markets than Co-operative Bulk Handling? Nevertheless, the Minister did not refer to that company.

Mr. Graham: We are talking about the conveyance of alumina from the store to the ship and not about wheat.

Mr. GAYFER: The Minister did not even consult the Australian Wheat Board.

Mr. Graham: I suggest the honourable member should read *Hansard* where he will see that I did mention C.B.H.

Mr. GAYFER: Where?

Mr. Graham: After I had listed those numbers of authorities, which I did about five minutes ago.

Mr. GAYFER: C.B.H. was consulted?

Mr. Graham: Yes.

Mr. GAYFER: On this subject?

Mr. Graham: Yes.

Mr. GAYFER: Does the Minister have a reply from C.B.H.?

Mr. Graham: As a matter of fact, I cannot find any communication whatsoever from C.B.H., not even a communication expressing concern in mild terms, or in any sort of terms. It would appear you are a shag on a rock at the moment.

Mr. GAYFER: I have here a letter written to the Minister for Agriculture who is the Minister responsible for handling the Bulk Handling Act. The letter is dated the 14th April.

Mr. Graham: I have a bulky file here, but there is not a letter on it.

Mr. GAYFER: Is there no collusion between Ministers of the Government?

Mr. Graham: There is no collusion.

Mr. GAYFER: Perhaps "co-operation" is the better word, but I thought it was collusion.

Mr. Graham: You are thinking the wrong things.

Mr. GAYFER: This letter is dated the 14th April, 1972, and is signed by the General Manager of C.B.H. It reads—

> Dear Mr. Evans,
>
> KWINANA GRAIN TERMINAL
>
> It has come to my attention that the matter of grain loading facilities was discussed recently in Parliament and that the member for Avon Mr. H. W. Gayfer drew attention to the fact that the proposed jetty for grain loading may also be used for loading alumina. As a consequence it would be apparent that it is also proposed to stockpile alumina on the site alongside the grain storage facilities.
>
> I do not know whether any firm proposals have been made on either the storage of alumina or the ship loading facilities however, I feel I must draw your attention to the incompatibility of grain and oil seeds with alumina dust. Over the past few years overseas buyers of our grain have expressed concern with minor contaminants therefore, it is appropriate that this matter be carefully considered in any developmental work of the Kwinana project.

It is not for me to comment on the development of shipping facilities other than for grain in the Kwinana area however, I feel that some comment is warranted in the pre-planning stages to fully protect the interests of the grain industry. Further it is difficult for me to make positive comments unless the details of an alumina shipping facility are fully known.

The stock pile of alumina adjacent to the grain storage facilities should not pose a problem provided it is adequately housed in covered storage and the free dust is not permitted to escape to surrounding areas. Similarly, I can see no difficulties in contamination through a belt conveyor to a loading berth, provided the conveyor is adequately housed or suitably covered. A major problem however, could be in the escape of alumina dust from a ship loading facility close to the grain loading berth. I base my comments on observation of the existing alumina loading berth presently in operation in the Kwinana area.

Under adverse conditions the contamination of grain or oil seeds being loaded could result in the cessation of loading of the grain ship and would most certainly result in the Master requiring endorsement of the Bills of Lading for the cargo of grain so affected. As you will appreciate any delays to grain ships could result in defeating the objectives of establishing the Kwinana grain shipping facility as the fastest in Australia and for that matter in the world.

As I have said earlier it is not for me to comment or in any way impede the development of the State's resources in the Cockburn Sound area however, it is important that this aspect be fully studied in the early planning stages rather than allow it to develop to an unsatisfactory position which could be a source of constant trouble in the years ahead.

Yours sincerely,

M. J. LANE,
General Manager.

The Minister says there is no correspondence on the file.

Mr. Graham: That is so.

Mr. GAYFER: The Minister also said I was standing like a shag on a rock. I ask the Minister to look into a mirror, because I assure him that this letter was addressed to the Minister for Agriculture who, in the process of his work, is the Minister responsible for handling the Bulk Handling Act.

Mr. Graham: I happen to be the Minister handling the Pacminex project.

Mr. GAYFER: And the most arrogant Minister there ever was.

Mr. Graham: Looking for more headlines?

Mr. GAYFER: That letter was dated the 14th April, 1972.

Mr. Lewis: What reply was given?

Mr. GAYFER: I do not know. Perhaps the Minister for Agriculture will tell the Committee in what way he replied to that letter. This matter is extremely important.

Mr. Graham: You say it was dated the 14th April?

Mr. GAYFER: Yes, the 14th April, after the Cockburn development plan was tabled. I spoke on this matter soon after that. Does the Minister have any more questions?

Mr. Graham: The agreement was only reached about two or three weeks ago.

Mr. GAYFER: I think the Minister for industrial development is now the shag on the rock.

Mr. Graham: That is the wrong title.

Mr. GRAYDEN: I wish to raise one point only. When the Minister spoke he said this matter had been considered by the Department of Agriculture. He also went on to list the number of departments which he claimed had considered the matter.

I cannot for the life of me see how this would be possible, because the Department of Agriculture, which was specifically mentioned, each year goes out of its way to acquaint those who grow grain in Western Australia of the danger of mixing chemicals with grain which is delivered to the various storage facilities throughout the State.

I believe that Co-operative Bulk Handling also sends out a pamphlet each year to every farmer in Western Australia making it clear that it is imperative for farmers throughout the State, after harvesting, to clean out their harvesters, wheat bins, silos, etc. and to dust the harvesters, wheat bins, and silos with various chemicals to ensure that all weevils are killed. The pamphlet emphasises the necessity to sweep out those chemicals before any wheat is added to the bins, etc. Co-operative Bulk Handling does this, because it does not want the wheat which is delivered to the silos or the receival depots to be contaminated with chemicals.

Further, before certain wheat is planted it is treated with chemicals to destroy certain organisms. One of the most heinous crimes a farmer can commit is to deliver that wheat, which has been treated with these various chemicals, to a receival depot where it would be mixed with wheat which is for human consumption.

If that occurred, not only would the huge quantity of wheat in that silo be rendered unfit for human consumption but if that particular seed wheat which

had been treated by those chemicals were to find its way overseas and be detected, the shipments of grain from Western Australia to overseas countries could also be grievously affected.

I mention that to indicate that each year farmers throughout the wheatbelt of Western Australia are beseeched by Co-operative Bulk Handling, the Department of Agriculture, *The Countryman*, various other agricultural bulletins, and every stock firm to ensure that the chemicals they use for the treatment of seed wheat to destroy weevils do not come into contact with wheat which is for human consumption. Yet we have a situation where Co-operative Bulk Handling has gone out of its way to spend millions of dollars on the construction of huge storage sheds for wheat at Cockburn Sound, with the object of shipping the wheat from there, and it has been suggested that an alumina company be permitted to ship alumina from the very same jetty and to stockpile in proximity to it. That is an extraordinary suggestion.

Anyone who has been to Cockburn Sound and watched alumina being loaded onto a ship will know what happens. The ship is covered in a cloud of dust and the end of the jetty is obscured from the shore. If the wind is blowing in a certain direction the wheat from Co-operative Bulk Handling will be contaminated by the alumina dust.

In the circumstances, it is absurd to say the Department of Agriculture considered this suggestion and came to the conclusion that it would be quite reasonable. The Department of Agriculture in Western Australia goes out of its way to educate farmers to the danger of allowing wheat for human consumption to be contaminated to the slightest extent by various chemicals, yet it will permit alumina to be handled at the very spot where wheat is loaded for export. If the Department of Agriculture considered this matter, I cannot see how it could have come up with a recommendation along these lines.

Perhaps it is in the same category as the advice which, according to the Minister, was given to the Government by experts some time ago in relation to a housing settlement to be located in the line of prevailing winds from an alumina establishment. On that occasion the same Minister assured us that all the Government experts had looked at the proposition and felt all the fears of the Opposition were unfounded; but two months later we found the contrary was the situation and the same experts came along to tell us it was an impossible proposition. I understand that as a consequence the decision to site the settlement in that particular locality has been abandoned.

In this case, if the Minister says the Department of Agriculture, Co-operative Bulk Handling, and a number of other departments he mentioned have looked at the proposition and are not perturbed, all I can say is the Minister has been misled. That could not be so. We know the nature of alumina and the way it blows in prevailing winds. The experts would not give advice along those lines.

In these circumstances, I support the member for Avon, the Leader of the Opposition, and the member for Dale in their opposition to the clause which makes it possible for the alumina establishment to make use of the jetty to which we are referring.

Mr. RUSHTON: The Minister raised the matter of reference. In the report of the Environmental Protection Authority we see no reference to Co-operative Bulk Handling or the Shire of Rockingham, which are two important bodies associated with this proposition. I mention this in passing. When we were debating this issue last Thursday, the Premier acknowledged that, owing to the air displacement, the loading operation at Alcoa had a considerable inhibiting effect on the adjacent areas. In this case, there has been no recognition of the people involved. The member for Avon mentioned the loading of grain, but the people living in the vicinity have not been considered.

I raised this matter earlier in the year, and I have been consistent in my attempts to persuade the Government to acknowledge the situation. The Government's actions in connection with this legislation put its credibility in doubt. The Government's actions in relation to power lines, the Naval Base suburb, and the Bill now before us are indicative of its performance in connection with environmental protection.

The Minister said with some pride that everything was in order because reference had been made to the schedule and to the letter of the Environmental Protection Authority dated the 12th October. However, it relates only to Muchea. This industry involves the Muchea refinery, transport to Kwinana, and loading at Kwinana. Why have the latter aspects not been reported upon and included in this legislation? The company would not object to that being done. It would be in the company's interests to have standards and criteria set.

For two years we have been asking for the establishment of criteria to which industries must work. People must have grave doubts about where they stand. The company should be able to negotiate on some firm understanding. The Government, in bringing legislation to this Chamber, should tell us what it is asking us to pass. At the moment, we do not know.

The Government has not indicated to us that it is prepared to incorporate the complete report of the Environmental Protection Authority. It would be no hardship to do so, and it would assuage and dispel any doubts. A lay person could not have anything but doubt about the loading of alumina and grain from the same jetty.

Anybody who has driven along the road to Rockingham and has passed the Alcoa works when loading was proceeding could have nothing but doubts as to the placing of the loading site. I state again that the Fremantle Port Authority, originally backed by the argument of the Kwinana committee set up by the Premier in the days of the Brand Government, asked for a change in the siting of this operation. It was originally to be at the northern end of the port authority area and to be loaded out past the CSBP area. The authority asked that it be sited to the south for economic reasons so that it could sell the land and continue to phase out the homes. This is not now to apply. The land is to be leased at an economic figure. However it is not a question of economics. The idea is not acceptable because it will inhibit the lives of so many people, and it will affect the industry and the Fremantle Port Authority operation.

We do not understand why the Government insists on putting this operation alongside C.B.H. The Premier acknowledged the other night that the loading of alumina certainly creates a pollution or an irritant problem. Why is it not so in this case? When we consider also the ducking and diving indulged in by the Minister for Environmental Protection, we wonder where the Government is going with the environmental protection legislation for which we had such great hopes. We have seen very little result from this legislation—the Government certainly is not performing under it.

It is not the responsibility of the Environmental Protection Authority to make sure everything is in order. It is the responsibility of the Government. It is also the Government's responsibility to see that the performance of the authority is in line with the Government's intentions. We cannot for one moment take away from the Government the responsibility for the lack of skill and ability in relation to the presentation of the legislation.

Until today this has been a fairly amicable debate. However, the Minister has rejected every sound argument, every sound submission for the inclusion of an environmental protection report in the legislation. Surely even at this late hour he should review his intentions, treat the Chamber with the consideration it deserves, and adjourn the debate. He could quickly attend to this matter and include the report in the legislation. Nobody wishes to hold up the legislation.

Mr. Graham: Not much!

The DEPUTY CHAIRMAN (Mr. Brown): The honourable member has two more minutes.

Mr. RUSHTON: It is quite unfair for the Minister to say that because surely no-one has been other than co-operative.

Mr. Graham: Full of humbug!

Mr. RUSHTON: The legislation has obvious shortcomings. Surely a strong case has been made by members of the Opposition for the inclusion of the report. The Minister should accept the suggestion with open arms—it would result in stronger legislation.

Mr. NALDER: I did not intend to take part in this debate as I thought the Minister in charge of the legislation would have been prepared to satisfy himself, as well as the Chamber, that no difficulties are associated with the problem brought to our attention by the member for Avon. I appeal to the Minister to give members this assurance—

Mr. Graham: What information do you want?

Mr. NALDER: We want an assurance that no contamination of the wheat will occur.

Mr. Graham: I have already told you that on a number of occasions.

Mr. NALDER: The Minister has given no assurance whatever.

Mr. Graham: I have. This is just a lot of humbuggery.

Mr. NALDER: If that is the attitude—

Mr. Graham: That is the attitude.

Mr. NALDER: —the Government will jeopardise the future of the wheatgrowing industry in this State.

Mr. Graham: You have been told something half a dozen times and you will not accept it—you will not take any notice of it. I cannot do more than tell you the facts.

Mr. NALDER: The Minister is quite satisfied that no difficulties will arise, and yet he has not produced any evidence to satisfy the Chamber of this fact.

Mr. Graham: I have told you the highest authorities in the land have given assurances.

Mr. Rushton: Which one is that?

Mr. Graham: I have listed them. If you look at the last page of the E.P.A. report laid on the Table of the House you will see all the authorities consulted by Dr. O'Brien.

Mr. NALDER: The Minister has not been able to satisfy the member for Avon that the letter written to the Minister for Agriculture has been satisfactorily answered.

Mr. Graham: I am aware of the fact that I have had no correspondence—

Mr. NALDER: All the Chamber wants is an assurance that the letter written in April to the Minister for Agriculture has been satisfactorily answered and no difficulties will arise with the loading of wheat at the Kwinana jetty to be used by Co-operative Bulk Handling.

Mr. Graham: What does that have to do with it? No decision was made until a fortnight ago.

Sir Charles Court: That letter was written when you were negotiating.

Mr. NALDER: Surely the letter warranted a reply.

Mr. Graham: I do not know about that, but I know that representatives of the Department of Development and Decentralisation and the Environmental Protection Authority have conferred with members of the Department of Agriculture and other departments. I do not know why the member for Avon has suddenly become an expert and all the departmental and professional men count for nothing.

Mr. NALDER: I will resume my seat if the Minister will report progress and—

Mr. Graham: We will report progress when we have made progress.

Mr. NALDER: —at the next sitting of the House he will read a reply to the letter written by the manager of Co-operative Bulk Handling.

Mr. Graham: I have not received any communication from the manager.

Mr. NALDER: The Government has. A letter was written to the Minister in charge of the Bill.

Mr. Graham: Was it?

Mr. NALDER: I beg the Minister's pardon. The letter was written by the manager to the Minister for Agriculture on behalf of his organisation.

Mr. Graham: The Bill was introduced 12 days ago in precise terms and I have not had a line from C.B.H. I wonder why? I think this is good political sport. If it is not the red mud it is the dust down at Kwinana.

Mr. NALDER: The Minister would be a first-rate person to identify political mud having had such a long experience with it.

Mr. Graham: I have been watching it from left, right, and centre.

The DEPUTY CHAIRMAN (Mr. Brown): Order!

Mr. NALDER: It is obvious that the assurance the Chamber requires will not be forthcoming. I believe this industry is very important and it wants every assurance possible that the wheat will not be contaminated. The wheatgrowing industry has stood by Western Australia for many years. Grain, and particularly wheat, is one of the products which has contributed to the development of Western Australia. The member for Avon has every right, and so has every other member of this Chamber, to know that the sale of this product—and it will be sold in every part of the globe—will not be unfairly prejudiced because alumina will be loaded from the same jetty.

Surely, Mr. Deputy Chairman (Mr. Brown), you would agree that the wheat industry is too important to take any risks with it, and to leave ourselves open to criticism for allowing a situation to develop.

Mr. Graham: Nobody is taking any risks; you know that.

Mr. NALDER: If I were satisfied that is the case I would not be on my feet.

Mr. Graham: You do not want to be satisfied.

Mr. NALDER: I think the matter is too important to allow it to pass without recording my concern that the Minister cannot satisfy the wheatgrowers that there will be no risk of their product being contaminated by alumina.

Mr. LEWIS: I feel impelled to support the member for Avon. He made a reasonable request for an assurance that all will be well with the proposed industry as it concerns the export of wheat. This debate reminds me of an occasion about 12 months ago when we debated a proposal to establish the refinery at Warbrook, and we had assertions from the Minister that all was well and that he had consulted a number of authorities. He quoted the number of authorities he had consulted, but the Chamber was not satisfied. Members wanted something more reassuring. Ultimately the matter was referred to the Environmental Protection Authority, which condemned the proposed refinery site. Now the Government has come up with a new site for the refinery, and it has presented an Environmental Protection Authority report, with which we are satisfied.

A few moments ago the Minister said we have a similar assurance from the E.P.A. regarding contamination. If that is so, he has only to call for it and to read it to the Chamber and we will be satisfied. The Minister mentioned by way of interjection that he referred to Co-operative Bulk Handling in his second reading speech.

Mr. Graham: No, I said that about five minutes prior to when the incident arose.

Mr. LEWIS: Very well; that point is not very important.

We want an assurance from a recognised authority that all will be well as far as the export of grain is concerned and

that the grain will not be contaminated. I have no technical expertise, and I do not know whether the arrangements are such that wheat will be contaminated. However, I am very much concerned that all should be well.

Co-operative Bulk Handling was alert to the possibility of contamination in April, when it wrote the letter referred to by the member for Avon. I understand that letter has not been replied to. The Minister says he did not receive the letter, but he would know that when C.B.H. wishes to bring anything to the notice of the Government, it does so through the Minister for Agriculture, and it is the responsibility of that Minister to refer the matter to whichever other Minister is concerned. However, we do not know what happened to the letter which was sent to the Minister for Agriculture.

The Minister said he has consulted many people, but we want something more definite than that because the product concerned is too valuable to the State to take any risks with it. I feel that Parliament is justified in holding up the Bill until it receives positive assurances from a recognised authority.

Sir CHARLES COURT: The Committee is in an awkward situation at the moment because it is confronted with three alternatives: firstly, it may pass the clause; secondly, it may oppose it in its entirety; and, thirdly, it may amend it. As I indicated earlier, it was my intention last week to place an amendment on the notice paper, but in view of the discussion that occurred I felt the Minister would today provide the necessary assurances and information to enable the Chamber to assume that satisfactory arrangements would be worked out with C.B.H. before the Bill was passed by Parliament.

It does not matter how many experts are consulted; if C.B.H. are not brought into the picture we are wasting our time. They are the people who know the market; they are aware of the problems, and they have research laboratories.

I believe it is best that I should move an amendment to test the feeling of the Committee on this matter. I think we have debated it at considerable length and if the Government has not got the message now it never will. We are not satisfied with the information presented and the assurances given because they are one-sided, and are not based on discussions between the two parties most directly concerned. Therefore, I move an amendment—

> Page 2, line 5—Add after the word "authorized" the passage "when an agreement has been reached acceptable to Co-operative Bulk Handling Limited in respect of port, wharf, berthing and ship loading facilities and operations to ensure there is no contamination of grain by alumina".

That is a simple amendment which does not seek to delay the Bill or the agreement. The Government could, between now and tomorrow, or even Thursday at the latest, hold consultations, through its experts, with C.B.H. and come up with something which is acceptable to C.B.H. and, therefore, to the Opposition.

I did a great deal of business with Mr. Lane when I was Minister for Railways. We had most involved negotiations with him regarding the integration of the standard gauge and narrow gauge lines. That integration presented more problems for C.B.H. than for any other customer. I found Mr. Lane and his officers not only very imaginative, but also most co-operative and generous in their approach. They realised we were doing something important for them as well as for the State and that in the end result the actual handling of grain would benefit. As a result of that they got together with Mr. Cyril Wayne and others and worked out a scheme of integration which I believe was absolutely superb. It even included the design of and the method of handling trucks, etc. The Government will find that the same people are still available in C.B.H., and they will be prepared to sit down, not to obstruct, but to find a solution; because they know there is both limited wharf space and limited harbour space, and they want to make the best use of what they have, having regard for the peculiar characteristics of the commodity they are handling, and the very sensitive markets with which they have to deal.

Therefore I have moved this amendment in the hope that the Government will accept it to allow the passage of the Bill through this Chamber and, in the meantime, institute discussions between the parties involved to remove what is a very real concern in the minds of members of the Opposition.

Mr. Bickerton: Is it not reasonable to assume that they are not very worried inasmuch as C.B.H. has not made any approach to the Minister concerned since last April, which is some seven or eight months ago? If the company were worried surely it would have made representations in that time.

Sir CHARLES COURT: The Minister is missing a very important point. April is a critical date because that was a good time for the company to make its approaches. The matter was before this Chamber for a considerable time and this very point was debated; not with the same vigour as it is at the moment, but very strongly. At the time I wished to indicate to the Government that we were not satisfied with the port arrangements. As it happened,

the Environmental Protection Authority condemned the refinery site and that was that. If the Minister cares to look back to April he will see that that was the time for C.B.H. to deal with the matter.

Mr. Bickerton: What about representations between now and then?

Sir CHARLES COURT: Had I been in the same position as the Minister for Agriculture the first thing I would have done would be to contact my colleague and say, "There is trouble there. I am responsible for C.B.H. and I want to represent its case." The fault is with the Government; not with C.B.H. The company has written to its responsible Minister.

Mr. Bickerton: Having written, it has just forgotten the matter.

Sir CHARLES COURT: No, it has not. It is only a matter of a few days ago in terms of history that the Government proudly announced this venture was on again.

Mr. Graham: A fortnight ago!

Sir CHARLES COURT: Well, it does not matter if it were a fortnight or three weeks; if the member for Avon did not make it clear to the Minister last Thursday that he was concerned, I give up. I thought he put his point very forcibly and fairly in serving on the Minister notice that he wanted something done about it.

Mr. GRAHAM: As I rise I am aware of the fact that it does not matter what I say; it will not be accepted by the Opposition. I should like to indicate first of all that the acceptance of the amendment would be a complete abrogation of the rights and authority of Parliament. In other words, we would allow the fate of this agreement to repose in an organisation for which we all have regard, but, after all is said and done, this is the Government of Western Australia.

Secondly, I want to list the Government departments and authorities I have been able to ascertain, from a perusal of the records, that have played a part in the preparation of this agreement and have been consulted in relation to it. They were the Department of Development and Decentralisation; the Railways Department; the Fremantle Port Authority; the Forests Department; the Director-General of Transport; the Town Planning Department; the Main Roads Department; the Mines Department; the Medical Department; the Lands and Surveys Department; the State Electricity Commission; and the Environmental Protection Authority. The Environmental Protection Authority has had talks with Pacminex Pty. Ltd.: with the Geological Surveys Branch of the Mines Department; the Metropolitan Water Supply, Sewerage and Drainage Board; the Public Works Department; the Forests Department; the Department of Agriculture; the National Parks Board; the Department of Fisheries and Fauna; the Royal Australian Air Force; the Metropolitan Region Planning Authority; the Scientific Advisory Committee of the Air Pollution Control Council; and the Bureau of Meteorology.

I mentioned all those departments to indicate that somebody has not just had a casual inspiration and said, "Here is the agreement."

Sir Charles Court: Is not that in respect of the refinery and not of the port?

Mr. GRAHAM: This is in respect of the agreement and also in respect of the general commission the Environmental Protection Authority had in the many areas with which it has been entrusted by this Parliament.

Mr. O'Connor: This is Kwinana you are referring to?

Mr. GRAHAM: This is in connection with the proposed project.

Sir Charles Court: With resepect, Mr. Minister, it refers only to the Muchea end; we have the document here.

Mr. GRAHAM: Obviously the Director of Environmental Protection would make reference to those aspects that are worthy of his comments, or would indicate where he considers a difficulty or a problem is likely to arise. He has already indicated in the Press his view on the possible detrimental effects of alumina dust. What I am about to say I have said before, but I intend to repeat it because obviously some members are not disposed to take any notice of it. This Press statement reads—

> The Director of Environmental Protection, Dr. Brian O'Brien, believes that the potential problem of alumina dust contaminating grain being loaded in ships at Kwinana is under control.
>
> He said yesterday that he had been discussing the matter informally with members of the Fremantle Port Authority for several months.
>
> It had not been considered necessary to refer the matter to the Environmental Protection Authority because it was part of the F.P.A's normal management operations.
>
> The F.P.A. was aware of the potential problem and had time to carry out detailed research before alumina from the proposed Pacminex refinery at Muchea was shipped through the port.

This is the man charged with responsibility by Parliament to do a certain job, and he has done it. This, of course, follows all the other authorities, and it will be noted that some of them, such as the Scientific Advisory Committee of the Air Pollution Control Council, would have a

very definite interest in this matter. Further than that, I have been given a note by my department which states—

> The question of cross-pollution between wheat and alumina has been carefully examined by the Fremantle Port Authority and Co-operative Bulk Handling Ltd.

This note was given to me as recently as this afternoon. It goes on—

> The F.P.A. as the Authority in control of the port has the final say on operations within its jurisdiction and if simultaneous loading of wheat and alumina ships is not feasible because of winds which blow exactly in line with the berth alignments then on those rare occasions the upwind vessel may have to be instructed to cease loading until the wind drops or changes direction.

The notes go on to point out that dust suppression systems have been adopted, and remind us that all the conveyor galleries will be enclosed, the transfer point will be connected to a dust exhaust system, and work is proceeding along these lines, so that if there is any difficulty it can be resolved or effective action can be taken.

Members have distorted—I do not say wilfully—some of the provisions in the agreement. With regard to the berth where alumina is to be loaded, the alumina ships will have preference; but there are some members on the other side of the Chamber who are pretending that alumina loading ships will have preference over the wheat loading ships.

Mr. Gayfer: I did not say that.

Mr. GRAHAM: That was what they pretended to be the position. That was mentioned the other day, and also this evening, but I say members should have regard for the positioning of the berths. If they look at the wind charts they will get some idea of where the winds come from most of the time, and they are measured against the opposite direction. If one contends there will be pollution it is more likely that the pollution will be in the direction of the dust from wheat loading affecting the alumina, rather than the reverse.

I come to the point that is rather fanciful and ridiculous, as equally are the wild assertions that have been made by members opposite without a tittle of evidence to support them. This question is being measured against the highest authorities and the expert advisers who are available to the Government. In saying that I am not referring to Ministers only, but also to responsible departmental officers and a responsible authority that has been set up in the last 12 months.

Am I able to give a 100 per cent. assurance? Of course I am not, any more than when a school or public building is erected the Minister for Works can give an assurance that that building is not likely to crack, to show signs of wear and tear, or to become damaged through some misadventure. In this matter members opposite are being absurd and ridiculous; and this seems to be typical of their attitude. Every single thing this Government has done in its period of office—whether it be the announcement of a project; an endeavour to proceed with an industry costing $4,000,000, $100,000,000, or $300,000,000; or a work that is to start immediately or some time in the future—has met with criticism and unlimited condemnation from members opposite.

It would appear there is a concerted campaign being launched, in an endeavour to prevent this Government from governing, and to create a situation where development does not take place because the Opposition feels it has a vested interest in bringing about a lack of development.

It is necessary for someone to stand up and say these things. It is all very well for members opposite to wag their fingers and say if we do not set out certain matters in forthright terms then we are inciting and inviting people to do all sorts of things.

The fact of the matter is, as the Leader of the Opposition said earlier, we are a duly elected Government. This Government has certain responsibilities and duties, and it has an obligation to promote legislation which it considers is designed to improve the economic environment, to uplift the conditions of our people, and to assist generally with the development and growth of Western Australia.

Obviously the Government is not right in every suggestion it makes, but I venture to suggest it is right in the great majority of cases. It is the petty and nagging destructiveness of the Opposition which is not doing any good for any cause, either within or without our own boundaries. Furthermore, its action is not having a very favourable effect on those who are seeking to do business with us and who are negotiating with us. They are wondering whether there is sincerity on the other side of the Chamber, and whether in point of fact we really want these industries to be established here.

In connection with this industry I turn to the commencement when the names of Hancock and Wright appeared. In connection with them there seems to be a phobia on the part of certain members opposite. Whereas previously all the wrath was levelled at and all the attention was paid to the damage that could be done by this industry in being established in another locality, that matter having been disposed of the interest is now transferred elsewhere; namely, down to Kwinana.

All the authorities, and all the best professional, technical, and medical advice, as well as any other sort of advice, available to Western Australia do not appear to be sufficient to satisfy these people; and these people include those who are no longer members of Parliament. I could quote a thousand and one other authorities, but still they would not be satisfied. I feel they have no desire to be satisfied. They merely have a desire to be obstructive, and they are doing that with some measure of success. I can assure them that if it is political mileage they are seeking then they are not getting very far, because the public are becoming tired of this sort of attitude.

I suggest that this evening we are witnessing a duel between the two units of the Opposition, with one trying to outbid the other in chasing votes for the forthcoming Federal election. They are doing what another gentleman has been doing; they are creating all sorts of fears, which are totally groundless, in the minds of the farmers. One unit of the Opposition is making an extreme statement hoping that perhaps it will capture the vote in an area; but it must be outdone by the other unit of the Opposition which hopes to counter the advantage gained by the first unit.

This sort of sport might be all right in certain places, but here we are dealing with an industry which involves a capital investment of some $200,000,000—an industry that a few short months ago was almost knocked for six. Too much more of that sort of performance from the branches of the Opposition could result in this concern deciding that Western Australia is inhospitable territory.

It is time we got this matter into its proper perspective, and members opposite should stop playing the game of party politics and bandying words back and forth. Such activities could be damaging where gigantic industries involving huge overseas capital are concerned. I hope this project will be looked at in this light.

I say finally that this $200,000,000 industry should be measured against the tremendous asset which is ours; namely, the farming community and the wheat producers. If I or if any other member of the Government thought—or, indeed, if any of the responsible departmental officers, both technical and professional, thought—there was any possibility whatever of contamination occurring from the loading of alumina then obviously a different arrangement from the one proposed in the Bill would have been made.

It will be noted that in the agreement authority is provided for the establishment of a loading point in a different locality, if circumstances demonstrate there is a necessity for this to be done; in other words, every precaution has been taken, and the whole legislation is subject to environmental protection control.

Mr. Rushton: That is where you are wrong.

Mr. GRAHAM: That is where I am not wrong.

Sir Charles Court: It is not included at this end.

Mr. GRAHAM: If the Leader of the Opposition is prepared to stand up and say that Dr. O'Brien has been remiss, and that he is allowing an industrial activity to be established in the Perth metropolitan area—an industry which will have the harmful effects presaged by some members opposite—and is able to substantiate his claim then he has made out a case for Dr. O'Brien to be removed from office. Of course he makes general political statements here—

Sir Charles Court: The Government—not Dr. O'Brien—is establishing the industry.

Mr. GRAHAM: —with his cheeks bulging; and we have become accustomed to this. It is time he cut out the humbuggery and did something constructive for Western Australia. The Opposition should have some regard for the fact that this has been a painful job. It has been difficult carrying out these negotiations after the grave disappointment earlier in the year when the E.P.A. submission was made to the Government. It has not been easy to persuade the company to stay with us and to continue to negotiate in an endeavour to find another site.

Sir Charles Court: You will have tears in your eyes in a moment!

Mr. GRAHAM: This has not been an easy matter, and one would have thought this legislation would bring forth a far better response from the Opposition than it has. I ask the Committee to reject the amendment.

Sir Charles Court: What nonsense!

Mr. Graham: You are an expert on nonsense!

Mr. NALDER: Mr. Chairman—

Sir Charles Court: Why not consult the ones who knew what to do—C.B.H.?

Mr. Graham: They have been consulted.

Sir Charles Court: They have not.

The DEPUTY CHAIRMAN (Mr. Brown): Order!

Mr. NADLER: I had certain doubts before, but the statements of the Minister have indicated that definite doubts exist. He said that if the winds are in the wrong direction the loading of alumina can be suspended to allow the loading of wheat to proceed, or words to that effect. This indicates that some doubt exists. If this is so, our opposition is more important

than ever. I was quite prepared to accept the situation if the Minister had been able to give an assurance that the difficulty had been studied and overcome. However I now believe we would be completely wrong to proceed with this proposition. I support the amendment which I consider to be vital and important.

Mr. GAYFER: A few months ago the Government was particularly proud of the negotiations which took place overseas concerning a large capital advance to enable C.B.H. to get the Kwinana complex off the ground. I recall speaking on that occasion and praising the Premier and the various authorities concerned for what I considered to be an excellent job well done.

I do not think anyone connected with the grain industry at that time realised that one small obstacle—which is what I consider to be the Minister's opposition to the amendment—would cut across the success of the whole enterprise. The Minister has stated that the Public Works Department consulted with C.B.H. on this matter. I challenge the Minister to table those papers now and let us study them.

Mr. Graham: The Minister did not state that, of course.

Mr. GAYFER: Five minutes ago the Minister stated that the P.W.D. and C.B.H. conferred on this matter.

Mr. Graham: No.

Mr. GAYFER: No?

Mr. Nalder: I think he referred to the Fremantle Port Authority.

Mr. GAYFER: I take back that statement, then, if the Minister is sure.

Mr. Graham: Fortunately I have it in writing and I will give my exact words. I said, "The question of cross-pollution between wheat and alumina has been carefully examined by the Fremantle Port Authority and Co-operative Bulk Handling." That was the information given to me this evening.

Mr. GAYFER: I ask the Minister administering the Fremantle Port Authority whether he will table the documents.

Mr. Graham: I did not mention any documents.

Mr. GAYFER: I am sure that C.B.H. and the Fremantle Port Authority would have in writing the full agreement, one way or another, on this important issue. It must be available.

The Minister is being ridiculous and is pulling the wool over our eyes when he says that C.B.H. has been consulted in this matter. C.B.H. has the finest laboratories in the world, outside Canada. It is the authority on the standard of all grain which leaves these shores. I do not think it is generally known that the General Manager of C.B.H. is the chairman of all the grain-handling authorities throughout Australia. This matter would not have been discussed without some assurance having been given in writing on the issue.

The Minister referred also to the gigantic $200,000,000 enterprise and sneeringly suggested I would try to compare it with the farming industry, and I will do so. Without the farming industry and without the 14,000 shareholders of C.B.H. the Government would be still looking for a way out of the economic building recession of three months ago. I am convinced that for many years to come it will regret this legislation, because of its implications involving overseas customers and shippers. Knowing full well the conditions which prevail in the ports to which the ships are bound, they will immediately be reluctant to load at a berth which is adjacent to an alumina berth as is envisaged under the Bill.

Mr. Bickerton: As a matter of interest, could you tell us whether C.B.H. has made any complaints to you, as chairman of directors, in connection with this?

Mr. Graham: In writing?

Mr. GAYFER: I can honestly state here—and if someone would like to bring the Bible forward I will swear to it—that C.B.H. has not approached me to raise this matter in Parliament.

Mr. Jamieson: That is all we wanted to know.

Mr. Bickerton: I wanted to know whether they had approached you.

Mr. GAYFER: I am a shareholder and therefore I recognise the service C.B.H. gives to the graingrowers and likewise I recognise the disservice the Government will do to the graingrowers if it persists with this Bill.

Mr. Bickerton: I can see that point, but in other words they have not complained about the matter you have raised?

Mr. GAYFER: C.B.H. has complained to the Minister for Agriculture. I would think the Minister for Agriculture would be better to buy into this argument than the Minister for Housing.

Mr. Bickerton: Seven months ago.

Mr. GAYFER: On the 14th April.

Mr. Bickerton: And no word since?

Mr. GAYFER: This Bill was presented to this Chamber last Thursday week and the General Manager of C.B.H. flew to Sydney last Monday and returned on Friday, so he has had a great chance to look at the Bill, or even receive a copy of it!

Mr. Graham: The whole show stops when one man is away! Is that it?

Mr. GAYFER: If the Minister doubts the intentions of C.B.H. in this matter he should agree to the amendment or stop the progress of this Bill until he consults with the General Manager of

C.B.H. to find out how he feels about the projected arrangement—that there will be two belts on the one jetty, one loading alumina and one loading grain.

Mr. Graham: The member for Avon has told us the attitude of C.B.H. last April. Does he know what the attitude is in November?

Mr. GAYFER: I know full well that the intention of the letter is such that there could be no retraction from the feeling in respect of this matter. I am surprised that the letter quoted as having been sent to the Minister for Agriculture did not reach the Minister for Development and Decentralisation.

Mr. Graham: The honourable member might find that C.B.H. is now perfectly satisfied with the arrangement.

Mr. GAYFER: And the Minister is prepared to pass a Bill on that assumption?

Mr. Graham: I think you are speaking without any authority from C.B.H.

Mr. GAYFER: The Minister is speaking without any authority also because he has not produced one iota of evidence which states that C.B.H. approves of what will happen.

Mr. Graham: Yes I have, based on eminent authority.

Mr. GAYFER: Who was the eminent authority to whom the Minister refers?

Mr. Graham: Those 20 or 30 names.

Mr. GAYFER: The list of names does not even include C.B.H., which is constructing the $42,000,000 facility for loading wheat.

Mr. Graham: Information came to me this afternoon that there had been talks with C.B.H. There has not been even a letter to the Government since the Bill was introduced.

Mr. GAYFER: The letter went through the Minister for Agriculture.

Mr. Graham: The thoughts are the same as they were in April.

Mr. GAYFER: Did the Minister send a copy of the Bill to C.B.H.?

Mr. Graham: I do not know what my department has done.

Mr. GAYFER: That is so.

Mr. Graham: The member for Avon had plenty of cheek when he was on this side of the House but now we know the facts and he is only guessing. He is speaking without authority from anyone.

Mr. GAYFER: I challenge the Minister to produce evidence that C.B.H. has given an open cheque, as far as it is concerned, to allow this project to go on.

Mr. Graham: Until a few moments ago I thought you were speaking with the authority of C.B.H. What a "fizzog."

Mr. GRAYDEN: I support the amendment moved by the Leader of the Opposition, but I regret that he was forced to move it. Had the Minister given an assurance, earlier, along the lines suggested by several speakers, we would not have reached the stage where an amendment was necessary. As a result of his action the Minister is responsible for much of the criticism which has ensued.

There has been reference to the Opposition taking exception to a clause in the third schedule simply because of the opposition towards Hancock and Wright. Of course, that is absolute nonsense.

It would appear to me—and I would imagine it would be logical to many people—that the time to make a decision on a crucial matter of this kind is at this very time when the Bill is being discussed in the Legislative Assembly. The alumina loading facilities will be placed in close proximity to a $42,000,000 storage depot for grain, and the loading facilities will possibly be on the same wharf. I think that is an absurd situation.

I cannot understand the attitude of the Minister. I mentioned earlier that each year the graingrowers throughout Western Australia are supplied with pamphlets from various organisations drawing attention to the need for the use of various chemicals, and there is always emphasis on the fact that the chemicals must be kept clear of wheat which is to be used for human consumption. I have with me a small journal which is sent to all farmers by C.B.H. Ltd. It deals with a number of matters and is headed, "The Grower and Delivery of Grain to C.B.H. Ltd."

The journal deals with the delivery of wheat, and the information comes under various headings. It sets out what has to be done before delivery, during delivery, and on delivery. Also included in the journal is a section dealing with declaration of season and cleanliness, and that section sets out that it is necessary to include such a declaration with all deliveries.

The declaration has to be forwarded to Co-operative Bulk Handling Limited, and it has to be filled in in considerable detail. On the declaration has to be listed the substance with which the grain has been treated, the rate of application, and the method used, etc.

At the bottom of the form it states, "Before the grower's FIRST LOAD of the season is received this form, completed by the grower, must be handed in at the receival point."

I have emphasised this to indicate just how seriously C.B.H. regards contaminated grain. Before any farmer in Western Australia can deliver to a receival point he must sign that declaration and no grain will be received, unless it is accompanied by that declaration. C.B.H. is acutely

conscious that wheat for human consumption cannot be delivered if it is contaminated by chemicals or anything else. It cannot be put into bags which could cause contamination.

Whilst we are impressing on the farmers throughout Western Australia the necessity to keep their grain free from contamination, what else are we doing? On the very spot where grain is loaded for overseas we are contemplating placing a great storage depot for alumina in close proximity to C.B.H. Also, we are talking in terms of loading that alumina on the same jetty which is to load the wheat from Western Australia for the markets of the world.

On the one hand we impress upon farmers the necessity to keep wheat free of contamination and we force them to sign declarations of the kind I have mentioned. Whilst we are doing this, we make plans virtually to load alumina at the same jetty which is used for the loading of wheat.

I can recall a few years ago that the Department of Agriculture suggested that people should be banned from keeping rabbits in Western Australia. The Government of the day acted on the advice of the Department of Agriculture. Those who were opposed to the ban took the attitude that, in most instances, only white rabbits were involved, and if they were to escape they would be killed shortly afterwards. Many people thought there was no necessity to impose such a ban.

The Department of Agriculture wanted to make people aware of the menace which rabbits are. It therefore said that all rabbits in Western Australia—whether they be white or any other colour—must be liquidated.

The DEPUTY CHAIRMAN (Mr. Brown): I hope the honourable member will relate this to the clause.

Mr. GRAYDEN: I am.

The DEPUTY CHAIRMAN: Rabbits?

Mr. GRAYDEN: The Department of Agriculture wanted to impress on farmers throughout Western Australia—and citizens generally—that it was not reasonable to keep rabbits. The department wanted the rabbits liquidated.

The situation now is that we should impress upon the farmers of Western Australia—and all other citizens—how desirable it is to keep wheat free of contamination. Are we doing that? On the contrary. We are going out of our way to provide loading facilities for alumina in close proximity to similar facilities for wheat.

Reference was made earlier to the fact that a few months ago the Government proposed to go ahead with a settlement on the shores of Cockburn Sound. However, subsequently the Government did not proceed with the plan as a result of expert advice, because for a distance of several miles the area would have been contaminated by pollutants from Alcoa. On second thoughts the Government chose to scrap that plan or, at least, to put it into abeyance. As I have mentioned, it was a matter of miles.

In this particular instance there is the possibilty of alumina being loaded at the same jetty—not a jetty which is miles away or even hundreds of yards away. If it were good enough to abandon plans to construct a housing settlement on the shores of Cockburn Sound because of the danger of pollution from Alcoa, surely it is unreasonable to think in terms of loading alumina at the same jetty which is to be used for the loading of wheat.

Only a few months ago the Department of Agriculture went out of its way to emphasise the risk of pollution. The Department of Agriculture feels so strongly about the question of pollution that in the May issue of the *Journal of Agriculture* it ran a long article headed "Pollution problems in Western Australia." That article was part 1, and part 2 headed, "Agriculture and Pollution in Western Australia," appears in the June issue which I have with me. This appears to be the last issue available in the Parliamentary Library. The article deals with all forms of pollution in the area of agriculture. Some of the headings are, "Dust and silt; Pesticides; Vermin poisoning, Weedicides; Salt; and Air pollution." I should like to quote a short statement which was made in respect of pesticides.

The DEPUTY CHAIRMAN (Mr. Brown): The honourable member has two minutes.

Mr. GRAYDEN: Thank you. In that case I will quote portion of it, as follows:—

> Malathion is commonly used for control of grain storage pests and has a life of 3 to 6 months. After milling most of the residual malathion is in the bran. Another possible source of pollution in grain is from fungicides such as the organo-mercurial, copper containing, and hexachlorobenzene (HCB) dusts. Grain pickled with these materials may cause unacceptably high tissue levels of the chemicals when fed to sheep and pigs. Poultry meat and eggs may similarly be affected and pickled grain must not be fed to any animals destined for human consumption. Use of HCB dusts has recently been discontinued and organo-mercurial compounds are likely to be banned shortly on the recommendation of the Australian Pesticides Committee.

I do not have time to quote further. I want to draw attention to the fact that the Department of Agriculture in Western Australia views very seriously the question of pollution, in any form, to agricultural products.

Mr. Graham: So does the Government.

Mr. GRAYDEN: The situation is that the Department of Agriculture has gone out of its way to inculcate in the minds of farmers the need to keep grain free from pollutants of this kind. On the other hand, this measure would be setting a bad example in the vicinity of the great installation constructed by C.B.H. I support the amendment moved by the Leader of the Opposition.

Progress

Progress reported and leave given to sit again, on motion by Mr. Harman.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. J. T. TONKIN (Melville—Premier) [11.29 p.m.]: I move—

That the House at its rising adjourn until 11.00 a.m. tomorrow (Wednesday).

Question put and passed.

House adjourned at 11.30 p.m.

Legislative Council

Wednesday, the 8th November, 1972

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 2.30 p.m., and read prayers.

QUESTION ON NOTICE

WATER SUPPLIES

Jerramungup

The Hon. D. J. WORDSWORTH, to the Leader of the House:

(1) What is the capacity of the dam which supplies the town of Jerramungup with water?

(2) What is the population of—

(a) the town which normally uses this supply; and

(b) the country surrounding the town which would require supply in time of drought?

(3) In the past, has this supply had to be used for emergency stock water, or are there sufficient other drought supplies conveniently situated in the area?

The Hon. W. F. WILLESEE replied:

(1) 3.270 million gallons.

(2) (a) 250;

(b) Not known.

(3) No. There are sufficient other drought supplies within 20 miles of Jerramungup.

TRAFFIC ACT AMENDMENT BILL (No. 3)

In Committee

Resumed from the 1st November. The Deputy Chairman of Committees (The Hon. R. F. Claughton) in the Chair; The Hon. J. Dolan (Minister for Police) in charge of the Bill.

Clause 3: Section 32B amended—

The DEPUTY CHAIRMAN: Progress was reported after clause 3 had been partly considered.

The Hon. I. G. MEDCALF: I had hoped the Minister would indicate that he had considered the amendment I have on the notice paper to insert a new subsection 32B(12).

I have carefully phrased the proposed new subsection to overcome what I believe were the difficulties raised by the Minister previously, when he felt there was an implied slur on the Police Department in the phraseology which was supplied to me by the Crown Law Department. By way of explanation, I would say that I conveyed to the private members' Parliamentary Counsel the fact that I would like an amendment which did not place upon the police the onus of having positively to prove that they had taken steps to ensure that the medical treatment of the injured person was attended to.

It is a fact that the courts regard very jealously any invasion of what is normally the criminal law. If we make it legal for a doctor to take a blood sample of an unconscious person or one who is incapable of giving his consent, then the view of the Crown Law Department is a proper one. The courts do not like this sort of thing, and therefore they make the police prove every element of an offence.

The fear of the Crown Law Department has been that the insertion of an amendment, as originally proposed by me, would require the police, before its members can obtain a conviction under this provision, to prove that they had taken every precaution to verify that the medical condition of the accident victim had been attended to. This might cast a very difficult task on the police. No doubt, the police would do that in all cases, but advantage might be taken of the police because of their inability to establish this fact when the case is taken before the court.