Legislative Assembly

Wednesday, the 28th October, 1970

The DEPUTY SPEAKER (Mr. W. A. Manning) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS (34): ON NOTICE

1. MINING

Dredging: Warnbro Sound

Mr. RUSHTON, to the Minister representing the Minister for Mines:

(1) Relating to mining claims for dredging in Warnbro Sound, have investigations been completed and a decision made as to the granting or refusal of these claims?

(2) If "Yes" will he advise the House details of the decision?

Mr. BOVELL replied:

(1) Yes.

(2) Mining in Warnbro Sound and Mangles Bay was considered by Cabinet and it was decided that the dredging claims in these areas should not be granted.

2. POINT PERON-GARDEN ISLAND CAUSEWAY

Construction

Mr. RUSHTON, to the Minister for Works:

(1) Referring to the Commonwealth Government's major project of constructing a causeway between Point Peron (State) and Garden Island (Commonwealth), will he ascertain—

(a) the form of transport, the route, and from where the fill for the causeway will come;

(b) what inconvenience to local residents and the travelling public will take place when transporting the fill?

(2) Will his department co-operate with and support the local authority by giving close attention to any inconvenience that may be caused?

(3) Will he ascertain—

(a) the estimated construction time to be taken of the causeway;

(b) whether the bridge on the Garden Island end of the causeway will span the present deep channel; and

(c) if any other significant development will be associated with this project?

(4) If the above information is ascertainable will he advise the House of the information?

Mr. COURT (for Mr. Ross Hutchinson) replied:

(1) to (4) This information will not be available until the Commonwealth Parliamentary committee which is considering the matter issues its report which is expected to be available shortly. However, in regard to (2), the Government will do all it can in the way of sensible co-operation to minimise as far as possible any public inconvenience that may be caused.

3. *This question was postponed.*

4. HOUSING

Scheme: Pinjarra Native Reserve

Mr. BRADY, to the Minister for Housing:

(1) Is the native reserve at Pinjarra being taken over by the State Housing Commission for a housing scheme?

(2) If so, will displaced aborigines be given alternative accommodation?

(3) Are any aborigines housed in State Housing Commission homes at present?

Mr. O'NEIL replied:

(1) No.

(2) See answer to (1).

(3) Yes.

5. WATER SUPPLIES

West Swan

Mr. BRADY, to the Minister for Water Supplies:

(1) Is the water main at West Swan being extended?

(2) What distance will the main be extended?

(3) Is it possible for residents in Patricia Street to be connected with the proposed extensions?

(4) If not, what prospects are there for Patricia Street residents to be supplied with water from the main pipes in the near future?

Mr. COURT (for Mr. Ross Hutchinson) replied:

(1) Yes.

(2) Approximately 2,080 ft.

(3) and (4) No. Not until a major improvement scheme can be implemented.

6. WOOL CLASSERS' LICENSES

Cancellations

Mr. GAYFER, to the Minister for Agriculture:

(1) How many wool classers' licenses were cancelled last year?

(2) For what reasons were the cancellations made?

units so as to make the unified bodies more workable and more economic for the benefit of the ratepayers.

The intention is to enable a deputy for each member of the commission to be appointed. The point was raised in another place that it was not necessary to appoint three deputies, and that one or two would suffice. When one takes into account the fact that the three members of the existing Boundaries Commission are drawn from various associations, one will realise that a closer liaison between the three deputies and the three members will come about if each member has a deputy. For that reason I have no objection to the amending provision in the Bill.

However, I have great objection to the amendment to section 35 of the Act. As members who were in this House in 1964 will recall, I vigorously opposed the provision in section 35, and we took one whole evening to discuss the particular clause in the Bill which was before us at that time. I considered it was an attempt to include in the legislation a principle which was not right.

I wonder how consistent is the Government! On that occasion it took away from individuals a right which I consider to be justly theirs. At that time the Government decided that anyone who had taken advantage of section 561 of the Local Government Act would not be eligible to stand for the positions of mayor, president, or councillor of a local authority. In the Bill before us, clause 4 seeks to amend section 35 of the Act once again. The Minister in another place went to great lengths to say that he did not care whether or not the amendment was defeated, and that it was introduced only for the purpose of tidying up that particular section.

To my mind the amendment in clause 4 does not tidy up that section. It will not, in regard to clarifying the position, go as far as the Minister hopes it will. I think it entirely reverses the original intention of the Act. The clause seeks to amend section 35(1)(c). This particular section states that a person who is either an owner of ratable land within the district of the municipality, or who is the occupier of ratable land within the district whose name appears on the electoral roll thereof, is eligible to be elected as a member of the council of a municipality, whether as mayor, president, or councillor.

The Minister has read something into this provision of the Act—something which was not intended, and something which has not operated in local government in Western Australia. I have checked with various shire clerks—these officers were known as road board secretaries when I was first appointed to the council of a local authority—and I find their opinion is the same as mine: the owner of a property which has been rented to an occupier can remain on the roll, and if he so desires he can have the tenant or the occupier of the property included on the roll to take his place. The amendment in clause 4 seeks to add after the word "or" in paragraph (c) of section 35(1) the passage ", irrespective of whether his name appears on the electoral roll thereof . . ."

I have said that I disagree with that amendment, because it is possible that a person living in Fremantle may own a property in Midland which he has let. In such a case the tenant is paying rent, and he should be the one who is entitled to be on the roll. Under the Bill a person can nominate to become the mayor, the president, or a member of a local authority if he owns the property. The Government is not consistent when it is not prepared to allow a ratepayer of many years' standing—one who possibly has been a member of the local authority for 20 or 30 years—to nominate for those positions, simply because he has in the meantime become a pensioner. At one time he might have been able to pay the rates on the property, but as a pensioner who has been permitted to defer the payments of rates, he is debarred from election to the council of a local authority.

However, we find that a person might purchase a property three months before an election and rent it to a tenant. In such a case both the owner and the tenant can be placed on the roll, and both of them can be appointed to the council. To me that is not right. I tell the Minister that when this particular clause is dealt with in the Committee stage it is my intention to oppose it, and also to oppose any alteration to this section of the Act. The Act has stood the test of time, and these provisions which were included in the old Road Districts Act and the Municipal Corporations Act have not been challenged. Yet, in 1970, there is an intention on the part of the Government to alter what has been the established practice, and what I believe was intended to be the practice when it was first brought into operation.

The next three amendments in the Bill deal with postal voting and absentee voting; and it is not my intention to discuss them at any length, because another speaker will touch on them.

Clause 9 of the Bill seeks to amend section 174 of the Act, which deals with the election of committees of councils. The Minister has gone a long way round to achieve the desired result. A member of a council, having a pecuniary interest in any particular subject, has to declare himself. While he may speak on the subject for the benefit of the council, he may not, in view of his pecuniary interest, have a vote. It is proposed to apply this procedure to the committees of councils.

Mr. NALDER replied:

(1) In Australia, 14,521 people are currently registered by the Australian Wool Marketing Corporation as woolclassers.

Two hundred and three registrations were cancelled in the past 10 months.

(2) Registrations are cancelled—

(a) When a registered "owner classer" employs a registered professional classer and stops classing his own clip.

(b) When a registered classer dies.

(c) When the Australian Wool Marketing Corporation cancels the registration to maintain the standard of clip preparation in Australia.

Most cancellations have been for the first two reasons.

7. BUILDING BLOCKS

Kalgoorlie Auction

Mr. T. D. EVANS, to the Minister for Lands:

Would he indicate the names and addresses of the successful bidders, the respective lots purchased, with the upset or reserve price in each case shown in parenthesis, as against the knocked down price for each lot, in respect of the recent departmental land auction conducted at Kalgoorlie?

Mr. BOVELL replied:

Schedule of information requested is submitted for tabling.

The schedule was tabled.

8. COURTHOUSE

Kalgoorlie

Mr. T. D. EVANS, to the Minister for Works:

(1) What number of offices and appointments will be provided in the new courthouse building at Kalgoorlie, and what personnel and purposes will these serve?

(2) Will the building be of more than one level; if so, how many?

(3) Will air conditioning be provided?

(4) Is the Mines Department office also to be housed in the new building?

(5) For what purpose will the part of the building now occupied by the court and its environs be used when the new court is operating?

Mr. COURT (for Mr. Ross Hutchinson) replied:

(1) The following offices and appointments are proposed to serve the personnel and purpose shown—

(a) Nine offices are proposed for the following personnel—

1 for Judge.
1 for Associate.
2 for Magistrates.
1 for Usher.
1 for Orderly.
1 for Clerk of Courts.
1 for Assistant Clerk of Courts.
1 for Clerks and Typists.

(b) The following appointments are proposed—

1 District Court.
1 Police and Local Court.
1 Children's Court.
1 Jury Room.
1 Witnesses' room.
1 Solicitors' room including robing room.
1 Amenities room.
1 Male holding room.
1 Female holding room.
1 Prisoners' delivery bay.

In addition, the normal toilet facilities, plant room, stores, and staircases will be provided.

(2) Yes—two.

(3) At present under consideration.

(4) No.

(5) For general expansion of Government office facilities but, in particular, expansion for the Mines Department.

9. NON-GOVERNMENT PRIMARY SCHOOLS

Provision of Water Cooling Systems: Financial Assistance

Mr. T. D. EVANS, to the Treasurer:

(1) Is he aware that the policy of the Lotteries Commission no longer provides for assistance to Parents and Citizens' and Parents and Friends' Associations?

(2) Will he advise if there is any other organisation; if so, the name of it, to which application could be made for financial assistance for the purpose of providing an adequate water cooling system in a non-Government primary school?

Sir DAVID BRAND replied:

(1) I understand that the present policy of the commission is the same as has been followed in the past.

(2) I am not aware of any such organisation.

10. *This question was postponed.*

11. T.P.I. AND INVALID PENSIONERS

Motor Vehicle License Concessions

Mr. BRADY, to the Minister for Police:

(1) Are the totally and permanently incapacitated and invalid pensioners entitled to a concession on motor vehicle licences?

(2) Under what section of the Act are concessions granted?

(3) Are concessions withdrawn if the applicant is over 65?

(4) Are there any restrictions against totally and permanently incapacitated and invalid pensioners getting the concession?

Mr. CRAIG replied:

(1) No, but where a local authority recommends and I approve, a concession may be granted.

(2) Section 11, subsection (2) of the Traffic Act.

(3) No.

(4) Yes—

(a) Where the pensioner and spouse have significant income other than pension.

(b) Where the applicant has been in full time employment up to retirement and is classified as totally and permanently incapacitated subsequent to reaching the age of 65 years.

12. ELECTRICITY SUPPLIES

Power Lines and Guy Wires

Mr. CASH, to the Minister for Electricity:

(1) Further to my question 22 on the 21st October has the driver of the vehicle which was involved in an accident causing damage to certain State Electricity Commission installations at Yokine been located?

(2) Was the vehicle loaded contrary to traffic regulations?

(3) What action has been taken against the driver of the vehicle?

(4) In the replacing of the power pole have any special precautions been taken to lessen the risk of similar accidents occurring and to eliminate danger to nearby residents?

Mr. NALDER replied:

(1) Inquiries are proceeding.

(2) See (1).

(3) See (1).

(4) The staywire has been replaced at a height well in excess of the minimum.

13. MOTOR VEHICLES

Speed and Power: Advertising Control

Mr. CASH, to the Minister for Traffic:

(1) Is he aware that in other States consideration is being given to some form of legislative control over the advertising emphasis on speed and power in relation to motor vehicles?

(2) What consideration has been given to such control in this State?

(3) What power has the Government to control such advertising, particularly television advertising?

Mr. CRAIG replied:

(1) No.

(2) Nil.

(3) Nil.

14. RAILWAY EMPLOYEES

Bunbury

Mr. JONES, to the Minister for Railways:

(1) What is the number of workers employed in the different classifications at the Western Australian Government Railways, Bunbury?

(2) Are any changes contemplated within the system at Bunbury?

(3) If "Yes" will he outline what the changes will involve, the dates the changes will take place and the classifications involved?

Mr. O'CONNOR replied:

(1) to (3) These matters are currently being investigated and the honourable member will be advised as quickly as possible.

15. LOCAL GOVERNMENT

Rates: Shire of Gosnells

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

(1) Can land in the Shire of Gosnells used exclusively for primary production be in fact rated by the shire as urban?

(2) Does he consider that an increase in shire rates of 1,000 per cent. for such agricultural land is fair and reasonable?

(3) Under the Local Government Act are shires obliged to give prior notification of pending increases in rates payable?

Mr. NALDER replied:

(1) Yes.

(2) Rates must be levied on valuations, in accordance with the budget and as prescribed under the Local Government Act.

(3) No.

16. MARGINAL DAIRY FARMS RECONSTRUCTION SCHEME

Terms and Finance

Mr. H. D. EVANS, to the Minister for Lands:

(1) To what acreage of pasture will eligible farmers be able to develop under the Marginal Dairy Farms Rehabilitation Scheme?

(2) Will war service land settlers be eligible to participate in the abovementioned scheme?

(3) What sum of money has been made available by the Commonwealth Government to finance the Marginal Dairy Farms Rehabilitation Scheme in Western Australia for this current year?

Mr. BOVELL replied:

(1) The scheme will permit properties to be amalgamated to the extent that the combined existing pastured area will not exceed that capable of producing more than 30,000 lb. butterfat a year.

(2) Yes.

(3) No amount fixed, as requirements cannot be estimated until applications are received and processed.

17. FARMING PROPERTIES

Purchase by Japanese Interests

Mr. H. D. EVANS, to the Premier:

(1) Is he aware of Press and radio reports which purport that agents acting on behalf of Japanese interests are seeking to purchase properties in the southern portion of the State at deflated prices?

(2) If so, will he indicate the veracity of these reports?

(3) What is the attitude of the Government towards the purchase of Western Australian farms at much less than their true value by Japanese interests?

(4) Is the Government prepared to introduce legislation designed to amend the appropriate Statutes in a manner to prevent Japanese firms having freehold farmlands transferred to them in Western Australia?

Sir DAVID BRAND replied:

(1) Yes.

(2) Exhaustive inquiries have failed to reveal property purchases by Japanese interests.

(3) and (4) The circumstances envisaged have not materialised but the Government will continue its close watch on the situation.

18. RAILWAY STATIONS

Bassendean and Guildford: Pedestrian Ramps

Mr. BRADY, to the Minister for Railways:

(1) Are any steps being taken to reduce the danger to commuters when using ramps to overhead bridges, caused by slipping on wet surfaces, at Bassendean and Guildford stations?

(2) If action is being taken, what is the nature of same and when will work be carried out?

Mr. O'CONNOR replied:

(1) Yes.

(2) Pedestrian bridges at Bassendean and Guildford—and other localities—have already been treated with a special adhesive.

During a recent inspection of one of the bridges, several users were invited to comment and in all instances the reaction was favourable.

19. TOTALISATOR AGENCY BOARD

Proposed Agency: Canning Highway-Foss Street Corner

Mr. TONKIN, to the Minister for Police:

(1) Has the manager, Totalisator Agency Board approached the Melville Town Council concerning a proposal to erect shop premises in an area zoned residential at the corner of Canning Highway and Foss Street?

(2) In connection with the proposal did the manager, Totalisator Agency Board state that he did not see any need to make provision for parking as patrons could use the parking area of the adjacent hotel?

(3) Is he aware that the Bicton-Palmyra branch of the R.S.L. is very strongly opposed to the erection of a Totalisator Agency Board shop in proximity to the branch's hall because of the limited parking space available?

(4) Will he regard the above questions as a protest on behalf of the Bicton-Palmyra branch of the R.S.L. against the erection of a Totalisator Agency Board shop on the location mentioned and refer the matter to the full Totalisator Agency Board for reconsideration?

Mr. CRAIG replied:

(1) Yes.

(2) Yes.

(3) No, but I have been given to understand that a senior Vice-President of the Bicton-Palmyra

Branch of the R.S.L. informed the board's general manager on Thursday, the 22nd October, 1970, that the branch was strongly opposed to the erection of a totalisator agency on the site in Foss Street.

(4) Yes, and the matter will be considered by the full board when it meets on Friday, the 13th November, 1970.

20. *This question was postponed.*

21. RAILWAY EMPLOYEES

Collie

Mr. JONES, to the Minister for Railways:

(1) What is the number of workers employed in the different classifications at the Western Australian Government Railways, Collie?

(2) Are any changes contemplated within the system at Collie?

(3) If "Yes" will he outline what the changes will involve, the dates the changes will take place, and the classifications involved?

Mr. O'CONNOR replied:

(1) to (3) These matters are currently being investigated and the honourable member will be advised as quickly as possible.

22. CLEAN AIR ACT

Prosecutions, Acquittals, and Convictions

Mr. COOK, to the Minister representing the Minister for Health:

(1) Since its inception, how many and what offences under the Clean Air Act have—

(a) to his knowledge occurred;

(b) been prosecuted?

(2) How many acquittals and how many convictions have been recorded?

Mr. COURT replied:

(1) (a) Two offences under the Clean Air Act have occurred.

One company failed to apply for permission to construct an incinerator.

One company constructed a chimney stack which did not comply with the specification of the Air Pollution Control Council.

(b) There has been no prosecution for an offence.

(2) Not relevant.

23. WATER SUPPLIES

Albany: Lake Seppings

Mr. COOK, to the Minister for Water Supplies:

(1) Is it correct that water for the senior high school ovals at Albany will be pumped from Lake Seppings?

(2) Is it correct that the Albany Golf Club already uses water from Lake Seppings?

(3) Is Lake Seppings water used to augment town supplies from time to time?

(4) In which instances is the water taken or proposed to be taken from the lake from bores near the lake?

(5) What is the estimated quantity of water in Lake Seppings?

(6) What will be the approximate quantity used annually for the—

(a) school;

(b) golf club;

(c) town supply?

(7) Have the underground reserves of water been estimated?

(8) If so, what is the estimated quantity?

Mr. COURT (for Mr. Ross Hutchinson) replied:

(1) A suitable source for the watering of the high school ovals is being investigated. Lake Seppings is included in the investigations which are not yet finalised.

(2) Yes.

(3) No.

(4) Water is currently being drawn by the Albany Golf Club for watering of greens and fairways, and the Albany Regional Hospital for watering of gardens and grassed areas.

(5) Unknown.

(6) (a) Dependent on result of investigations. See (1).

(b) Unknown.

(c) Nil.

(7) A hydrogeological survey several years ago assessed the supply as of minor importance.

(8) Answered by (7).

24. *This question was postponed.*

25. RAILWAYS

Coloured Revolving Lights: Diesel Locomotives

Mr. McIVER, to the Minister for Railways:

(1) Further to the acceptance of my proposal for a trial use of flashing lights placed on diesel locomotives, would he advise when these trials will commence?

(2) If a trial has been conducted, what was the result?

Mr. O'CONNOR replied:

(1) and (2) An "L"-class locomotive has now been fitted with two different types of flashing lights which are claimed to be in regular service in the U.S.A. and official trials will commence within a few days.

26. EMPLOYMENT BROKERS ACT

Amending Legislation

Mr. BURKE, to the Minister for Labour:

Would he advise of any further action taken or contemplated to expedite the introduction of amendments to the Employment Brokers Act?

Mr. O'NEIL replied:

Investigations and consultations with interested parties are still proceeding.

27. RAILWAYS

Advertising Contract

Mr. BURKE, to the Minister for Railways:

(1) Can he advise if any member of the London and Provincial Poster Group has been to Perth since that company's tender for outdoor advertising was accepted?

(2) If so, why, and with whom were discussions held?

(3) Can he advise if any objection has been lodged to the Government's acceptance of this company's tender?

Mr. O'CONNOR replied:

(1) Yes, a director of the group spent some weeks in Perth and a resident representative has been appointed by the group since the tender was accepted.

(2) The director and representative conferred with railway officials and myself respecting details of the conditions of the contract and also takeover arrangements.

(3) No objection has been lodged.

28. *This question was postponed.*

29. IRON ORE

Labour Disputes: Effect on Japanese Steel Mills

Mr. WILLIAMS, to the Minister for Industrial Development:

(1) Has he seen the reference in a Japanese trade paper, the 13th October, 1970, under the heading "Today's Topic—South African Iron Ore" and part of which reads—

"In Australia, iron mines are suffering from frequent labour disputes. It is risky for the steel industry here to depend on the country for supply of more than 50 per cent. of its ore requirements."?

(2) Is this an official Japanese steel mill's view and does it cause this State Government concern?

Mr. COURT replied:

(1) Yes.

(2) The report which appeared in the *Japan Commerce Daily* reflects the Japanese steel industry's concern that industrial unrest in Australia could jeopardise the future of their industry through breaks and delays in supplies reaching Japan. It is not a new fear, having been expressed in a number of ways previously. Their concern is not unexpected.

Needless to say, we would like to feel we could obtain a bigger share of the market but we have to accept that there is a percentage beyond which it would be unrealistic to expect any country to commit itself.

This is one of the reasons why we are developing diversified markets, including sales to U.K. and Continental Europe.

30. ABORIGINAL PENSIONERS

Metropolitan Area: Number, and Housing Needs

Mr. HARMAN, to the Minister for Native Welfare:

(1) What is the approximate number of aboriginal males over 65 years and females over 60 years living in the metropolitan area, excluding those persons in hospitals or institutions?

(2) Has a survey been made to ascertain the housing needs of these persons?

(3) If so, when?

(4) How many persons in the above category are satisfactorily housed already by the—

(a) State Housing Commission;

(b) other Government homes;

(c) private, charitable, and religious homes?

Mr. LEWIS replied:

(1) to (4) This information is not recorded.

31. CRIMINAL COURT

Sentences: Delay

Mr. HARMAN, to the Minister representing the Minister for Justice:

(1) Is it customary for sentences to be delayed for over two months following conviction in the Perth Criminal Court?

(2) If so, what are the reasons?

(3) On how many occasions has this occurred in the past 12 months?

(4) What are the particular reasons on these occasions?

Mr. COURT replied:

(1) No.

(2) Answered by (1).

(3) This information is not readily available.

(4) Any delays that may occur would be due to the court considering representations made on behalf of accused or to obtain and consider reports.

32. STAMP DUTY

Group Ownership Land Development: Refund

Mr. DAVIES, to the Treasurer:

(1) Has the company known as G.O.L.D. (Group Ownership Land Development) had any stamp duty of any description refunded to it?

(2) If so, what were the amounts involved, and the reasons for the refund?

Sir DAVID BRAND replied:

(1) A refund has been made to Christian Service Foundation in Western Australia Inc. which conducted the Group Ownership Land Development project.

(2) $49,475 was refunded under the provisions contained in section 74 of the Stamp Act following the cancellation of a contract of sale.

33. ROAD MAINTENANCE TAX

Administration and Policing Costs

Mr. GRAHAM, to the Minister for Transport:

Adverting to question 5 asked on the 27th instant, what costs additional to those related to the cost of collecting the road maintenance tax, were incurred during the past 12 months in respect of administration, policing and all other activity associated with the Road Maintenance (Contribution) Act?

Mr. O'CONNOR replied:

The figure of $206,560 already supplied was the total cost incurred by the Transport Commission during 1969-70 in administering, policing and enforcing the Road Maintenance (Contribution) Act. General supervision was exercised by the Commissioner of Transport and certain of his senior officers but no additional cost was incurred for this.

34. ROAD MAINTENANCE TAX

Pending Prosecutions: Denis Meaker

Mr. T. D. EVANS, to the Minister representing the Minister for Justice:

(1) Is it not a fact that Denis Meaker, an inmate of the Kalgoorlie Regional Prison, is the subject of a complaint for hearing on the 2nd February, 1971, for failure to pay road maintenance tax during the month of June, 1967, in respect of a vehicle registered number I.S.2092, and also for hearing on the said date a complaint against him for failure to pay such tax in respect of vehicle registered number I.S.1504, for the month of October, 1968?

(2) What is the aggregate of the taxes alleged to be unpaid referred to in these two complaints?

Mr. COURT replied:

I believe that originally there were four parts to this question, but that (3) and (4) have been struck out. The answer is—

(1) Yes.

(2) The charges are made under section 141(e) of the Road Maintenance (Contribution) Act, which provides that any person who fails to pay to the Commissioner of Transport as required by the Act any charges payable in respect of any goods vehicle is guilty of an offence against the Act. In this case the amount of charges is unknown as the defendant has failed to submit the prescribed return. It is estimated the evasion of charges in the case of I.S. 2092 would be not less than $100 and I.S. 1504 $180.

QUESTIONS (3): WITHOUT NOTICE

1. LOCAL PRODUCTS SYMBOL

Misuse

Mr. CASH, to the Minister for Industrial Development:

(1) Has he heard of the claim on TVW7 last evening that sheets bought in a Perth store had a

local products symbol on the wrapper but a "Made in China" label on the product?

(2) Does he know the circumstances surrounding this particular case?

(3) What procedure is followed to check any misuse of the W.A. made symbol?

(4) Has his department received complaints about people using the W.A. made symbol without authority and on products which do not qualify as locally made products for purposes of the symbol?

(5) Is it necessary for the whole of the product to be made in Western Australia to qualify as a product which can use the symbol? If not, what is the test imposed to qualify for the symbol?

Mr. COURT replied:

I thank the honourable member for notice of the question. The answers to the several parts are—

(1) Yes.

(2) Most cotton goods are made from imported cotton. The sheets in question were locally made from Chinese cotton. In this case manufacture consisted of cutting to length, hemming and packaging, the "Made in China" label being added during the hemming. As soon as it was discovered by the firm that the W.A. made symbol was being affixed to the package by employees the practice was discontinued on the grounds of inadequate local content.

I understand it is some months since the symbol was affixed to such products, and the firm concerned has withdrawn these sheets from sale pending new wrappers with no local products symbol attached.

I have also had a further explanation to the effect that these labels were affixed, apparently some months ago, to old stock, and this was how the oversight occurred in selling the article that was the subject of the television interview or report.

From the report made to me I am satisfied that it was a genuine error and not an attempt to deceive. The firm concerned has been very cooperative and frank in its explanation of the incident.

(3) At this stage the publicity section of the Department of Industrial Development is doing all it can to encourage the *bona fide* use of the symbol as its widespread use is an important part of the overall campaign currently being conducted in support of W.A. made goods. Every effort is made to ensure that those receiving the symbol thoroughly understand what is necessary for its use. The department is doing all it can within the scope of its limited manpower to check for any misuse.

There is no reason to suspect that there is widespread misuse, although it is possible that some of the symbols might inadvertently be affixed to products which do not qualify, and which are marketed by a firm which has a multiplicity of merchandise, some of which qualifies and some of which does not.

(4) We have received only one official complaint, and this related to a product that had a Western Australian component but not anything like as much as that of a local manufacturer who was manufacturing and marketing a similar product. In this case, use of the symbol was terminated in respect of the firm considered not to have sufficient local component in its product.

(5) It is not necessary for a product to be wholly made in Western Australia. In fact, it would rarely be possible for a product to qualify if this were the test.

Therefore, it is a matter of judgment and good sense as to what gives a local product qualification.

Some of the guidelines are—

Was there a reasonable local creative effort?

Was there a reasonable degree of local manufacturing effort?

Is the image substantially Western Australian?

If the local content is relatively low, could the product be expected to absorb more local effort as its penetration of the local market improves? In other words, is there

a genuine long-term local component intention as well as current effort?

During the next few months there will be many cases to be decided as to whether they qualify or not, particularly as the campaign is obviously being successful, and with this success there will be an increasing desire on the part of distributors to see products carrying the official W.A. made symbol. It is pertinent to add that the official W.A. made symbol is a registered design and therefore cannot be lawfully used without permission.

Mr. Graham: Did it take as long to frame the question as it did to answer it?

2. CHARITABLE ORGANISATIONS

Government Assistance

Mr. BURKE, to the Premier:

Yesterday I addressed a question without notice to the Premier, and towards the end of his reply he indicated that he would give an outline of the proposed assistance by the Government to St. Bartholomew's. Can he do so now?

Sir DAVID BRAND replied:

I received a letter written by Dr. Watson, the chairman of the St. Bartholomew's campaign to raise money, written on the 2nd October.

I have now replied advising that the Government will provide $4,000 over the next five years, making a total of $20,000.

3. CHARITABLE ORGANISATIONS

Government Assistance

Mr. BURKE, to the Treasurer:

Is it the intention of the Government to provide similar financial assistance to other organisations which provide services similar to that which is available at St. Bartholomew's House?

Sir DAVID BRAND replied:

That is a simple question, and there is a simple answer: I will treat each case on its merit.

QUESTIONS: INTERPRETATION OF LAW

Statement by Speaker

THE SPEAKER: Yesterday the Deputy Leader of the Opposition addressed question 23 to the Minister representing the Minister for Justice. It will be recalled that the Minister, in answering, stated that part (1) of the question involved the interpretation of the law, and in consequence he declined to answer it. The Minister also said that parts (2) and (3) of the question, in the circumstances, did not call for an answer.

Subsequently, the Deputy Leader of the Opposition addressed a question to me on the correctness of the Minister's attitude. I advised the Deputy Leader of the Opposition that I would look into the matter.

I have done so, and before dealing with the specific question which arose, I will make the following general observations: It has been the practice of this Parliament, and other Parliaments—and it is automatically incorporated into Standing Orders by virtue of Standing Order 1—that questions which involve an expression of opinion by an individual and, particularly, expressions of opinion on questions of law are inadmissible.

There is very sound reason for that rule. Any answer given by a Minister in this House naturally has an air of authority. Firstly, the expression of an opinion can never be a certainty, but when it comes to a question of law the opinion or the advice is that given to the Minister by one particular lawyer who happens to be the particular Crown Law officer to whom the question is referred.

That lawyer may, or may not, be in possession of all the facts. He certainly does not have the benefit of hearing argument for and against, and his opinion is no better or no worse than that of any other lawyer. As a consequence, it is wrong that an authoritative statement should be made in this House when the question could be litigated subsequently in the courts. In a court the judge or magistrate has the benefit of hearing the evidence, knowing all the material facts, and hearing the arguments put forward by counsel for both sides.

Referring to the particular question, I should say on just reading it that it would not have occurred to anybody—it certainly would not have occurred to me—that it did, in fact, raise a question of law. However, when one refers to section 34 of the Liquor Act it is quite apparent that the question does raise the matter of an interpretation of that section.

The section is, to say the least, obscure and that is, indeed, unfortunate because the legislation has only recently been passed. It is a matter of opinion whether the hours referred to in section 34 of the Act apply to the hours during which a meal is taken, or the hours during which liquor is sold. In my opinion, unless the section is amended in the meantime, it will call ultimately for interpretation by a court. I understand that that is also the view of the Solicitor-General, and as a consequence I do agree with the view taken by the Minister that the question should not be answered.

I have conveyed to the Minister—and I now say it to the House—that I think it is perhaps preferable when questions such as these arise that the Minister concerned should refer them to me, and I should give a ruling before the question is asked, rather than a Minister give the answer which was given yesterday.

I must repeat what I said yesterday that this has happened before and the practice of the Minister had not been questioned previously by those members who had received similar answers. I think, in future, members can take it that the admissibility of a question will be referred to me for a ruling as to whether the question should be pursued.

EDUCATION ACT AMENDMENT BILL (No. 2)

Third Reading

Bill read a third time, on motion by Mr. Lewis (Minister for Education), and transmitted to the Council.

CITY OF PERTH ENDOWMENT LANDS ACT AMENDMENT BILL

Second Reading: Defeated

Debate resumed from the 23rd September.

MR. BOVELL (Vasse—Minister for Lands) [4.56 p.m.]: The City of Perth Endowment Lands Act was introduced into this Chamber in 1920 by the then Attorney-General, The Hon. T. P. Draper. The Act was designed to provide the City of Perth with certain lands for later development, and in the succeeding years great expansion has occurred in the City of Perth area.

The Act has been dormant and only one amendment has been made since 1920. In 1936 the then Minister for Lands, The Hon. M. F. Troy, introduced an amendment which dealt with approximately eight acres of land in connection with proposals put forward by the Workers' Homes Board.

The purchasers of the land from the City of Perth, over the years, could have legitimately assumed that they were entitled to have the provisions of the Act continued or, at least be allowed a period of time for any submissions they might make if there was to be any material alteration to the Act.

The Bill introduced by the Deputy Leader of the Opposition proposes to amend subsection (2) of section 39 of the principal Act, and that subsection reads as follows:—

> (2.) The proceeds arising from any sale or sales shall be applied by the council in the development of the said lands and to provide a sinking fund for the repayment of any moneys borrowed under this Act, or which may be due and owing under mortgage over the said lands, and the surplus (if any) shall be invested in such securities as trustees are by law authorised to invest trust funds in. . . .

And so it goes on. The present Bill proposes to delete that subsection and substitute a new subsection as follows:—

> (2) The proceeds from any sale or sales shall be applied by the council to provide a sinking fund for the repayment of any moneys borrowed under this Act, or which may be due and owing under mortgage over the said lands, and the surplus (if any) shall form part of the ordinary revenue of the council.

There will therefore be a material alteration to the Act and in the use of the funds derived from the sale of land under the Act.

As far as I am aware, the Perth City Council was not consulted in this matter. The Deputy Leader of the Opposition has taken it on his own shoulders to introduce the Bill. I am further informed that the Perth City Council is not in accord with the provisions of this Bill. The Perth City Council has submitted to the Under-Secretary for Lands proposals for amending this Act. They are rather far-reaching proposals and they are currently under consideration. I hope to have the Under-Secretary for Lands convey to the Perth City Council my decision as far as amending legislation is concerned.

Mr. Jamieson: When will this be produced? Will it be produced this session?

Mr. BOVELL: I do not anticipate that an examination of the proposals will be carried out this session, for the simple reason—and this applies to the Deputy Leader of the Opposition's Bill—that these people have had the protection of an Act of Parliament since 1920, and no alteration at all has been made to the conditions of their purchase or the application of the proceeds of the sale of land. The amendment in 1936, by the then Minister for Lands, the late M. F. Troy, simply dealt with a certain portion of land to enable it to be used for workers' homes or war service homes, or whatever the case may be. For half a century there has been no suggestion that any alteration should be made in the use of the funds.

I think the ratepayers and the purchasers of the land should be considered. Any proposal to amend the Act should be considered by them, and their opinions should then be assessed to see whether there is any valid reason for the continuation of the provisions or whether some amendment is necessary. I believe that in the interests of justice, and in fairness to the people who have purchased this

land, they should be given time to consider the position; and the same conditions apply to the proposals made to me, through the Under-Secretary for Lands, by the Perth City Council.

For those reasons I believe the House should reject the Bill and allow sufficient time for further consideration. As this session is now virtually in its closing stages, I am of the opinion there is insufficient time for adequate consideration to be given to the proposals contained in this measure or to the proposals submitted to the Under-Secretary for Lands by the Town Clerk. I therefore ask the House to reject the Bill which has been introduced by the Deputy Leader of the Opposition.

MR. JAMIESON (Belmont) [5.04 p.m.]: I hope the Premier took cognisance of what his Minister had to say on this matter, because it is of considerable importance to what I shall say in a few moments. However, before I make my point I would like to say that for a number of years it has been a contentious issue among the other wards of the Perth City Council, and among the ward members, that this money was being applied so lavishly to one particular area, to the detriment of the Carlisle and Victoria Park wards which for many years maintained the revenue of the council when it had the old system of electricity sales to those very heavily populated areas. As a consequence, they have always taken the view that the Act should be altered. It is true that they probably made no move in that direction, because a great number of the city councillors represented the coastal side of the City of Perth area.

Mr. Bovell: I cannot recall that any approach has been made to me during the past 12 years.

Mr. JAMIESON: The point I want to make is the position in which the Minister's attitude has placed the city councillors. I hope that the Premier is well aware of this. Last year the Perth City Council admitted having unlawfully used some hundreds of thousands of dollars of this money. This year the council has a proposal to use somewhere in the vicinity of $1,000,000 of this money in general revenue funds. As I understand the Local Government Act, if the councillors unlawfully use money they become responsible, as does the Cabinet, for any unlawful acts in respect of the allocation of funds. They are each and severally responsible.

The Minister has created a position in which 27 Perth city councillors are liable to be held responsible for a considerable sum of money. It might be said that is their own fault, but I do not think it is a desirable situation. If the Perth City Council now wants to horse around with the Minister and arrange its own kind of amendment to suit itself, it must put up with the consequences. I think the Bill proposed by my deputy leader at least covers the situation and covers the councillors at the present time. But, my word, somebody will have to pay the bill eventually, if this vast amount of revenue continues to be illegally used and the Government shuts its eyes to it.

Mr. Bovell: The matter of illegal use of funds has not been considered in my deliberations. I have considered the matter on the facts of the case.

Mr. JAMIESON: Of course, the Minister has not considered it, but he is just as capable of reading the newspapers as I am.

Mr. Bovell: We do not pass legislation because of what appears in the newspapers.

Mr. JAMIESON: Neither of us is so naive as to say that this sum of money has not been used. The Minister knows it has been used, and I know it. Therefore, if we do not take some action, we are equally guilty of allowing the council to continue in this manner.

Mr. Bovell: If that is the case, do you not consider it is the responsibility of the Perth City Council to make representations to the Government on those grounds?

Mr. JAMIESON: Perhaps it is; but this illegal use of funds is continuing while the council is getting around to making these representations and is horsing around with the department and getting it to do something to suit its own purposes. As I understand it, quite a shemozzle is occurring among the people at the present time. A number of meetings have been held and complaints have been made. While I do not agree with the substance of the complaint that this money should not continue to be applied to that particular area, I certainly agree with the complaint that the money is not being lawfully used at the present time.

Consequently, we in this Parliament must make up our minds whether we will continue to support an unlawful action, knowing full well that the council wants to use this money for another purpose, and in the face of the danger that someone in the area concerned might be financial enough to take court action to force the council into the rather unusual situation that the councillors will be held liable for a sum of money that has been wrongfully spent.

I suggest that the Minister should tread lightly in this matter, and that he should look at it again. I pass on to him and to the Premier the suggestion that it would be better if they sought a

further adjournment of the Bill in order that they might reconsider the situation before discarding the proposal of the member for Balcatta.

MR. GRAHAM (Balcatta—Deputy Leader of the Opposition) [5.10 p.m.]: I have introduced quite a number of Bills, usually receiving the reaction I have experienced this afternoon; namely, that on some pretext, whether valid or not, or for no reason at all, the Government asks the House to vote against them. This afternoon the Minister for Lands has been true to form. Possibly the Minister and the Government derive some sort of satisfaction from doing that, but I would have thought there would be a more responsible approach.

As my colleague, the member for Belmont, has pointed out, a situation has developed which requires attention. Indeed, this very night a public meeting of the people concerned is being held. What the outcome of that meeting will be, nobody knows, but all of us are aware of certain statements that have appeared in the Press. The Minister knows no less than anybody else, and if the Press reports are correct, then surely he, as the Minister in charge of this piece of legislation, should have done something about it.

As I explained when introducing the Bill, a situation has developed of which I had no idea whatsoever at the time the Bill was drafted, but today there is an importance and urgency that was not in existence at that time. The Minister airily brushes this Bill aside on, I suggest, completely false grounds.

First of all, the Minister chided the member for Belmont that surely we could not expect the Government to operate unless and until the Perth City Council had made some approaches to the Government; and that the council has not done. As Mr. Speaker will recall, only five minutes previously the Minister informed us that representations of a somewhat extensive nature had been made to the Under-Secretary for Lands by the Perth City Council.

Mr. Bovell: Not for the reasons given by the member for Belmont.

Mr. GRAHAM: The Perth City Council has made representations to the Government for amendments to be made to the City of Perth Endowment Lands Act for the purpose of effecting certain changes. One of those changes would be that all of the proceeds do not necessarily have to be spent in one particular area. That, of course, is precisely what my Bill seeks to do. All this twaddle from the Minister about consulting the local people and the Perth City Council has no relevance whatever.

Mr. Bovell: I believe in democracy.

Mr. GRAHAM: So do I, and for that reason my Bill was drafted in the terms that are now before this House; namely, that with the passage of the legislation it will still be left to the Perth City Council to decide whether all of the money, or none of it, or any proportion of it, shall continue to be spent in the endowment lands area. It will be entirely up to that body to make the decision. The passing of this Bill would not compel the Perth City Council to spend 1c in any other area. I would hope and trust that it would.

How is it possible to obtain from the Minister's words this expression of democracy? Obviously, those who are the beneficiaries under this state of affairs which has existed for half a century would be most reluctant to lose this precious jewel which is theirs. It is only natural; it is human nature that selfishness would come to the fore.

What does the Minister mean, in order that democracy shall function? A referendum of the ratepayers or the electors of the City of Perth?

Mr. Bovell: Time to consider the proposals objectively.

Mr. GRAHAM: This Bill has been on the stocks and the Perth City Council and its ratepayers have been aware of the contents of it for a couple of months. Therefore, there has been ample time. The question of the proceeds of the sales of endowment land being spent elsewhere has been raised in the Perth City Council itself over a period of several years. The councillors have given attention to it and voted on this matter—or matters closely related to it—so it is not something that has been suddenly thrust upon the council.

The Minister also stated that the Bill seeks to make some material alteration to the existing state of affairs. That, of course, is not true. I repeat: The Bill seeks to leave the Perth City Council, which should be regarded as a reasonably responsible body, to make its own decisions concerning where the money should be spent. If the people directly affected in the City of Perth endowment lands area have a sufficiently strong case to impress the Perth City Council then no doubt all, or a great proportion, of the net proceeds would be available to them.

However, surely this Parliament has a responsibility, irrespective of what a limited number of ratepayers may think, or what the Perth City councillors themselves may think. Surely we are more democratically elected than are the Perth City councillors, because theirs is a limited franchise. Just as members of Parliament made the original decision half a century ago, they now have a right—indeed a responsibility—to make the decision at the present time, especially as

there is nothing in the Bill which would be mandatory. It would still be left to the local authority to manage its own affairs in every respect.

Indeed, at the present moment there is the antithesis of democracy, because no matter what the ratepayers or the council may think, this Parliament has laid down that the money shall go in a certain direction, and there only. Parliament has decided that, not the Perth City Council.

Mr. Bovell: You are arguing against the member for Belmont.

Mr. GRAHAM: No, I am not; we are on all fours with this. This is a matter of principle; indeed, the member for Belmont mentioned the Victoria Park and Carlisle areas and, by inference, anyhow, indicated to us that those areas had an unfair crack of the whip, particularly when compared with the City of Perth endowment lands area. By comparison with those older established suburbs, the area to which the Bill makes reference is studded with diamonds and, probably because of this, it would be natural to expect that a Liberal Government which favours that sort of thing would be opposed to the provisions of the Bill in case some of the largesse of the area was spent in other areas—in working-class areas, in areas that have been without and are still without some of the basic necessities that people have a right to expect in a modern, civilised community.

But no; the Minister is prepared to allow this situation, in which all of the proceeds of the sale of Crown estate go to a chosen few, to go on for ever and a day. While it would appear that reason and logic count for nothing in the approach of this Government, I want to repeat that this Bill does not seek to override the Perth City Council, nor does it seek to override the wishes of the people in the affected area. The Bill seeks merely to untie the restriction that was provided some time ago and to leave it to the Perth City Council to make the decision.

That was the broad principle upon which the legislation was based but, as has been pointed out by my colleague, it appears obvious that a most serious situation has developed. I do not know how the Perth City Council decided to take the steps it did. I cannot understand why the Minister for Lands and his department have allowed this state of affairs to continue—and I am basing my remarks upon the newspaper report—or why the Minister himself is not concerned to see that there should be a sudden cessation of this, because it is obviously against the law of the land.

Mr. Bovell: I have no statutory authority. This land is removed from Crown land.

Mr. GRAHAM: This land is under the control of the Minister for Lands, and if some modification is sought, he is the appropriate person to attend to it in view of the circumstances. Perchance the Minister interrupted me a little too soon. There is, surely, a responsibility upon the Minister for Local Government to see that none of his chickens, none of his flock, do anything which contravenes the law. I say this matter has been featured in the Press and it has been the subject of disputation; and yet the Government sits idly by, even though hundreds of thousands of dollars are involved. On the 18th August of this year Councillor Harris, who was a deputy lord mayor, was reported in the *Daily News* as having said—

> "If we don't realise $1.25 million for City Beach land we won't have the money to do works on the expenditure list."

Apart from what happened in the previous financial years, that indicates the intention of the Perth City Council—which, in my view, would be in violation of a Statute—to take action which is unlawful; yet the Minister for Local Government, and the Minister for Lands who handled this Bill, sit back and have a little party-political fun in opposing the legislation I have introduced. With the passage of my Bill it would be possible for the Perth City Council to do what is set out in the newspaper report. It certainly would not validate action which has already been taken, unless an amendment emanated from the Government side of the House—because it would not be my intention to do that.

Mr. Bovell: We do not know these things. They are an assumption on your part.

Mr. Jamieson: Go back to sleep if you are going to adopt that attitude.

Mr. GRAHAM: That might be pretty sound advice. All I want the Minister to do is to regard this as a serious matter. The statements reported in the Press—both the morning and the evening Press—have not been disputed by any officer of the council, by any city councillor, or by any of the people in the affected area.

Mr. Bovell: All the more reason why the position should be closely examined.

Mr. GRAHAM: I have already indicated that this was in the Press more than two months ago. Nobody is talking about any panic in connection with it. There is a duty and a responsibility on the Government, and I should imagine that the Premier will exercise some concern over the matter and call his Ministers to account. I feel that if the Perth City Council, as appears apparent—indeed,

definite—has gone beyond the confines of the legislation, there is a very definite and urgent responsibility on the shoulders of the Government to do something about it. The Government should either call the Perth City Council to book or take some action to legalise what has been unlawfully done.

Certainly some explanation is required, or some action should be taken so far as the complainants—that is to say, the ratepayers in the area—are concerned. I would guess those people will attend in some numbers at the public meeting to be held this evening. This is a matter that cannot be shrugged off by the Government. Something is happening at the present time and all the evidence is that the Perth City Council has breached the law; that it intends to continue with that process; yet those who are supposed to be responsible Ministers of the Crown —advisers to Her Majesty—seek to play cheap political games.

My colleague, the member for Belmont, asked the Minister—and he replied by way of interjection—whether there was an intention to take some action this session. I say that action this session is essential; otherwise there is an obligation on the Minister to say that everything that has appeared in the Press in connection with this matter is completely false and has been trumped up by the city councillors for goodness knows what reason, and that the people are getting excited about something that never happened.

It would appear that no legislation is to be introduced this session, although there might be some rethinking about this at the next Cabinet meeting. It is typical of the Minister that he treats this matter so shabbily, and in such a disinterested fashion, as though nothing had happened; and yet hundreds of thousands of dollars are involved.

Mr. Bovell: All the more reason for a careful examination.

Mr. GRAHAM: The Government has had at least two months since the matter appeared in the Press. I was absent at an earlier time; therefore I do not know whether it was featured in the Press prior to that. However, I do know that on the 18th August this year the matter was featured in the *Daily News* and some time after that further data relating to sales of land appeared. The Perth City Council also featured this very matter. There is no question of panic or indecent haste; if that was the position the Minister could have said that the Government was still considering the matter. Upon sitting down, the Minister could have asked somebody to move for the adjournment of the debate in order to enable full inquiries to be made.

But the Minister has suggested to us that although the funds are being plundered unlawfully, the process will be allowed to continue until about September of next year. After we have dealt with certain formalities at the opening of the Parliament next year, some legislation will be introduced which will spend the usual several weeks finding its way through both Houses of Parliament and, ultimately, receiving the Governor's assent.

Mr. Jamieson: It would not be in time for the council's budgetary measures next year.

Mr. GRAHAM: So we get some idea of the seriousness of the situation and the reckless and irresponsible approach of the Government to the matter—this matter in respect of which a Bill has been introduced by a private member. The Government will call on its majority of numbers to vote against the second reading.

I hope that some members on the other side of the House who usually support the Government will see some merit in this suggestion which, I say, does not take away a single cent from the people in the endowment lands area. If agreed to, the Bill will not bind the Perth City Council to any particular course; it will be as free as the sea to make its determinations. Therefore, the grounds upon which the Minister has called upon his minions to vote against this Bill are completely without substance. I hope and trust that sanity will prevail.

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

Ayes—21

Mr. Bateman	Mr. Jamieson
Mr. Bertram	Mr. Jones
Mr. Bickerton	Mr. McIver
Mr. Brady	Mr. Moir
Mr. Burke	Mr. Norton
Mr. Cook	Mr. Sewell
Mr. H. D. Evans	Mr. Taylor
Mr. T. D. Evans	Mr. Toms
Mr. Fletcher	Mr. Tonkin
Mr. Graham	Mr. Davies
Mr. Harman	*(Teller)*

Noes—23

Mr. Bovell	Mr. Mitchell
Sir David Brand	Mr. Nalder
Mr. Burt	Mr. O'Connor
Mr. Cash	Mr. O'Neil
Mr. Court	Mr. Ridge
Mr. Craig	Mr. Runciman
Mr. Grayden	Mr. Rushton
Dr. Henn	Mr. Stewart
Mr. Kitney	Mr. Williams
Mr. Lewis	Mr. Young
Mr. W. A. Manning	Mr. I. W. Manning
Mr. McPharlin	*(Teller)*

Pairs

Ayes	Noes
Mr. May	Mr. Mensaros
Mr. Lapham	Mr. Hutchinson

Question thus negatived.

Bill defeated.

STATE ELECTRICITY COMMISSION

Inquiry by Royal Commission: Motion

Debate resumed, from the 7th October, on the following motion by Mr. Jones:—

> In the opinion of the House a Royal Commission should be appointed to inquire into the following:—
>
> (1) The general policy being adopted by the State Electricity Commission for the production of electricity in Western Australia.
>
> (2) Whether the existing fuel policy for the production of electricity is in the best interests of the State.

MR. NALDER (Katanning — Minister for Electricity) [5.30 p.m.]: The matters now raised by the member for Collie in his endeavour to have a Royal Commission appointed are similar to those he put forward in this House in October, 1968, to which I replied on the 6th May, 1969. Having had a look at a number of the issues he has raised I find there is great similarity between the arguments he put up a few years earlier and those which he used while moving the motion now before the House.

Mr. Tonkin: An argument does not lose any of its force through repetition.

Mr. NALDER: In answering that interjection I would point out that time has strengthened the case previously put up by the Government. So it cuts both ways.

I will proceed to show the House that there is no doubt whatever that the decision made by the Government in the earlier years, and confirmed in my reply to the motion on the 6th May, 1969, was the best decision that could have been made by the Government in the interests of all the people of the State at that time.

Mr. Bickerton: Do you not propose to support this motion?

Mr. NALDER: If the honourable member will be patient he will be able to judge for himself.

Mr. Bickerton: I am getting rather impatient.

Mr. NALDER: I could answer the honourable member by merely sitting down and not giving any further reasons at all for my opposition to the motion, because, as I have already said, these reasons were given in May, 1969. I would however, like to bring the honourable member up to date and indicate what the position is by producing evidence which has been made available to the Government since that time.

Mr. Bickerton: You might support it.

Mr. NALDER: The Government has already published in some detail its reasons for having to erect a generating station at Kwinana. These were made public by the Premier in a statement to the Press on the 22nd June, 1967.

Mr. Tonkin: Do not forget that the Premier also told the people of Collie why he was going to extend the station at Muja.

Mr. NALDER: One of the principal reasons for that decision was that there is a great saving in capital cost in establishing an oil-burning power station in the metropolitan area. It is well known to all that Western Australia is very short of capital funds and all reasonable steps must be taken to conserve those funds. This can be done by building the power station at Kwinana; and no extra costs to the consumer of electricity are involved by that decision.

The member for Collie apparently considers that an especially low price for oil has been offered for the purpose of reducing the market for coal. He has, in fact, referred in his speech to dump prices.

Mr. Jones: And proved it.

Mr. NALDER: There is no evidence whatever to support his opinion, as it is known that low prices are quoted throughout Australia for large markets that can be easily supplied with furnace oil; the type of market, in fact, that is close to a refinery, as is the case with Kwinana and South Fremantle.

We have only to look at the picture as it is today to see the advantage of having the Kwinana generating power station so closely linked with the oil refinery. It is just plain common sense to feel that there must be a tremendous advantage gained by having the generating plant on one side and the refinery on the other, particularly in view of the availability of furnace oil for the generating of power at the Kwinana power station.

Following on that proposition, there is certainly nothing inherently wrong in pricing a product to compete with opposition. I have no doubt that, provided it can be sold profitably, the price of natural gas is such that it will be related to a large extent to the price of oil, which is its main competitor in the industrial field.

Mr. Jones: Why don't you reveal the price?

Mr. NALDER: We have heard that over and over again. It is getting monotonous. I know what the position would be if the honourable member and his Party were in Government; they would honour the agreement. If they did not they would certainly not hold the position as a Government for long. The Government is merely honouring an agreement.

Mr. Jones: Why does Queensland know and mention the price?

Mr. Jamieson: Go back to 1965.

Mr. NALDER: Since the time I replied to the honourable member there have been considerable quantities of gas found in Western Australia and this, of course, is a very interesting development. The gas authorities in the various States that are switching to natural gas are doing so at the expense, principally, of refinery by-products.

Furnace oil is produced at the same time as motor and aviation spirits are produced for the Australian market. If it is not possible to find a market for the furnace oil produced in this State, it will be exported to other States and possibly to other countries. I must ask if there is anything wrong in using the locally-produced fuel oil for the purpose of industry and electricity generation in this State. Surely it is in the interests of the people of Western Australia for this to be done, if that product can be obtained at a competitive price. After all, the refinery is manned by Western Australians.

These people are residents not only of the country but of the suburbs adjoining the area. The refinery is, of course, also using some Barrow Island oil. Reference is continually made to imported oil. The crude oil in question must be imported to provide the motor spirit to keep the transport industry of Australia moving. The furnace oil, which is produced at the same time as the motor spirit is produced in the refineries, is an essential part of the refining process.

To support his argument about the price of fuel oil, the member for Collie quoted from the Joint Coal Board report of 1963-64. It was about this time that the Commonwealth Government asked the Tariff Board to report on a number of matters connected with the use of crude oil in Australia. Among the witnesses who gave evidence at the inquiry was the Chairman of the Joint Coal Board, and it can only be assumed that the matters referred to in the 1963-64 report by the Joint Coal Board were placed before the tariff inquiry.

The Joint Coal Board report for 1964-65 refers to the Tariff Board inquiry and states that "the proposals submitted by the Joint Coal Board were not adopted by the Tariff Board".

Seeing that the member for Collie has quoted the opinion of the Joint Coal Board it is of considerable interest to quote the finding of the Tariff Board, which heard the evidence given by the Joint Coal Board. The Tariff Board report on crude oil was presented on the 23rd July, 1965, and part of the findings of that report reads as follows:—

> Reductions in product prices during the period 1959 to 1964 have been most pronounced in the furnace oil market. Oil companies maintained that they were able to offer large discounts in this market because of the large offtakes by individual consumers and the economies effected in distribution. An examination of furnace fuel prices submitted by oil companies in confidence to the Board confirmed this contention. Prices would appear to be affected also by competition between oil companies to secure contracts for large offtakes even in those sectors of the market where coal is not competitive.
>
> The use of furnace oil by industry involves an exchange cost which will increase as industry uses increasing quantities and there is further conversion to oil. The coal interests' argument is that increased exchange cost should be avoided and, if possible, present cost reduced by adoption of their proposition for best utilisation of crude oil. But in assessing the effects of that cost, the Board concludes that it is an expenditure which brings considerable benefit to industry and to the economy as a whole.
>
> Availability of efficient cheap sources of primary energy confers considerable cost advantages on industry and contributes to the competitive position of local industry against imported manufactured goods as well as in export markets. The Board is of the opinion that in the present circumstances the production and sale of furnace oil does not constitute a misuse of resources.

In its summary the board stated—

> The Board does not accept that best utilisation of crude oil demands the production of a minimum quantity of furnace oil while meeting requirements of the lighter products. The Board is of the opinion that, provided domestic requirements of other refined products are met from refining operations in Australia, the resultant production and sale of furnace oil confers a benefit on industry and the economy which exceeds that to be gained from conservation of foreign exchange through action to enforce a diversion to other indigenous forms of energy.
>
> The Board considers that the incursion of furnace oil into the market formerly held almost entirely by coal is a natural consequence of a new, convenient and efficient form of energy becoming available and having an additional advantage of cheapness in coal deficient areas and, in some circumstances, in coal producing areas. Undoubtedly, the process will be repeated, with effects on the shares of the energy market held by both coal and oil, when natural gas and perhaps atomic energy are commercially available.

This is a very important part of this debate. This matter was submitted to the Tariff Board which supplied a clear and concise report. We have only to study that report to obtain an indication of the advantage of the present situation. I am hopeful that members in this House, and those interested in energy generating power in this State, will give some further thought to this matter.

The member for Collie seems to think that the Government changed over the East Perth power station from coal to oil burning in order to assist the oil companies. It must be apparent to everyone that it is completely uneconomic to transport Collie coal all the way to Perth to be burnt in a power station that is situated close to a source of high calorific value furnace oil.

In any case, the East Perth power station is now very low on the priority list for power generation. I think I have mentioned many times, and it has been accepted, that the East Perth power station is retained only to provide extra power when necessary. The same applies to South Fremantle and the same situation is developing with regard to Bunbury. It is not necessary for me to repeat this information.

The East Perth power station is, in fact, at present generating only between 2 per cent. and 3 per cent. of the commission's output. It is, therefore, hard to see how the member for Collie can justify his statement that the transfer of this station to oil burning has had a very drastic effect on the amount of coal used at the Bunbury power station. The East Perth power station must be used to some extent to help the commission with its peak loading problems, but, as I have said, it is used only to a small extent.

The fact that the generating cost at East Perth rose to 5.28c per unit has nothing whatever to do with the change from coal to oil burning. It is simply a measure of the fact that this station generates very little power. It should be obvious that the less power that is generated in this power station, the higher the cost of production there. If East Perth had used coal and not oil, the cost of 5.28c per unit would have been increased.

The honourable member has also referred to the reduction of output of the Bunbury station which I have just mentioned. It was inevitable that Bunbury could not be retained at peak load when Muja power station came into service. The tons of coal quoted as having been burned at Bunbury were those when the Bunbury power station was used as the commission's base load station. Its relative importance has declined by the introduction of the Muja station, a more economical station than Bunbury. Surely the honourable member does not blame the commission for transferring load from Bunbury to a more efficient and cheaper station at Muja, which is very close to Collie, in the centre of his own electorate.

The policy adopted by the commission is to assign the base load to the most efficient station, the less efficient stations taking part of the load at the times of peak loading on the system. This policy is followed, consistent however with the necessity of ensuring security of supply. This policy is common throughout the world and members may be interested in a quotation from the *Electrical Review* of the 21st June, 1968. This extract reads—

> The basic objective of power system planning is to provide adequate generating capacity and transmission capability to meet projected load growth at the lowest possible overall cost and at an acceptable standard of security. Economy is of first importance because the provision of an adequate electricity supply system calls for one of the largest single capital investments from the resources of any country, and the electrical energy costs obtained as a result of that investment have a direct influence on the cost of most, if not all, manufactured goods.

The percentage of units generated at the various stations that were quoted by the member for Collie have been used without any thought of the regular maintenance programme carried out between early August and late April of each year by the commission to ensure the maximum availability of plant during the period of heavy winter loads. I must reiterate that the changeover of the East Perth and South Fremantle power stations to oil burning was done in the interests of the overall economy of the commission's system.

The member for Collie has asked why the State Electricity Commission buys power from Australian Iron and Steel at Kwinana. The reason is clear. A by-product of the production of steel is blast furnace gas which can be burnt to generate electricity. If the gas were not so burnt then it would be wasted. It is in the interests of the State as a whole that energy should not be wasted. The arrangement that electricity should be produced from this waste heat and sold to the commission was one of the conditions under which Australian Iron and Steel agreed to come to the State. As a result, the commission obtains electricity at a low price and the output of the A.I.S. plant does add to the commission's capacity to meet its load.

The honourable member has referred extensively to the policy adopted in other States of the Commonwealth and in other parts of the world. It is not possible to use such comparisons. The choice of fuels

and the choice of methods of generation depend upon the individual conditions of each State and each country.

In referring to America, the member for Collie has mentioned a number of stations that are being built to utilise coal. That is, of course, true; but oil and natural gas are used to a great extent in America, which the honourable member will not deny. The *Electrical World* of the 24th June, 1968, states that coal will continue to fuel more than half of the nation's generation through 1980, although its share of the total will drop from 63 per cent. to 50 per cent. This illustrates the fact that even in America, where coal is obtained cheaply, other fuels are cutting into the market for coal.

References have also been made by the honourable member to the position in England. That is an unfortunate comparison made by the honourable member and I will endeavour to give the reason. In the annual report of the Central Electricity Generating Board for 1968-69, on page 2, the board states that further substantial savings in fuel costs could be secured by the conversion of some coal-fired power stations to oil or, subject to price, to natural gas.

Mr. Jones: Some! It didn't happen though.

Mr. NALDER: Because of the difficulties facing the coal industry in Great Britain, however, the Minister in charge indicated that for the time being such conversions would not generally be approved. The report goes on to say that the resultant cost amounting to some millions of pounds a year is being borne by the electricity consumer, and what the honourable member interjected is quite right. The Government of the day did not agree to it. No more need be said.

The report added that the cost of further support for coal by restricting the running of existing oil-fired power stations was being recovered from the British Government. In accordance with this support policy the board had burnt an extra 6,000,000 tons of coal in 1968-69 and the recoverable cost involved was £7,400,000 sterling. In addition to this cost, however, the board had incurred other significant costs to support coal. These costs were estimated to be about £16,000,000 sterling for the 1968-69 year. Further information on the coal position in Great Britain appears in another report.

I just want to indicate the position clearly. I have just outlined the additional cost involved because the Government of the day decided that coal must be used in generating power stations in Great Britain. This is sufficient argument, in my view, to cover the points raised by the member for Collie.

Mr. Jones: Has the Conservative Government changed the policy, do you know?

Mr. NALDER: No. It is a wonder the honourable member has not followed this up. I have no information about it at the moment.

Mr. Jones: I just wondered if you had any knowledge of it.

Mr. NALDER: In 1967 the Minister of Power in Great Britain presented to Parliament a report on the fuel policy of Great Britain. It was a most important document, and it contained a number of interesting points. However, it is sufficient to quote two extracts from it. On page 43 of the report there appears the following words:—

> For future power stations, the Government have now decided that the Generating Boards should base their choice of fuel of an economic assessment of the method of generation which will enable them to supply electricity at the lowest system cost consistent with security of supply and load balancing.

On page 44 of the report the following words appear:—

> The Government have concluded from their analysis of coal's position and prospects in relation to competing fuels that, on any tenable view of the longer term pattern of energy supplies and costs, the demand for coal will continue to decline. This is not the result of Government policy; it reflects a continuing trend in consumer preference.

Mr. Jones: What was that report?

Mr. NALDER: It was the report presented to Parliament in 1967 and dealt with the fuel policy of Great Britain.

Mr. Jones: That's a bit old now.

Mr. NALDER: That applies to a lot of the things the honourable member quoted. The boot is on the other foot now. Many reports from as long ago as the 1950s were used by the honourable member, but when I quote one which is only about three years old he suggests it is out of date!

Mr. Bertram: That is different.

Several members interjected.

Mr. NALDER: It is, of course, apparent from those extracts I just read that the relationship between the coal industry and the electricity industry in Great Britain is not in the happy position indicated by the member for Collie, and the facts do not support his argument.

Summed up, it is useless to quote the position in other countries. The position in this State must stand alone and be judged on its merits. In making his comparisons between coal in Western Australia and coal in the other States, the member for Collie has referred to the Collie coal

having a calorific value of 9,500 British thermal units per pound. This figure is no doubt based on tests that were taken, based on a moisture content assessed on some standard basis that is less than the actual moisture content of the coal.

I must make it plain that the commission buys coal at the power station gate in the case of Muja, and, in the case of Bunbury, on rail at Collie. It pays for the coal weighed at those points and any test for the calorific value must, therefore, be taken on the coal as received at those points. The commission itself tests coal extensively, and the calorific value over the whole of the year ended the 30th June, 1970, averaged 8,532 British thermal units per pound.

Therefore, for every pound of coal purchased by the commission, the commission obtained only 8,500 British thermal units and not 9,500 as quoted by the member for Collie.

Mr. Jones: There is not much difference.

Mr. NALDER: The member for Collie says that there is not much difference. That is an interesting interjection!

Mr. Jones: The Minister has already admitted that it is not a matter of covering the costs. The Minister has admitted this.

Mr. NALDER: The difference between these two figures is very significant and I must insist that it is useless quoting any calorific value of coal other than the calorific value of the coal as received and paid for by the commission, and this is not 9,500 British thermal units which was stated by the member for Collie.

The references made to the position in New South Wales show the fallacy of comparing that State with Western Australia. New South Wales has a very high quality coal and a very high output per man shift.

Mr. Jones: What about the high ash content?

Mr. NALDER: In addition, the coal seams, and hence the power stations, are located close to the main industrial load centres of that State. The member for Collie quoted the calorific value of the Liddell Station coal as being 12,950 B.T.U's. per pound. On that basis it would take three tons of Collie coal to provide the same heat value as only two tons of Liddell coal and this, of course, is a major factor in making any comparisons.

The fact that each State must take its own individual conditions into account is illustrated when it is realised that Tasmania, which has some native coal seams, has recently decided to install an oil-fired power station.

Mr. Jones: Tasmania has no reserves which will last for a long time, and the Minister knows it.

Mr. NALDER: The recent additions to the generating capacity of South Australia have been made at Torrens Island. The plant installed and being installed at that site is designed to burn fuel oil or natural gas. The Torrens Island station is the largest power station in South Australia.

Mr. Jones: It does not have reserves which will last a long time and the Minister knows this. I mentioned it in my submission. South Australia does not have the reserves and neither does Tasmania.

Mr. NALDER: I am giving the reasons why two States—

Mr. Jones: Tell the true position.

Mr. NALDER: I am telling the true position.

Mr. Jones: You are not.

Mr. NALDER: I am saying that it is all very well for the member for Collie to use comparisons to strengthen his argument, but because of the situation in the States the comparison is completely different.

Mr. Jones: I admitted that in my submission.

Mr. NALDER: The conditions are different in every case.

Mr. Jones: I said, in my submission, they were different.

The SPEAKER: Order!

Mr. NALDER: The comparisons made between the position in Victoria and that in Western Australia are not valid. Victoria has immense deposits of brown coal which, though of low calorific value, can be won cheaply because it is covered with only a light amount of overburden. In one case only 50 feet of overburden covers 400 feet of brown coal.

Both New South Wales and Victoria have a further advantage over this State. They are both interconnected with the Snowy scheme which provides them with much of their peak power at low cost. In addition, provision by the Commonwealth of this peak power saves both States large sums of capital funds. At a conservative estimate, the saving of capital money to these States is over $200,000,000.

I cannot imagine that the member for Collie is seriously intending to compare the price of oil paid by the commission with that paid in some small towns in Queensland.

Mr. Fletcher: He could if he knew the price.

Mr. Jones: Tell us the price.

Mr. NALDER: The member for Collie has referred to oil costing from $33 per ton up to $57 per ton.

Mr. Jones: Was that not correct?

Mr. NALDER: It was correct.

Mr. Williams: There is more to it than the member for Collie realises.

Mr. Jones: The member for Bunbury does not agree.

Mr. NALDER: I ask the member for Collie to wait a moment.

Mr. Williams: There is more to come.

Mr. NALDER: The member for Collie must know that there is no valid comparison with these quotations. In the first instance, the prices quoted are for diesel oil and not for furnace oil. He must know, too, that the towns are inland towns and there would be a considerable sum charged for freight on oil. He has only to take Mt. Isa, for argument's sake, and another town which might be a few miles from the port.

Mr. Jones: Will this make a difference?

Mr. NALDER: Of course it makes a difference in those circumstances in the price quoted for oil. The member for Collie has quoted the names of some of the towns. He has quoted, for example, the price of oil at Bluff as $57 per ton. This town has a diesel plant with a total capacity of 124 kilowatts. How much oil would it use?

Mr. Jones: It is still paying for it.

Mr. NALDER: As members realise, this is a very small capacity. In fact, it is so small that it would take 2,000 plants of that size to give the output at Muja.

The oil prices which the honourable member has quoted in some detail are, as I have said, for diesel oil. The quantities concerned are only small and I have no doubt that the prices paid are the standard list prices for diesel oil which are readily available on request from all oil companies. The prices are not for large contract quantities for large undertakings which are kept confidential in all States. I repeat that these are confidential in all States.

The honourable member further quoted a figure of $9.18 per ton as applying to power stations in Queensland. It could have been assumed from his speech that this was the price of furnace oil in that State. The only reference to this price that I can trace in the State Electricity Commission of Queensland report is not to the price of oil but to the price of coal bought for the Howard power station, which is about one-third of the size of the Bunbury station.

I repeat that the contract price of large quantities of oil bought for power station use in all States is confidential throughout Australia. I do not know how the honourable member has arrived at the conclusion that only 17 per cent. of the power will be produced from coal when the Kwinana power station is completed. The amount of power used from coal depends on where the power is generated, and I have already said that Muja will be the base-load station as long as the price of coal justifies that loading.

There is nothing whatever to justify the honourable member's contention that coal has any inherent superiority to oil. The basis of the commission's decision to establish fuel-oil burning stations in the metropolitan area is a matter of plain economics.

However, it is necessary to quote figures to show that the State Electricity Commission of Western Australia is the principal, in fact almost the sole, support of the coalmining industry of Collie. If the member for Collie does not realise this let me repeat that the State Electricity Commission in Western Australia is practically the sole supporting industry of coal from the Collie coalfields.

Mr. Jones: Does the Minister not give me credit for some knowledge of Collie?

Mr. NALDER: I simply repeated the position because, in some respects, it does not seem as if the honourable member appreciates this fact. There is nothing whatsoever to justify his contention that coal has any inherent superiority over oil.

Mr. Jamieson: We have heard that before.

Mr. NALDER: I do not mind repeating it.

Mr. Jamieson: Repeat it, then.

Mr. NALDER: I am not ashamed to do this. I have made the point and doubtless it has sunk in well and truly. I do not intend to go any further on this aspect.

In 1960, the commission used 60 per cent. of the coal output of Collie. In 1969 it used 86 per cent. of the output of Collie, and during the six months ended the 30th June last, the commission burnt 91 per cent. of the coal produced at Collie. During that time it increased its burning from 554,000 tons of coal a year up to 941,000 tons of coal in 1969.

Mr. Jones: What about the effects on labour? The Minister is talking about increased tonnages and I agree with what he has said but he should look at the effect on labour.

Mr. NALDER: During that time, of course, the coal sold to the railways declined heavily. Over the same period coal used by private consumers declined from 103,000 tons to 29,000 tons. In fact, private industry took less than 3 per cent. of the output of Collie in 1969 and, during the last six months, it has taken less than 2 per cent. At the present rate of ordering the commission is taking 96.5 per cent. of the output of the Collie coalfield.

It seems, therefore, that Collie is almost entirely dependent on the commission for the sale of its products. To listen to the

member for Collie one would think that the commission pays no attention whatever to economics. The record of the commission completely refutes this suggestion. During the last 11 years the commission has made four major reductions in the price of electricity.

Mr. Jones: Using coal?

Mr. NALDER: I repeat: Four major reductions.

Mr. Jones: I repeat: Using coal?

Mr. NALDER: There have been four major reductions in the price of electricity. Does the member for Collie or anyone else know of any other product that enters so closely into the life of the community, both in the domestic and the industrial field, in which there has been any reduction in costs over that period?

Mr. Jones: There should be a reduction in the price of—

Mr. NALDER: Let the honourable member rise in his place and tell us what industry, domestic or otherwise, has endeavoured to lower the price of the commodity to the consumer.

Mr. Jones: Did not the price of fuel go down?

Mr. NALDER: The honourable member's argument fails.

Mr. Tonkin: What about the wool industry?

Mr. NALDER: In addition, it has during that period extended, at a loss, into farming areas to help farmers. It has also established over the last 20 years a number of country depots which have helped develop towns, and these depots have contributed towards a decentralisation policy. At the same time that it has done all of this, the commission has made substantial profits, all of which have been utilised by the commission to help to finance its capital programme. I do not know of any other instrumentality which can boast of such a proud record as this one which I have outlined this evening.

Many factors are taken into consideration when a decision is made on the site of a power station. These include the cost of fuel, the availability of the fuel, the location of the load, and the cost of transmitting power from the generating station to the load centre. In fact, the commission has been supplying the load at Perth from Muja for some time and has been transmitting some of that power to as far away as Southern Cross in the east of the State. As I said earlier, this is also going north to Geraldton. There are, of course, a number of technical matters to be considered but the main problem with transmitting power is the cost of it. The lines themselves are expensive and there are transmission losses of power which have to be taken into account.

The commission keeps itself well informed upon technical developments both in the field of generation and in the field of transmission. In fact it is a member of the Electricity Supply Association of Australia from whose report the member for Collie quoted. There is a constant exchange of information between members of that association. Members may be interested to hear that the biennial conference of the generation section of that association was recently held in Perth and was chaired by a senior officer of the commission.

I feel that all members are aware that Western Australia is not blessed with the large quantities of good native fuel that can be won at prices equivalent to the cost per million B.T.U's. at which fuel is available in the Eastern States. The State will, of course, benefit by the introduction of natural gas to Perth and it is obvious that, to some extent, natural gas will cut into part of the market now enjoyed by petroleum products.

The Government has been concerned with the shortage of native fuels and has arranged for a firm of consultants to prepare a report on the fuel resources and the fuel requirements of the State over the next 15 years or so.

Mr. Graham: At a cost of $500,000!

Mr. NALDER: That report is now nearly completed. It will be the first comprehensive report on this subject that has ever been prepared in this State and it is awaited with interest.

The general public, I feel, is more concerned with the price they pay for electricity than with its source. In this regard consumers in Western Australia are fortunate because the prices they pay compare favourably with those charged in the other States; and, as I have mentioned earlier, there have been major reductions in the *prices* of electricity over a period when the prices of almost all other essential commodities have risen steeply.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. NALDER: At the tea suspension I was just about to come to a full stop, Mr. Speaker, but as I now have a new lease of life—

Mr. Graham: Pity!

Mr. NALDER: —and some fresh air in my lungs, I intend to continue. No doubt you, Mr. Speaker, will not have any objection to that. I was reminded of a point I made on a previous occasion when speaking to a motion moved by the member for Collie. The honourable member criticised the position so far as the town of Collie was concerned. I said then, and I repeat

now, the Muja power station will be a major source of suppy for the South-West Land Division, to which the Act applies, for many years to come. From the information available to us as regards the amount of coal available at Collie, it appears that for the next 30 years, at least, power will be produced at that town and distributed throughout the system.

I stated that some few years ago, and I would remind the House that there are many towns in Western Australia right now that would like to have the same assurance. The people of other towns would like to know that their towns would be able to continue on a similar basis for a guaranteed period of time.

Mr. Toms: What happens to the honourable member after that?

Mr. NALDER: If he adopts the attitude he is adopting now, and continues to run down his town, I would not be surprised if he did not last for very long. His attitude is such that every time one reads the Collie paper one finds that he is condemning his town and saying there is no future in it.

Mr. Toms: Nobody works harder than he does.

Mr. NALDER: It is the most unreasonable attitude that anyone could adopt in trying to press for improvements in an area. When anyone sees the attitude being adopted by the member for Collie in regard to his town he must get the idea that there cannot be a future for such a town because the local member even runs it down. With the assurance that has been given by the State Electricity Commission, and provided the cost price of coal is continued at the present rate, the town has an assured future for a definite period of time.

I want to emphasise how important decentralisation is, and how important the employment of people is to a town.

Mr. Taylor: Decentralisation is most important.

Mr. NALDER: The employment of people is an important factor in the life of any country town, and at the present time over 200 people are employed at Collie as a direct result of the power station being established in that town.

Mr. Taylor: And how many are employed at Kwinana?

Mr. NALDER: As I said, 200 people are employed at Collie as a direct result of the Muja power station—that is, 200 out of 900 employed by the S.E.C. throughout the country areas of the State, from Albany to Geraldton, are employed at Collie. This means a tremendous amount to the business people in the area and with 200 more people being employed as a result of the Muja power station there has been a difference in the outlook. What about the schools and other facilities that are necessary as a result of these 200 extra people? These are points that must be taken into consideration.

Some towns are clamouring for even a handful of people to assist in their development, and yet here we have a town in which a guaranteed number of people are employed as a direct result of the State Electricity Commission having a power station in the area. In addition, of course, other facilities have been improved as a result of that extra population. Every one extra person employed in a town creates work for a number of others, and so members can see that the benefits from having the power station at Collie will extend into other fields. Collie has a guaranteed period of life because the main consumer of coal in Western Australia is established at Collie. As I said, the State Electricity Comimssion consumes over 96 per cent. of the coal used in Western Australia.

Therefore, why should the people condemn an important industry which is upholding the livelihood of the country town? Why should people say that this industry ought to be doing more than it is? I think the honourable member wants to adopt a different attitude.

Mr. Jones: What does Mr. Perry think about it?

Mr. NALDER: The honourable member should give some praise to an industry that is doing so much for the State, doing so much for the community, and so much for industry. Yet all the member for Collie does is to run down his town. If he wants it to live and grow; if he wants industry to live and grow; he should adopt a different attitude.

Government members: Hear, Hear!

Mr. NALDER: I hope the honourable member will adopt a different attitude in the future.

Mr. Jones: Does Mr. Perry agree with you? Does the rest of the Country Party agree with you?

Mr. NALDER: I believe a little praise is due to an important facility whose influence is spreading throughout the whole of the State. However, before I conclude, I want to satisfy the member for Pilbara by saying that I certainly do not intend to support the appointment of a Royal Commission, nor do I intend to ask members supporting the Government to agree to such an appointment, either.

Mr. Graham: What has the poor old member for Pilbara got to do with it?

Mr. NALDER: He asked me a question along those lines when I rose to speak.

MR. FLETCHER (Fremantle) [7.39 p.m.]: I wish to support the motion before us, and for the edification of those

members who perhaps have not even bothered to look at it, I shall read it. It is in two parts and reads as follows:—

> In the opinion of the House a Royal Commission should be appointed to inquire into the following:—
>
> (1) The general policy being adopted by the State Electricity Commission for the production of electricity in Western Australia.
>
> (2) Whether the existing fuel policy for the production of electricity is in the best interests of the State.

My remarks will relate to both paragraphs (1) and (2), but in particular to paragraph (2). I have mentioned previously in the House that prior to coming here in 1959 I worked for the State Electricity Commission, at the South Fremantle power station in particular and, prior to that, at the East Perth power station. So I have seen the relevant fuels used and the policy adopted by the commission over that period.

I noticed the Minister, in an effort to rebut the splendid case put forward by the member for Collie, had a carefully prepared speech—no doubt prepared by the departmental experts who want members to accept their policy, irrespective of whether or not it is good for the State. I am not so fortunate in having a speech carefully prepared for me which I can read to the House.

Mr. Craig: Don't say he read his speech.

Mr. FLETCHER: I know it is a Minister's right to read a speech, but I thought that related to the introduction of a Bill rather than a reply.

Somebody on this side of the House made the point that if fuel is sold more cheaply to the State Electricity Commission it is conceivable that fuel oil, lubricating oil, and other by-products, have to be sold at a higher price to the general community—this is so that the furnace oil can be sold at a cheaper rate to the State Electricity Commission. In effect, therefore, motorists, road transport operators, and the public generally are paying more for their services as a consequence of the supply of cheaper fuel to the State Electricity Commission.

Mr. Court: How do you work that out?

Mr. FLETCHER: The Minister for Industrial Development has asked me whether I can work that out. I cannot, but I do not feel at any disadvantage as a consequence of not being able to do so.

Mr. Dunn: Can you tell us what reduction there has been in the electricity rate in the last 10 years?

Mr. FLETCHER: I submit that it is a reasonable assumption—

Mr. Court: One is a residual product. Therefore, how did you work it out?

Mr. FLETCHER: Why should I attempt to work it out? The Minister is trying to frustrate me.

Mr. Court: You made the statement and I asked you how you worked it out.

Mr. FLETCHER: I believe it is a reasonable assumption. The Minister for Industrial Development will have an opportunity to speak later and to rebut my argument if he wishes. I will agree with him, which is rather strange for me, that it is a residual fuel, and that nobody else wants it. It is available at a give-away price, but what is the alternative? It is to take the oil and burn it in the bush or dump it in the sea, and the company is not allowed to do that. So the product is available at a bargain price to the State Electricity Commission.

I would like farmers to listen attentively to what I am about to say. I am convinced that farmers pay more for their oil products than they would do normally —that is, if the State Electricity Commission were not getting its furnace oil at a bargain price.

Mr. Young: Would that apply to the general motorist?

Mr. FLETCHER: Yes, I would say it would apply to the general motorist. The general motorist is paying more for the fuel that is put into his petrol tank as a result of the State Electricty Commission getting its furnace oil at a bargain price.

Mr. Williams: If it were not sold to the State Electricity Commission, but was burnt or dumped, the users of other products would be charged more because the company would not be getting anything for that residual product.

Mr. FLETCHER: There were two or three other members trying to interject at the same time as the member for Bunbury and so I did not get the significance of his interjection.

Mr. Bickerton: There was no significance in it.

The SPEAKER: Order!

Mr. FLETCHER: As the member for Pilbara said, what does it matter what the nature of the interjection was? Probably it was not worth while replying to, although I would not be so uncharitable as to say that it definitely was not worth while.

Mr. Toms: Why not?

Mr. FLETCHER: While this residual oil is being used for the purpose of power production coal is being left in the ground.

It has reduced production. The Minister made great play of the tonnage of coal produced on the Collie coalfields. I submit that if coal were used as a fuel in power stations the production of coal would be greater still, and I agree with the member for Collie that, if there is any diminution in the production of coal in the area he represents, he will have grounds for complaint. A reduction in coal production does have an effect on the economy right down the line to the local storekeeper, and even to the apprentice, the man in the street, and the housewife in the home at Collie.

Mr. Brady: Even the business people of Bunbury suffer.

Mr. FLETCHER: I agree with the member for Swan that even the people in Bunbury suffer.

Mr. Dunn: What about places such as Big Bell, Wiluna, and others?

Mr. FLETCHER: I agree with the member for Darling Range that centres such as Big Bell and others have declined, but I do not want to see a similar situation occur at Collie.

Mr. O'Neil: If you increase the rate at which coal is used, you will shorten the life of Collie.

Mr. FLETCHER: I ask the Minister to stick to housing and to leave the subject of coal to experts. I do think that the State and the Commonwealth have a feeling of over-confidence in the capacity of this State and of Australia as a whole to meet the oil fuel requirements of Australia, including this State. I am concerned at the possible inadequacy of supply to our shores. I know that to quote questions and answers to the House is rather boring, but I would point out that at page 1080 of *Hansard* proof No. 9 of recent date I asked the following question:—

(1) What percentage of furnace oil used for State Electricity Commission power generation in this State is—
  (a) Australian indigenous;
  (b) Western Australian indigenous?
(2) What percentage in gallons is imported?
(3) To what extent, in United States dollars, does this importation disadvantage our trade imbalance with the United States?
(4) If imported from other sources, what is the cost involved?

I think members will agree that this is quite a reasonable question from a patriotic West Australian, or patriotic Australian.

Mr. O'Connor: Did you ask the question?

Mr. FLETCHER: I did, and I do not think the Minister will deny my patriotism. With respect, I suggest that the cause of the imbalance between exports and imports is, to some extent, a consequence of oil being imported from overseas. I want to see Australia self-sufficient, but I doubt whether it is. In answer to my question in regard to what percentage of indigenous furnace oil was used for State Electricity power generation, the Minister made the profound reply that he did not know and that the State Electricity Commission did not know.

Mr. Bickerton: That does not surprise me.

Mr. FLETCHER: It rather astounds me. I am concerned that requirements in excess of that amount are imported, and it does cost us hard currency to import fuel oil. Let me put it this way: Fremantle exports crayfish tails which earn dollar imports. Members may or may not be interested in this aspect, but dollar imports are earned as a consequence of crayfish tails being exported from Fremantle. What is the purpose of dissipating the entire amount, or any part of the amount that is earned as dollar imports as a consequence of importing oil when we need not do so, because we could use our local product which, in effect, is coal? If this were done we would not create any adverse trade balance. I think any advantage we gain from the sale of our products to earn dollars is, to some extent, dissipated by imports. This is another aspect that causes me concern and, I am sure, causes concern to any honourable member opposite who is not thinking politically, but, rather, patriotically.

Now that we are, to an extent, committed to the use of fuel oil in our power stations, and will continue to be so committed in the future, I ask what, once we are dependent upon oil—even residual oil at the dump prices mentioned by the Minister for Industrial Development—is to prevent the oil companies from increasing the price of oil to the figure they can then demand? That is a valid point, but nobody on the other side of the House, unfortunately, is listening to me. What is to happen to Western Australia if it is committed to the use of fuel oil and if the supplies of fuel oil are cut off?

Mr. Nalder: We will turn to natural gas; we will have our own natural gas.

Mr. FLETCHER: Whether that be true or not, I ask the Minister not to intrude another issue. I insist on making the point that once Western Australia is committed to the use of fuel oil and we do not have facilities to handle and to crush coal, what is to prevent the oil companies from increasing the price of fuel oil to a price that suits them?

Mr. Nalder: The use of gas will stop them.

Mr. Bickerton: What is to stop them from putting up the price of gas?

Mr. Dunn: What about increases in all prices?

Mr. FLETCHER: The member for Darling Range should keep quiet and leave this to me.

Mr. Dunn: All of them are on a contract price.

Mr. FLETCHER: At present, to some extent, we are committed to the fuel we are using. In future we could be committed to a greater and greater extent and, generally, it causes me great concern that we can come within the grasp of oil companies which can demand their own prices at some future date as a consequence of our commitment to fuel oil.

I will elaborate on that point. To my knowledge—it may or may not apply to Bunbury, because I am fairly sure Bunbury handles coal as it has the plant and equipment—only the South Fremantle and the Bunbury power stations are capable of burning coal as fuel to generate power. I ask the member for Bunbury to join me in this statement. I wonder if the Minister for Industrial Development knows if this is correct, but apparently he is at present finding something more important to talk about.

What I am saying is that since only the South Fremantle and the Bunbury power stations are in a position at present to burn coal, they would be the only power stations left standing if our supply of fuel oil was cut off as a consequence of hostilities. Is not that a valid point? Therefore, what the deuce would be the good of other power stations that burn oil but do not have the equipment to handle coal? Those power stations are stuck with fuel oil now and will be in the future, whether we like it or not. The Minister made the point that such power stations are cheaper to build. I concede that point and I agree with everybody on it; but is it wise to build power stations that do not have coal handling equipment; because in the event of oil supplies being cut during hostilities, the State could be in great difficulty?

I would rather have all power stations able to handle the three fuels: gas, oil, and coal. I would then feel more secure; not for myself, but for my children and the descendants of all members of this Chamber. At this point of time we have to ensure future supplies of power. I make the point that the motion has great relevance and those who do not support it will not be taking the interest that they should in what will happen in the future. Let us envisage this situation: if the power stations, through the lack of coal handling equipment and the ability to burn coal, are not in a position to generate electricity, the lights over our heads will go out, and the wheels of industry will continue to turn only to the extent or to the degree that the Bunbury and South Fremantle power stations can burn coal to generate electricity.

Mr. Nalder: What about Muja?

Mr. FLETCHER: All right; I will accept that the Muja power station burns coal, and I am grateful that it does. I would be more grateful if all the other power stations had coal handling equipment, even if they used it for only one day, because it would be there as a guarantee or insurance in regard to the production of power in the future in the event of Western Australian indigenous oil and indigenous gas not being able to meet our power requirements.

Mr. O'Connor: Do you think they should have both oil and coal handling equipment?

Mr. FLETCHER: Yes, I go so far as to say that. I participated in the work that was performed to change the South Fremantle power station from coal to oil, and we did the work in one shift. The work consisted of putting baffles in the precipitators, which prevented the discharge of gases through the precipitators and directed it straight through the chimneys. I know what I am talking about; I did not have anybody to write my speech. At the South Fremantle power station there could be a change from one fuel to another overnight. The Minister for Transport did not ask his question in a frivolous way or with the intention of putting me at a disadvantage. In answer to the Minister's question, I say that I do believe the power stations should have the capacity to burn all fuels.

As a consequence, I say the motion introduced by the member for Collie was not introduced for any political purpose; it was not politically motivated, but patriotically motivated. The Minister made great play on the expenses associated with the installation of coal burning equipment. I agree it is extremely expensive. I was at the South Fremantle power station and assisted in the installation of the coal handling plant. I admit the equipment is extremely expensive, but I believe that any State Government doing its job should throw the responsibility onto the Commonwealth Government to ensure that finance is made available to the State to install the plant. I am not criticising the State Electricity Commission, because it is doing a marvellous job with the finance that is available to it.

However, I say this: The Commonwealth should assist the State in providing the additional equipment to ensure that all power stations in this State are able to utilise both fuel oil and coal. The member for Collie quoted figures to show that other

nations use, to their advantage, coal in preference to oil for power generation. I do not want to be involved in this aspect of the matter, because I am not as well equipped as is the member for Collie, but the figures he mentioned sounded very convincing.

I also agree with the figures that have been supplied to the Minister, and with the fact that Collie coal has a lower calorific value than coal mined in New South Wales and in some countries overseas; but I make the point that if coal is produced here for power generation the disadvantage of the lower B.T.U. standard is offset by the fact that the State will be employing local people to produce a local product. To that extent our economy would be advantaged, and the benefits would accrue not only to Collie and Bunbury, but to the State as a whole.

I distinctly heard the Minister for Electricity this evening deny any responsibility for the policy that has been adopted by the State Electricity Commission; I also heard him say that the Government was not responsible for the power production policy of this State. I heard interjections to this effect: The commissioners, including the Mayor of Fremantle (Sir Frederick Samson), do not know the price that is being paid for furnace oil.

I have made the point that various costs throughout our economy have been increased so that furnace oil can be sold at a cheaper rate. The cost of petrol, lubricating oil, diesel oil, and other petroleum products have been increased to enable furnace oil to be sold cheaply, or at a minimal figure.

I have also made the point that I would like the power stations in this State to be able to function during times of war and peace, if not with the use of oil then with the use of coal or, as a consequence of the interjection made by the Minister for Transport, with all three types of fuel including natural gas.

Support for this motion is necessary. It calls for the appointment of a Royal Commission, and in particular I draw attention to the second part of the motion which states—

> Whether the existing fuel policy for the production of electricity is in the best interests of the State.

I submit that the policy of the Government is not in the best interests of the State, and I have doubts that the supply of fuel oil is adequate.

I am certain that, if the oil supplies from overseas were cut off, a Royal Commission would be appointed very quickly to inquire into the two aspects mentioned in the motion. I dissociate myself entirely from a policy which denies the power houses of the State the opportunity to use the fuels I have enumerated, and so does the member for Collie and other members on this side. I assume that some members opposite also dissociate themselves from such a policy; although I realise they will not be voting in accordance with their views, simply because the motion emanated from this side of the House. However, I will vote according to my beliefs.

Argument has been raised against the use of coal because of the pollution which might be created. Earlier I made reference to the installation of precipitators; these are electrostatic precipitators, and no doubt the Minister has heard this expression. They are electrified under very high voltage, so that the dust and other unwanted residue in the burnt fuel will adhere to wires within the precipitators. A rapping gear in the precipitator strikes at the wires periodically, and the unwanted particles drop down in the precipitators into hoppers, from where the residue is disposed of by conveyors.

At the time I was working in the power station the residue was used as an additive to cement. The quantity that was left over after meeting the requirements of the cement works was taken away by truck to level off quarries, and so create real estate which could be sold at a reasonable price. Therefore the Minister cannot really say what fuel is economic, in view of all the advantages that will accrue and have accrued from the use of coal. The proper combustion of coal will create nothing more than a haze on top of the smokestack. When we see black smoke emanating from a power station it indicates that the fuel is improperly burnt in the early stages of lighting up.

When a power station and its precipitators are functioning properly, all that one can see is a blue haze above the smokestack. This demonstrates that the staff is competent, and everything has been adjusted so as to create the minimum amount of pollution being ejected into the atmosphere.

I must admit that electrostatic precipitators are not cheap, but with Commonwealth assistance it would be possible to install them in all the power stations which have coal handling plants. There is a necessity to install these precipitators if we desire to have clean air in this State, and if we want to have security in the use of the various fuels in the power stations. I have worked in the power stations of this State, and I hold a first-class steam certificate of competency. I know this subject, and I contend that all power stations should be equipped to handle coal, oil, and natural gas as fuels.

It is a fundamental argument that a power station could be of little use to this State if it was not equipped with a coal

handling plant to enable it to use alternative fuels, irrespective of whether or not this equipment lies idle for the lifetime of the power station. I have much pleasure in supporting the motion.

Mr. Young: How long would it take to install the equipment?

Mr. FLETCHER: Frankly I do not know. I was there when it was installed, and I know it took some years to build the South Fremantle power station. I was there when the first turbine was started up, and I was there when No. 4 turbine came on load. I was also there on the maintenance of the plant and equipment. That being the case I am competent to speak on the subject, and I support the motion.

MR. WILLIAMS (Bunbury) [8.09 p.m.]: To set the minds of the member for Collie and the member for Fremantle at rest, I state from the outset that I do not intend to support the motion, No doubt this will bring forth some interjections from members opposite.

Mr. Brady: The business people of Bunbury and Busselton will be pleased to hear that.

Mr. WILLIAMS: I respect the member for Fremantle for his great knowledge of power stations and such like matters, but I cannot go along with the argument he has put before the House on the use by the State Electricity Commission of fuel oil, as a consequence of which, he said, the cost has been loaded onto the users of other petroleum products. Similarly I cannot agree with his argument for the creation of multi-purpose power stations: those which can use oil or coal. As he mentioned, fuel oil is a by-product from the refining of oil at the refinery. If there is insufficient fuel oil to operate the power stations in this State it will mean that a large quantity of the petrol supplies will be cut off and the people will not be able to run motorcars. If the unrefined oil is not imported into the State from overseas then the State will not be able to produce petrol and petroleum products, and there will not be the by-product of furnace oil. In that event the people will have to walk or ride bicycles to work. However, I do not think this will come about.

Two power stations, the Bunbury power station and the South Fremantle power station, are equipped to burn oil or coal. Of course, the Muja power station is equipped to burn coal, but no doubt it could be converted to burn fuel oil should the necessity arise. However, I do not think the necessity will arise as long as adequate quantities of coal are mined in Collie.

As to the new power station at Kwinana, I do not know what problems will be involved in converting it from an oil burning power station to a coal burning power station. If necessary, I am sure this could be done, but probably at a fairly high cost.

In his very long speech to the House the member for Collie made many references to Collie. I can readily understand his concern for Collie, just as every member of this House is concerned with his own electorate. I refer to country members, particularly, who are generally more parochial than members who represent metropolitan constituencies. The people of the country electorates comprise a community all of their own, as it were, and their members of Parliament try to look after them. Therefore I can readily understand the concern of the member for Collie for his electorate.

As the Minister for Electricity said, it is a pity that the member for Collie does not sometimes use the opportunity in this House to extoll the virtues of Collie, rather than to stress the problems, which he is entitled to do. If he occasionally told us something good about Collie, we could then tell other people about the good things.

Mr. Jones: Have not you and I similar problems at the present time? Do you deny that?

Mr. WILLIAMS: The member for Collie always seems to be running his town down.

Mr. Jamieson: You are being less than fair to the member for Collie; and you know it.

Mr. WILLIAMS: I can verify what I have stated from something which the member for Collie said recently.

Mr. H. D. Evans: What you say is puerile.

Mr. WILLIAMS: I wonder what would be the reaction of the member for Collie if an industry wanted to establish itself in this State and was prepared to use open-cut coal only? Basically some of the problems which have arisen in the coal-mining industry in Collie have revolved around the quantity of open-cut coal and the quantity of deep-mined coal to be produced. This goes back to the time of the last Labor Government, between 1953 and 1959.

The member for Collie has moved for the appointment of a Royal Commission to inquire into—

(1) The general policy being adopted by the State Electricity Commisison for the production of electricity in Western Australia.

(2) Whether the existing fuel policy for the production of electricity is in the best interests of the State.

One would imagine that to induce members to vote for this motion the member for Collie would have to prove that the State Electricity Commission and the Government, either singly or together, were not looking after the best interests of the State in respect of the production of electricity. The State Electricity Commission Act, which is responsible for setting up the commission, has something to say about this matter.

Section 27 of the State Electricity Commission Act sets out that the commission must look for a safe, economical, and effective supply of electricity and other power throughout the State. I would like to emphasise the economical aspect. Paragraph (b) of section 27 of the Act sets out that the commission is to encourage and promote the use of electricity and other power, and especially the use of electricity or other power for industrial, manufacturing, and rural purposes.

Paragraph (d) of section 27 of the Act states that the commission should carry out investigations for making cheap electricity or other power available to consumers in the country districts of the State.

One would imagine that if the State Electricity Commission had not been doing its job the price of power would have gone up, that country consumers would not be being supplied, and that expansion was not being undertaken in the various country areas. That, of course, is not so.

I recently asked the Minister for Electricity for some facts and figures regarding the cost of power in this State. At page 1254 of *Hansard* I asked the following question:—

(1) What was—

(a) the estimated average savings per consumer resulting from recent reductions in tariff to country domestic consumers;

The reply to that question was $12 per year. I then asked—

(b) the estimated total savings for country consumers?

The answer was $600,000 per year. I then asked—

(2) (a) What percentage difference exists between the price paid per unit for electricity by an average domestic consumer in 1959 and 1970;

The answer was—

(2) (a) Calculated on metropolitan consumers 13.3 per cent. reduction.

I do not think anyone can criticise the State Electricity Commission, which has reduced the cost of electricity four times over the last 10 years. The total saving to the consumers has been something like $4,000,000, and that has been in spite of the fact that costs have increased to a large degree. The cost of wages rose, during that time, by 104.6 per cent.

Mr. Jones: What about the production of coal?

Mr. WILLIAMS: I do not think anyone can criticise the State Electricity Commission on its performance, because the people of Western Australia are paying less for power now than they were paying 10 years ago. When the member for Collie replies I think he should have some regard for this fact. We will hear what he has to say and what reasons he gives for moving a motion of this sort in the face of the reductions which have been made.

It is very interesting to go back through the years and observe the problems associated with open-cut coal and deep-mined coal. That is where part of the basis for the production of power arose, and it was the beginning of the turmoil which has been going on for some years in relation to the generation of electricity.

A newspaper article headed "Premier's 'More Oil' Threat" interested me a great deal. However, the threat was not made by the present Premier, but by the Premier of the previous Government, Mr. Hawke. On the 7th February, 1957, the then Premier made that threat to the Collie miners when trouble occurred on the coalfield.

Mr. Jones: How long ago was that?

Mr. WILLIAMS: In 1957.

Mr. Jones: That was 13 years ago; a bit old and outdated.

Mr. WILLIAMS: It is like some of the moves by the member for Collie: a little outdated.

Mr. Jones: Did I go back that far?

Mr. WILLIAMS: Yes, I think the member for Collie was secretary of the miners' union then. The then member for Collie had plenty to say at that time. During the next three years we will, no doubt, see other motions of this type because the member for Collie will probably still be sitting on the other side of the House. He will be able to move motions to his heart's content.

On the 24th January, 1957, *The Collie Mail* published an article which included the following:—

> In a report on the conference with the Cabinet sub-committee on coal Mr. Jones said that the Deputy-Premier (Mr. J. T. Tonkin), who had presided, had declared that there were too many deep mines and too many men in the industry.

Mr. Bovell: Who said that?

Mr. WILLIAMS: Mr. Tonkin, the then Minister for Works and Water Supplies. This is a very strange situation, and it

gets stranger as we go along. *The Collie Mail*, on the 17th June, 1954, published an article headed "Miner's Delegate Board Attacks Government," with a subheading of "Allegation Of Broken Promises." Anyone would think the present Government had broken its promises, whereas in fact the State Electricity Commission has reduced the cost of electricity to the consumers.

Mr. Jones: I will dig up a few more.

Mr. WILLIAMS: And I could probably dig up a lot more, which I happen to have in my possession. However, Mr. Speaker might take me to task if I go on quoting. However, I can give the member for Collie a copy of what I have, if he has lost his file or cannot find what he is looking for.

Mr. Nalder: What year was that article published?

Mr. Bertram: Let us progress a little.

Mr. WILLIAMS: We have been progressing because the price of power has come down.

Mr. Jones: And the price of coal has come down.

Mr. WILLIAMS: Only because this Government, in 1961, called tenders and straightened out the whole business. Tenders were called instead of using the cost plus system. The member for Collie always blames the present Government for reducing the number of men employed on the coalfields, but the reduction commenced long before this Government came into office.

On the 22nd September, 1955, *The Collie Mail* published an article with a subheading "Opinions Differ".

Mr. Jones interjected.

The SPEAKER: Order! Order!

Mr. WILLIAMS: Under the heading of "Opinions Differ" appeared the following:—

> The first two resolutions were adopted unanimously, but there was sharply divided opinion about sending a telegram to the Premier reminding him of the promises made and broken. The union secretary (Mr. T. H. Jones) said it was unfair to take "digs" at the Labour Party, even though he agreed that the promises had been broken. However, the effect of such a telegram would not help the union in making future approaches to the Government.

It is a pity the member for Collie did not remember what he said at that time.

Mr. Jones: The member for Bunbury was in the Collie Apex Club at the time.

Mr. WILLIAMS: I was proud of being in that club, too.

Mr. Jones: You are not a very honest member.

Mr. WILLIAMS: And the honourable member, too, is not very honest. He is not a very good ambassador, the way he performs in this House and in Collie.

I will now quote from a more recent publication, and I do not have to go back very far this time. The member for Collie, in moving the motion which is before us, at page 1086 of *Hansard*, stated as follows:—

> . . . since the changeover from coal to oil many of the once profitable sections of line are now running at a loss. Whilst I have all the figures with me, I will not weary the House by quoting them all. However, as an example I will mention that the Pinjarra-Bunbury line made a profit of $287,615 in 1965-66, and in 1968-69 it made a loss of $290,920. Not all of that loss can be attributed to the changeover of fuel. However, I think the greater part of it can be attributed to that fact, and I am sure the Minister for Railways would not deny it.
>
> The Brunswick-Collie section provides another good example and gives a clear indication of the reduction. In 1965-66 that section made a profit of $398,249 and the figure for 1968-69 reveals a loss of $48,892.

Several members interjected.

Mr. Runciman: The Opposition seems to be upset.

Mr. WILLIAMS: I think so, but let us carry on with the argument. On the 1st October, 1970, the member for Collie addressed a meeting of the Traders' Association in Collie, and he had the following to say:—

Mr. Jones: Quote it all.

Mr. WILLIAMS: The member for Collie wants his bread buttered on both sides. To continue, he stated—

> A crystal ball is needed to look into the future of Collie.

The member for Collie referred to the Muja power station and said that its construction had benefited Western Australia but not Collie. He said that now most of the coal produced on the field was being fed direct to the Muja station there had been a drastic reduction in rail traffic from the town.

Mr. Jones: Is that not right?

Mr. WILLIAMS: The member for Collie said that consequently there had been a big reduction in the number of railway men employed in the town. That is quite right, but what amazes me is that the member for Collie can quote figures

regarding railway losses, when those losses are mainly due to a lesser haulage of coal. In actual fact, the previous member for Collie, and the present member for Collie—when he was a private citizen—made a lot of noise in various places about the possibility of having a power station sited on the coalfield. The power station has been erected on the coalfield and now the member for Collie comes along and complains about the loss on that section of the railway line because it is not carrying as much coal as it did previously.

Mr. Jones: When did I say that? Prove it.

Mr. WILLIAMS: The member for Collie is reported to have said it in the article I have mentioned.

Mr. Jones: I mentioned the effect of the Muja station.

Mr. WILLIAMS: That is right. The Muja station has been built, but the member for Collie is still not happy. He offered criticism because a section of railway line made a loss.

Mr. Jones interjected.

Mr WILLIAMS: The member for Collie spoke for three hours and I am limited to 45 minutes. If I am upsetting him I am very sorry.

Several members interjected.

The SPEAKER: Order! Order! The member for Collie will have an opportunity to reply.

Mr. Davies interjected.

The SPEAKER: Order! The member for Bunbury has quoted from a newspaper, and the member for Collie has not denied the accuracy of the report.

Mr. WILLIAMS: The member for Collie said that the price of oil is quoted in the Queensland report. I agree that the price of oil is given, but not the price for fuel oil. The Queensland State Electricity Commission, in its thirty-second annual report—which the member for Collie quoted—shows that the various small diesel stations produced 1.2 per cent. of the total units. That information is shown on page 48. At page 51 of the same report there is a rundown of the Carpricornia Regional Electricity Board. This is one of the boards referred to by the member for Collie. The report sets out the type of plant used, and shows steam units, gas turbine units, diesel-gas turbines, and diesel turbines. The cost of the fuel, which is given, is for diesel fuel and not for furnace oil. A diesel engine will not run on furnace oil.

I think the member for Collie will be battling and struggling to find where any generating system in Australia shows the price it is paying for fuel oil. In actual fact, the member for Collie could not give me one instance of where the price of furnace oil, which is used for the generation of electricity, is shown.

The member for Collie mentioned that in Britain power was being produced from coal. When he spoke on a similar motion last year—on the greater utilisation of Collie coal—I pointed out that in Britain there are at least 14 oil-fired stations. At present the British Government is subsidising the coal industry, and that subsidy will continue until about 1971. The subsidy amounts to £45,000,000 sterling.

Mr. Jones: Where does that information come from?

Mr. WILLIAMS: That information comes from the 1967-68 annual report of the Central Electricity Generating Board. The same information will probably appear in the 1968-69 report, and it will also be found in the 1969-70 report. However, the 1970-71 report will be different because the industry has been told that after 1970-71 it can use whatever fuel it wishes. The industry can use the most economical fuel it can obtain, whether it be coal, gas, atomic, or any other type. Of course, as I have said, in 1970-71 the subsidy of £45,000,000 sterling will no longer be available to subsidise the use of coal. The report I have mentioned also stated that the lower value types of coal will have to be used.

The member for Collie compared the output per man shift in Collie and in Britain. In the report on the Collie coalfield by Messrs. Menzies and Hanrahan in 1969, there are a few interesting comparisons of output per man shift on the Collie coalfield and in New South Wales.

Mr. Jones: What about Britain and Australia?

Mr. WILLIAMS: Let us stick to Australia. This is a very recent comparison between one side of Australia and the other.

Mr. Jones: You mentioned Britain.

Mr. WILLIAMS: In this report it is stated that the output per man shift of five for Western No. 2 and 14 for Muja open cut was very low by New South Wales standards. In fact, underground mines in New South Wales are operating at higher outputs per man than Muja open cut. If coal is to be competitive in the field of power generation, someone has to take a hard look at this to make sure that coal can be extracted at a competitive price with other fuels, including fuel oil, and gas, when it is available from the gas field at Dongara. With those words, I oppose the motion.

Debate adjourned, on motion by Mr. Norton.

CITY OF PERTH PARKING FACILITIES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 27th October.

MR. GRAHAM (Balcatta—Deputy Leader of the Opposition) [8.32 p.m.]: I support the second reading of this Bill. The Bill embodies only two principles, the first one being a logical and progressive development of the original arrangement under which the Perth City Council is able to obtain funds for the purpose of providing parking facilities in prescribed areas within its own municipal boundaries. The Minister pointed out the difficulties that are encountered under the existing arrangement. The proposed change will therefore give every prospect of additional moneys becoming available, and nobody could complain of that.

The second amendment is designed to give some authority in respect of parking in places that are not roads or parking areas; "parking facility," is the official term that is used in the Bill. Again, I have no objection to the principle embodied in the Bill. Perhaps I became disorderly, to a minor extent, by interjecting when the Minister was speaking. I was seeking information from him, because it will be noticed from a reading of the provision that the Perth City Council is to have authority to draft regulations "prohibiting the parking or standing of vehicles on land which is not a road or a parking facility, without the consent of the owner or person in occupation of the land."

My rather lengthy interjection was to inquire whether this would meet the position which obtains in so many areas—and I walked along one of them this evening during the tea suspension—where there were, going back in history, large blocks of land which have since been subdivided. At the time of subdivision it was customary to provide rear lanes or rights-of-way. The various allotments were sold and buildings have been erected on them. The residue of the land which comprises the right-of-way is still in the name of the original owner. None of the owners or occupiers of the individual lots has anything but a right of carriageway; yet it is essential for them that there should be unobstructed ingress and egress because many of the lots are too narrow to allow entrance of a vehicle from the front or street side of the block. This was apparent in the area I inspected; namely, West Perth.

It will therefore be seen that there is no possibility of the owner of this remnant of the original block of land—to wit, the right-of-way—making a request to the Perth City Council or to any other authority that this ban on parking should be prevented by a by-law or regulation issued by the Perth City Council. In my view, this provision will have no application whatsoever in such circumstances. The provision will only apply where there is a right-of-way—particularly in the heart of the city—such right-of-way comprising or being used as an access for vehicles but forming part of the lot on which the building is erected.

There is, of course, a necessity for this, and it was anticipated in the original legislation. If members care to turn to section 20 of the Act, which deals with the power to make regulations and by-laws, they will find that paragraph (r) allows the making of regulations defining the circumstances under which a vehicle is causing obstruction to traffic or is trespassing on privately owned land within a parking region, for the purpose of removing such vehicle causing the obstruction; in other words, towing it away. Therefore, provision has already been made in respect of private land, and I would say the provision would apply whether the land was used as a laneway or was an area which had not been built upon and might be used for any one of a number of purposes.

Whilst I do not oppose the Bill, I am not satisfied with what the Minister is doing, because I do not think it goes far enough. What the Minister proposes works automatically after the gazettal of the regulation in cases where there is an owner who can be identified for the purpose of expressing his disagreement with people parking on his land; but if there is no such owner, for the reason that the original owner has long since passed over the border, who is able to give or refuse consent to the parking of vehicles on the land? I have already said that those who have an interest in such an area—which could be a right-of-way—are not the owners; they merely have it set out in their title deeds that they have the right to carriageway, light, or air, over the right-of-way.

It seems to me that the Bill should go a little further. Nevertheless, we have heard so often from Ministers when introducing legislation or dealing with amendments that it is not a bad sort of process to take a short step forward, see how it works, and take further steps, if warranted, some time in the future.

Mr. Craig: I might use that in my reply.

Mr. GRAHAM: I am not suggesting that I necessarily agree with that. I think it can be overdone. Indeed, I make the statement that in so many respects this Government has been ultra-cautious in its approach. What has been introduced, tried, and tested for years in other parts of Australia or in other parts of the world is introduced with hesitation and nervousness by this Government and, on many

occasions, it wants to go only half way, or some other fraction of the distance. There is no risk attaching to this whatsoever. I say unmistakably that it is a step in the right direction; but I have grave doubts, although I hope the Minister can persuade me otherwise, that it goes far enough or will be as effective as he desires. I support the second reading.

MR. BURKE (Perth) [8.41 p.m.]: This is a welcome piece of legislation and I refer particularly to that part of the Bill which will at least give someone authority to police parking in lanes, rights-of-way, and similar places. Subject to the reservation expressed by the Deputy Leader of the Opposition, which I trust the Minister will be able to clarify, I am pleased to support the Bill.

The Minister is well aware that ever since my election to this House as member for Perth he has had to bear the brunt of my representation on behalf of business people and residents in my electorate who wished to see some solution to this problem. In the inner and near city areas residents have had to cope, probably more than those in other areas, with people parking in lanes behind and opposite their properties and inhibiting access to their homes.

In the central city area we find that lanes which are used by business people for the delivery and dispatch of goods are being used by others for the parking of vehicles. I am regularly asked to do something but I have been at a loss to know what to do. I have contacted the Perth City Council which indicated that it had no authority. I have contacted the police, who have been able to do little.

In areas like West Perth and immediately north of the railway line, where I reside, the blocks are comparatively small. More often than not the garage is situated at the rear of the premises and lanes are the only access. It is a real problem for a person to have access to his property when regulations control the length of time that it is possible to park in the street. This is a great problem for people in areas where commercial and residential integration has taken place which, incidentally, is becoming more and more the thing in the inner city and near city areas. As I have said this problem has been of continual concern to me.

As recently as the 21st September I addressed the Minister and expressed the view that the problem was such that some interim measure should be introduced. I did not know how this would be done, but I thought some authority should be vested in someone to give people the right of access to their properties, because too often access ways were being used by people who were simply avoiding restrictions on parking in public streets.

As I have said, I am pleased to support the measure. I trust the Minister will clarify the point raised by the Deputy Leader of the Opposition. I can assure the Minister that the people I represent, the people of Perth, will be pleased to hear of this legislation because, as I have said, they are most concerned. I support the measure.

MR. DAVIES (Victoria Park) [8.45 p.m.]: Like the two previous speakers, I have no objection to the Government guaranteeing money in the form which is proposed. We all realise the great necessity for parking within the city perimeter and we also realise that the Perth City Council is trying to do as much as it can to provide parking. I have no objection, either, to the second amendment, which was dealt with at some length by the member for Perth.

All the same, I want to take the opportunity to protest about parking fees which the Perth City Council charges. The Government will be guaranteeing money to enable it to put up edifices, and the council probably wants to get back as much money as it can from the public to clear the debt as quickly as possible. However, I simply do not know what kind of a case is put up to the Minister to support the council's suggestion that fees be raised from 30c to 50c, which is an increase of 66⅔ per cent. Of course there was a great public outcry and the Minister said that he would have a close look at it and that he would not be caught approving anything which was not fair and just. A couple of weeks later did the Minister say, "Everything is fine and dandy. The hue and cry has died down and we will now approve the fees"?

Mr. Craig: Don't be silly.

Mr. DAVIES: I would like to know what kind of a case was submitted by the Perth City Council.

Mr. Craig: I should have sent the honourable member a copy before I approved it?

Mr. DAVIES: That is being facetious and stupid.

Mr. Craig: It is as stupid as your comment.

Mr. DAVIES: I am asking what kind of case was presented to the Minister. There is no evidence of any justification for the decision of the Perth City Council to put up fees by 66⅔ per cent. There is not one iota of evidence, and the people who are being hit the hardest are those who use their cars to go to work. Many have to use their vehicles for this purpose. I am thinking of employees of *The West Australian* newspaper, some brewery employees, and others who work shifts and who can be considered, I suppose, as

essential workers. They have no other transport available to them. Some of them form pools and go to work in one car. These are the ones who are being hit the hardest, and the concessions which they previously enjoyed in respect of parking in an area late in the afternoon have now been withdrawn. The ordinary working fellow, if he uses his car every working day of the week, is up for an extra $1 a week to park his car. An increase of 66⅔ per cent. is fairly steep by any standard.

As I say, we have had no evidence for the increase. I only remember reading a statement by the Perth City Council in a Saturday morning paper. I was flabbergasted by the statement which said that the council needed to put up its rates and a request would be sent on to the Minister. Of course there was a hue and cry. The matter apparently was not sent to the Minister until the hue and cry had died down and then the Minister said that he was perfectly happy that there was some justification for the increase. What the justification was I do not know. I have looked at the reports tabled in the House and I cannot see in them any need for an increase. If the council has plans for the future, and it obviously has, I wonder whether the method it is working on of buying land in the central city area is the best way of providing parking.

I remember that when the Deputy Leader of the Opposition was Minister for Transport outer parking areas were established, one of which was near the Causeway. At that time it was not used very much because it was ahead of its time. However I have noticed that for some considerable time this parking area is almost full every morning.

At the time I think it was possible to run a bus shuttle service between there and the city proper. These are some of the matters we will have to look at. I do not know that we should guarantee money to the Perth City Council to buy choice land in the central city area so that motorists may drive right into the heart of the city. Whilst the council is proposing to do that and proceeding with some construction it is, at the same time, keeping the motorist out of the city by making central Hay Street into a mall.

But the fact remains that in all my reading—and I have also spoken to some councillors—at no time did I see any justification for the steep increase. That increase hit not only the people about whom I have already spoken, but it also hit another section of the public which I overlooked at the time, and I refer to the technical school students. Many of those students have cars—which I certainly do not begrudge them—and they find that when they attend night school classes not only have they lost the concession they previously enjoyed, but also they have to pay an extra $1 per week to park their cars.

The member for Gascoyne has just told me that they now have to pay 50c for the last hour of parking from 4 p.m. to 5 p.m., whereas previously they paid nothing. I do not know what percentage increase that represents, but it is certainly an unreasonable charge so far as I am concerned. Perhaps the Perth City Council parking area is becoming another monolith like so many others we have seen fostered by the Government where the bills get out of control, the charges get beyond all reason, and the purposes for which they were established become almost secondary to their present function.

On behalf of all motorists, I protest at this increased charge and I am sorry to say that we have been given no reasonable justification for the steepness of the increase. I have no objection to the Bill before us, but I felt obliged to take this opportunity to make my protest.

MR. CRAIG (Toodyay—Minister for Traffic) [8.53 p.m.]: I thank the Deputy Leader of the Opposition, the member for Perth, and the member for Victoria Park for their support of the Bill. The member for Victoria Park more or less spoke on matters that are not directly related to the contents of the Bill, and he used the opportunity to object to the comparatively recent decision to increase parking fees. Might I say that not all parking fees were increased. The honourable member wanted to know why I approved of the submission made by the Perth City Council. He even went so far as to suggest—to quote his own words—that I was happy to approve of it. I can assure him that I was not happy. No one likes increasing charges of any sort, whether they relate to taxation or anything else. However, the case put to me by the Perth City Council left me no alternative but to approve the increase.

Prior to the increase there was a considerable amount of criticism of the council for not providing sufficient facilities in the central Perth area. The City Council felt it was necessary to raise the parking fee in order to raise funds to meet those requirements. Although the parking fee was increased to only 50c for all-day parking, that amount will provide the council with something like an extra $234,000 a year which will go towards providing additional parking facilities in the area under its control.

The increase to 50c is most reasonable when compared with the amount of $1.70 charged at similar types of car parks in Sydney. Another significant factor which became apparent as a result of the increase is that whereas prior to the increase the all-day car park was full on most days, a drop of 25 per cent. was

noted after the increase. This can be related to the number of cars entering the city. On the day I approved the increase I had a survey taken of the number of cars entering the No. 1 car park. The survey revealed that not less than 75 per cent. of the cars entering that park had only one occupant—being, of course, the driver. Following the increase, the number of cars with one occupant decreased.

This suggests that there has been a doubling up by arrangement between different drivers who either live near each other or are employed near each other. They have come to an arrangement so that more than one travels to the city in the one vehicle. This is an excellent arrangement in more ways than one, because it takes many cars off the roads, particularly during peak hours, and it does not tax the parking facilities available to the general motoring public to the extent they were taxed previously.

The Deputy Leader of the Opposition drew attention to circumstances that could arise and which we would possibly have difficulty in overcoming under the provisions of this Bill. Perhaps he might have had some words—and I say this facetiously—with the Parliamentary Draftsman on this matter.

Mr. Graham: No.

Mr. CRAIG: After a considerable amount of discussion with the Perth City Council in regard to this matter the Parliamentary Draftsman, when submitting a draft of the Bill to me, drew my attention to the very point raised by the Deputy Leader of the Opposition.

Mr. Graham: Great minds in action!

Mr. CRAIG: I think I should read the comments of the Parliamentary Draftsman because it might be helpful in meeting the wishes of the Deputy Leader of the Opposition. This comment is from the Senior Assistant Parliamentary Draftsman, and I quote—

> It will be noted that clause 3 of the draft Bill gives effect to Cabinet's decision concerning the prohibition of parking and standing of vehicles on private land without the consent of the owner or occupier of the land. In preparing clause 3 I have followed as closely as possible the provisions of the existing s.57A of the Traffic Act which, of course, deals with the same problem.

Incidentally, the Deputy Leader of the Opposition had much to do with the framing of that legislation several years ago.

Mr. Graham: Too long ago!

Mr. CRAIG: To continue, the draftsman also stated—

> I feel obliged to point out that, in practice, by-laws made under the authority conferred by clause 3 of the draft Bill will require extremely careful and sensible implementation. The offence will be merely an offence of parking or standing a vehicle on land without the consent of the owner or occupier. In the case of private streets, rights of way, etc. the land comprising the private street or right of way will, in many cases, be vested in the successors in title to several persons long since dead, or perhaps in other cases, persons and companies resident overseas.

Of course, that is the very point made by the Deputy Leader of the Opposition. To continue—

> In other words, it will be practically impossible in those cases for a person using a private street or right of way to ever obtain the consent of the owner to that use and it is suggested that as a matter of law, there may be no-one in actual occupation of those streets or rights of way.

So, as pointed out by the Parliamentary Draftsman, the by-law will need very careful and sensible implementation. If this Bill is agreed to here and in another place it will be, of course, the responsibility of the legal advisers of the Perth City Council to prepare the necessary draft by-law. Due cognisance will have to be taken of the comments of the Parliamentary Draftman and also of the Deputy Leader of the Opposition and the member for Perth.

I assure the members concerned that their opinions will be conveyed to the Perth City Council so that due cognisance can be taken of them. Again, even when the proposed by-law is prepared after due and sensible interpretation, it will, of course, be tabled in this House and if it meets with any objection, opportunity can be taken to have it disallowed. I thank members for their support of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Craig (Minister for Traffic), and transmitted to the Council.

BILLS (4): RETURNED

1. Tourist Act Amendment Bill.
2. Bush Fires Act Amendment Bill.
3. Totalisator Agency Board Betting Act Amendment Bill.
4. Betting Control Act Amendment Bill.

Bills returned from the Council without amendment.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 3)

Second Reading: Defeated

Debate resumed from the 16th September.

MR. MAY (Clontarf) [9.04 p.m.]: Some time has elapsed since the Bill was introduced into this Chamber, and for the benefit of members I would like, briefly, to indicate that this proposed amendment to the Local Government Act was for the purpose of providing members of the Municipal Officers' Association with the right of appeal against the appointment of unqualified persons, with the approval of the Minister, to positions in local government which should have been filled by qualified officers who were also applicants for the positions.

When replying to my second reading speech the Minister read his speech and I must admit, although I am not being critical of him, there was very little to commend the speech, because it was obvious that the Minister in another place had made up his mind on the amendment, and I am most disappointed that the Minister in this House, when replying to my introductory speech, had very little to say on the matter.

At the beginning of this week a conference was held at the Perry Lakes Stadium in Perth by the municipal officers and also by the officers of the Local Government Association with a view to discussing all facets of local government, and one of the main issues that was discussed at this conference was that of unqualified personnel of local government being appointed to positions which normally should be filled by qualified officers. I repeat that it is quite frustrating to have a Minister in this House replying to something on behalf of a Minister in another place when obviously the Minister in this Chamber is not aware of the full circumstances. In the main, this applies to quite a deal of legislation, and, as I say, it is disturbing to have a Minister speaking on some matter when he is not fully aware of the situation.

The member for Dale is not present in the Chamber this evening, but I must apologise to him, because when I was introducing this measure he asked, by way of interjection, whether the Local Government Association had studied the Bill and was in favour of it. I replied that the association was in favour of it and I had correspondence in my possession which confirmed this. Actually, the letter I had in my possession was in connection with municipal administration and, in fact, was not from the Local Government Association.

I would now like to read out a letter that was written by The Institute of Municipal Administration to the Municipal Officers' Association and, *inter alia*, it states—

> At a recent meeting of the Divisional Council it was resolved to request the Hon. Minister for Local Government to seek an amendment to Section 160 of the Local Government Act by removing therefrom, in the case of Municipalities having a revenue in excess of $140,000 per annum, the discretion of the Hon. Minister to approve of an unqualified applicant for a clerk's position except where none of the applicants for the position are qualified by legislation, exemption or examination.

Mr. Gayfer: Does the letter show who are the president and the secretary of that association?

Mr. MAY: The divisional secretary of the association is Mr. R. F. Dawson.

Mr. Gayfer: What is the name of the president?

Mr. MAY: There is no indication of the president's name. By the same token I point out that since the Bill was introduced on the 9th September, I have been inundated with letters from municipal officers throughout the State who are in accord with this amendment. If unqualified men are to be appointed to positions in local government where the advertisements for the positions have called for qualifications, this will certainly lead to a feeling of frustration by those men who are anxious to continue their studies in local government. I say this sincerely, because of recent date quite a number of advertisements have specified certain qualifications, and unqualified officers have been appointed to the positions.

I think it is very strange that on many occasions the Minister has advocated that preference will be given to those officers who have qualifications. We then have the situation of unqualified people being appointed to these positions, even though men with the necessary qualifications are available. Recently an advertisement appeared in the Press calling for applications for the position of relieving officer, and auditor and inspector. The qualifications required were that the applicant must be in possession of an academic qualification acceptable for membership of the Australian Society of Accountants, or equivalent qualifications, and a certificate of qualification for a clerk under the Local Government (Qualification of Municipal Officers) Regulations.

This particular position was eventually filled by an unqualified person. Quite a number of applicants for the position have written to me to indicate that they applied for the position in question. Some of the

applicants were accountants—they had their qualifications—while others were still studying; yet the position was filled by an unqualified person. This does not seem quite right to me. A further point is that the people who applied for the position in question merely received a letter from the Public Service Commissioner's office saying—

> With reference to your application for the above vacancy, I regret to advise that you were unsuccessful.

The point I with to emphasise is that these officers of the Local Government Association are continuing their studies with a view to furthering their education in an endeavour to make themselves more conversant with local government conditions, in the hope that they might finally make this a career occupation. In spite of this attitude all they receive is a notice saying that they are unsuccessful.

When I introduced my Bill I asked the Minister whether he would consider advising the unsuccessful applicants of the reasons that they were unsuccessful. I realise it would not be possible to write to everybody and say why he has been unsuccessful, but I do feel that in the case of qualified municipal officers some reason should be given if they are unsuccessful in securing a position that has been advertised, particularly if they have the necessary qualifications for such position.

At the moment the theme seems to be one of centralisation; where certain officers in local government are able to get on side with their ward members while being in the full knowledge that a position is shortly to fall vacant in the local authority concerned. Ultimately, of course, certain pressures can be brought to bear and such people are appointed to the position which might be vacant. It is possible, of course, that such appointments could be made without regard being had for those with the necessary qualifications.

Mr. Gayfer: Do you not think that in the case of country shires personality has a lot to do with the appointment of an officer?

Mr. MAY: The question of personality, of course, must be considered in any appointment—it is necessary for an applicant to have a satisfactory personality whether he is applying for a position in local government or anywhere else—but surely the most important requirement is that he possess the necessary qualifications. If he has the necessary qualifications we can then consider the question of personality, etc.

There is no evidence to show that an officer who has the necessary qualifications and who has been appointed to a position has proved unsuccessful. Surely those who have qualified themselves under the Local Government Act, or have the qualifications for which the Minister has always asked, should be given the chance to prove themselves!

When I asked that a period of 28 days be allowed for the purposes of appeal the Minister replied that this period was too long for the local government concerned to have to wait for a decision as to whether or not an appeal was valid.

I can mention other departments which have waited at least three months for an appeal to be heard; where the position has not been filled until the appeal was heard by the appeal board to ascertain whether the person who made application for the position and who had the qualifications possessed the necessary ability to perform the duties required of him.

To revert to the interjection made by the member for Avon: I still feel that a person who is prepared to study for a position should be given preference over the person who does not propose to study.

I think we all appreciate that the majority of officers from local government authorities tend to gravitate to the metropolitan area. This is where they want to come; to the larger authorities—they want to take part in the activities of larger governing authorities.

Recently we had a situation where an officer who had no qualifications whatever was appointed as an assistant shire clerk, even though a person with 18 or 19 years experience who possessed accountancy qualifications had made application for the position in question. His application, however, was rejected and, subsequently, the person who was appointed as assistant shire clerk was later appointed shire clerk, even though he still possessed no qualifications and had no intention of studying. I think this is quite wrong. The men in local governing authorities who take the trouble to study should surely be given the opportunity to further themselves in local government spheres!

Just after the Bill was disscused in Parliament the secretary of the Local Government Association of Western Australia came out with a statement in the Press to the effect that the time was not opportune to accede to what I was asking for in Parliament; that there were not sufficient officers with the necessary qualifications to take over the positions in local governing authorities.

When will the time be opportune? Surely these people who are prepared to study for such positions are the ones who should be appointed to the vacancies that might occur in the local governments concerned. It is surely strange for the local authorities to say that the time is not opportune and that there are not sufficient qualified men to take over these positions,

because we know that there are men who are prepared to study; there are those who have the necessary qualifications and in spite of this they are rejected.

Mr. Burt: It is impossible to get qualified men to go to the more remote shires.

Mr. MAY: The reason for this is that most of the people without qualifications are being appointed to situations in the metropolitan area.

Mr. Burt: They will not go to the back-blocks.

Mr. MAY: That is so, but they are not being appointed. As I understand the position it is that there are qualified men in Western Australia who have applied for such situations, but they are not being appointed; and if this continues we will reach the position where the young men whom we are trying to encourage to make local government their careers will not do so, because of the favouritism which is shown when appointments are made to vacancies which might occur in local governing authorities.

This has happened. I can quote numerous occasions where persons have got on side with their shire councillors for the prime purpose of securing appointments to positions in local governing authorities. This is something from which we must get away. As a matter of fact, this is what brought about the conference which is being held in Perth at the moment. The emphasis is on qualifications, and unless we can provide an incentive for people to study, obviously the local governing authorities will lose the services of such people.

I would like to refer to a letter I have received from the Association of Professional Engineers, which is quite an eminent body. It states—

> I am instructed to advise you that this Association fully supports the proposed Amendment to the Local Government Act, 1960-1970, Section 160, subsection 2, proposed by you and currently before the Legislative Assembly.
>
> In view of the increasing complexity of Local Government problems the attainment of qualifications is both necessary and desirable if the public are to obtain the full measure of benefit from the services provided in the most economical manner.
>
> As qualification standards are currently prescribed, the establishment of an appeal tribunal would provide the means for the circumstances in a particular instance to be fully canvassed and then make its decision accordingly.

This letter speaks for itself, and it is only one of many similar letters I have received.

The time has arrived when consideration should be given to academic qualifications in the appointment of officers to local government. In my view the people who are prepared to study should be given the opportunity of promotion in local authorities, irrespective of whom they know. They should be able to apply for positions with some degree of confidence, knowing that they have some chance of being appointed.

Mr. Young: How long does it take to qualify?

Mr. MAY: I do not know exactly.

Mr. Young: You will find that this is an eight-year course.

Mr. MAY: It could be, but this does not appertain to local government only. When a young person commences his career in local government he should, by the time he has reached the end of the period mentioned by the honourable member, be in the position where he is qualified to be appointed to a higher office.

Mr. Young: They will not study if they can be appointed shire clerks before they have qualified.

Mr. MAY: This applies not only to shire clerks, but to other positions in local government. This aspect was mentioned in the letter from the Secretary of the Municipal Officers' Association which appeared in the Press: the fact is that there are insufficient qualified officers. This is a matter of concern to the local authorities which are looking for the most suitable persons to fill positions, but they are not giving preference to applicants who have studied or who are prepared to study after they are appointed.

I have mentioned the case of a person who was appointed as assistant shire clerk in a local authority, and who subsequently was appointed shire clerk of a metropolitan local authority without having to undergo additional studies.

The Bill contains a provision in clause 2 which states that the council shall advise each qualified applicant immediately and in writing of the appointment of an unqualified person; and each qualified applicant may appeal against the appointment to the municipal officers' appeal board within 28 days of the appointment.

The Minister has taken a great deal of responsibility unto himself in appointing an unqualified person to a position in local government, especially when qualified people have submitted applications. This is the main aspect which is worrying the local government officers: the fact that the Minister has the right to appoint unqualified persons to positions to which qualified officers should be appointed.

I would ask the Minister concerned to have another look at this piece of legislation. I said previously that it was a pity the Minister for Local Government is not a member of this Chamber. The Minister who spoke in the second reading debate on this Bill on behalf of the appropriate Minister read verbatim from a statement. It seems that no co-operation has been given to me. It is unjust that a Bill

of this nature, which affects so many people, should receive so little consideration from the Minister for Local Government. It is high time the practice of appointing unqualified people to positions in local government, in preference to the appointment of qualified persons, was discontinued.

It would be of advantage to the Minister for Local Government if he was able to hand over the consideration of these matters to a tribunal, and to give qualified people a right of appeal. The Bill only affects the qualified officers when the Minister appoints unqualified persons. We should have every consideration for people who are qualified, and people who are prepared to study and to serve in the country, with the hope that at some future date they will be appointed to a larger local authority in the metropolitan area, where they will be paid a salary commensurate with their ability.

If the proposed tribunal were established in the terms I have outlined the Minister would be relieved of the obligation to make appointments. I cannot understand the rejection of my proposal by the Minister, because everybody in local government who is affected will be satisfied if he can, under the terms of the Bill, ascertain the reason he has not been successful in being appointed to a particular position.

Irrespective of the vocation that a person is interested in, if he is prepared to make a career of it he should be provided with every opportunity to learn why he has not been successful in filling a position that has been advertised. For those reasons I would like the Minister for Local Government to look at this matter again.

The tribunal I have proposed will function equitably, and will give everybody concerned the chance to learn of the outcome of applications for positions. Its establishment will satisfy the Municipal Officers' Association and people who are associated with local government.

I realise that some shire councils have appointed unqualified persons and they are very happy with the appointments; but this still does not overcome the problem where qualified officers, who are able to fill advertised positions better than unqualified persons and are prepared to study for promotion to higher positions, are not appointed.

Whilst I realise that the fate of this Bill is a *fait accompli* the Minister concerned should be prepared to go into the matter further. I feel that the position in which the Municipal Officers' Association is placed should be eased; and the establishment of the proposed tribunal to give officers in local government the right of appeal against the appointment of unqualified persons should be given every consideration.

Question put and negatived.

Bill defeated.

BERNARD KENNETH GOULDHAM

Compensation: Motion

Debate resumed, from the 7th October, on the following motion by Mr. Bertram:—

> That this House is of the opinion that the contents of the affidavits of—
>
> Julian Hymanson, sworn on the 4th May, 1967,
>
> Blanche Dora Hymanson, sworn on the 11th May, 1967,
>
> Harry Lezar, sworn on the 29th May, 1967,
>
> Desmond Derepas, sworn on the 20th November, 1967,
>
> and the statutory declaration of Alan Jabe Bona Dodd, made on the 2nd October, 1970, are of such a nature as to justify the Government re-considering the question of payment of compensation to Bernard Kenneth Gouldham, and this House requests that action be taken by the Government accordingly.

MR. COURT (Nedlands—Minister for Industrial Development) [9.30 p.m.]: A motion was moved by the member for Mt. Hawthorn to the effect that this House is of the opinion that the contents of affidavits sworn by four individuals and the contents of a statutory declaration by another are of such a nature as to justify the Government reconsidering the question of compensation to Bernard Kenneth Gouldham; and the honourable member also moved that this House request that action be taken by the Government accordingly.

I reply to this motion, as the Minister representing the Minister for Justice in this Chamber, and I rise to place before the House certain undisputed facts surrounding this case which has been given prominence by certain interested parties over a rather extended period of time, putting it generously, and I believe the facts which I shall place before members will not only suffice to ensure the rejection of the motion moved by the honourable member, but also to dispel any doubts as to whether all that could have been done for Mr. Gouldham in the interests of justice has already been attended to by the judiciary and by the Government.

I have undertaken a considerable amount of research with the assistance of the Minister concerned and his officers, because I believe that the Government owed it to the House to look seriously at the motion and at all the facts of the case. Therefore, I have gone to the trouble of recording in a straightforward way the information I believe this House should have in connection with this case

because if it does not have a record in a very straightforward manner and from official sources, I am of the opinion that this matter will go on like the brook and do no good to the gentleman concerned. In his interests it would have been much better if this matter had never been raised in Parliament, but had been left to take its course as was obviously intended when it was last before the court.

However, it has been raised, and raised again, and therefore the Government has no alternative but to endeavour to place on record in *Hansard* some of the facts which I believe are pertinent and which should be known to members.

It will be recalled that when this matter was before the House last time I dealt with it in a rather cautious manner because I felt then, from my study of the case and the papers, that it was in the best interests of the person concerned that this not be debated in Parliament. This was not the place for it and it was quite inconsistent with the circumstances surrounding the last time when the matter was before the judiciary of the State; and heaven forbid when this Parliament tries to turn itself into a court of law! This is the danger if we are not careful.

Mr. Jamieson: It is in the final analysis.

Mr. COURT: Only in respect of certain matters.

Mr. Bertram: It is only being asked to do justice, and a jury does that every day of the week.

Mr. COURT: I am amazed that the member for Mt. Hawthorn, with his training, should suggest this place be used for the purpose he is implying. We are here to make laws, and it is an essential part of our system that people fully trained and quite independent sit in judgment on these particular cases as between citizens and the Crown and as between citizens and citizens.

Mr. Bertram: There is an excellent precedent.

Mr. COURT: There is only one particular circumstance under which this House does reserve unto itself the right to make a decision in respect of certain matters, and that, of course, is when Parliament itself is involved.

It is a pity, perhaps, that the Government has been placed in this position, for surely we would have been quite happy to leave well alone in the knowledge that no stone has been left unturned to ensure that in this somewhat controversial case, justice has not only been done, but is seen to have been done.

This is the point I would like to emphasise at this stage of my remarks, because it has been suggested that justice has not been done. I believe, from a very careful study of the papers, that justice has not only been done, but has been seen to be done.

Therefore, I seek the forbearance of members in order that I might place before them, for their information and for the information of all other persons who have been interesting themselves in this case, facts which will enable all to judge, should they be disposed, whether Bernard Kenneth Gouldham has been fairly dealt with.

The specific points which appear to the Government to be relevant come under several main headings, and I shall now deal with preliminary points appertaining to the case.

Before proceeding with this motion, I state unequivocally to the House that the Government has complied with the wishes of the House as expressed in the motion concerning this matter which was passed in the last session of Parliament.

The member for Mt. Hawthorn now professes to be aggrieved because Mr. Gouldham was not permitted to make submissions and present material to an "investigator." I have used inverted commas for that word, because this is a term coined by the honourable member himself.

Mr. Bertram: By me?

Mr. COURT: The resolution of the House says nothing about an investigation.

Mr. Bertram: Did I call him that?

Mr. COURT: Yes; in the context of this case, yes. Indeed, it would have been quite inappropriate to appoint a Royal Commission to inquire into such a matter.

The Government undertook to re-examine the case. This required a review of the history of the case and of the materials that were involved in the various court proceedings that have taken place.

To guide it in its task, the Government sought the opinion of an eminent judge recently retired from the Supreme Court of another State. That opinion, when given, confirmed the Government in the view it had originally taken in the matter.

Mr. Jamieson: Where did he conduct his inquiry?

Mr. COURT: I would not know. I would not question a man of his eminence.

Mr. Jamieson: I mean, did he conduct it in Tasmania or in Perth?

Mr. COURT: I would not know, because he was doing an independent inquiry.

Mr. Jamieson: Goodness gracious!

Mr. COURT: What does it matter where he conducted it?

Mr. Jamieson: It matters a lot.

Mr. COURT: The member for Belmont is becoming as confused as the honourable member who introduced the motion.

Mr. Jamieson: No I am not; it shows the confused mind of the Government.

Mr. COURT: He is an eminent man who spent his life in this type of work and he was given a task to do.

Mr. Jamieson: What? A brief?

Mr. COURT: He has studied the case and given the result of his findings to the Government which, in turn, made them available to the public. I believe that when he made his findings and gave his advice to the Government there the book should have been closed. I submit that it would have been in the best interests of the man concerned if it had ended there. I believe it has gone too far even now, because this person could have proceeded better to rehabilitate himself into the community without this type of publicity than he can now. Surely it is the objective of all of us, once a person has served a sentence, that he should be able to get on with the job of rehabilitation.

Mr. Davies: When he served it wrongly?

Mr. COURT: We will come to that in a moment if the honourable member will be patient while I endeavour to convey a factual statement of the situation. That is all we want to record.

Mr. Bertram: We are looking forward to it.

Mr. Jamieson: I can imagine your attitude if you were wrongly—

The ACTING SPEAKER (Mr. Mitchell): Order!

Mr. Jamieson: You would never give up!

Mr. Bertram: That would be different!

Mr. Jamieson: That would be different all right! That would be his personal—

The ACTING SPEAKER (Mr. Mitchell): Order, please! The Minister will address the Chair.

Mr. COURT: The problem is that the members of the Opposition are treating this as a political matter.

Mr. Davies: Nonsense!

Mr. Jamieson: Don't talk rot!

Mr. Davies: You are talking rubbish!

Mr. COURT: They are turning this Parliament into a political court.

Mr. Davies: We are looking for justice.

Mr. Jamieson: You want to listen to the opinion in the street for a while and see where you stand.

Mr. COURT: If members will listen for a moment they will hear, and I hope be convinced—

Mr. Davies: We have been listening for 10 minutes now and we have only heard the opinions you want to give.

The ACTING SPEAKER (Mr. Mitchell): Order, please!

Mr. COURT: I want to say that I have no intention of appearing here with a brief. I just want to state some facts, and I am going to leave it at that. We have stated the facts because it is not necessary to go any further.

Mr. Bertram: I agree.

Mr. COURT: I wish the member for Mt. Hawthorn had thought of that before he introduced the motion. In any event, as will be shown as I proceed, the material now produced by the member for Mt. Hawthorn—even had it been made available to Sir Marcus Gibson—could not have affected his conclusion.

Mr. Jamieson: The Minister knows this man too, does he?

Mr. COURT: Well, I have accepted that he is an eminent member of the judiciary, and if the member for Belmont will be patient he will find I have not a long story to tell. I am not trying to embellish it at all so I ask members to be patient.

The member for Mt. Hawthorn referred to a man named Sharrett as being a key witness in the trial. Some explanation should be given concerning the original statement given by Sharrett to the police. At both the committal proceedings and at the trial, Sharrett said that, although he had known that Gouldham had received commission from a man named Trafford, he had not known the amount of the commission.

However, in the statement made to the police before any proceedings commenced, Sharrett said that Trafford had told him that Gouldham was to receive £400 out of the original £3,200 being paid for the house. In both the original statement and in his evidence, both in the committal proceedings and at the trial, Sharrett maintained that Gouldham had never mentioned the commission to him. The extent of the inconsistency therefore was simply as to Sharrett's knowledge of the amount of money—and I emphasise the amount of money—that Gouldham received as commission. Nevertheless, a majority of the members of the Court of Criminal Appeal took the view that the Crown should have made the statement available to the defence and its failure to do so was an irregularity.

I want to state the facts as they are: it was for this reason that the conviction was quashed. If members will study the papers of all that has been said, they will arrive at this particular situation. It does help

to consider the matter in its proper perspective, and it does help one to arrive at the conclusion that the gentleman concerned would have been well advised to leave the matter at that point, because this is the critical point in the whole matter. By whatever standards it is judged, if the papers are looked at fairly then this is the conclusion one must arrive at.

It is important to place such a statement in its proper perspective. It is not a statement made on oath. Its primary function is to guide the police officer conducting the committal proceedings in his examination of the person who made it. That examination is recorded in the form of a sworn deposition, which together with the depositions of other witnesses forms the basis of the trial before a judge and jury.

When the committal proceedings are concluded the original statements are retained on a police file and in the vast majority of cases are not referred to again. Clearly in the light of this case, it is the duty of prosecuting counsel to refer any material discrepancy between the original statement and the testimony of a witness to the defence. Whether counsel in this case was aware of the discrepancy, or whether being aware of it he did not consider it material, is not known because the counsel concerned resigned from the Crown Law Department some time ago.

But what is known is that the original statement—or a copy of it—came to the knowledge of the present Chief Crown Prosecutor only last year—and I emphasise, only last year—and after the Minister for Justice had referred the case to the Court of Criminal Appeal. Again, an important point: after the Minister for Justice had referred the case to the Court of Criminal Appeal.

In the course of preparing the case, the prosecutor received a bundle of papers from the police officer concerned and the document in question was included in this bundle. The prosecutor noticed the discrepancy and consequently supplied a copy of it to counsel for Mr. Gouldham.

Now there is an inference that somebody on the Crown Law side failed to do the right thing. The Crown Law man went out of his way, as soon as the document was brought to his notice, to see that it went to the defence counsel. I repeat: After the Minister for Justice had referred the case to the Court of Criminal Appeal.

The member for Mt. Hawthorn speaks of this statement as not coming to the surface until the late part of 1969 but, of course, there was no occasion for it to surface earlier once the original trial was concluded, and for reasons I have given. Let us remember two things: firstly, and this is important if we are to regard this matter in its true perspective, it was the Minister for Justice who made the decision to refer the whole matter to the Court of Criminal Appeal, thereby giving Mr. Gouldham a further chance to challenge his conviction; and it is equally important that it was the initiative of the Crown that led to the discovery of this document and thereby made it available to those appearing for Mr. Gouldham.

The more I study the papers the more I am convinced that every effort was made by the Crown Law people—particularly those in office today—to see that everything was done to give this person the maximum opportunity to present his case. One has to bear in mind that the Minister for Justice could very easily have turned this thing down. There had been a case, and there had been an appeal, but the Minister agreed to this further reference to the Court of Criminal Appeal.

Mr. Bertram: Nobody has argued against what you have just said.

Mr. COURT: I listened to all the honourable member had to say.

Mr. Bertram: Have you read it?

Mr. COURT: Yes, and I gathered the very distinct impression—as did many of my colleagues—that the implication was that the Crown Law Department was not acting properly. However, the Crown acted very properly. When I talk about the Crown I am referring particularly to the people in the employ of the Crown, and in this particular case, the present Chief Crown Prosecutor. He could not have acted with greater propriety or fairness than he did; nor could the Minister.

If this sort of thing occurs I can imagine that Ministers, from either side of the House, will be reluctant to use the power vested in them to order such matters to be referred to a Court of Criminal Appeal.

Mr. Jamieson: You would be a nice sort of Minister for Justice if you took that view.

Mr. COURT: I am not the Minister for Justice. A consideration of the circumstances surrounding this statement leads then to a restatement of the essential elements of the charge against Gouldham. We have to go back to the start and this is what we did not want to become involved in. However, there is no alternative. They were—

(a) That Gouldham was acting as agent for Sharrett.

(b) That he submitted a false account to Sharrett, with intent to deceive Sharrett.

The question of agency I shall refer to later, when it will be seen that this was clearly established. To most members that will not be of any great moment, but from the practising lawyer's point of view is of considerable importance.

There is no doubt—and there remains no doubt—that Gouldham submitted a false account to Sharrett. This is incontrovertible and even the member for Mt.

Hawthorn does not suggest otherwise. It is necessary to come back to this fundamental point at the start of the whole business.

The third element raises the question of what Gouldham thought Sharrett knew. It is quite possible for Sharrett to know of the commission, because he was told by Trafford, and yet for Gouldham to try to deceive him by rendering a false account because he did not know that Sharrett knew the truth. This was the Crown case and this was the view that the jury must have accepted.

Furthermore, it remains a most plausible view, because if it were not so, why does Mr. Gouldham render a false account? This is not in dispute, neither then nor now.

I submit to the House that it would appear to be very odd if Gouldham knew that Sharrett already knew of the commission he had arranged to get from Trafford that he would not have disclosed this in the account. Then, add to this the evidence from the investigating detective, that when he first taxed Gouldham with the complaint that he had not disclosed the commission to Sharrett, Gouldham's reply was that it had nothing to do with Sharrett. Surely it would have been easier to say simply that, of, course, Sharrett knew about it, because he, Gouldham, had told him. Had that happened I think the whole thing could have taken a different course.

These matters are mentioned, not with a view to provoking a retrial of the matter in the House—though maybe there are those who would desire this course to be followed—for such a course is one which, at all times, in this and other matters, this Government has strenuously resisted. I hope it will continue to do so. The matters are mentioned merely to provide a background against which members may consider the material referred to in the motion moved by the member for Mt. Hawthorn.

With these preliminary words, I now proceed to the main point and that is a consideration of the materials to which the honourable member's motion refers and I shall proceed to elucidate to the House that these materials are without substance at all.

The four affidavits, which are already recorded in *Hansard*, have been read by the honourable member. I will not weary the House with repetition. All speak of events that occurred in late 1966 and in 1967—six years after the happening of the events from which the charge against Mr. Gouldham arose. I ask members to remember that this was six years after the events.

Members may refresh their memories on these affidavits if they turn to page 1106 and onwards in *Hansard* proof No. 9 of the current sitting. It is apparent, then, that these affidavits are from three to four years old. They all deal with statements said to have been made by Mr. Trafford concerning evidence given by him at the Gouldham trial. He is said to have made an oral statement on the 23rd December, 1966, to have put this into writing in a statement dated the 26th December, 1966, and then, later, in 1967, to have announced that he had since retracted it when interviewed by an officer of the C.I.B. because he did not wish to be charged with perjury in respect of the evidence he had given at the trial.

I invite members to note at this point that Mr. Gouldham and his advisers did not seek to place these affidavits before the Court of Criminal Appeal on the hearing of his appeal.

Mr. Bertram: On what date?

Mr. COURT: At the hearing of the appeal.

Mr. Bertram: In 1969?

Mr. COURT: That is when they were available.

Mr. Jamieson: They did not need to. They got the appeal without that.

Mr. COURT: Just a minute.

Mr. Jamieson: They did not need to.

Mr. COURT: That is what the honourable member tried to convey to the House and I want to give the right story. Now, however, the member for Mt. Hawthorn's complaint is that these affidavits were not considered by Sir Marcus Gibson or by the Government in dealing with the question of an *ex gratia* payment.

Mr. Bertram: That is right.

Mr. COURT: But, surely the question is whether they carried the matter any further, even if the contents are accepted as true. I must admit that I find it passing strange that counsel did not use this information that he had. In my experience counsel plays every card he has if he thinks it is of any value and he does not do, as the member for Mt. Hawthorn—

Mr. Bertram: That is very true.

Mr. COURT: —suggests; namely; play only some of the cards which he thinks he needs and gamble on the finesse of winning.

Mr. Jamieson: You are suggesting that all these people perjured themselves.

Mr. COURT: No, I am not.

Mr. Jamieson: That is what you are saying.

Mr. COURT: No, I am saying that it is passing strange—to use a favourite phrase of the Leader of the Opposition—that the defence counsel did not produce these if he felt they had any value. I repeat that in my experience, and it is not inconsiderable in engaging counsel,

that counsel uses every trick in the book available at that time. If counsel can win by a furlong instead of a head, he wins by a furlong. That is his job.

The most that those affidavits do to advance Mr. Gouldham's case—and this if we accept the truth of the contents—is to furnish an unsworn statement in writing by Mr. Trafford as to what was said in a conversation six years before.

I want to tell members something they would not have gleaned from the member for Mt. Hawthorn's submission when moving the motion: that statement was, in fact, before the court of Criminal Appeal on the hearing of Mr. Gouldham's appeal in 1969, and it was rejected by that court. I repeat that it was before the court, in a form which I will give in a moment, but was rejected by that court. By itself, this pricks the balloon to a considerable extent.

Let us see what Mr. Justice Virtue has to say in the matter. He says—

> It is apparent that both Sharrett and Trafford should be regarded as most unsatisfactory witnesses whose fresh testimony could hardly be relied on as justifying such a serious step as interfering with a verdict of long standing.

That is what Mr. Justice Virtue said. To repeat his last words, "it could hardly be relied on as justifying such a serious step as interfering with a verdict of long standing."

Members should refer to Mr. Dodd's declaration recorded in *Hansard* as from page 1116. The declaration comprises, firstly, a recital of the history of the case; secondly, a letter to the Law Society by Mr. Dodd, dated the 16th February, 1968, seeking a prosecution of Mr. Trafford for perjury; and, thirdly, the expression of opinions on different aspects of the case, including the question of whether Mr. Gouldham was Mr. Sharrett's agent. But in none of these respects does the declaration carry any weight in the present circumstances. The more one reads it the more one is convinced of this.

The salient features of the history of the case were known to both the Court of Criminal Appeal and to Sir Marcus Gibson; apparently, the Law Society did not see fit to act on Mr. Dodd's letter concerning the prosecution of Mr. Trafford for perjury; and finally, on the question of whether Gouldham was agent for Sharrett, this was the major issue that was fought out at the trial and nothing in these affidavits that are now produced bears on that question.

I repeat that this was the major issue that was fought out and nothing in the affidavits bears on this question.

It is worth members' remembering that at his trial Gouldham was defended by experienced counsel, that the issue of agency was squarely before the jury for decision, and that the verdict of guilty was subsequently confirmed by the Court of Criminal Appeal, after hearing argument on an appeal in which the question of agency was examined.

However, we are all aware that the declaration made this month is not the first occasion that Mr. Dodd has expressed an opinion upon the case of Mr. Gouldham. In *The West Australian* of the 26th June, 1969, mention was made of a statement said to have been made by Mr. Dodd to the effect that, in his opinion, in the light of the fresh evidence, Mr. Gouldham could not have had any intention to deceive the person concerned.

Subsequently, Mr. Dodd addressed a letter to the Minister for Justice, expressing an opinion to the same effect. This was one of the matters taken into consideration by the Minister for Justice when he decided to refer the whole case to the Court of Criminal Appeal. Yet, as has already been mentioned, it is made clear in the judgments of the judges, that had it not been for the entirely different matter of the non-disclosure of the original statement made by Sharrett, the verdict of guilty would not have been disturbed.

From the foregoing facts it follows that the affidavits, to which the present motion of the member for Mt. Hawthorn refers, do not prove Gouldham's innocence and would not even have been sufficient to get him a new trial. But Mr. Gouldham did have an opportunity to have a retrial to clean the whole business up, if he felt so inclined, but this opportunity was turned down, as I shall mention as I proceed. A court is the place to deal with these matters, not the Parliament.

It is submitted to the House that the effort to surround these affidavits with some dramatic quality is quite wrong and, in fact, ludicrous.

Mr. Bertram: If it is, by whom?

Mr. COURT: By the member for Mt. Hawthorn. Who else? The so-called dramatic production of something, which was intended to influence everybody, had a superficial impact, but when it is studied it is realised that it has no value and it is quite wrong to try to turn this Parliament into a court.

Is it not extraordinary that some attempt was not made to use the affidavits in the Court of Criminal Appeal, if they are of such importance? I cannot get over this point; that if they were of the importance that is now represented to this House, why were they not produced by the defence counsel? There was no restraint on him.

Mr. Jamieson: The importance grew after Dodd came into the picture.

Mr. Bertram: Would you take notice of what the barrister himself said about this?

Mr. COURT: I am going on the evidence that is on the file.

Mr. Bertram: The barrister was the man concerned.

Mr. COURT: His client could have had a retrial, but he did not.

Mr. Bertram: We are discussing the question of the putting in of these affidavits.

Mr. COURT: I say he had everything in his hands to put them in if he wanted to, and he elected not to do so.

Mr. Bertram: Quite right. As to whether he should or should not have done so, would you accept his word on that?

Mr. COURT: It is not for me to say. He was the professional in charge of the case.

Mr. Bertram: A minute ago you were pointing out that you could not get over it. Now you say it is not for you to say, and I agree that it is not.

Mr. COURT: I am saying it is not for me to say why he did not use them. He had his own reasons.

Mr. Bertram: Excellent reasons.

Mr. COURT: It is rather strange that, having had what he considered was a victory in the matter, all of a sudden he now decides he has to produce something else, something he had at the time. If anyone sits down and dispassionately looks at these papers by the hour, as I have had to do, he will come to the conclusion that they have no relevance to the particular matter we have under consideration.

Mr. Jamieson: You are setting yourself up as a complete judge and jury, which you are saying we should not do.

Mr. COURT: I am not. It is my job, as the Minister representing the Minister for Justice here, to study the papers and state the case.

Mr. Jamieson: You are coming to a conclusion; you are not stating the case.

Mr. COURT: I am not trying to embellish it at all.

Mr. Jamieson: Not much!

Mr. COURT: All that the honourable member has done by his interjections is to force me to restate some of the points I have already stated. I do not want to state them two, three, or four times. I want to state the facts according to the papers, and leave it at that.

Mr. O'Neil: The member for Belmont is coming to a conclusion without hearing the facts.

Mr. Jamieson: I am coming to no conclusion whatsoever.

Mr. COURT: The member for Mt. Hawthorn says that counsel used his judgment in selecting enough to put before the Court of Criminal Appeal to win his case, but that is nonsense, because the fresh evidence with which he sets out to persuade the Court of Criminal Appeal to quash the conviction failed to achieve that result. It sounds to me as though, through not putting in the affidavits—if they have any value, and I do not submit that they have—counsel and his client decided that this was a case of "slips no go; we will now go back and start the game all over again and we will produce these affidavits." I do not think that holds any water.

The only explanation of why these affidavits were not put before the Court of Criminal Appeal is that they were seen by Mr. Gouldham's counsel to be worthless. The same answer may explain—and it is not for me to say—why Trafford has never been prosecuted for perjury.

What has already been said is enough to dispose of this motion, but there are some other matters. The member for Mt. Hawthorn has brought certain affidavits to the attention of the House, but it is of importance to note that the written statement attributed to Mr. Trafford is not sworn. There is no affidavit from Mr. Trafford in the material put forward by the member for Mt. Hawthorn. This is strange because, in fact, Mr. Trafford did swear an affidavit referring to these matters. I would like members to take note of that. The affidavit presented by the mover of the motion does not contain a sworn statement by this man, but the man in fact did swear an affidavit on the 11th September, 1969. This affidavit was before the Court of Criminal Appeal on the hearing of Mr. Gouldham's appeal.

This is a very important point, and I will read the affidavit in a moment because I think regard should be had to it. The important thing is that this affidavit, which is sworn evidence, was before the Court of Criminal Appeal, and it is surprising if the member for Mt. Hawthorn, with his great interest in the case, was unaware of its existence. As it is, whether deliberately or not, the House has been seriously misled by being asked to consider affidavits which focus on an unsworn written statement made by Mr. Trafford when there is also in existence an affidavit sworn by him which was not produced.

I now propose to read this affidavit to the House because I think it should be considered along with all the others, particularly as it is an affidavit and was

known to the court, whereas the others referred to an unsworn statement by the man concerned. The affidavit reads—

IN THE SUPREME COURT OF WESTERN AUSTRALIA
APPEAL No.
CRIMINAL JURISDICTION

BETWEEN:

BERNARD KENNETH GOULDHAM
Appellant

and

THE QUEEN
Respondent

AFFIDAVIT OF VICTOR EMMANUEL TRAFFORD.

I, VICTOR EMMANUEL TRAFFORD

of 13 Padbury Street Esperance in the State of Western Australia Carpenter being duly sworn make OATH AND SAY as follows:

(1) On the 23rd day of December, 1966, I saw BERNARD KENNETH GOULDHAM the Appellant, at the office of the Fire and All Risks Insurance Company Limited at 69 St. George's Terrace, Perth in the said State in the course of transacting some insurance business and in the presence of one JULIAN HYMANSON.

(2) At that time the said GOULDHAM and I discussed the matter of his conviction in the Criminal Court held at Perth aforesaid in October, 1961.

(3) I remember telling GOULDHAM that I had not reported the matter to the Police and that I was of the opinion that he had been wrongly convicted. I held this opinion because I believed that GOULDHAM had not robbed anyone and I could not understand that he had committed any offence.

(4) GOULDHAM then called into the office a Mr. LEZER whom he introduced to me as the General Manager and at GOULDHAM's request I repeated to the said LEZER the statements I had just made to GOULDHAM.

(5) GOULDHAM then commenced to tell LEZER and HYMANSON what had take place at a meeting which had been held between RICHARD ERIC SHARRETT, LLOYD GUY HIBBLE, GOULDHAM and myself at Cannington on the 5th day of January 1961. Among other things GOULDHAM said that both he and I had told the said SHARRETT at this meeting that GOULDHAM had retained £400 commission out of the first progress payment due to me for building SHARRETT's house. I did not dispute this statement as so far as I could then remember, it was correct.

(6) On the 25th day of December, 1966 at 11.30 a.m. GOULDHAM and HYMANSON called at my home at 24 Bulbey Street, Bellevue in the said State. GOULDHAM re-opened the discussion about his conviction and asked me if I would give him a statement. I refused to do so. GOULDHAM and HYMANSON were at the house for about an hour and as I had guests for Christmas dinner I was anxious that GOULDHAM should leave as soon as possible.

I might interpolate here to say that, being Christmas Day, I think he was entitled to feel that way. To continue reading the affidavit—

(7) On the 26th day of December 1966 at approximately 11 a.m. HYMANSON came to the house alone and again asked me on GOULDHAM's behalf, to make a statement. I told him that I would not do so without legal advice.

That is fair enough. To continue—

(8) On the same day at approximately 7 p.m. GOULDHAM and HYMANSON came again to my home, and GOULDHAM again asked me for a statement, saying that it would be the same as my evidence given at his trial which he had with him and would show me.

Members will understand that Gouldham was saying, "All I want you to do is to make the statement you made at the trial; I will show you the evidence you gave." To continue—

(9) GOULDHAM's persistent requests were by this time beginning to upset me and, although I was concerned because I could not obtain legal advice during the holidays, I agreed to make a statement so that GOULDHAM would leave me alone.

(10) I wrote the statement as GOULDHAM dictated it to me. The statement comprised seven pages, each of which I signed. HYMANSON signed each page as a witness to my signature and dated each page the 26th day of December, 1966. I believed when I wrote the statement that what I was then saying was

consistent with what I had said in evidence at GOULDHAM's trial, although I did not see any notes of that evidence at that time.

(11) In my statement dated the 26th day of December, 1966 I said that both GOULDHAM and I told SHARRETT at the meeting in January, 1961 that GOULDHAM had had £400 out of the building price of £3200. I also said that GOULDHAM then told SHARRETT that the £400 had been paid by me out of my own pocket.

(12) Because of the passage of time my memory is not now clear on these matters, although I remember that I told SHARRETT about the £400 at some time.

(13) When I made my said statement I had very little independent recollection of the material facts and in so far as anything contained in that statement is inconsistent with the evidence which I gave at the trial of GOULDHAM in October, 1961 material contained in the statement is incorrect. My evidence at the said trial was a true account of the events which had occurred to the best of my recollection at that time.

Then there is the usual comment at the bottom stating, "Sworn at Esperance..... on the 11th day of September 1969." The affidavit is witnessed by a Commissioner of the Supreme Court of Western Australia for taking Affidavits. I believe that affidavit should be recorded and it should be known to the House that a Court of Criminal Appeal had that affidavit before it.

Mr. Davies: At whose request was it sworn?

Mr. COURT: I do not know.

Mr. Davies: Who was concerned, and for what reason? The affidavit is in existence, so there must have been some reason.

Mr. COURT: If the honourable member wishes I will gladly ascertain that information for him. The fact is that it is an affidavit made out in the normal way under date the 11th September, 1969. In my experience of this sort of thing, when the case is being prepared those who are responsible for presenting it obtain the necessary affidavits.

Mr. Jamieson: Who filed the affidavit?

Mr. COURT: I have not the official copy that was filed. However, if the honourable member wants it it can be made available.

Mr. T. D. Evans: It should be stated on the cover. The affidavit should have a cover, because that is included in the rules.

Mr. COURT: I am dealing with a copy of the affidavit. However, I will gladly obtain the information if the honourable member wants it. There is nothing to hold back, because the affidavit has been before the court. That is the message I want to get across; it is not as though it is a document which was merely put into somebody's drawer.

Mr. Davies: You are getting very short about a simple request.

Mr. COURT: I said I would find out for the honourable member if he wanted the information.

Mr. Davies: I said I would like it.

Mr. COURT: All right.

Mr. Bertram: Is that one of the affidavits upon which Mr. Justice Virtue said he would place little reliance?

Mr. COURT: Yes; I read out the comments of Mr. Justice Virtue, which are very pertinent and which virtually go a long way towards demolishing the case of the member for Mt. Hawthorn.

As has already been said, in my seeking the rejection of this motion moved by the member for Mt. Hawthorn, I again reiterate that Parliament is not the place to resolve these matters; but one thing is clear, and that is that the time of the House is being wasted on this sort of matter which I believe is not the type of thing we should be dealing with because nothing of a serious nature has been advanced by the honourable member to assist the House in its deliberations.

As to the implications of the decision of the Court of Criminal Appeal, it is important to note that it was not Mr. Gouldham's innocence but an irregularity at the trial—and this is where the confusion seems to have developed because I again emphasise that irregularity was exposed by the Crown itself after the Minister for Justice had referred the matter to the court—that led to a majority of the Court of Criminal Appeal to say that the trial was unsatisfactory and that therefore the verdict should not stand.

Mr. Jamieson: Yes, but you are setting yourself up as a judge and jury again because if this information had been available at the time you cannot be sure that the case against Gouldham would not have been dismissed at that stage.

Mr. COURT: Just bear with me for a moment.

Mr. Jamieson: You can't be sure.

Mr. COURT: I am not going to stand here on trial. I merely wish to state some facts.

Mr. Jamieson: Make it facts instead of your leading opinion.

Mr. COURT: I have not stated an opinion.

Mr. Jamieson: You are stating the opinion that it would not make any difference.

Mr. COURT: The more the member for Belmont continues to talk, the more he dobs himself in as being one who has made up his mind.

Mr. Jamieson: I am not dobbing myself in. There is an easy way out, and you know it.

Mr. COURT: Ordinarily, the consequences of such a finding would be a new trial. This means that although the conviction is quashed, it is not true to say that the court finds he is innocent, or not guilty. That is accepted in most places where people who understand the procedures of the law discuss such matters. The significance of ordering a new trial is that there remains a *prima facie* case for the accused to answer, which could be resolved only by the verdict of a jury. However, in this case, having regard to the lapse of time and the fact that Mr. Gouldham had served a term of imprisonment, the Crown did not press for a new trial and left the matter to the discretion of the court. It would have been quite competent for the Crown to press for a new trial.

Mr. Jamieson: You told me that the lawyers go over it to get the decision they want, and now you are saying something else.

Mr. COURT: No, I am not.

Mr. Jamieson: Yes you are.

Mr. COURT: I will state the position again: In this case, having regard to the lapse of time and the fact that Mr. Gouldham had served a term of imprisonment, the Crown did not press for a new trial and left the matter to the discretion of the court.

Counsel for Mr. Gouldham was then asked specifically by the court whether his client desired to have another trial and the court was advised that Mr. Gouldham was certainly not anxious to have a retrial and would be more than happy to have the conviction quashed.

This implied finality. He was given the chance to have his name cleared for all time in regard to the original accusation—not in regard to this irregularity that is being played up—and to have this whole question reconsidered by a jury, and he declined. To me this implied finality.

The court then, on the motion of Mr. Gouldham's counsel, ordered that the conviction be quashed and a verdict of acquittal entered. That order, while it removed the record of conviction and protected Mr. Gouldham from any further prosecution, did not change the factual circumstances. A further trial may have done that, if Mr. Gouldham had wished to take the risk. But now, Mr. Speaker, I suggest that the matter ought to rest where it is, in a situation where Mr. Gouldham, by reason of an irregularity in the course of his trial, is freed of the conviction.

Mr. Bertram: Do you propose to refer to Mr. Dodd's opinion that he would not charge him at all in the first instance?

Mr. COURT: I have dealt with Mr. Dodd's submission.

Mr. Jamieson: Not very fully; you have skirted right around that..

Mr. COURT: I suggest the honourable member should read Mr. Dodd's affidavit, in conjunction with what I have said, and he will find a fair summation in what I have said. I did not rely on my judgment in the matter, as members can well understand, because it would be quite wrong for me to take upon myself an analysis of this kind if one wanted to be fair.

In concluding my remarks, I would restate the fact made by Sir Marcus Gibson that no country in the world recognises any right to compensation in circumstances where innocence has not been established. And it certainly has not been established in the Bernard Kenneth Gouldham case.

That rule is clearly applicable in this case. In any event, it is clearly necessary that the Government always exercises caution in considering any payment of this kind. If there were to be a claim for payment every time a person is acquitted in the Criminal Court, or every time a conviction is quashed on appeal, the discretionary problems attending such claims would be immense. I think most members would agree that it would be completely impracticable and unwieldy; the whole system would break down.

Mr. Burke: I cannot see the analogy.

Mr. COURT: Mr. Speaker, I believe that you and most members in this Chamber will agree that Parliament is not the place where questions of guilt or innocence are to be determined, and that question is not the issue here now. While it has been necessary, in view of the manner in which this motion has been presented to the House by the member for Mt. Hawthorn, to restate facts of the past as recorded in the courts and in official documents—and I have gone no further—it would be quite wrong to attempt to make a debate here the occasion for a new trial. Mr. Gouldham has already indicated that he was certainly not anxious to have a retrial, perhaps bearing in mind that the case has been fully processed through the courts with the result—a very satisfactory result to Mr. Gouldham—that the conviction has been quashed and he is not exposed to the jeopardy of a new trial.

The law does not confer any right of compensation and there is insufficient merit in the circumstances to justify the Government in this particular case making an *ex gratia* payment.

I do not propose to add anything further. I have not offered any personal view. I have endeavoured to state fairly the information from the official files, and I believe that members, upon reading it, will believe we have endeavoured to state it in logical sequence on behalf of the Minister concerned. I am not going to get involved in trying to set myself up as judge and jury in the matter, because I do not think it is competent for me to do so. I have made what I believe to be a conscientious statement on the position. I believe there has been confusion in the minds of some people as to what is really being considered; the question of innocence was not established.

Mr. Jamieson: The question of guilt was not established, either.

Mr. COURT: I think the fact that a retrial was offered and refused speaks for itself. I believe, as far as one can assess from a reading of the papers, that at that point in time Mr. Gouldham felt relieved that counsel had managed to achieve this result for him. The Crown was not pressing for a retrial because he had served his sentence—there was a long lapse—and at that moment, if one can guess what was in the man's mind, he was relieved at the decision.

It would have been much better if the matter had been left at that point when the conviction had been quashed.

Mr. Jamieson: It would not have harassed the Government, anyway.

Mr. COURT: That is not the point. Governments are here to be harassed; that is part of our great democratic system. I believe that whoever handled this matter for Mr. Gouldham has done him an injustice, instead of letting it rest at the point at which it was intended to rest. I oppose the motion.

Debate adjourned, on motion by Mr. Jamieson.

House adjourned at 10.26 p.m.

Legislative Council

Thursday, the 29th October, 1970

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

QUESTIONS (2): ON NOTICE

1. NITROGENOUS FERTILISERS

Tariff

The Hon. N. McNEILL, to the Minister for Mines:

(1) Has the Government any detailed information on press report from Canberra that Customs Tariff Duty on nitrogenous fertilisers will cease during next month?

(2) If the report is correct, is it known whether the lifting of the duty will bring about—

(a) a reduction in the price to primary producers;

(b) any change in the level of bounty at present payable; and

(c) any alteration in output of Western Australian fertiliser works?

(3) Assuming the report to be correct, does the Minister agree that it is a very significant decision which directly, and by implication, could have considerable effect on cost-savings in Western Australian agriculture?

(4) As there are reports of world surpluses of nitrogenous chemicals from major industrial plants, will the Government make representations to the Commonwealth Government for reconsideration of the provisions of the law relating to the "dumped price" of nitrogenous chemicals and fertilisers?

The Hon. A. F. GRIFFITH replied:

(1) to (3) The payments which are to cease next month are temporary bounties of $16 per ton on urea manufacture and $8 per ton on sulphate of ammonia. These are not duties nor are they related to the subsidy of $80 per ton of nitrogen contained in fertilisers sold in Australia.

Western Australian manufacture of nitrogenous fertilisers and ammonia has never received the manufacturing bounty. Price changes are not expected to follow the cessation of the bounty.

(4) No action is considered necessary at present.

2. RAILWAY EMPLOYEES

Collie

The Hon. T. O. PERRY, to the Minister for Mines:

(1) What will be the immediate reduction in staff in all sections and grades of railway workers in Collie, after dieselisation?

(2) What is the estimated reduction in staff by 1973?

(3) Is it the intention of the Railways Department to operate diesels from Bunbury to Collie and return, and from Narrogin through to Bunbury?

(4) Will Collie become only a crew changing depot?

(5) With the existing facilities already established at Collie at a cost of approximately $4,000,000, will consideration be given to establishing