but the board could be in a position to assess information which will be of value to the industry in the future. I am prepared to support the second reading.

Debate adjourned, on motion by Mr. Moller.

BILLS (2): RETURNED

1. Fire Brigades Act Amendment Bill.

   Bill returned from the Council with amendments.

2. Married Persons and Children (Summary Relief) Act Amendment Bill.

   Bill returned from the Council without amendment.

PERTH REGIONAL RAILWAY BILL

Council's Further Message

Message from the Council received and read notifying that it had agreed to the Assembly's request for a conference, and had appointed The Hon. L. A. Logan, The Hon. I. G. Medcalf, and The Hon. J. Dolan (Minister for Railways) as managers for the Council; the Select Committee room as the place of meeting; and the time 6.45 p.m., Wednesday, the 15th November.

MR. JAMIESON (Belmont—Minister for Works) [11.26 p.m.]: I move—

That the time and place fixed by the Legislative Council be agreed to.

Question put and passed; the Legislative Council acquainted accordingly.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. J. T. TONKIN (Melville—Premier) [11.27 p.m.]: I move—

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

Question put and passed.

House adjourned at 11.28 p.m.

Legislative Council

Wednesday, the 15th November, 1972

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

QUESTIONS (3): WITHOUT NOTICE

1. TOWN PLANNING: CORRIDOR PLAN

Honorary Royal Commission: Report

The Hon. A. F. GRIFFITH, to the Leader of the House:

I am led to understand that a considerable number of inquiries have been made concerning the availability of the report of the Honorary Royal Commission into the Corridor Plan. Apparently the public is inquiring whether copies of the report will be available. Is it the intention of the Government to have the report printed in order that copies may be made available upon request to the public and to each member of the State Parliament?

The Hon. W. F. WILLESEE replied:

Yes. I am advised that sufficient copies of the report will be printed for sale to the public and for supply to each member of Parliament who requests one. I suggest that members submit their names to their party Whip and I will take the responsibility to make copies available.

2. FIRE BRIGADES BOARD

Contributions

The Hon. A. F. GRIFFITH, to the Chief Secretary:

It will be necessary for me to explain a little before I ask the question. In this morning's issue of *The West Australian* appears an article which is headed, "Rebuffs by Council hit Government funds." The article then continues—

> The State Government faces a revenue loss of about $680,000 because of rebuffs to Budget proposals.
>
> The Legislative Council last night amended a Budget Bill which sought to reduce the Government's contributions to the operation of the W.A. Fire Brigades Board.

It goes on to explain what the Press thinks happened. A comment made by the Chief Secretary is then printed as follows:—

> The Chief Secretary, Mr. Stubbs, said that the amendment would cost the Government about $180,000 a year.
>
> He told the council that the amendment would not be accepted by the Government. If it did not pass, the local authorities would be denied a saving of $400,000 a year.

The report is obviously erroneous and gives the impression that the Committee of the whole of this House amended a Bill causing the Government to lose $680,000. If my understanding of the legislation and the amendment is correct, that is a wrong report of the situation. I ask the Chief Secretary whether he saw the report—and I know he did because

I showed it to him—and whether he has taken any action to correct the misreporting. If he has taken no action, will he kindly do so in the interests of this House of the Parliament of Western Australia?

The Hon. R. H. C. STUBBS, replied:

I have seen the report twice. I saw it once when I read it this morning, and also a few moments ago when it was shown to me by the Leader of the Opposition. I have not taken any action. However, I will re-read the report and I will then decide what action I will take.

3. FIRE BRIGADES BOARD

Contributions

The Hon. A. F. GRIFFITH, to the Chief Secretary:

The Chief Secretary did not answer my question. I asked him whether he would take action to attempt to correct the erroneous report in the Press. I am most anxious to have the co-operation of the Chief Secretary in this regard. I would ask him to tell the Press that the proceedings in this Chamber were not correctly reported. I do not think this was the fault of the reporters in this House, but that of the subeditors who gave the heading to the article. In the interests of the public, the Government should assist in correcting reports which tend to mislead. I again ask the Chief Secretary: Will he take action to correct the erroneous report?

The Hon. R. H. C. STUBBS replied:

I can only repeat again: I will re-read the report and then decide what action to take.

QUESTIONS ON NOTICE

Postponement

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [2.45 p.m.]: I ask leave of the House to postpone questions until a later stage of the sitting.

The PRESIDENT: Leave is granted.

ALCOHOL AND DRUG DEPENDANTS: TREATMENT

Inquiry by Select Committee: Statement by Chairman

THE HON. R. J. L. WILLIAMS (Metropolitan) [2.46 p.m.]: I wish without notice to seek leave of the Council to make a progress report relating to the Select Committee appointed to inquire into the treatment of alcohol and drug dependants.

The PRESIDENT: Leave is granted.

The Hon. R. J. L. WILLIAMS: I wish to report in accordance with Standing Order 355 that in view of the impending conclusion of the current session, and as the Select Committee has not completed its investigations to enable its report to be presented to Parliament, a respectful request has been forwarded to the Premier, and approved by Executive Council, for the members of the Committee to be appointed an honorary Royal Commission to continue and complete the inquiries commenced by them with a view to reporting to His Excellency the Governor prior to the next session of Parliament.

IRON ORE (McCAMEY'S MONSTER) AGREEMENT AUTHORIZATION BILL

Second Reading

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [2.49 p.m.]: I move—

That the Bill be now read a second time.

This Bill has been sponsored by the Government to seek Parliamentary authorisation for the Government to enter into an agreement formalising the terms and conditions under which the McCamey's Monster iron ore deposits in the Pilbara may be mined and processed.

The agreement scheduled to the Bill has been framed to permit the development of these deposits which, collectively, contain iron ore reserves of considerable magnitude.

Broadly, this agreement has been based on the terms and conditions of the Rhodes Ridge agreement with which members will be familiar. The major exception and variation from the earlier agreement is that the joint venturers in this project for the development of the McCamey's Monster deposits are committed ultimately to producing iron and steel if this proves economically viable.

The joint venturers, known as the McCamey Iron Associates, are Consolidated Goldfields of Australia Limited, with an 11 1/9 per cent. equity interest; Cyprus Mines Corporation with 11 1/9 per cent.; Utah Development Company with 11 1/9 per cent.; M.I.M. Holdings Limited with 25 per cent; and two Western Australian companies which jointly hold a 41⅔ per cent. interest, Hancock Prospecting Pty. Ltd. and Wright Prospecting Pty. Ltd.

The agreement provides for development to take place progressively under an agreed time schedule in which due regard has been taken of the need for proper and detailed investigations of each stage to be completed before development proposals are submitted to the Minister.

Proposals for port, railway, mine, and township development must be submitted within five years of the execution of the agreement with the State Government.

Within four years of receiving State approval of the proposals, the joint venturers are committed to complete construction of the project to ore production and shipping stage. At this point the project must have reached a capacity to produce and ship ore at a rate not less than 1,000,000 metric tons annually for the first two years of the life of the project.

Within 10 years of the commencement of ore exports the joint venturers are required to submit proposals for the establishment of secondary processing facilities with a capacity of not less than 500,000 metric tons by the end of the twelfth year from the commencement of exports. Secondary processing capacity must increase to not less than 2,000,000 metric tons a year by the end of the sixteenth year.

The section of the agreement covering the commitment for iron and steel production has been drawn up to allow the joint venturers to choose between constructing their own plant, or joining in any other iron and steel production facility which may be operating or proposed.

This provision is a deviation from past practice in the drawing up of iron ore agreements, and one which is very much to the advantage of the State in ensuring the earliest possible move to steel production.

Modern iron and steel production trends are towards very large and integrated facilities such as the jumbo steelworks proposed by B.H.P. and its partners for Western Australia. Within a plant of this size it is possible to achieve worth-while economies of scale, allowing an earlier move to steel production than would otherwise have been possible.

Under this agreement, McCamey Iron Associates will be able to proceed to iron and steel production in partnership with other companies without having to renegotiate the terms of the agreement.

The agreement provides that proposals for iron and steel production must be submitted within 20 years of the date of the first ore exports and that they should provide for a capacity of not less than 500,000 metric tons by the end of the twenty-fifth year, increasing to 1,000,000 metric tons a year by the thirty-first year.

If the joint venturers choose to join with an existing or proposed steel-making venture in Western Australia their obligations will be no less than if they had proceeded separately to meet the requirements of this agreement.

Royalty provisions in the agreement are comparable with those of the Rhodes Ridge agreement and will produce royalty revenue at a higher rate than was the case with the pioneer agreements.

The joint venturers are required to pay 7½ per cent. of the f.o.b. value of lump ore, fine ore, fines, and any other iron ore products sold and shipped overseas.

On iron ore products formed through secondary processing of local ore the royalty rate will be 14.7631c per metric ton which rate of royalty will also apply to any other iron ore products which are utilised in Australia.

Under the terms of the agreement the joint venturers are granted rights of occupancy for five years from the date of execution of the agreement to four temporary reserves in the vicinity of Mt. Newman. An annual fee of $1,000 will be payable for each of the temporary reserves. Provision has also been made for the possible addition of other temporary reserves applied for but not yet granted.

The temporary reserves shown coloured blue on a plan which I will, with the permission of the President, table at a later stage, are those to which occupancy will be granted immediately. It is on these reserves that the joint venturers have already carried out extensive prospecting and have established the contained reserves of iron ore.

In the event of new ore bodies being proved in areas other than those covered by the four temporary reserves, further development obligations may be negotiated with the joint venturers before rights of occupancy are granted.

This provision protects the right of the Government to require the joint venturers to enter into such development obligations as may be appropriate with respect to any new deposits, having regard for the size, location, and quality of such deposits.

I would like to draw the attention of members to a particularly important departure from previous agreements which is introduced for the first time in this agreement, namely, that the terms and conditions of occupancy of temporary reserves have been incorporated into the agreement.

This step serves a two-fold purpose which is to the benefit of both the joint venturers and the State. For the McCamey Iron Associates, this provision sets out their rights and obligations of tenure over the iron ore deposits on which substantial sums of money have already been spent, and on which further substantial sums of money will be spent as a result of this agreement.

For the State, this provision provides the full protection of the agreement to ensure that development obligations are carried out. In the event of development conditions not being met, the agreement will cease and determine, and the companies will no longer have any claim or title over the iron ore deposits.

During the five-year period covered by occupancy rights the joint venturers will be required to carry out further prospecting of the mining areas to the satisfaction of the Minister for Mines, and will be required to report annually to the Minister on all work carried out in the mining areas.

The joint venturers will also be required during the interim period before development proposals are submitted to carry out an investigation of port sites from Port Hedland to the Dampier Archipelago, including Legendre Island.

Other investigations and studies which the joint venturers will be required to undertake include an engineering investigation of the route for a railway from the mining areas to the port, or alternatively, to connect with any existing or proposed railway after consultation with the owner or owners.

The planning for development of a suitable mine townsite and a suitable port townsite will, where appropriate, be based on existing towns.

Planning of infrastructures will be carried out in conjunction with the State and will have due regard to the possible use of such facilities by others, as well as the joint venturers.

The joint venturers must provide all facilities required for their operations including full social infrastructure such as schools, hospitals, medical facilities, and police stations, or a *pro-rata* contribution in the case of facilities to be shared.

An assessment of environmental effects likely to result from the establishment of the project as proposed in this agreement is required of the joint venturers together with outlines of proposals to minimise any deleterious effects on the environment.

Evidence of satisfactory marketing arrangements, the availability of finance, and the readiness of the joint venturers to carry out their proposals is required to be submitted with development proposals. In this regard, I would like to point out that a formally executed agreement with the State is a necessary prerequisite to obtaining firm sales contracts.

The passage of this Bill is therefore an essential step for the joint venturers to allow them to seek the sales contracts which will allow them to advance development of the project to the stage of firm proposals.

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

PERTH REGIONAL RAILWAY BILL

Assembly's Further Message

Message from the Assembly received and read notifying that it had agreed to the time and place fixed for the conference.

TEACHER EDUCATION BILL

Second Reading

Debate resumed from the 9th November.

THE HON. R. J. L. WILLIAMS (Metropolitan [2.59 p.m.]: It is a pleasure to speak to a Bill of this nature in this House. I feel rather fortunate because the measure is of such a nature that there are two graduates in this Chamber of the original teachers' college formed in Western Australia in 1902; namely, The Hon. F. R. White and The Hon. R. F. Claughton. I am sure that on the introduction of a Bill of this nature the memories for those members would be rather mixed from time to time—perhaps sweet and perhaps a little bitter—but certainly the Bill now before us illustrates a change in the pace of education in this State. Education must always be on the move; it must never become stagnant, because if it becomes stagnant it is no longer education.

The Hon. L. A. Logan: They do not make them any better teachers now than they did before.

The Hon. R. J. L. WILLIAMS: I do not doubt that for one moment. I could not quarrel with those sentiments at all, because I feel that the teachers in Western Australia today, as did those of yesterday, perform a wonderful task under what can only be described as tremendous odds against them.

For a long time we were a mendicant State and despite this the dedication of the teaching profession in Western Australia has been apparent by the number of students who have gone on to higher things, not only in this State but throughout the Commonwealth. So I take the honourable member's interjection in the spirit in which it was made.

However, there does come a time when one must look at the training of our staff of teachers. I do not suppose that more has been done elsewhere in the last 20 years in connection with looking at this problem than has been done in this State. We have certainly considered this problem more than has any other State in the world.

I was rather amused to read the debate in another place in which this was described as pioneer legislation. If one were inclined to be parochial I suppose one would say that this is pioneer legislation in our State in that it is setting up this framework. I would point out, however, that these conditions operated in France in the twelfth century and in England in the thirteenth century and in addition there is very little difference in the area of colleges as will become apparent under this Bill.

Even today the University of Oxford comprises 23 colleges linked in a similar manner to that laid out in the Bill. I think the pioneering in this State was done with

the introduction of the Western Australian Act for the setting up of the Institute of Technology which has proved to be workable but which still needs some amendments which I will mention later.

The golden thread which is quoted as running through these Bills is autonomy. One can get philosophical about the word "autonomy" and I do not want to hold up the House by embarking on a discourse of the Kantian theory, but if members wish to do so I suggest they address themselves to Immanuel Kant's *Categorical Imperative* where they will find this laid down. The dictionary meaning of "autonomy" is the right of self-government.

If one started at primary school and became a teacher in the Western Australian education system it would really mean that one would be under the influence of the Education Department for some 59 years taking the normal retiring age at 65.

I am sure Mr. Baxter will tell us that there is a danger in inbreeding which weakens the species. I think the successive heads of education, and of the Education Department particularly in this State —be they the director-general, directors, or superintendents—have long recognised that this could appertain.

The Murray Commission was formed in 1950 to investigate this aspect; the Martin committee was appointed in 1964-65; the Jackson committee in 1967, after which we had the tertiary education committee under Professor Sanders and of course the Senate Select Committee on education.

All these committees have handed down reports on this very subject. It can be seen that as we move forward and as the population increases the demands on education become greater in every respect each year. There is a grave danger not only of the inbreeding which could occur if this were under the aegis of one department, but also that we could create a monolithic structure which would be hard to break down.

During my time in the teaching profession, criticism was levelled time and again to the effect that the Education Department had become impersonal. The legislation before us seeks to do a number of things, the most important of which is to recognise first that it is no longer merely Claremont and Graylands; two very worthy colleges which will go down in the history of this State when education is talked about.

Now we have the addition of another three colleges. There is the secondary teachers' college at Nedlands, the teachers' college at Mt. Lawley, and the teachers' college at Churchlands.

So now there are five colleges, each one of which is taking its quota of students who wish to become teachers. Of the 3,000 trainee teachers in the State today approximately 1,750 are at the secondary teachers' college at Nedlands.

After considering all these reports that were brought down the Government obviously had another thought, because the Federal Government has said that if the States will participate it will contribute to these teachers' colleges by giving a dollar for every $1.85 subscribed by the State.

Obviously the cost of setting up a college is tremendous and no Government could ignore the fact that the offer of the Commonwealth was there until March, 1973. The reports suggested an amalgamation of Australian college education and the Government has had a look at these things and has now decided that this legislation should be introduced.

What the legislation seeks to do in point of fact is very simple. The manner in which it does this looks to be formidable because of the thickness of the Bill and the number of amendments on the notice paper; but it is purely and simply a procedure in that there shall be an authority; an authority—the teacher education authority—shall be established. I am sure no-one will dispute that this is a very necessary body. We then have a council formed as is explained in the Bill which acts as a link, as it were, between the authority and the colleges. There is a board for each college and a committee comprising members of that board advising the council.

It appears to be cumbersome but it is driving towards the one goal only; a goal which we should strive for in education—the goal of complete autonomy and the right of self-government for each of these colleges.

In its striving towards that end I have one or two quarrels with the Bill as it is presented. I do not propose to debate this aspect now, but I will do so when the matter comes up at the Committee stage. I do not want to hold the House up by discussing this subject at the moment.

What the Bill attempts to do, and what in the structural arrangement appears to be cumbersome, is somewhat necessary. However, there are certain safeguards because when one mentions a change to anyone else there is a natural suspicion. Nobody—not one of us—likes a change and we always look at it very carefully.

The Hon. R. Thompson: Don't you believe that.

The Hon. R. J. L. WILLIAMS: Well, I do not know which line the honourable member has in mind. However, the change which will take place as a result of this legislation can only do one thing. It can only benefit the educational system and the system under which future generations in this State will be taught to learn.

If education is a constantly changing and developing process we have to be with it all the time. The present Bill will allow students to take a higher course. This will not be new because they now do a three-year course instead of what used to be a two-year course. However, the provisions of the Bill will bring us into line with many of the advanced countries of the world. Of course, I refer to those countries in which the education systems, through necessity of population, have had to grow and develop much more quickly than ours. I do not want anybody to interpret my remarks to mean that the standard of our education, or the standard of our educators, is any lower than that which exists anywhere else in the world, because it is not. Far from it. Indeed, in point of fact the people of this State—educated in this State through our educational system—have stood with the best in the world and they have not been bettered.

It is not always an easy choice when one decides to become a teacher. However, as I see the situation the profession will be made more attractive to the potential recruit.

Recruitment into the teaching profession has always been very difficult because at the end of the fifth year—at which stage teachers are usually recruited—the students have sometimes had just about enough of school and the thought of going on somewhat appals them. It is true that some students return to teaching after they have been away from school, and I am not sure that that is not a good thing for both colleges and universities.

The Hon. R. F. Claughton: I would say it was a very good thing.

The Hon. R. J. L. WILLIAMS: For once, Mr. Claughton and I are in complete agreement! Students will be offered a choice of specialising because the colleges, once instituted, will be able to mould their own curriculums to the needs of the community as seen at that particular time. The colleges will be able to retain sufficient flexibility to make an impact on teaching.

It is not so many years since there was a grave teacher shortage in this State. It was not caused by the natural process of birth within the State, but by the influx of migrants. I do not think any education system in the world could have handled the situation better than did Western Australia. Our education authorities had to accept a whole flood of people from different ethnic groups with different backgrounds and speaking different languages. However, those people were provided with an education.

I consider that the late Dr. Robertson did a tremendous job for the State, and he has been honoured at the Western Australian Institute of Technology. I feel that every person who has had the benefit of receiving education through the Western Australian Government can rightly feel that the educational system was peopled by dedicated men and women.

The search for dedication, in the heat of recruitment, has presented educators with tremendous problems, not only in Western Australia but all over the world. Many people believe that teaching is a 9.00 a.m. to 3.30 p.m. job for five days a week, with 13 weeks' holiday a year. However, if that is the type of teacher such people know I would say that although they may be qualified teachers they are not dedicated professionally. There are many members sitting in this Chamber today who would say that they, too, came under the influence of the dedicated professional teachers.

I believe that the introduction of this Bill, with the autonomy which it will bring to the colleges, will produce more and more dedication, because students will be doing exactly what they like to do. That is the important difference. Students will be sorted into two groups; one group will become secondary teachers and the other group will become primary teachers. The students will be able to decide, at a very early stage, that they will specialise in drama, film making, or some other subject. That may sound rather fantastic to some people, but I think it will add that little bit of incentive.

I think I should pay a tribute to all those teachers who have gone on to teach other teachers. The names of many great people who have done so much for the teaching profession have been quoted to me in this State from time to time. These people have taught and trained patiently, and have had the satisfaction of seeing their students succeed in life.

Certain archaic principles have been dropped over the past years. I am sure that my colleagues will remember the time—as I do—when superintendents visited schools and assessed teachers. The teachers received a mark according to their ability. However, that system has now disappeared. The teaching world was attempting to enter a profession, but a fellow professional was overseeing the work done. The situation was similar to a surgeon doing open heart surgery with someone standing behind him telling him he was not doing it correctly. These are lessons which educators have learnt as they have gone along. Such conditions may have been necessary in the past, but they are not necessary now.

It is certain that students who attend the new colleges will start off with material benefits far superior to those of any other generation. One has only to compare the problems of Claremont and Graylands, with the Secondary Teachers' College at Nedlands and the facilities which are now available at that place to see this will be so. In point of fact, someone has already

said that comparisons are odious, and I think that is the term to apply in this situation. It is certainly not the material and the surroundings which make a teacher: it is the staff and dedication which applies. Unfortunately, dedication is one thing which cannot be written into a Bill.

I think I have covered, in brief, the outline of the Bill. I do not need to do any more than say that, in priniple, I support it. Members will have noticed that several amendments appear in my name on the notice paper. I propose to put these forward during the Committee stage. I commend the Bill.

THE HON. R. F. CLAUGHTON (North Metropolitan) [3.19 p.m.]: I regard this piece of legislation as one of the most important steps which has been taken in the education field in this State for some time.

In any profession it is essential that there be a free interchange of ideas to enable the profession to grow and develop. The system that has existed until recent times has militated against the exchange of ideas. The professional people from whom we should expect comment on what is wrong with education and the changes that should take place have been hampered in speaking publicly and widely debating the issues.

The first step in releasing teachers from these fetters was the relaxation of the rule which prevented them, as public servants, from speaking in public about the affairs of the department. Of equal or greater importance is the separation of the colleges from the Education Department. The instructors at the colleges are training the teachers of the future whose ideas will be at the forefront of education. The action of freeing them from the system itself should bring about the greatest development in education.

The policy of granting autonomy to teachers' colleges has been held by my party for some years, and it is a matter which I have pursued whenever the opportunity to do so has presented itself. It is to the credit of the Government I support that it has brought the matter to fruition. It is to the credit of the previous Government that it set up the Jackson committee which made this recommendation in its report.

The arrangement which it is proposed to adopt is not quite that which was discussed amongst teachers. We saw the colleges as independent, self-governing institutions which ran their own affairs. The Bill creates a two-tier system whereby not only are the colleges represented on a central body but also represented are other educational institutions such as the University of Western Australia, the Murdoch university—should it incorporate a teacher education department—and the Western Australian Institute of Technology which will shortly open a teacher education department.

The kindergarten teachers' college, which has operated on the fringe of teacher training, was not directly involved in the discussions. That college feels its requirements and the importance of its area of education are in danger of being overlooked or neglected. I trust the Government will take pains to ensure this sector is properly looked after. It is the desire of the people who run the kindergarten teachers' college that they be associated with the department that will probably be set up at the W.A. Institute of Technology.

In general terms, I think preschool teacher training and, to a lesser extent, primary teacher training have been the poor relations. Funds have been chiefly directed to secondary education and tertiary education at the university and Institute of Technology level. Those institutions train the specialists—the doctors, lawyers, and so on—and emphasis has therefore tended to be placed upon them. It may be that the people involved in those institutions are more eloquent in stating their cases.

I submit the view that primary school education has been a poor relation for far too long and has been neglected. Preschool education has also been largely neglected, and the fruits that society could obtain from its development have not received the attention they deserve. I hope this situation will change in the future, and that under the new system it is proposed to adopt emphasis will be given to the training of teachers for the early years of education.

My message in relation to this Bill is that it is important, not so much because it will grant autonomy to teachers' colleges and provide for representation of the public on the boards associated with them, but because of what will follow from that —a stimulus to education in this State, and a wide searching for ideas and ways in which our education system can be improved.

THE HON. L. A. LOGAN (Upper West) [3.27 p.m.]: I do not wish to say much about this measure because I think it has met with general approval. However, there are a few matters on which I would like clarification.

Firstly, it is intended that each of the colleges shall have autonomy, and it is expected that each will work out its own philosophy. The situation could arise that a headmaster who received his training at one of the colleges has a certain philosophy, while members of his staff who come from the other colleges have different philosophies. How will the headmaster handle this situation?

Secondly, as 98 per cent. of the teachers going through these colleges will be employed by the Education Department, should there be a surplus of teachers, from which college will the department take them? Will the department take a percentage from each college, irrespective of the quality of the teachers? Many such problems could arise. I do not know whether or not the Government has the answer to them, but I think it is pertinent to consider these aspects.

Thirdly, the changing of some teachers in the middle of the year often cannot be avoided. We will have the situation that a teacher from one college with his own particular philosophy will be training the children in a class for six months of the year, while another teacher from a different college with a different philosophy will be teaching the children for the next six months of the year. I raise these points in order to find out whether or not there is a satisfactory answer to them.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [3.30 p.m.]: Firstly, let me thank the members who have contributed to the debate: Mr. Williams for his support of the Bill and his interesting remarks in connection with it; Mr. Claughton for his approbation of the measure, and also Mr. Logan.

I think the questions posed by Mr. Logan are more theoretical than practical. I cannot see that a variety of philosophies will occur in teaching. Under this legislation the general approach will be towards a higher standard of education to suit the needs of the time. I cannot envisage that there will be a variety of philosophies applied to education. Of course, we may have individual leanings which occur at the present time in terms of the Western Australian Institute of Technology *versus* the university. However, in principle, if one studies a subject at either of those institutions one would be taught the same fundamentals. As I understand it, that is the basic principle of education.

Mr. Logan mentioned a surfeit of teachers, but I do not think that is ever likely to occur. The position will be closely watched and the intake of trainees will be varied according to the need. Even if it were necessary to carry out a transference of teachers within the State education system—or, indeed, within the Australian system—I do not think any great problem would arise. Whatever the stage of our history, the basic principles of education remain the same at the elementary, secondary, and tertiary levels.

Mr. Williams has placed some amendments on the notice paper with which we will deal in Committee. I have been asked to place further amendments on the notice paper—I must admit, somewhat belatedly—because it is believed it will be better if they were included in the Bill now.

I again thank members for their consideration and support of the legislation. The Minister concerned regards it as being most important. Unfortunately it was introduced late in the session and somewhat hurriedly, but that is one of those matters over which I have no control.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. F. D. Willmott) in the Chair; The Hon. W. F. Willesee (Leader of the House) in charge of the Bill.

Clauses 1 to 7 put and passed.

Clause 8: Objects of the Authority—

The Hon. R. F. CLAUGHTON: I would ask the Leader of the House to clarify paragraph (d), which states that one of the objects of the authority shall be to facilitate co-operation with other educational institutions and, to that end, provide for the affiliation of other institutions. Can the Minister explain how it is envisaged that co-operation and affiliation will take place?

The Hon. W. F. WILLESEE: I believe the intention is that the authority will co-operate with and provide for the affiliation of universities, the Institute of Technology, and kindergartens.

The Hon. R. F. CLAUGHTON: I am not sure that clarifies the position. With regard to affiliation, is it intended that those bodies will be permitted to have an observer on the council; or will everything be done by communication—by letter?

The Hon. W. F. WILLESEE: This would be dealt with by word of mouth. The operative part of the clause provides for co-operation and affiliation in that respect.

The Hon. R. F. CLAUGHTON: I take it, then, that when a particular area of education is to be investigated the people concerned will be invited to attend the meetings, or their advice will be sought?

The Hon. W. F. WILLESEE: Yes.

The Hon. R. J. L. WILLIAMS: A doubt has been expressed by the staffs of existing colleges in relation to reviews of salaries and conditions. These are not provided for in the Bill. I consulted the Parliamentary Draftsman and he also could see difficulties because there is bound to be a clash with the Tertiary Education Commission. Under the provisions of section 12 (e) the Tertiary Education Commission is required to consider the terms and conditions of appointment and employment—including salary payable—of

the staff, whether academic or otherwise, of each tertiary education institution. However, no periodic system of review is specified. This is also true in respect of universities and technical colleges.

However, considerable disquiet is felt by members of not only the existing teachers' college staffs, but also of the university staff. They suffer in this respect as do members of Parliament in that they have to wait under a periodic system of review. It will reassure the staffs if the Minister indicates something can be done under the Bill—even though this be only a statement by the Minister—to bring about a periodic review. Perhaps the council itself could adopt a triennial review of salaries and allowances payable to the staff of the authority and of the colleges, and make recommendations to the Minister. I have been approached by members of the college staffs and they have expressed their deep concern.

The Hon. W. F. WILLESEE: The point taken is a good one, becase it gives me the opportunity to advise that in the future there will be periodic reviews of salaries and allowances payable to the staff of the university and of the Tertiary Education Commission. The council will consider this in relation to the Teacher Education Council staff as well. There will be no doubt about that, although it is not spelt out in the Bill. The position is that reviews are made, and they will continue to be made under this legislation.

Clause put and passed.

Clause 9 put and passed.

Clause 10: Constitution of the Council—

The Hon. R. J. L. WILLIAMS: The composition of the council can be argued back and forth for a long time. I believe that control should rest with the Minister. It will be seen that the Minister will appoint the chairman; there are then five members to be appointed by the Minister from the institutions employing teachers. Three of them will be from the Education Department, one from the independent schools, and one from the Catholic schools. Proposed section 10 (c) causes deep concern, because there are in existence five teachers' colleges, yet only the principals of three colleges will be elected to the council.

If different philosophies are developed in the various colleges a flow of information between the principals will be necessary. Obviously when this new legislation comes into force the principals of the two colleges who will not be elected to the council may well feel that something is wrong. It is my hope that the council will hold several meetings in the year after the Bill is passed, and in the fulness of time hold only two meetings a year because by then the autonomy of the colleges will be established.

In my view the principals of all teachers' colleges should be elected to the council, even though the number may in the near future be increased to six or seven.

Sitting suspended from 3.45 to 4.03 p.m.

The Hon. R. F. CLAUGHTON: Under paragraph (a) the chairman will be initially appointed by the Governor, but any subsequent chairman will be elected by the council. I wonder whether the Minister would consider that a better arrangement might be for the subsequent chairmen to be elected, but for such appointments to be approved by the Minister.

The Hon. W. F. WILLESEE: To the best of my knowledge the procedure in the Bill is the same as that included in practically all new legislation. The original appointment is made by the Minister, but subsequent chairmen are elected by the council. That is exactly what I am doing at present under the Aboriginal Heritage Act and the Aboriginal Affairs Planning Authority Act.

The Hon. R. J. L. WILLIAMS: I seek your guidance, Mr. Deputy Chairman (The Hon. F. D. Willmott). Am I permitted to speak on all my amendments now or must I deal with each one individually?

The DEPUTY CHAIRMAN (The Hon. F. D. Willmott): I will permit you to speak on the whole clause and your amendments as they relate to the clause, but you will have to move your amendments separately.

The Hon. R. J. L. WILLIAMS: Thank you, Sir. The council will be pretty much a ministerial council and, as I said earlier, I believe that is as it should be. If my amendments are accepted the council will comprise 13 ministerial appointments and 12 college appointments making a council of 25. The council suggested in another place by the Minister comprised between 22 and 26 members. I can appreciate that a council of this size can be unwieldy, although we do not have any difficulties with our Committee of 29.

In his second reading speech Mr. Logan said that if the colleges are to develop autonomously they will develop different philosophies. I consider all principals should be included on the council because otherwise they will feel very much out in the cold. If perchance two are not included they will not feel they can get their point of view over to the council. If we delete paragraph (i) which is the "willy nilly" provision for co-option, the number on the council will be reduced by two which will allow for the addition of the extra two principals.

Paragraph (e) is a little vague, but I appreciate that the whole Bill must, because of its structure, be vague. I suggest that only two be included and two only under that paragraph. I intend to move an

amendment concerning paragraph (g) so that the academic staff will be treated in the same way as the principals.

Having dealt with the mathematics in my amendments, I now wish to refer to paragraph (c). I cannot see that the addition of the remaining two principals will make the council cumbersome. We could have a sixth and a seventh college established, but in the fullness of time the autonomy of the others will develop to such an extent that a lot of the work of the council will disappear. This happens with such institutions. Who is to select the three persons? Would it not be far better to include all the principals so they have the feeling they will all have a fair go? I now move an amendment—

Page 7, lines 31 to 33—Delete paragraph (c) and substitute the following:—

(c) the Principals;

The Hon. R. F. CLAUGHTON: I can understand what Mr. Williams is trying to achieve, but I cannot support his amendment. We must bear in mind the objects of the authority which are contained in clause 8, one of them being actively to encourage the diversity of teacher education courses.

I think there is a misunderstanding about the term "philosophy." It is intended that there be a diversity of specialisation amongst the colleges, although they may very well develop a philosophical approach to education.

I know that this matter was discussed by the principals and the staff groups and the desire expressed was for a parity of representation. As I said earlier, I believe Mr. Williams is trying to devise the best arrangement possible but I consider that the provisions in the Bill are good.

It is not possible to get an ideal or perfect system, but this clause comes very close to it.

The Hon. W. F. WILLESEE: I must oppose the amendment, and I hope the Committee will do likewise. It will have the effect of putting all five principals on the council which is contrary to the recommendation of two principals by the Tertiary Education Commission and the Teacher Education Council.

The Government increased the representation to three. The Teacher Education Committee of the commission consisted of representatives of the commission, the Education Department, the University, W.A.I.T., principals, the staff associations, the Teachers' Union, the independent schools, and the Catholic Education Commission. It is considered this is a truly representative body which reached its deliberations after 18 months of consideration. The body decided to recommend there should be two representatives of the principals, but the Government increased the number to three and also increased the number of staff representatives to three so that it would be possible for each college to be represented.

The flow of information would be derived from the advisory committee. If other teachers' colleges are formed—and this amendment is carried—the principals of the newly-formed colleges would, I consider, automatically become members. This would cause an imbalance of the situation.

It is true that the legislation is pioneering and will be on trial, so to speak. Perhaps in practice it will be found that it does not work as it is now intended it should work. I hope the Committee will allow the clause to stand, because basically it contains the recommendations of the committee whose deliberations were used as the basis for the legislation.

The Hon. R. J. L. WILLIAMS: The argument put forward by the Minister can be used in reverse. The commission made one recommendation, but the Government only regarded it as a recommendation and decided to increase the number.

By the same token I think the Committee has to make up its own mind as to whether or not it will go along with that recommendation. From a purely psychological point of view, as new legislation is involved, it will be found that of necessity there will be some jealousy between colleges. I can see no value in the principle of appointing three principals from three colleges and three staff members from three separate colleges.

The Hon. R. F. Claughton: Not necessarily.

The Hon. R. J. L. WILLIAMS: That is correct. It would be possible to have three principals and three staff members from the same college. Do not let us forget that one college has more than 50 per cent. of all students. Therefore one would assume that it has more staff.

To use the Minister's argument in reverse: As this is only experimental legislation I cannot see why we should not provide for five to start with. If it is found to be unworkable, the principals who are extremely mature men and most experienced in education would be the first to say that it does not work and they would like the legislation amended. I can see no harm in experimenting on this basis.

If there is equal representation from each college, regardless of size, we take into account human feelings—the fact that somebody is not being left out.

The Hon. R. F. CLAUGHTON: I would be disappointed if the Committee were to accept this amendment. I am sure Mr. Williams has moved it with good intentions, but its effect could be what he is actually trying to avoid. It could happen that each principal would then see his

role as that of representing his own college and not the interests of teacher education as a whole. Under the legislation, as printed, they are asked to take a broader point of view and I think this would be advantageous.

Another objection would be that a larger body could possibly be more unwieldy. It would also alter the balance between people directly involved with colleges and other people who are included in the council as a whole.

The Minister has told us that this has been discussed for 18 months and I know that this particular aspect has been thoroughly debated. It has been a matter of concern to the people involved that their interests should be protected. As far as I am aware, they are satisfied with the proposed arrangement. I think we should go along with the Minister and try the legislation on this basis. The council has come to an agreement, and I think it is only fair to give what is suggested a chance.

The Hon. L. A. LOGAN: I appreciate what Mr. Williams is trying to effect. To apply the same principle, it would be necessary to alter paragraph (b) to increase the number of representatives from every institution. Also, paragraph (g) would need to be amended if the same principle is to be adhered to.

We must bear in mind that the council can now consist of 26 persons which, in my opinion, is not a council but a conference. The more we add to the composition, the worse the situation will become. I believe the number should be reduced, rather than increased, and on that basis I oppose the amendment.

The Hon. R. J. L. WILLIAMS: Perhaps I did not make myself clear. It has been suggested that the composition of the council could be from 22 to 26 persons. In point of fact, if my amendment is accepted, the maximum number of persons would be reduced to 25, which I do not think could be called an unwieldy conference.

I put the amendments on the notice paper to enable members to look at this question. There will still be 13 ministerial appointments and 12 representatives from the colleges.

What are we talking about other than colleges? We are talking about the authority and the council, but for whose good? I suggest it is for the good of the colleges. The objectives of clause 8 are to provide a general administrative and co-ordinating service for the colleges. Does this mean that one principal will go to another after a council meeting and say, "I have 25 of your students coming to me this week." The other principal could well ask the reason and be told that the council had passed the resolution that same afternoon.

In the initial stages the council should be considered as a guideline organisation. It would not be unwieldy with 25 members. If we are to talk of the size of councils and committees, the best possible size is a council or committee of one. If there are to be guidelines, I feel both principals and staff should have equal representation for the reasons I have enumerated.

I go along with Mr. Logan in so far as the number in paragraph (e) should be restricted to two and the number in paragraph (g) increased to five. In fact, I shall be moving along these lines. In point of fact the composition of the council would become 25 in total whereas it has been suggested that it may be from 22 to 26. This is equitable and, if I may say so, will avoid petty jealousies creeping in at an early stage in the operation of the legislation.

Mr. Claughton has suggested that the principals will be pushing their own points of view. If it comes to a vote, it could be 13 to 12 and, in some cases, they may not be too sure that the staff members would vote with them. In this case, it could be 18 to 7. If I were a principal on the council I would be pushing the barrow of my college up the road. It is the principal's job to present the point of view of his college.

The Hon. F. R. WHITE: I would like briefly to state that I support Mr. William's proposal. I feel that if all the colleges are represented in the early stages we will have a much smoother-flowing organisation.

The Hon. L. A. LOGAN: I must admit I have not followed through the other amendments. I was dealing with them one at a time. I can now appreciate what Mr. Williams is endeavouring to effect and I have a better appreciation of what the ultimate result will be.

The Hon. R. J. L. Williams: Thank you.

The Hon. W. F. WILLESEE: I have a note which I would like to read to the Committee. Let us consider the composition of the governing bodies of other tertiary organisations in this State.

The Senate of the University of Western Australia consists of six appointed by the Governor, six elected by convocation, four elected from the academic staff, two elected by the students, three *ex officio* members and four co-opted members. Thus only seven members out of 25 are necessarily members of the university community.

The council of the W.A.I.T. consists of six members appointed by the Governor, three *ex officio*, two elected by the academic staff, two elected by the students and four co-opted members. Here six out of 17 members are necessarily connected directly with that institution.

The Victorian Act which sets up a body similar to that in the Bill nominates three principals, three from the academic staff and no students in a total of 32.

I ask again that the Committee leave the Bill as printed and not depart from the principle which has been elucidated.

The Hon. A. F. GRIFFITH: I have not entered into this debate, but it occurs to me to ask the Minister a question in consequence of his remarks. In the case of the university and W.A.I.T., is it not a fact that the control of these organisations is directly concerned with only one institution? In the case of the Bill before us a number of college institutions—namely, five—are involved.

If this is the case, the point made by Mr. Williams brings a different complexion to the situation explained to us by the Minister in relation to the university and to W.A.I.T.

The Hon. W. F. WILLESEE: The separate parts of W.A.I.T. are Muresk College, the School of Mines, and the college at Wembley.

The Hon. A. F. Griffith: What about the university?

The Hon. W. F. WILLESEE: I am not sure in respect of the position of the university. The information is not given in the note I have before me. I will probably be able to give the Committee this information shortly. The university consists of a number of faculties which are larger than any college.

The Hon. G. C. MacKinnon: It is the one campus.

The Hon. W. F. WILLESEE: The university has that difference.

The Hon. A. F. Griffith: It is the one campus and W.A.I.T. absorbed the Muresk College and the Chamber of Mines only recently.

The Hon. W. F. WILLESEE: Possibly.

The Hon. A. F. Griffith: This was the result of the Jackson report.

The Hon. W. F. WILLESEE: It is the case at the moment. Those are the points I wish to make to the Committee which, I hope, will support the Bill, as printed, and not agree to the amendment moved by Mr. Williams.

The Hon. R. F. CLAUGHTON: I hope that Mr. Logan will look at the other amendments because it is proposed to delete paragraph (i).

The Hon. R. J. L. Williams: That is two members.

The Hon. R. F. CLAUGHTON: The possibility of other groups in the community being represented is very much reduced, and the balance of the committee is drastically altered. The possibility exists in paragraphs (e) and (i) to appoint people from other sections of the community. Representatives of the State school teachers may be appointed under paragraph (d), and I assume two members will represent the independent schools sector. There is no specific provision for representation of kindergarten teachers, but paragraphs (e) and (i) would allow this representation.

The balance of this committee has been thoroughly thrashed out in discussion and agreed with, and it will be destroyed if we pass the amendment suggested by Mr. Williams. The wishes of the people involved should be respected at this stage. If the legislation does not work satisfactorily, we may then amend it. However, the people involved have agreed to this balance and I ask the Committee to accept the clause as it stands.

The Hon. R. J. L. WILLIAMS: Working on the principle propounded by Mr. Claughton, the University of Oxford does not work.

The Hon. R. F. Claughton: I did not say it would not work.

The Hon. R. J. L. WILLIAMS: Twenty-six colleges form the University of Oxford. We cannot draw an analogy between a single institution and a multipurpose institution as they have overseas. I do not see that the balance will be destroyed. Kindergarten teachers could be represented under paragraph (b).

The Hon. R. F. Claughton: Community groups may like to be represented, such as the P.C.A.s, the Chamber of Manufactures, or the Chamber of Mines.

The Hon. R. J. L. WILLIAMS: These people would be catered for under paragraph (e).

The Hon. R. F. Claughton: I am talking about paragraph (e).

The Hon. R. J. L. WILLIAMS: Kindergarten teachers could be appointed under paragraph (d) if necessary.

The Hon. R. F. Claughton: Another institution is the State School Teachers' Union.

The Hon. R. J. L. WILLIAMS: They are catered for in paragraph (d). I leave this to the Committee.

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

Ayes—14

Hon. N. E. Baxter	Hon. N. McNeill
Hon. V. J. Ferry	Hon. I. G. Medcalf
Hon. A. F. Griffith	Hon. T. O. Perry
Hon. Clive Griffiths	Hon. F. R. White
Hon. J. Heitman	Hon. R. J. L. Williams
Hon. L. A. Logan	Hon. D. J. Wordsworth
Hon. G. C. MacKinnon	Hon. W. R. Withers
	(Teller)

Noes—8

Hon. R. F. Claughton	Hon. R. H. C. Stubbs
Hon. D. K. Dans	Hon. S. T. J. Thompson
Hon. S. J. Dellar	Hon. W. F. Willesee
Hon. J. Dolan	Hon. R. Thompson
	(Teller)

Pairs

Ayes	Noes
Hon. J. M. Thomson	Hon. L. D. Elliott
Hon. G. W. Berry	Hon. R. T. Leeson
Hon. C. R. Abbey	Hon. J. L. Hunt

Amendment thus passed.

The Hon. R. J. L. WILLIAMS: I foreshadow that if it is the wish of the Committee I will not press this amendment. I move an amendment—

Page 8, line 1—Delete the words "not less than two and not more than five" and substitute the word "two".

The Hon. W. F. WILLESEE: I appreciate the remarks made by Mr. Williams. I still oppose the proposal. The amendment would reduce the number of persons who may be appointed by the Minister because of their qualifications, interest, or experience in teacher education, the general community, or who otherwise would be capable of making a contribution to the functions, powers, and duties of the council.

In this instance the Government deliberately departed from the recommendation of the Tertiary Education Commission in order to provide the Minister with the opportunity to appoint people from the general community. It was felt that many members of the general community have much to offer to tertiary institutions from a nonacademic point of view. The honourable member is really trying to limit the number to two in order not to increase the size of the council by virtue of the previous amendment. Contributions made to the university and to W.A.I.T. by members outside the academic community of the institutions are very great and we should preserve the opportunity for the Minister to appoint such persons to the council of this authority. It should be borne in mind that these appointments will be made by the Minister and the Minister will be answerable to Parliament. I therefore ask the Committee to oppose the proposed amendment.

Amendment put and negatived.

The Hon. R. J. L. WILLIAMS: I do not think there is any point in going over the whole argument again. The argument which applies to paragraph (c) also applies to paragraph (g). I move an amendment—

Page 8, lines 11 to 13—Delete paragraph (g) and substitute the following:—

(g) one person from the academic staff of each college, each one elected, in the prescribed manner, by the academic staff of the college to which he belongs; .

The Hon. R. F. CLAUGHTON: Having altered the composition of the council in regard to the representation of principals, ve have to accept the general purpose of the proposed amendment. It is important that those who work in colleges and carry out the day-to-day tasks and handle the students should have an equal voice with their principals. I support the amendment in view of the fact that we have already accepted the earlier one.

Amendment put and passed.

The Hon. R. J. L. WILLIAMS: I move an amendment—

Page 8, lines 16 and 17—Delete paragraph (i).

Possibly the Minister can give me an explanation. To me this paragraph seems to say, "and anybody else we have forgotten." I feel we already have a balanced council. The representatives on the council are drawn from a pretty broad spectrum of the community, and this paragraph is superfluous.

The Hon. W. F. WILLESEE: If the amendment is passed, the council will no longer have the right to co-opt up to two persons. I previously pointed out that both the Senate of the university and the council of W.A.I.T. have the right to co-opt four members. Such bodies frequently become aware of persons either in the academic community or the general community who have some particular expertise which is needed and who cannot be appointed in any other way. The basis of paragraph (i) is to give the council the right under this Act to appoint not more than two persons. I hope, having heard the explanation, that the honourable member will not persist with the amendment.

The Hon. R. J. L. WILLIAMS: I thank the Minister for his explanation and I appreciate the rational thinking behind it. I seek leave of the Committee to withdraw my amendment.

Amendment, by leave, withdrawn.

Clause, as amended, put and passed.

Clauses 11 to 20 put and passed.

Clause 21: Committees from college communities—

The Hon. W. F. WILLESEE: I have circulated among members a copy of an amendment I propose to move. It is considered that the wording of the amendment may be a better arrangement than that provided in the existing clause. Therefore, I move an amendment—

Page 13—Delete the passage commencing with the word "The" in line 13 down to and including the word "generally" in line 20 and substitute the following:—

The Council shall appoint an Advisory Committee with the chief executive officer of the Authority as Chairman constituted otherwise of persons from the communities of the constituent colleges to advise the Council on the

exercise of its functions, powers and duties under section 20 and on the needs and welfare of those colleges generally.

The Hon. R. J. L. WILLIAMS: Members of the Committee will notice that I also have an amendment on the notice paper. Whilst the Minister's amendment would make the clause clearer, my amendment, I consider, would make it more definitive, because it would specify who shall be elected to the advisory committee. Therefore I move—

That the amendment be amended by deleting all words after the word "Chairman" in line 4 down to and including the word "colleges" in lines 6 and 7 and substituting the passage ", the Principals, and two persons from the academic staff of each college, each two elected, in the prescribed manner, by the academic staff of the college to which they belong,"

The Hon. W. F. WILLESEE: Should we not delete clause 21 as printed first and substitute the proposed clause set out in my amendment?

The DEPUTY CHAIRMAN (The Hon. F. D. Willmott): No, the amendment on the amendment must be dealt with before we deal with the amendment.

The Hon. R. F. CLAUGHTON: I find it difficult to understand the purpose of the amendment on the amendment, bearing in mind that this is an advisory committee to advise the council which, in itself, will be advising all the principals and one staff representative from each of the colleges. The advisory committee would only prepare recommendations for the council to exercise its functions, powers, and duties, but it is not necessary for the council to accept those recommendations. In fact it could adapt, change, or reject them.

The Hon. G. C. MacKinnon: As I see the position we will have a council on which all the principals will sit, and on which will also be certain staff academic members, so the man who is the most popular will be elected. It is now proposed to establish an advisory committee on which all the members will sit, and I take it that each college has only one principal, therefore the staff representative that would be appointed would be the most popular man. I also understand that it would be the same man who will be elected to the council. That would appear to be logical.

As I understand the position the council will appoint the advisory committee, and there is no provision to say that people cannot be elected to the committee. Yet the council itself can appoint other committees for specific purposes if it so desires; the advisory committee is not the only one it can appoint. I am completely confused about the position. If this is the advisory committee as suggested it would appear to me that the council may just as well have a meeting and that would be the end of it.

The Hon. L. A. LOGAN: Like Mr. MacKinnon I think it would be better to delete clause 21 and not replace it, because it seems superflous if we are to have an advisory committee of a lesser status which is to advise the council on the jobs laid down in the Bill.

The Hon. G. C. MacKINNON: I see the possibility that an advisory committee may be necessary because questions of student activity could arise.

The Hon. L. A. Logan: There are members on the council now.

The Hon. G. C. MacKINNON: None of us seems to know a great deal about the functions of this committee.

The Hon. R. F. Claughton: The council does not deal with the discipline of students.

The Hon. G. C. MacKINNON: The only point is that I cannot see the reason for having an advisory committee consisting of the same people who are on the council. There could be other activities where provision could be made for other committees.

The Hon. L. A. Logan: They can only advise on what is laid down in the Act for the council to do.

The Hon. G. C. MacKINNON: The amendment on the amendment, moved by Mr. Williams, seems to make the position entirely unreasonable.

The Hon. R. J. L. WILLIAMS: It is not my purpose to confuse the Committee. I have listened to the arguments adduced and I seek leave of the Committee to withdraw my amendment.

Amendment, on amendment, by leave, withdrawn.

The Hon. N. McNEILL: I am drawn into the discussion as a result of the amendment withdrawn by Mr. Williams relating to the functions of such an advisory committee. I have been wondering how such a committee would in fact function in relation to the activities of the council which is the governing body of the authority.

Bearing in mind that the teacher education authority is made up of the council and the constituent colleges, and the governing body is the council, I am wondering what constitutes the authority. It appears to be no more than a name in which all the exercises and functions are carried out by the chief executive officer who in these circumstances becomes the chairman of the committee. I would find it a little easier if the authority were to be a precise body specified in the legislation. If there is to be an authority and a governing body, which is the council, and which is to be assisted by an advisory committee,

the constitution of such a body would appear to be the same. How is it proposed that this will function? Like Mr. Logan, I wonder what purpose the advisory committee will have in these circumstances.

The Hon. W. F. WILLESEE: It is nothing more nor less than a working committee which is there to assist—it does not conflict but assists in the overall working of the Act. This committee will be subsidiary to the main body; it will carry out the groundwork and present its findings to its principals. I merely tried to improve the wording of the Bill.

The Hon. L. A. LOGAN: If the members of the council or authority are not capable of putting into effect the provisions contained in paragraphs (a) to (i) of clause 20 they should not be on that body. But with the quality of the men who will be appointed to the council there will be no necessity for them to receive advice on how to carry out their functions.

The Hon. W. F. WILLESEE: It is not a case of whether or not the members can carry out this work, it is a question of the volume of work involved. Certain portions of this work will be delegated to a working committee which will carry out the necessary groundwork and report its findings. This was considered necessary by those who have an appreciation of the work involved. It is necessary in the proposed structure to have a committee to carry out the detailed work which the superior body may not be able to carry out in the time available to it.

The Hon. R. J. L. WILLIAMS: I take Mr. Logan's point and I wonder whether we could change the word "shall" to read "may." If we did this it would give discretionary power to the council instead of making this a mandatory committee.

The Hon. W. F. WILLESEE: I think the point is a very good one and I agree that we should use the word "may" instead of the word "shall."

The Hon. R. F. CLAUGHTON: I hesitate to speak after the Minister has agreed to the arrangement because I do not wish to upset him when he is about to get his clause through.

The Hon. A. F. Griffith: It would not be the first time, so go right ahead.

The Hon. R. F. CLAUGHTON: The authorities are very jealous of their proposed autonomy and they wish to ensure that this is maintained. I think the colleges would want to see a committee composed of their representatives as the one advising the council on its functions and powers. I do not know whether the word "shall" should be deleted and the word "may" inserted.

The Hon. G. C. MacKinnon: It would give flexibility and surely that is desirable.

The Hon. I. G. MEDCALF: I think this is a sensible suggestion. Rather than not have such an advisory committee the council should have the authority to appoint one if it wishes. It may wish to appoint an advisory committee consisting of people who can give valuable advice and who come from the various colleges. Accordingly I think it is sensible that we should delete the word "shall" and insert the word "may." It will make all the difference in the world.

The Hon. R. J. L. WILLIAMS: I move—

> That the amendment be amended by deleting the word "shall" in line 1 and substituting the word "may".

Amendment on the amendment put and passed.

Amendment, as amended, put and passed.

Clause, as amended, put and passed.

Clauses 22 to 31 put and passed.

Clause 32: Incorporation of existing colleges—

The Hon. R. F. CLAUGHTON: Clause 32 includes the names of the existing colleges, and each college has a locality included in its name except the Western Australian Secondary Teachers' College. It is not beyond probability that another secondary teachers' college will be constructed in the future. For that reason, why not at this stage alter the name of the Western Australian Secondary Teachers' College to include the locality of Nedlands?

The Hon. W. F. WILLESEE: I see no point in changing the name of the college to include the locality, "Nedlands" at this stage, because I do not believe that the locality "Nedlands" appears in the actual name of the college. I would not like to see an amendment moved to change the name of the college. If a second college is constructed at a later date the change can be made when the occasion arises.

The Hon. R. F. CLAUGHTON: Of course, I would not press this relatively minor point. It is possible that an amendment to this clause would require other amendments to the Education Act. I only offer the thought for consideration.

Clause put and passed.

Clauses 33 to 37 put and passed.

Clause 38: Constitution of Boards—

The Hon. R. J. L. WILLIAMS: I think the amendment which appears on the notice paper in my name is self-evident. I cannot understand why the vice-principal has not been included. Of course, it could be said that he may come in amongst the other persons to be elected.

In the governing body of a college there is, first of all, the principal who is responsible for that college as a whole. However, he cannot perform all the duties required to run that college and, therefore,

his vice-principal usually takes on the day-to-day running of the college, the disciplining of students, and possible negotiations with the staff from time to time.

If a principal of a college should be out of town, attending a conference, and a meeting of the board were necessary, the vice-principal would become the deputy chairman of the board. It seems to me that this provision exists in other Acts.

The vice-principal is an integral part of the governing body of any college, and he is almost a necessity. In point of fact, some vice-principals are more in touch with the student body and the staff than the principal himself. For that reason I do not see how he can reasonably be excluded from having some say in the governing of the college. I move an amendment—

> Page 18, after line 10—Add the following subparagraph to stand as subparagraph (ii)—
>
> (ii) the Vice-Principal who shall be the deputy Chairman of the Board; .

The Hon. R. F. CLAUGHTON: I will not dwell on the point raised by Mr. Williams, but will comment on the constitution of the boards. I think this is an admirable departure. I am not too sure how it will work, but a board will include five persons from the academic and other staff of the college elected by such staff in accordance with the rules of the college, and not less than one person and not more than two persons from the enrolled students of the college. That is a growing practice in this State. Both the University of Western Australia and the Western Australian Institute of Technology include this provision, and it will also be included by the Murdoch University.

The DEPUTY CHAIRMAN (The Hon. F. D. Willmott): Order! I thought the member intended to speak on some point of order. I have not yet stated the question which I will now do. The question is that clause 38 be agreed to, to which Mr. Williams has moved the following amendment:—

> Page 18, after line 10—Add the following subparagraph, to stand as subparagraph (ii)—
>
> (ii) the Vice-Principal who shall be the deputy Chairman of the Board; .

And the question now is that the paragraph proposed to be inserted be inserted.

The Hon. R. F. CLAUGHTON: I am not too sure how you, Mr. Deputy Chairman (The Hon. F. D. Willmott) left me. I did not think that Mr. Williams had moved his amendment. Perhaps I should be speaking to the amendment.

The DEPUTY CHAIRMAN: Yes, indeed you should.

The Hon. R. F. CLAUGHTON: I am speaking in general terms in relation to the deputy-principal. On the surface it seems a reasonable sort of arrangement, that there should be someone to substitute for the principal when the principal is unable to be present. However, I do not think we would find such a set-up on the board of Hale School.

The Hon. R. J. L. Williams: They have a board of governors.

The Hon. G. C. MacKinnon: It is a different set-up.

The Hon. R. F. CLAUGHTON: I am not really sure that what Mr. Williams proposes is necessary. What he has had to say about the deputy principal, and his duties, is quite true. Remembering that the board will comprise the people I have already named, and that it will include two students, I think such an arrangement will lead to greater harmony in all institutions, irrespective of the level. It has taken a long time to reach the stage where student bodies have been accepted into the management, but I believe it is working in the best interests of the bodies involved.

The DEPUTY CHAIRMAN (The Hon. F. D. Willmott): I think before we proceed I should draw the attention of the Committee to the fact that "vice-principal" is not defined in this Bill. The Committee should consider that because, according to my reasoning, we do not really know what a vice-principal is.

The Hon. R. J. L. WILLIAMS: We are then saying, through the provisions of this Bill, that no vice-principal is appointed in colleges. That is my interpretation of what you, Mr. Deputy Chairman, have just said. If that is the case my amendment is worthless.

The DEPUTY CHAIRMAN (The Hon. F. D. Willmott): I think this point should be clarified.

The Hon. W. F. WILLESEE: I intended to raise the point that there is no vice-principal mentioned in the Bill, although let me hasten to add that the remarks made by the honourable member in support of his amendment were logical enough. There would be a deputy principal or a vice-principal of some sort.

A second point is that the vice-principal may not always be the same person and I think the idea was to leave the situation as it stands so that the provisions applied to people who had definite titles. I think the proposed amendment would affect the operations of clause 42.

If, upon reflection, the honourable member would consider withdrawing his amendment, I would make that suggestion to him. Otherwise I would ask the Committee not to support the amendment.

The Hon. R. J. L. WILLIAMS: I have no wish to be obstructive in this matter and I will certainly agree to the request from the Leader of the House. I seek leave to withdraw my amendment.

The Hon. N. McNEILL: I think it is appropriate to comment on the use of the word "vice." If the amendment is withdrawn on the understanding that some thought is to be given to this particular position, I think we ought to satisfy ourselves that we are, in fact, using the accepted term. I may be wrong but I have no knowledge of the use of the term "vice-principal" being used in the school system. My understanding is that the title is "deputy." There may well be a difference in the connotation or functions of a vice-principal as against a deputy principal. If consideration is given to the point the matter ought to be clarified.

The Hon. W. F. WILLESEE: I am advised there is no hard and fast rule on the procedure. The person can be a deputy, an assistant, or he could be termed "vice." Apparently it is a matter of what particular term is used in the area concerned.

The Hon. R. J. L. WILLIAMS: I understand that as a result of my withdrawing my amendment the Minister will look at the question as to whether or not a vice-principal will be included at a later stage, as the council or the authority thinks fit. At the moment it would mean there are no vice or deputy principals in any of the colleges because they are not mentioned in the definitions in the Bill. I seek clarification of that matter from the Minister.

The Hon. W. F. WILLESEE: I think the question is answered by the fact that the staff is an academic staff. The title of "Vice-Principal" does not come into it. The principal is to be the chief executive officer at the time, and the chief academic officer of the college will be the chairman. The secondary positions could have any one of three titles. I think I can give an assurance that the point raised by the honourable member will be looked into. What he wants is the right for a secondary person to step into the principal's shoes should circumstances make it necessary. I think it is worth looking at along the lines envisaged by the honourable member. Whilst the matter may be taken care of at the moment by the committee concerned, it is not written into the Bill.

Amendment, by leave, withdrawn.

Clause put and passed.

Clauses 39 to 54 put and passed.

Clause 55: Establishment and maintenance—

The Hon. R. J. L. WILLIAMS: I have an amendment on the notice paper which members may peruse. I am seeking not to have a single body which a student or a member of the academic staff must join. I think paragraphs (a) and (b) are restrictive in that they refer to "an organised association."

It is well known in international teaching circles that in other parts of the world teachers have a choice of belonging to one or perhaps two unions. In Great Britain there is the National Union of Teachers, which is the largest union, and another organisation called the National Association of School Masters. Many years ago a conflict arose which has not yet been resolved. I do not wish to go into that matter, but there are two separate associations or unions.

Clause 55 restricts the academic staff and the students to one association. I thought a breath of fresh air might blow through these colleges when they were properly constituted. Surely the academic staff and the students should be able to choose to which association they wish to belong. Students are sometimes particularly interested in one or, at the most, two facets of the college activities, but this clause makes it obligatory for a student to belong to an organised association of enrolled students. If the students wish to form a drama association, what right have we to say they should not belong to it? What would be the situation if 99 per cent. of the students at the college belonged to that association?

The Hon. R. Thompson: They do so now.

The Hon. R. J. L. WILLIAMS: But here we are spelling out "an organised association."

The Hon. G. C. MacKinnon: Only one would be recognised because they are authorised to form only one association.

The Hon. R. J. L. WILLIAMS: That is right. In this day and age, let us give the students and the staff freedom of choice. We are giving them a free college in terms of learning, teaching, and thinking.

The Hon. G. C. MacKinnon: A college subsidised by the taxpayers—not a free one.

The Hon. R. J. L. WILLIAMS: I did not mean free in the monetary sense but free in the sense of development. I do not think this matter should be compulsory. A student should be able to think, "I want to belong to that association because it attracts me." The same applies to the academic staff.

Students are apprenticed teachers. If they are obliged to join an organised association of enrolled students, why is an apprentice not obliged to join an organised association of enrolled apprentices? We should allow the students to develop and grow. They should be allowed to observe what is good about this or that association and make up their own minds. Do not let us have pressure and compulsion.

We must remember we are training teachers in order to put into their hands the future of this State. Let us start with the concept that they should be free to choose. My amendment seeks to delete the word "an" and put the word "association" into the plural, so that the paragraphs will read—

(a) organised associations of academic staff;

(b) organised associations of enrolled students,

The students will have a choice. There might soon be competition to enrol students in different associations.

At my university I think there were about 16 associations which one could join if one so wished. Membership was not obligatory. The only obligatory fee was £5 for sports amenities, which everyone contributed. I would like the Committee to consider giving the students and the staff freedom of choice to join any of the associations they might care to form. I move an amendment—

Page 25, line 16—Insert after the clause designation "55" the subclause designation "(1)".

The Hon. J. DOLAN: Would Mr. Williams line up his amendments to paragraphs (a) and (b) with the rest of the clause, which reads "there shall not be, at the same time, more than one such association of academic staff and one such association of enrolled students"? Is each group beholden to the other?

The Hon. R. J. L. WILLIAMS: I do not quite understand the Minister.

The Hon. G. C. MacKinnon: There is another amendment on the notice paper which will delete all that.

The Hon. R. J. L. WILLIAMS: It will be noticed there is another amendment on the notice paper to add a new subclause which reads—

(2) It shall not be compulsory for any enrolled student to be a member of any such organised association.

The Hon. W. F. WILLESEE: I oppose this amendment because, as I understand the position, it is necessary for the purposes of the Bill that there be one association to represent the staff. However, there would be no objection to the formation of sub-branches of that association.

It must be borne in mind that student associations are responsible organisations which have a large jurisdiction. They can control and own property. I do not quarrel with the reasoning of the honourable member that there should be freedom of choice if there is a variety of organisations; but the Bill should provide for a principal organisation which may have subsidiaries.

It is also possible to have too much of this sort of thing. In a small community group of in the vicinity of 100 academic staff, it is not necessary to have several organisations. There could be one major organisation with derivatives. For that reason I ask the Committee to oppose the amendment.

The Hon. R. F. CLAUGHTON: I, also, oppose the amendment. I think the reasoning behind the amendment is wrong and that it works on the wrong assumption. We must regard the student community as a single community which will have a governing body, just as the State of Western Australia, in the total Australian community, is a separate entity with its own governing body, which is Parliament. We do not say to the people of Western Australia, "We think you should have freedom of choice, and if you so desire you may set up a separate Parliament."

Funds are required in order to operate a governing body in the interests of the community. Therefore, the students are required to make a contribution towards their governing body.

I think this would work in the fashion in which it works at the university. When I attended the university, students were compelled to contribute to the guild. The same situation will apply under the Bill. We will have a single student community which will require a single governing body. The students may express their freedom of choice when they elect their representatives to the council. That is where their freedom of choice lies, not in having a multiplicity or even a duplicity of student councils. On those grounds, we must support the provision in the Bill and oppose the amendment.

The Hon. G. C. MacKINNON: I have listened carefully to the Minister and Mr. Claughton, and I have yet to hear a reason advanced to support the thought that only one organisation is necessary. I will deal with Mr. Claughton's argument first, because it is the easier of the two to demolish.

He used the analogy of our community and said the people of this State are not permitted to set up another Parliament. Of course, a college community would not be permitted to set up another council or board. I point out that in our community we have organisations such as the Australian Labor Party, the Democratic Labor Party, and the Liberal Party. We have different organisations within the community.

Mr. Claughton's remark about the election of students is nonsense. It is simple enough to organise an election on a campus. Surely if the students are all required to belong to the same organisation it smacks of the one party states in the newly-freed countries of South Africa.

The Hon. R. F. Claughton: Do you think the set-up of the university guild is wrong?

The Hon. G. C. MacKINNON: It is no more right nor wrong than that suggested by Mr. Williams. I think his suggestion is a very good one. If the university system of having only one guild is demonstrably the best system, then no doubt every college will finish up with only one organisation. However, I see no reason that, by statutory force, each college shall have no more than one.

The Hon. R. F. Claughton: In the university, for instance, the guild president is nominated as the representative on the senate.

The Hon. G. C. MacKINNON: That does not mean it is the best answer. Should we automatically elect to Parliament the President and the Secretary of the Australian Labor Party, and the President and the Secretary of the Liberal Party? I would like to hear the reason the Leader of the House wishes the provision to remain as it is.

The Hon. R. Thompson: I will tell you in a moment.

The Hon. W. F. Willesee: You are asking whether they work now?

The Hon. G. C. MacKINNON: Yes. I would like to hear a reason so that I may feel happy about it.

The Hon. R. THOMPSON: The reason is quite simple. Let us take, for example, the Claremont Teachers' Training College. The students of that college elect the members of the student council. One of my daughters is a member of the council. Its members work very hard. A times interstate trips are arranged, and the people who do not wish to belong to the organisation or who will not subscribe to it because they have freedom of choice are the first to want to take advantage of the council when a trip or some other jaunt is involved.

The Hon. A. F. Griffith: Is not the same argument used when you speak in favour of compulsory unionism?

The Hon. R. THOMPSON: I am not dealing with that at the moment. I know the members of the student council at the Claremont college devote a great deal of time to the activities and work of the council. I know my daughter puts a lot of work into it.

The Hon. G. C. MacKinnon: Shouldn't she be studying?

The Hon. R. THOMPSON: She is, but she is also an elected member of the council. I do not think this matter can be confused with unions because I have never known politics to play a part in the activities of the student council, and it would be wrong if it did. The members of the council come from all walks of life. If it were proposed that student teachers should be compelled to join the Liberal Party or any other party I would oppose that move.

The Hon. G. C. MacKinnon: Now this is starting to make sense.

The Hon. R. THOMPSON: Ten years ago when my other daughter was on the student council of the same college politics did not play any part, and it still does not. Although the council works hard it finds that students who will not subscribe are the first to apply for any benefits.

The Hon. A. F. Griffith: Do they get the benefit?

The Hon. R. THOMPSON: Yes, they come along and take it.

The Hon. A. F. Griffith: Are they selected to go on trips?

The Hon. R. THOMPSON: They do not get selected; they put in for the trips and go.

The Hon. N. McNEILL: I think both sides are right in this discussion. I feel the problem really arises from the use of the words, "an organised association." Those words indicate that a limit is placed on the number of associations, but I can see that would not be the intention. The intention is that there should be an administrative group—for the want of a better name—which will supply a line of communication between the board and students.

To use the example of the Guild of Undergraduates: that is an administrative body which has affiliated with it a large number of associations, including political associations. No limitation is placed on the number or nature of associations which may be affiliated with it. However, the guild must provide a line of communication between the senate and the students. The words used in the clause imply that there shall be only one association. Of course, I cannot conceive of that situation applying. Therefore, the operative words of the clause are, "means of communication between the academic staff and the enrolled students, respectively, and the board" and the words, "but for those purposes." The latter words simply mean, "for the purposes of a line of communication between the academic staff and the board, or the enrolled students and the board."

The Hon. G. C. MacKinnon: That is, purely for the purpose of this Bill?

The Hon. N. McNEILL: Yes.

The Hon. G. C. MacKinnon: But there could be other associations for other purposes?

The Hon. N. McNEILL: Yes. I would like to hear confirmation from the Leader of the House that no limitation will be placed on the nature and number of associations of staff and students within

the colleges. Provided that the words "for those purposes" refer to the line of communication, I can see that the provision is not undesirable. However, I think it might be better if we decided upon more suitable words to use in place of the words, "an organised association."

The Hon. I. G. MEDCALF: I listened with considerable interest to the points made by Mr. Williams, and I think they were quite valid. However, other members have thrown in arguments which indicate there is doubt about the matter and it may be best to leave it as it is. It does not seem to me that it will be compulsory for any member of the academic staff or any enrolled student to join an association. If it were made compulsory for them to do so within the rules of the college, I think such rules would probably be *ultra vires* the legislation. I would hope there will be no suggestion that regulations will be promulgated to make it compulsory for members of the academic staff or enrolled students to join an association.

If, in fact, the joining of these associations is to be compulsory that puts the matter in a different light. Mr. Ron Thompson put the position correctly when he indicated that people cannot be compelled to become members of these associations, but yet they will be able to reap the benefits obtained by the associations. It was his view that this provision in the Bill will not make it compulsory for people to join.

Much will be gained by having one channel of communication. It would be intolerable for the board to have to deal with more than one organisation representing the students and one representing the academic staff. For those reasons Mr. Williams might decide not to proceed with the amendment.

The Hon. R. J. L. WILLIAMS: I am extremely grateful to my colleagues. I placed the amendment on the notice paper because there was a doubt, but now that doubt has been cleared up. I therefore seek leave to withdraw my amendment.

The Hon. N. McNEILL: I go back to the point I raised as to whether the Committee will be given an assurance that no limitation will be placed on the organisation representing the staff or that representing the students in relation to the purposes other than as specified in the Bill.

The Hon. W. F. WILLESEE: I am told that I can give the assurance that there is to be no limitation. This is the official channel of communication. Talking of examples, the one given to me is that although there may be an association representing the secondary teachers' colleges, one representing the university students, one representing the technical college students, one representing part-time students, and one representing full-time students, we would still require a single body to be recognised as the official channel of communication between the student and staff bodies on the one hand, and the board on the other.

The point raised by Mr. Medcalf with regard to compulsory membership is a matter for the organisations themselves to decide. I believe that for several years in practice it has been compulsory to join, but under the terms of the Bill before us it is not compulsory.

The Hon. I. G. MEDCALF: This Bill does not provide for compulsory membership. I imagine any student association formed pursuant to the provisions of this Bill cannot require compulsory membership. I appreciate what the Minister has said, that at present it is not compulsory. No doubt he is referring to the various student and staff organisations which exist in the various colleges. If they are to operate under the legislation before us I take it that membership will not be compulsory. This is the point which ought to be clarified. From my point of view I cannot see how joining these associations can be made compulsory, unless there is some statutory authority to provide for it.

The Hon. W. F. WILLESEE: I am advised that with the passing of this Bill the position will be optional, but the student organisations will give no lead as to whether or not joining is to be compulsory. However, membership is not compulsory under the terms of the Bill, but I understand it is through practice.

The Hon. A. F. Griffith: You mean the student organisations will remain silent on the question of compulsion?

The Hon. W. F. WILLESEE: That is as I see the position.

The Hon. A. F. Griffith: That would not be very satisfactory.

The Hon. W. F. WILLESEE: It is not compulsory under this legislation, so they will remain silent.

The Hon. G. C. MacKINNON: This raises an interesting question. Here is an organisation which is to be formed under a Statute, and it has the means to make membership compulsory. However, if the organisation does this it would be operating *ultra vires* the Act. The position is that at the present time a number of these organisations are operating in that manner. It seems that a student of an existing organisation may challenge successfully the question of compulsory membership.

It ought to be clearly understood that an organisation formed under the provisions of the Bill will not have the power to make rules compelling the students to join, because the legislation does not provide it with such power.

The Hon. W. F. WILLESEE: I am informed this can only be done under a statute of the council, and such statutes will have to come before Parliament.

The Hon. A. F. Griffith: What are the administrative proposals?

The Hon. W. F. WILLESEE: As I understand the position there will be no compulsion.

The Hon. A. F. Griffith: Is this made clear?

The Hon. W. F. WILLESEE: I am making it as clear as I can from the information that is available to me.

Amendment, by leave, withdrawn.

Clause put and passed.

Sitting suspended from 6.10 to 8.12 p.m.

Clauses 56 to 79 put and passed.

Clause 80: Power to make Statutes—

The Hon. W. F. WILLESEE: I have circulated successive amendments to clauses 80 and 81. These are machinery amendments to which the Clerk drew my attention when he was examining the Bill. We submitted the suggestions to the Parliamentary Draftsman and he considers that the amendments proposed would make the clauses clearer and simpler. Certainly the drafting would be better. I move an amendment—

> Page 37, line 1—Add after the word "may" the passage ", with the approval of the Governor," .

Amendment put and passed.

Clause, as amended, put and passed.

Clause 81: Statutes to be approved by Governor and published—

The Hon. W. F. WILLESEE: The same remarks apply to this clause. It has been redrafted so that the legislation may be clearer and more easily understood. I move an amendment—

> Page 37, lines 36 to 41 inclusive and page 38, lines 1 to 17 inclusive—Delete subclauses (1), (2) and (3) and substitute one subclause as follows—
>
> > (1) Section thirty-six of the Interpretation Act, 1918, and the practice of Parliament in relation to regulations, apply to any Statute made under section 80 as though the Statute were a regulation. .

The Hon. R. J. L. WILLIAMS: I agree to the amendment moved by the Leader of the House. In passing, I would ask him to let it be known in the appropriate quarter that exactly the same provision appears in another Act in order to see whether this can be remedied by Government action or whether it is necessary for a private member to introduce a Bill to effect this amendment.

Subclause (3) was a direct take from section 35 (3) of the Western Australian Institute of Technology Act of 1966. As the Minister has moved this amendment, perhaps he would bring to the attention of his colleagues the fact that this provision still exists in that Act.

The Hon. W. F. Willesee: In which Act?

The Hon. R. J. L. WILLIAMS: In section 35 (3) of the Western Australian Institute of Technology Act of 1966.

Amendment put and passed.

The Hon. R. J. L. WILLIAMS: I move an amendment—

> Page 38, lines 19 to 21—Delete the passage ", or of a document purporting to be a copy of a Statute and to have been printed by the Government Printer".

The provision, in respect of the Government Printer, could prove a little restrictive on any college which does its own printing. In point of fact, why should this differentiation be made? To produce a Statute and have it recognised in a court of law, all that need be done is that the seal of the particular authority be attached to the print. The Bill, as printed, restricts the print to one produced by the Government Printer.

Some of the colleges turn out a high standard of printing. Doubtless if they want to obtain a copy of their Statute this should be part and parcel of their printing activity. Consequently I ask that the Committee agree to my amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 82 to 87 put and passed.

Title put and passed.

Report

Bill reported, with amendments, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. W. F. Willesee (Leader of the House), and returned to the Assembly with amendments.

PERTH REGIONAL RAILWAY BILL

Conference Managers' Report

THE HON. J. DOLAN (South-East Metropolitan—Minister for Police) [8.20 p.m.]: I have to report the results of the conference held between representatives of the Legislative Assembly and the Legislative Council in connection with the Perth Regional Railway Bill. The managers appointed by the Council met the managers appointed by the Assembly, and reached the following agreement:—

> Proposed amendment No. 2 of the Legislative Council agreed to subject

to the addition of a new clause 6 as follows:—

New Clause 6.

Notwithstanding the provisions of subsection (2) of section 5 of this Act that portion of the scheduled railway as is situated between a point 11 miles 9 chains and a point 12 miles 9 chains from the commencement of that railway may on a date to be proclaimed be temporarily closed as a result of traffic or engineering problems which may arise from time to time or for the purposes of this Act.

The report is signed by the three managers of the Council. I move—

That the report be adopted.

Question put and passed and a message accordingly returned to the Assembly.

EDUCATION ACT AMENDMENT BILL (No. 3)

Second Reading

Debate resumed from the 9th November.

THE HON. R. J. L. WILLIAMS (Metropolitan) [8.25 p.m.]: There is no need to delay the House in connection with this Bill. It is purely a machinery measure to delete the whole of part IV from the Education Act as a consequence of the passing of the Teacher Education Bill. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. W. F. Willesee (Leader of the House), and passed.

WESTERN AUSTRALIAN TERTIARY EDUCATION COMMISSION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 9th November.

THE HON. R. J. L. WILLIAMS (Metropolitan) [8.28 p.m.]: This is another Bill which is consequential upon the passing of the Teacher Education Bill. It will allow the teacher education authority representation on the Western Australian Tertiary Education Commission. I strongly support the Bill and commend it to the House.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [8.29 p.m.]: I wish briefly to thank Mr. Williams for his support of this measure and the previous one. As he has said, they are both complementary to the previous Bill which we discussed at some length in Committee. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. W. F. Willesee (Leader of the House), and passed.

QUESTIONS (6): ON NOTICE

1. MINISTERS OF THE CROWN

Overseas Travel

The Hon. G. C. MacKINNON, to the Leader of the House:

Is there any significance in the fact that seven Cabinet Ministers from the Legislative Assembly have travelled overseas, and none from the Legislative Council except for Mr. Stubbs' trip to New Zealand?

The Hon. W. F. WILLESEE replied:

No. Each trip overseas by a Minister was made for a specific purpose related to his portfolio.

2. RED KANGAROOS

Harvesting

The Hon. G. W. BERRY, to the Leader of the House:

How many Red Kangaroos have been taken in—

(a) Gascoyne Electoral District;

(b) Murchison-Eyre Electoral District;

for the years—

(i) 1969-70;

(ii) 1970-71;

(iii) 1971-72?

The Hon. W. F. WILLESEE replied:

1971-72 was the first year of controlled shooting and the first year for which data on an area basis had been collected. The estimated figures for the year February, 1971 to January, 1972 are as follows:—

Gascoyne Electoral District 50,000;

Murchison-Eyre Electoral District 87,000.

District estimates for 1969-70 and 1970-71 are not available.

3. HIGH SCHOOLS

Geraldton

The Hon. J. HEITMAN, to the Leader of the House:

(1) Is the Minister aware that—
  (a) the Geraldton High School is overcrowded;
  (b) by 1975, 400 additional senior students will be ready for enrolment at the High School;
  (c) the present site is almost built out;
  (d) additional ordinary classrooms will not solve the situation as specialist facilities for science, home economics, manual arts and library will not be able to cope with such numbers?

(2) What steps have been taken to build a second senior high school in Geraldton to accommodate future increased enrolments?

The Hon. W. F. WILLESEE replied:

(1) (a) to (c) Yes.
  (d) Temporary classrooms are to be provided together with a home economics composite centre for 1973. This accommodation should meet the needs in 1973 and 1974.

(2) A second high school is anticipated to be provided at Geraldton for opening in 1975.

4. HOTEL EMPLOYEES

Overtime

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

(1) Is it compulsory for hotel employees to work—
  (a) overtime; and
  (b) the proposed extended New Year's Eve shift?

(2) Has the relevant union indicated its attitude to these extended hours?

(3) How much notice do employees have to give that they will not work overtime?

(4) Under the relevant award, will a barmaid be paid over two-thirds of a week's salary for working the New Year's Eve shift?

(5) (a) Is it compulsory for hotels to remain open for those extended hours; and
  (b) what is the penalty if they do not comply?

The Hon. W. F. WILLESEE replied:

(1) (a) and (b) The State Arbitration Commission advises that the relevant award provides that workers are required to work reasonable overtime.

(2) Generally unknown, but in particular the Union has not indicated its attitude to the Government.

(3) Answer in (1).

(4) I have been advised that, under the award, a barmaid will receive double time for all time worked on the Sunday, i.e., 4.30 p.m. to 12.00 midnight. Ordinary time from 12.00 midnight to 12.30 a.m. with one extra day added to her Annual Leave for working on a Public Holiday.

(5) (a) and (b) No. Opening is optional, but if a licensee elects to remain open, he must give notification to the Licensing Court and the Commissioner of Police by 15th December, 1972.

5. MANJIMUP CANNING CO-OPERATIVE

Finance

The Hon. V. J. FERRY, to the Leader of the House:

(1) Adverting to my questions on the 2nd August, 1972, and the 2nd November, 1972, is he aware that the Manjimup Canning Co-operative Co. Ltd. had a net trading loss of $211,392 for the period the 6th August, 1971, to the 30th June, 1972, and not $124,113.85 as given in reply to my question of the 2nd November, 1972?

(2) As the operating loss to the 31st May, 1972, was $111,515, and $211,392 to the 30th June, 1972, what were the reasons for the further loss of $99,877 for the additional one month's trading?

(3) In view of the fact that the Cannery was officially opened by the Minister for Development and Decentralisation on the 18th February, 1972, does he not consider it surprising and disturbing to have plant and machinery, considered to be redundant or inadequate for the Company's needs, and no longer having the ability to generate income on a commercial basis, written off at a cost of $73,577 within the first five months?

(4) Does he not concede that his answer on the 2nd November, 1972, stating that no plant had been written off in recent months was not in accordance with the facts?

(5) In view of the continuing difficulties of the Company, does he not agree that it would seem that the feasibility study report of the Co-operative Cannery Study Group submitted in February, 1971, purporting to cover such aspects as marketing, establishment costs,

availability of fruit, orchard economics, operating costs and financial requirements, was ill-founded and over-ambitious in its determinations?

(6) As borrowings totalled $380,389 and unsecured creditors totalled $161,727 at the 31st May, 1972, and although the Company arranged additional secured borrowings of $420,000 after the 30th June, 1972, supported by a Government guarantee for the purpose of placing the Company in a viable financial position, and in view of the further rapid deterioration of the affairs of the Company, is the Government still confident (as expressed in its reply of the 2nd August, 1972) that there will be no need for further Government guarantees for long term finance?

(7) What provision, if any, has been made for contingent liabilities by way of future lease rentals of plant and machinery said to total $65,700?

(8) Having regard for the unfortunate short history of the Manjimup Cannery, would he not agree that, encouraged by the apparently doubtful findings of the feasibility study report, the Government's decision to establish the Cannery must have been based on political motives rather than on sound and proven business principles?

The Hon. W. F. WILLESEE replied:

(1) Yes.

(2) A decision to write off plant with a book value of $73,577, depreciation adjustment $3,929, audit and directors' fees $3,600 and stock valuation adjustment $8,181.

(3) In an endeavour to keep the investment in the cannery to a minimum, certain secondhand and improvised equipment was employed. Experience has shown that some of this has not proved satisfactory and it was decided not to use it for further canning as an economic result could not be expected.

(4) No. At the time the question was asked the matter was still under consideration by the directors and auditors.

(5) No.

(6) Yes.

(7) The lease rentals will be charged against revenue over the four year period of the leases.

(8) I would not agree; nor do I consider that the tone of the questions is either constructive or designed to assist a venture undertaken and encouraged by the Government to benefit fruit growers and promote regional development.

6. HOSPITALS

Mt. Barker

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

(1) Is the Mt. Barker Hospital adequate for the district?

(2) Have plans been drawn up for any additional wards or facilities?

(3) If so—

(a) when were they completed;

(b) when will tenders be called?

The Hon. W. F. WILLESEE replied:

(1) Additional general ward beds are necessary.

(2) Yes, preliminary plans have been prepared.

(3) (a) May, 1972.

(b) During 1972-73 it is proposed to draw up a brief of requirements to allow tender documents to be prepared. Tenders cannot be called until documents are completed and loan funds are allocated.

ACTS AMENDMENT (JUDICIAL SALARIES AND PENSIONS) BILL

Second Reading

Debate resumed from the 9th November.

THE HON. I. G. MEDCALF (Metropolitan) [8.37 p.m.]: This is a very short Bill designed to increase the salaries of judges of the Supreme Court and District Courts. Whilst it is only a short Bill, it will effect quite a substantial increase in the salary of these judges. It represents the first salary increase made since the 8th December, 1970—approximately two years ago.

Some comment has been made by a few members that the increase of 25 per cent. in the salary of a Supreme Court judge and 20 per cent. in the salary of a District Court judge may be considered rather high. This is true if it is looked at purely in terms of percentage. However, we must try to take a long view of it and relate the salaries to other salaries paid in the community including those of under-secretaries and leading members of the Public Service, both Commonwealth and State, and to the salaries paid to judges in other States. When looked at in this way it is not at all unreasonable—in fact, it simply brings our judges up to a standard slightly below that presently operating in the larger States, and I mean larger in terms of population.

For example, under the proposals in the Bill, the Chief Justice of the Supreme Court is to receive an annual salary of

$27,000, whereas in South Australia the Chief Justice receives $28,200. A puisne judge in Western Australia is to receive $24,000 per annum, whereas the salary in South Australia is $25,750. The Chairman of the District Court in Western Australia is to receive $20,880, and his South Australian equivalent receives $22,200—an increase of approximately $1,400 on the salary payable in Western Australia.

A judge of the District Court of Western Australia is to receive $19,440 per annum, whereas in South Australia his equivalent receives $20,200. The rates are slightly higher in some of the other States, and the salaries paid in New South Wales are the highest in Australia.

I would like to pause here for a moment to consider one aspect of this question to which, perhaps, members have not given sufficient thought—the question of judges' pensions. A provision is included in the Bill to effect changes in judicial salaries and pensions. The Leader of the House did not specifically mention the question of judges' pensions, but he did say that the pension scheme in Western Australia is noncontributory whereas in South Australia the judges contribute to the pensions. As the Minister indicated, this may be one reason for the higher salaries in South Australia.

The pension scheme which operates in Western Australia provides that a judge who dies or is permanently incapacitated within the first six years of his appointment will receive, or his dependants will receive, 30 per cent. of his salary on an annual basis. If he dies or is incapacitated after six years in office, he or his dependants will receive an increase of 4 per cent. of his salary per year up to the maximum of 50 per cent. of his salary. By that I mean that a man who dies or is permanently incapacitated after seven years in office will receive, or his widow will receive, 34 per cent. of his salary. If he has been in office for eight years, he will receive 38 per cent., and so on, up to a maximum of 50 per cent. of his salary.

I may have given a wrong impression here. I understand that the percentages quoted are the amounts payable to a judge who is permanently incapacitated. On his death his widow will receive only one-half of that amount.

One may think that this is a generous arrangement in regard to pensions, but I ask the House to bear in mind that judges, and particularly judges of the Supreme Court, are not normally appointed until they have reached a reasonably mature age. They take their seat on the bench without having the benefit of building up a substantial pension credit as would a man who started in the Public Service when he was fairly young. A judge of the Supreme Court may normally expect to be appointed at about the age of 50 or 55 years. So the judge comes to the bench without any basic superannuation credits and I think this explains why he may receive 30 per cent. of his salary if he is permanently incapacitated within six years of his appointment.

Apart from this, the House will appreciate the necessity for a judge to be absolutely incorruptible. He should be placed in a position above the possibility of being so short of money that he may be able to be corrupted. We normally do not speak of this here because the judiciary has such a very fine record of incorruptibility. However, we would not like our judges to be corrupted because they are short of money. This has happened in other parts of the world and it is necessary to realise that our judges must be given financial independence so they are able to look all men in the face and give an entirely independent judgment when weighing up the evidence in disputes between citizens, between citizens and Governments, or between companies and other persons in the community.

A judge has a more difficult task than a barrister or a legal practitioner. Such a person may at times have a difficult task in hand but he is acting solely for one party, whereas a judge has to weigh up the arguments put forward for both parties. He must endeavour to reach what he believes to be a fair conclusion so he must be absolutely above reproach. A judge must be given such financial status that he is above the level of the salaries of the people who practise in his courts. This is very important and we must bear it in mind if we are tempted to think that the increases proposed in this measure are too steep or that the salaries I have mentioned are very substantial. Certainly they are substantial—any salary above $20,000 a year is very substantial in my opinion. I believe there is a case for judges to have a high salary—in fact, it is more than that, it is a watertight case. They must have a high salary and the assurance of a pension so they do not have to look to anyone but the Government or the people of the State to provide for them when they are asked to preside over disputes and settle arguments.

The judgments they give will not always give satisfaction, but it would be impossible for them to do this, because necessarily they will find against one party or in favour of another, and naturally there will be disappointed litigants. There are provisions of appeal and other provisions within our judicial system that can be used to overcome these problems.

I believe we have been extremely well served by the judges we have had in Western Australia in the Supreme Court for well over 100 years. The first Supreme Court judge was appointed in 1860. Since that time we have been extremely well served by our judges, and in the last two or three years the District Court has been

established, composed of men of the highest repute. We want to keep it that way to ensure that we attract the best men available to serve in the capacity of a judge.

In a sense one may say that increasing the salary of a judge by 25 per cent. is only rule of thumb, because who is to say that 25 per cent. is the correct increase? The figure for Supreme Court judges is 25 per cent., and it is 20 per cent. for District Court judges. By this process we have kept their salaries in line with those paid to judges in the Eastern States. Judges must maintain this status and they must not in any respect be inferior to judges who sit on the same kind of jurisdiction in other States of Australia. Consequently we must keep their salaries in line with the salaries paid to top civil servants and in line with legal salaries. In fact their salaries must be above the average legal salaries and above the average of salaries paid to top civil servants. Strictly speaking they are not civil servants in the technical sense, but nevertheless they are public servants in the highest sense.

The status and importance of judges must be maintained. What I have said applies equally to Supreme Court and District Court judges. In some respects the District Court judge is even more important, because the District Court is an experiment in this State and we must ensure that we maintain the salaries of District Court judges sufficiently high to keep them ahead of salaries paid to members of the legal profession so that there will be an inducement to the best members of the profession to become judges in the future. We have been extremely fortunate in the appointments that have been made, but it would not be proper for me to mention personalities.

The appointments have been of a high order and we must insist on keeping them that way. In case members do not realise some of the work judges have to perform, I would like to point out that in addition to sitting in their court in Perth, they have to travel around the country quite a deal. There are, in fact, four fixed circuits for the judges; the eastern goldfields, the great southern, the south-west, and Geraldton.

Every quarter a judge visits Kalgoorlie, Albany, Bunbury, and Geraldton on these fixed circuits. These happen as a matter of course. They visit those centres as part of a regular routine. In addition they visit other towns which are not on a fixed circuit, where the services of a judge are required to save litigants and witnesses from travelling the great distances involved in coming to Perth. For example, judges visit Wyndham, Port Hedland, Broome, and other centres regularly and the conditions on circuit are not always the best. This is something I think should be borne in mind. It is true that whilst judges are on circuit they receive an allowance equal to a ministerial allowance to pay for their accommodation, but they have to accept the accommodation available and naturally take their turn with other people who seek accommodation in the various towns they visit. They do not have any particular accommodation. They have to stay in whatever hotel or motel room is available.

I ask members to pause for a moment to consider how difficult it is at times for a judge to perform his work in some of the country centres he has to visit. As you are well aware, Mr. President, the work of a judge does not finish when he closes his court for the day; his work probably continues through the night. He has to refer to the notes of evidence, and he has to prepare himself to hear cases that are listed for the following day. He has to carry out all his reading and frequently on circuit he has to do a great deal of night work. He does not have available to him any secretarial facilities to perform the work; a judge does not have a secretary.

In some country towns on occasions he is virtually confined to his hotel or motel room where he remains to read through the day's evidence. To be practical about this, let us accept he is working under difficult conditions. Those of us who have attempted to work in hotel or motel accommodation that exists in some towns will appreciate the difficulties that can be experienced. The judge may have to do his work in a room with the aid of a bed lamp —if there is a bed lamp—and if the judge happens to be a smoker it will be most unpleasant for him to smoke in that room, sleep in it during the night, and then be expected to enter the court the following day with faculties as bright as he possessed the day before. Despite this I do not believe any judge has let the side down.

The judges put up with this unpleasant side of their work. A year or two ago one judge spent three weeks in Kalgoorlie on a case, living under the kind of conditions I have outlined. In saying this I am not being critical of the accommodation that was made available to him. It is difficult for any person to work in a hotel or motel room for a long period away from home, with no secretarial assistance, and cut off from his family. In these conditions one can appreciate that judges have to put up with many problems and trials which, in a sense, deserve some compensation.

Judges cannot mix with the litigants. In a country town where parties are arguing about their rights and liabilities, a judge must take care as to who he drinks or fraternises with. This is not a question of snobbery. I do not think any sensible person would say it is. A judge has to maintain a certain aloofness, because he has to ensure that justice will

appear to be done without being unnecessarily removed. He cannot fraternise with the people connected with the case over which he is presiding, including counsel, because he may well give a wrong impression. This is another of his problems.

This does not happen in South Australia to the same extent as it does here. South Australia, being a smaller State, does not call upon its judges to travel such long distances; they do not have so many towns to visit. I would also point out that South Australia makes provision for wives to accompany judges when they go on circuit and, in fact, the wives' expenses are paid in addition to those of the judges. That does not happen in this State.

I wish to refer to one other aspect of a judge's work. I have some figures here which refer to the number of Supreme Court and District Court judges in all the States and the proportion of the population that each judge serves, one might say. These figures show that judges in Western Australia in fact serve a good many more people than judges in any other State in Australia. In New South Wales there are 61 judges; in Victoria, there are 41; in Queensland there are 25; in South Australia, 14; Western Australia, 11; and in Tasmania there are five.

Reducing that into the number of people served by each judge, in New South Wales there is one judge to 75,000 of the population; in Tasmania it is one to 77,000; in South Australia, one to 83,000; in Victoria, one to 85,000, and in Western Australia it is one to 93,000. So each of our 11 judges in Western Australia, reducing the figures to terms of population, serves 93,397 people.

I know this is an artificial way to look at the position, but it is a fact that, proportionately, our 11 judges have a higher work load than their counterparts in some of the other States, particularly New South Wales, which State pays its judges substantially higher salaries than are paid to judges in Western Australia. I did not mention Queensland, but the same position pertains there.

We can be very proud of the work that has been done by the men who have sat on the bench in Western Australia. This is largely due, in recent times, to the zeal of Sir Albert Wolff who made sure that the lists were cleared regularly and there was no backlog of work. He was most insistent that judges should get the cases out of the way so that litigants were not waiting around for their cases to be heard. He was ably followed by the present Chief Justice in carrying on the same practice. The judges' work in this State is largely up to date, whereas in some of the other States it is two or three years behind.

For these reasons I believe we should support this Bill, and I have much pleasure in giving it my personal support.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [8.57 p.m.]: I sincerely thank Mr. Medcalf for his remarks on this Bill. He uncovered many truths relating not only to the appointment, but also to the work performed by our judges. His analysis of figures relating to the work performed by judges in other States of Australia in proportion to the number of people in each State rather surprised me, especially when he pointed out the number of people who were served by each judge in Western Australia, our population being what it is. Added to those figures would be the consideration of the large area of the State that has to be served and the inconvenience experienced by judges when travelling, and one can only agree with the points raised by Mr. Medcalf in support of the Bill.

Someone has to be alert as to equality in salary, emoluments, and benefits that go to our Supreme Court and District Court judges, and it is the duty of the Government of the day to ensure that their salaries do not lag behind those paid to judges in other States; that they are always paid a just figure for the work they perform in the interests of the people of Western Australia. I am grateful for the support given to 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 The Hon. W. F. Willesee (Leader of the House), and passed.

PERTH REGIONAL RAILWAY BILL

Assembly's Further Message

Message from the Assembly received and read notifying that it had agreed to the conference managers' report.

ALUMINA REFINERY (MUCHEA) AGREEMENT BILL

Second Reading

Debate resumed from the 9th November.

THE HON. C. R. ABBEY (West) [9.02 p.m.]: In dealing with this Bill I think it is as well to remind ourselves of the situation which developed during the last session of Parliament. On that occasion we had a similar Bill before us which gave permission to the Pacminex company to set up a refinery in the Upper Swan area at Warbrook. After full consideration of the Bill in this House, and particularly after the speech made by the leader of

our party, Mr. Arthur Griffith, we reached the conclusion that the Bill was generally acceptable, but that we should require a report from the Environmental Protection Authority.

It will be recalled that the E.P.A. brought down an unfavourable report. As a result of that report we now have this Bill before us to establish a similar refinery at Muchea. The Bill includes most of the provisions which obtained in the previous legislation.

I very much regret that the Upper Swan site was unsuitable for the construction of the refinery. Members will recall that I personally supported the previous Bill and I felt, on that occasion, that if the proposed site would not cause environmental problems the project should go ahead. I am now very glad indeed that a proper examination of the site was carried out, but I have considerable sympathy for the people living in the Upper Swan area who may have received tremendous benefits as a result of the employment opportunities which would have been available had the project gone ahead. However, that is now past history.

I think the Government has been extremely generous in the conditions which apply to the agreement attached to this Bill. I have no doubt that the reasons advanced by the Minister, when he introduced the Bill, are fairly valid. However, the provisions of the measure will, undoubtedly, create a situation whereby developers in the future will be entitled to expect similar treatment. Of course, that will obviously reflect on the ability of the Government to impose restrictions on the work to be done, and on future sites.

The area of land on which the refinery will be established will be leased to the company at a peppercorn rental. I would point out to members that the area is considered to be very valuable, but I raise no objection to the rental conditions. The lease arrangement was the only way the Government could overcome the difficulties experienced.

Mr. Arthur Griffith examined in considerable detail the machinery provisions of the previous Bill which came before this House. He was able to do that because of his considerable experience as the former Minister for Mines. I certainly do not intend to give this Bill the same type of examination which Mr. Arthur Griffith gave the previous measure, but at a later stage I certainly intend to discuss certain aspects of the agreement.

It is obvious that the establishment of the refinery at Muchea will create a considerable number of employment opportunities for people living in the Wanneroo area and north of the city. Of course that will be very good for those people.

The Main Roads Department will be required to construct something like 21 miles of road, to provide a major road service to the refinery. That provision must give members who represent other parts of the State some cause for reflection. No doubt, the road system will be of considerable benefit to the area, but I would point out to the Government that the construction of those roads will, undoubtedly, mean that other areas of the State will have to accept something less than was hoped for in the way of road construction.

Considerable objection has been raised, in recent days, by people who feel they may be affected by industrial emission from the plant. However, on examining the report of the Environmental Protection Authority I think it is reasonable to accept that the emission will not be harmful to the people who are at the moment expressing concern. I personally feel that members of this House can accept the fact that the examination carried out by the E.P.A. was of a reasonable nature, and it established that the effect of the emission on the environment would not be serious.

A farmer in the area has spoken to the Press and stated his extreme opposition to the refinery being established almost on his boundary. He is demanding that a nature strip should intervene between his boundary and the refinery and I have no doubt whatever that his objection is valid. However, how much more valid is the objection of the many hundreds of people who have homes adjacent to the present Co-operative Bulk Handling loading area and storage depot at Rockingham? It is much more valid for those hundreds of people, who have extremely good homes in the area, to express their alarm that a bulk product such as alumina will be loaded almost on their doorsteps.

The situation which existed under the previous Government, and the understanding the Government had with the Rockingham shire, was that the housing area at Rockingham would not be unduly affected by the activities of the grain loading facilities. It was expected that the loading of wheat from the bulk storage area would not be an undue hazard to the residents who were living only 200 yards away.

However, let us examine the situation. A housing area is situated in the northern area along the foreshore at Rockingham, in Governor Road. Within 200 yards of that settlement there is the Co-operative Bulk Handling storage depot and a loading facility under construction through which grain will be shipped from the area. In the area between the settlement and the Co-operative Bulk Handling facilities lawn has been established and some beautification has been carried out to provide a buffer area.

The Rockingham Shire Council, in its wisdom, agreed to the establishment of a caravan park on this site. I would think the caravan site is occupied by a number of people who are working on the C.B.H. installation and it serves a very useful purpose for them. However, we must think of the situation in which holiday makers will be placed if we allow alumina loading facilities on the same jetty proposed for C.B.H. The holiday makers will be almost next door to the loading facility. If there is any dust at all it will blow across the caravan park, and its occupants; and when alumina is being loaded clouds of dust will inevitably rise into the air and drift over the residents living adjacent to the loading facility.

That is not good enough. I have noted an indication in the Press, in recent days, that after considerable discussion in another place the Minister for Development and Decentralisation has gradually weakened in his attitude.

During the second reading debate of the Bill in another place the Minister for Development and Decentralisation made it obvious that he was not really concerned about going forward with the Bill in its present form and that he did not have any great regard for the possible atmospheric pollution. In further reports—mainly in statements to the Press, I believe—we see the situation developing where the Minister is becoming aware of the real problems that were raised in another place, and he has now had some examination made of an alternative site.

In considering this Bill, we in this House and in this Parliament should be absolutely sure that it is not possible for pollution to occur from the site of the alumina loading facilities. I would think the site of the C.B.H. loading facilities is approximately 400 yards north of the existing homes in Rockingham. If these facilities are used by Pacminex. the pollution will be compounded. Some dust may emanate from the wheat loading terminal but, if it occurs at all, it will not be of a very obnoxious nature. I am sure everyone who is threatened by this loading facility is very concerned that clouds of alumina dust will pollute the atmosphere and be blown over their homes.

In an attempt to overcome the situation, and in particular to prevent the pollution of grain shipments, I will propose that this House accept a new clause—to become clause 4 of the Bill—which will require the Minister to consult Co-operative Bulk Handling and obtain from the company a written assurance that if effect is given to the proposal it is unlikely to result in the contamination of grain on or in the vicinity of the proposed C.B.H. wharf at Kwinana. I will give the Minister a copy of the proposed amendment and place it on the notice paper.

I think this matter is of great importance to the people of this State—not only to the residents of Rockingham and adjoining areas—and to a very valuable export industry. I accept the proposition that the export of alumina by the Pacminex company will also be a valuable industry. We must find a site from which alumina can be exported without contaminating the grain which will be loaded at Kwinana. At the first threat of contamination of any grain cargo,the whole of the grain industry in Australia—not only in Western Australia—could be very adversely affected. I am staggered that the Minister for Development and Decentralisation, his advisers, or anyone else could believe that there is no cause for concern about loading alumina and wheat from the same jetty.

Further north, adjacent to the CSBP refinery, there already exists a jetty for the handling of the products used in the manufacture of fertiliser. Some of those products emit a rather obnoxious odour and at times they emit some dust. Why not place at that location, or adjacent to it, the bulk depot and loading facilities for Pacminex? I will be told by the Minister when he replies that there are good reasons for not doing so, and the reasons will probably be given. No doubt it would mean the resumption of houses and buildings in the area.

I point out that, in any case, the Kwinana village must go. It is surrounded by CSBP on the north side, by the nickel refinery on the east side, and by the development of C.B.H. and other industries that will inevitably be established on the south side. It is a great pity that this area must be given over to industry. Many objections have been raised in this House by members representing Fremantle and the area southwards—notably Mr. Ron Thompson, the Minister for Police, and the late Mr. Lavery. Quite understandably and properly, they have raised objections when they felt people were not being treated fairly in the matter of resumptions. There is no doubt that the 200-odd houses in the area and the businesses which are established there—they are only small businesses—must eventually go. It will be an expensive programme.

A committee set up by the Premier to investigate Cockburn Sound development has submitted a report which states that the removal of those houses and the payment of fair compensation to their owners would cost in the vicinity of $3,500,000. It is not for me to advise the Government how to go about establishing these industries, and I am sure it would not take my advice anyhow. But a jetty already exists which I think would be entirely suitable for the loading of alumina. The report of the committee which examined Cockburn Sound further mentioned the fact that in the area from Governor Road, adjacent

to the C.B.H. facilities, to CSBP in the north only industries such as CSBP should be placed.

Western Mining and CSBP must be regarded as partly noxious industries. If we have another industry which could cause some pollution, although not of a serious nature, surely we should concentrate this type of industry in the northern part of the Kwinana area. In the south, in the vicinity of the C.B.H. establishment, there should be what could be regarded as clean industries. I think that is a reasonable way of approaching the planning of this area.

I remind the House again that in discussions with the Shire of Rockingham over a number of years the previous Government and the departments decided that in the area from Dixon Road and Governor Road to the north of the Rockingham housing estate there would be, first of all, industries like Co-operative Bulk Handling which could not be regarded as being detrimental to residents; and adjacent to Governor Road and to the north light industry would be established, which would provide a buffer zone between the developing Rockingham housing complex. The large industries, such as the refinery, which emit noise, work all night, and which must of necessity have lights burning would be situated some distance from the housing settlement of Rockingham.

Unfortunately, it seems the present Government is changing that concept. I am aware that the Shire of Rockingham has applied to the M.R.P.A. for a further area adjacent to Dixon Road for light industry, and that the Department of Development and Decentralisation—no doubt at the behest of the Government—has objected. If the concept of creating a light industrial area which is not detrimental to residents is not adhered to, a very serious situation will arise for the Shire of Rockingham.

It is most essential that the people who have to work in the Kwinana industrial area should be able to go to their homes and get away from industry and the environment in which they work. The area of Rockingham, whether inland or on the coast, is very acceptable to those people. In the past it was mainly a holiday spot.

If we accept that the concept was a good one, it was crazy in the extreme even to consider creating a large housing area at Coogee. That scheme has obviously blown up in the face of the Government because there has been a terrific outcry from many of the people who are or will be affected, and certainly from those who would be affected if they had to live in a housing settlement at Coogee. A committee comprising Commonwealth and State officers is now examining the possibilities of pollution with a view to reporting to the Government.

Why was this not done before the announcement was made? I fear it is because the Minister for Development and Decentralisation gets an idea and endeavours to put it into effect without properly investigating it, and gets the Government into trouble. There will be plenty of trouble involved in placing houses at Coogee. Perhaps the Minister's motive is the establishment of industry to the north of Perth; but no-one knows how his mind works in that regard. I believe it would be a sad day for the residents of the coastal strip adjacent to Muchea if a great number of refineries and establishments of an industrial nature were sited there. However, that is likely to happen because the gas pipeline from the north passes through the Pacminex area. I would certainly hope that in the future enough gas will be available to enable that company to use it.

I am amazed to find that the Leader of the House, in his second reading speech, mentioned that a report of the Environmental Protection Authority was to be tabled; but no report has been prepared by that authority regarding the effect on the environment of the loading of alumina at Kwinana. Why was this aspect ignored when it is probable that there will be a detrimental effect at the loading facility? I would like the Leader of the House to tell us when he replies to the debate why no report was made regarding the possibility of pollution at the loading site, and particularly with reference to the great danger of the pollution of grain shipments.

The Leader of the House also quite properly pointed out that the new refinery location north of Muchea would involve the company in very greatly increased construction and operating costs, and the Government took that into account in drawing up the agreement.

I think when we are considering the loading facility at Kwinana it is as well to mention the fact that there is a 45-foot channel through Cockburn Sound to the CSBP jetty, and obviously that depth of water will be available at the C.B.H. wharf. This will allow ships of great tonnage to be loaded there. I would think without doubt that is a great attraction to Pacminex because it will be able to outload onto bulk ships of considerable tonnage.

I understand that the 45-foot depth of water will enable C.B.H. immediately to load ships of up to 60,000 tons—at least 14,000 tons greater than any ship ever loaded at Fremantle. It is obvious that in future the tonnage of bulk ships will be increased to 100,000, 200,000, or 300,000 tons. Ships of that size are already being constructed. I am reliably informed that such ships could be accommodated in the 45 or more feet of water at the loading facility.

In the consideration of alternative sites, I think the Government would be well advised to consider the financial return it will gain from the leasing of the bulk storage facility at Kwinana, and the return which will be gained by the Fremantle Port Authority from the use of its wharf facilities. I am told, without being sure of my facts—and I would like the Leader of the House to confirm this—that the Government will receive a considerable return in this respect. Even if what I have said is proved to be incorrect, I still think that any added cost resulting from resiting the loading facility would not be too great in view of the possible detrimental effect on grain from the loading of alumina.

I would also draw the attention of the House to the fact that whilst alumina is to be outloaded from the Kwinana site, we will also have the situation of caustic soda and lime being unloaded at that site for use in the manufacture of alumina. We all know that caustic soda and lime are most noxious materials. This gives rise to further concern that the loading of grain will be subject to added risks. It will be a shame if the Government is adamant in its intention to place the outloading facility adjacent to the C.B.H. facility, because by so doing it will endanger the passing of the Bill. I say quite categorically here and now that I will not support the measure until I am assured that alumina will be loaded at a site where it cannot affect the loading of grain and the residents of Rockingham. That is the purpose of my proposed amendment.

It would be a pity if the Government, by one stupid act, jeopardised the Pacminex agreement and the many millions of dollars which will flow to the State as a result of the establishment of this new alumina industry.

In his second reading speech the Leader of the House referred to commodities such as phosphate, iron ore, alumina, and wheat; and he said every effort will be made to ensure that no party will be inconvenienced by the operation of the alumina loading facility. He then said that, on the other hand, it should be recognised that the exports of alumina represent a very valuable facet of the State's export trade. I have no doubt that every member of this House would recognise that to be so; but I also have no doubt that no member will be prepared to accept that at the expense of the export of our grain. That is just not on.

I make the point again that the CSBP jetty is alreay in use and I should imagine the State would be involved in little additional cost in adding a further wing to the jetty in order to enable Pacminex to use it. Surely that is the ideal way to overcome our objections. Should that not be possible, I am certain other sites could be made available to the company, even though added costs may be involved. Surely the advantages which will accrue from this agreement to the people of the State will encourage the Government to accept any added cost.

I turn now to the agreement, and I find it contains some obectionable features which I would like the Leader of the House to examine further when he replies to the debate. Under clause 38 of the agreement the joint venturers are given priority of loading. In effect this means that if there is a clash of interest between C.B.H. and Pacminex and two ships arrive for loading simultaneously, preference for loading must be given to the Pacminex ship. I do not think that is a good situation.

The Hon. T. O. Perry: It is a very bad situation.

The Hon. C. R. ABBEY: If members turn to clause 38 of the agreement, they will find that paragraph (11) states on page 37—

> (11) The parties recognise that to ensure the continuity of the operation of the Joint Venturers' plant and the adequacy of the bulk storage facilities a regular shipping programme for the Joint Venturers' inward and outward cargoes is vital, and the State will cause the Fremantle Port Authority to reserve to the Joint Venturers preference in the berthing of ships at the wharf to load or discharge the Joint Venturers' outward or inward bulk cargoes within reasonable limits of any predetermined shipping programme but to the extent that the wharf is not so required the Fremantle Port Authority may use the wharf for the berthing of other ships and the handling of other cargoes but only to the extent that such other usage does not unduly or unreasonably affect that preference or unduly interfere with the Joint Venturers' operations.

I think that is a very serious provision in the agreement.

The Government has agreed to the establishment by Co-operative Bulk Handling of facilities for the storage and loading of its products at Kwinana costing $42,000,000, yet Pacminex is to be given priority in the loading of its ships. It may well be that this will not unduly inconvenience C.B.H., but if any dispute arises we find that in the agreement there is provision to give preference of loading to Pacminex; that is, preference over the loading of grain.

I am reliably informed that approximately two ships per week will be loading grain from the C.B.H. terminal, and this approximates 100 cargoes a year spread throughout the year. Of course, there will also be considerable loading of wheat at Fremantle.

This situation is anticipated by C.B.H., and it expects that grain exports from this State will total 200,000,000 bushels a year in the near future. Such a vast amount of export will have an important impact on the economy of the State, and for that reason the industry should not be jeopardised. In my view the clause contained in the agreement which I have read out needs a great deal of examination.

In his reply to the second reading debate I would like the Leader of the House to comment on the cost to the company of the areas of land that are to be released for bulk storage, and on the charges that will be levied by the Fremantle Port Authority for the use of the loading facilities. I would also like him to tell the House the result of the investigations promised by the Minister for Development and Decentralisation into alternative sites for the loading facilities. In recent times we have read newspaper reports indicating that the Minister has requested this be done. I hope that a genuine attempt will be made to overcome this problem.

I will content myself by saying that in general I support the concept of the Bill. The agreement can be accepted, with the two or three provisos I have mentioned. I hope the Bill will be dealt with satisfactorily, and that will be possible if the ship loading part of the agreement is handled properly. At this stage I am prepared to support the second reading but I foreshadow amendments.

THE HON. A. F. GRIFFITH (North Metropolitan—Leader of the Opposition) [9.49 p.m.]: The presentation of this Bill to Parliament indicates that the Government has renegotiated the agreement which was recognised last year as the Alumina Refinery (Upper Swan) Agreement. The legislation before us, if passed, will become the Alumina Refinery (Muchea) Agreement Act of 1972.

In presenting the Bill the Leader of the House tabled a copy of the report of the Environmental Protection Authority relating to the proposed location of the Pacminex refinery. He also tabled four plans, one of which related to the general Kwinana area, one to the refinery stockpile area, one to the mining area, and one to the area of the refinery site at Muchea.

The House knows my views on agreements that are presented to us in an unsigned form. All I can do at this point of time is to reiterate my feeling of dissatisfaction with unsigned agreements, because in my opinion they are unsatisfactory.

This Bill which contains a schedule authorises the Government of the day to enter into the same or substantially the same form of agreement as set out in the schedule. In fact, while Parliament does know what sort of agreement the Government will ultimately sign, there is much room for variation arising from what might take place between now and the actual date of signature.

This seems to be the form in which the Government continues to persist in presenting agreements of this nature to Parliament, and we are obliged to accept them on that basis. I admit this leaves room for one thing to be done; that is, to examine the agreement in some detail, and to accept the invitation which goes with the presentation of legislation in this form for a member to offer suggestions or amendments in respect of that portion of the agreement which he might regard as unsatisfactory.

In the course of my remarks I propose to examine the agreement, to make some comments on the plans that have been placed before us, and to pose some questions to the Leader of the House on certain matters, not necessarily contained in the agreement.

I refer to clause 4 of the Bill which states—

> The Alumina Refinery (Upper Swan) Agreement Act, 1971, is hereby repealed.

I have a copy of that Act, and henceforth it is to be disregarded. The Bill which is before us will be the legislation that counts. However, although the 1971 agreement is to be repealed, it is permissible for members to make a comparison between the agreement contained in that Act and the agreement contained in the schedule to the Bill before us. The 1971 agreement was passed by this Chamber with an amendment which was accepted by the Government. It was the requirement to obtain a report from the Environmental Protection Authority on the Upper Swan site.

I do not want to deal with the Upper Swan site, because the question has been determined after an investigation by the Environmental Protection Authority. It made a report to the Government and the Government has decided to accept the advice of that authority.

I am pleased to say that since that occurrence the Government has been trying to find an alternative site, so as to get this company under way. It has found a site in the Muchea area which is regarded as suitable. We are told that the Environmental Protection Authority agrees in principle with the Muchea site. However, it occurs to me that the authority has not had anything to say about the shipment end of this project, but whether or not it was asked to comment on that aspect I do not know.

In his contribution to the debate Mr. Abbey paid a great deal of attention to the problems which are likely to arise as a result of the proposal to establish loading facilities at Kwinana alongside the facilities of Co-operative Bulk Handling.

There is no doubt that a great deal of consternation arose, after it was made known that Pacminex was likely to load alumina from the same jetty as C.B.H. would use to load wheat.

As a matter of fact, a cartoon appeared in the newspaper the other day pointing in a humourous way to the difficulties that might be encountered by the two companies. I agree with the point made by Mr. Abbey in relation to the possible danger of loading wheat from the same jetty at Kwinana. Wheat is one of our principal exports, and it is a great income earner, not only for Western Australia but also for Australia. To my way of thinking it would be unforgivable if anything were done to damage this very important industry.

I notice from Press reports that the Minister for Development and Decentralisation has expressed that view. One must point out that he expressed it after having been pressed to a considerable degree by the Opposition in another place. Suffice it to say that the Minister is very conscious of the need to protect the loading of wheat at the C.B.H. installation at Kwinana.

Today I spoke to Mr. Lane on the telephone. He is the General Manager of C.B.H. I asked him to tell me, so that I could hear from him directly, the fears of C.B.H. on the loading of these two commodities side by side, because obviously they are not compatible the one with the other. As indicated by Mr. Abbey, Mr. Lane told me that with the establishment of the terminal and the loading facilities at Kwinana, and with the completion of the jetty, C.B.H. would load about 100 ships over the year. I asked him whether the loading would be seasonal or whether it would be carried on throughout the year. His reply was it would not be seasonal, but would be carried on throughout the year. He thought that on an average a couple of ships per week would load wheat from that jetty, but he did point out there might be a few days, and not weeks, between shipments.

The point made by Mr. Abbey in relation to the importance of the grain loading facilities being free of contaminants is sound. Under this agreement the refinery seems to be given priority in the loading of ships. This is something which will prove to be a disadvantage to C.B.H.

It is surely essential that we on this side of the continent should not have contaminants in our wheat which is shipped abroad; but it is equally important that Australia be known as a country which does not ship contaminated wheat, otherwise the standards of our wheat will be lowered abroad and; as a result we might suffer wholesale loss.

So long as the parties concerned are conscious of the difficulties which might occur as a result of contamination because two commodities, which are not compatible, are being loaded alongside each other, we have some hopes of arriving at a solution which will protect the interests of both commodities; but it is terribly important that this be so.

Mr. Abbey has indicated that he will place on the notice paper an amendment which will give the Government the opportunity to ensure that this is the case and that there is not likely to be established at Kwinana loading facilities for alumina which will result in damage to the very important commodity of export wheat.

Having said that I would like to briefly refer to some plans. The one I have in my hand at the moment is not one attached to the agreement by way of a schedule; it is a plan of the general loading area at Kwinana, and indicates the sites of the various established industries and the jetties already there. I think the Government should examine Mr. Abbey's remarks concerning the location site of the storage area under the agreement in comparison with the other areas which might become available for the benefit of this company and decide either to leave the site as planned or, better still, choose a site somewhere else, thus eliminating the fear that the wheat might become contaminated as a result of being loaded nearby to alumina.

The second plan I have here is the plan marked B which shows the bulk storage area proposed to be allocated to the company, the railway working area, and the roads between which that area lies.

I do not think there is any necessity for me at this stage to make any comment, but merely emphasise, if it is necessary, the feeling we have and the feeling of the Opposition in another place regarding the establishment of the storage area in Kwinana. In fact, it was obvious that the Minister himself agrees with us.

The plan marked A shows the refinery and the red mud disposal area. It excludes roads, railways, and the W.A.N.G. pipeline. It occurs to me to indicate to the Minister that in his notes there is no expression of opinion as to whether anyone has talked to the Western Australian Natural Gas company about the effects of the establishment of any operations of the refinery, including the red mud disposal area, on its pipeline. I suppose it would be hoped that consultation with the company would take place to ensure that no likely damage would occur to the pipeline.

Mr. Abbey referred to the possibility of natural gas serving the industry and of course I can only hope that WAPET or

some other company might discover sufficient gas to enable Pacminex under this agreement to have the benefit of its use, because there is no nicer or cleaner burning commodity from an industry's point of view than natural gas. I think it is the most desirable power substance which could be available to the company.

The fourth plan I have is the plan marked C which indicates the mining area. It was tabled in the House and it covers an area which runs from Koojan and fringes along the area of Mogumber right down to South Bindoon, to a point not far from Midland Junction on the one side; and then there is a piece out in the middle which, if my memory serves me correctly, is lease 1A, which belongs to the Alcoa people in relation to their bauxite reserves. On the other side it goes over to areas covering Clackline, nearly to Northam, Toodyay, Bolgart, and up towards Calingiri and Piawaning. It covers also the area of New Norcia. I have forgotten the area covered in this plan, but it is quite enormous. The Minister's speech gives no indication of the extent of the area.

I am afraid that I missed this point in 1971 when the previous agreement was before us, and I apologise for that; but members will recollect that time was the essence of the contract in 1971 when we were dealing with that agreement, and in fact, time is still the essence of the contract in relation to this agreement. I have not had the time I would like to more thoroughly examine this agreement. The Minister made his second reading speech yesterday evening and we have continued with the debate today. I do not complain, but merely say that with all the difficulties attached to the introduction of Bills in the dying hours of a session—and I have been listening to that expression for 20-odd years from all parties—it is a little hard, despite all the helpful facilities I have at my disposal, to do the kind of research which ought to be undertaken in relation to Bills and agreements of this nature.

However, purely from memory, because it is now more than two years since the original negotiations for this processing arrangement were made with the previous Government, I think I said to the company—although I cannot swear to it—when I was Minister that I would not be prepared to give it a temporary reserve over an area as large as the area envisaged under the Bill, for two reasons, one being the extremity of the area and the other that it contained a tremendous amount of land held in freehold by private individuals.

I am not sure what happened from that point on, but I must admit that in the agreement of 1971 this same plan was submitted to us but, as I have said, I was not sharp enough at the time to pick up the point. But, be that as it may, I think it is quite pertinent for me to refer to it on this occasion and make some comments in respect of it. I will come back to it as I proceed with my remarks, but at the moment I merely point out that it is an extremely large area, to say the least, undefined in acres or hectares, and extending over a large breadth of the country in the Chittering Valley and beyond.

It would be an advantage to know the extent of this area which is referred to in the agreement as the mining lease. Here again I find it a little difficult to understand that, and perhaps while I am on this subject I should deal with the question of the mining lease rather than come back to it later. The marginal note to clause 8 of the agreement, appearing on page 14 of the Bill, is "Mineral Lease" and subclause (1) reads—

> 8. (1) The State will on the application of the Joint Venturers made after, but within two (2) years after, the date on which the last of their proposals is finally approved or determined under Clause 6 cause a mineral lease of such of the Crown land and land reserved under Section 276 of the Mining Act in respect of which the Joint Venturers are then the holders of rights of occupancy and privately owned land in respect of which the mineral rights are reserved to the Crown within the mining area as may be applied for to be granted to the Joint Venturers (in such shares as the Joint Venturers may agree) notwithstanding that the survey of any of the lands applied for has not been completed (but subject to corrections to accord with the survey when completed) for the mining of bauxite; and the lease shall be so granted under and (except to the extent that the provisions of the Mining Act are not inconsistent with this Agreement) subject to that Act but in the form set out in the Second Schedule.

Clause 8 of the 1971 agreement is different from the clause I have just read in that the wording of the clause in the previous agreement as it relates to the mineral lease did not have the following words:—

> and land reserved under Section 276 of the Mining Act in respect of which the Joint Venturers are then the holders of rights of occupancy.

I wonder in the first place what is the reason for the change of wording. I can only assume a reason must exist and I would like to know it.

One of the plans I have shows a blue area and down on the bottom right-hand corner are some red areas which are referred to as catchment areas; and the company cannot mine those areas at least at the present time and if it ever does it

will have to do so under special conditions. Let us look at the second schedule of the agreement relating to the mining of the lease. This portion reads—

SECOND SCHEDULE.
WESTERN AUSTRALIA.
MINING ACT, 1904.

Lease No. South West Mineral Field.

Of course, the lease number is left blank. The following words occur in the schedule:—

> . . . comprising the areas coloured yellow in the plan in the schedule hereto together with all those privately owned lands coloured green in the said plan and all those mines, veins, seams, lodes, or deposits of bauxite within the weathered profile of the said lands (and for the purposes hereof "weathered profile" means the zone within which any or all of the original chemical elements of the rocks have been distributed or concentrated by atmospheric or ground agencies) . . .

The point I make is that anybody examining this plan would have no idea of how the ground is divided.

Members will recollect a controversy which ensued two or three years ago in connection with the possibility of mining taking place in a specific place—the name of which escapes me for the moment—in the Chittering Valley. The Government of the day considered this and decided to create three areas. I well recollect the areas were termed A, B, and C. In one of those areas the company would be permitted to mine and a considerable number of mineral claims had been pegged in that area. The Government of the day decided that a second area should be made an "A"-class reserve. There was also a third area. It is unfortunate that I must draw only on my memory in relating this to what happened two or three years ago.

There is no indication on the map to which I have referred as to whether any of that land falls within that area. Furthermore—and perhaps this is more important—the map gives no indication as to what portion of that area is to be made up of private land, Crown land, and land upon which the company may or may not be able to mine. In other words, the map is not delineated to show how the ground is divided.

One factor which concerned me in reading the agreement as it relates to the mine site is that the joint venturers can obtain mineral titles over private land. I refer members to clause 20 on page 24 of the Bill which states—

> 20. (1) The Joint Venturers will not commence any mining or related operations for the purposes of this Agreement on privately owned land unless and until they have entered into a written agreement with the proprietor of the land for the purpose of providing for adequate restoration of the land after mining and that agremeent has been approved by the Minister.

It goes on to say what the company will do in relation to contour ploughing, earthworks, etc. However, the provision is silent in connection with the rights of the private landholder except for the statement that no mining will commence until arrangements have been entered into with the owner of the land.

This, in my opinion, cuts completely across the principles of the Mining Bill which the Government has in cold storage in another place, and for which we have been waiting. Under that legislation certain mineral rights will go to the owner of private land. However, midway, we have this legislation imposed upon the provisions in the Mining Bill.

The legislation before the House is also silent upon the law which exists under the present Mining Act as it relates to mining on private land. I would like to be assured by the Minister that the rights of the private owner, under the Mining Act, are not in fact abrogated by the rights of the joint venturers under this agreement. This would certainly be a sad state of affairs.

Another factor alarms me in that the knowledge of members of the public is obviously limited in connection with matters of this nature. There will be many landowners indeed in the community who will not know that their private land in fact falls within the area of plan B about which I have been talking. How could a private landowner know unless he happens to come to Parliament House to look at the plan? In this case, he may realise that there is a possibility of his land falling within this area. He would then have to pursue his rights.

If members look at the Alumina Refinery (Bunbury) Agreement Act which was passed by the Parliament in 1970, they will see that this legislation dealt more specifically with this question and protected the rights of the private landowner by saying, in so far as leases on private property are concerned, that the owner must expressly agree in writing to the company exercising, in respect of his land, the right of noncompliance with the labour conditions as conferred by a certain provision. It dealt with the labour conditions but it protected the right of the owner in respect of the fact that the labour conditions could not be done away with unless the owner of the land knew that some mineral title had been obtained by the company and he was a party to the agreement that labour conditions would not apply. At least in this way, the owner of the land must know something about the situation.

It troubles me that the owner of the land may know nothing whatever about this situation. In the interests of landholders in this large area, the situation should be cleared up.

I would like to turn for a moment to one or two of the specific clauses in the Bill. I have dealt with the question of mineral leases. I feel it is important that this matter be explained to the House.

I now turn to clause 9 of the agreement which deals with other ore sources. It says—

> In the event of the Joint Venturers requiring to secure additional bauxite or bauxite reserves to satisfy their refinery requirements the Joint Venturers may negotiate with persons holding bauxite reserves within the said State and may purchase additional bauxite, bauxite reserves or both and refine bauxite obtained from those persons or those bauxite reserves under terms and conditions approved by the State which approval will not arbitrarily or unreasonably be withheld.

The words I dwell upon are these, "within the State." It seems to me that under the agreement the company will have the right to go anywhere it likes within the State to secure additional reserves it feels it ought to secure for the purpose of this operation.

I would now like to comment on clause 20. I have already mentioned this clause briefly. It refers to mining on private land. I do not need to repeat all my comments but I would ask the Minister to ensure that the House can be satisfied that the rights of private owners are protected under the agreement and that we do not erode these rights.

Members will recall that the previous Government went to a great deal of trouble to ensure that the rights of owners of private land, and particularly those relating to farm land, were protected. I introduced a Bill to this effect and it received a great deal of support from all members of the House.

Subclause (11) of clause 38 is the matter dealt with by Mr. Abbey. It concerns the necessity for the joint venturers to be assured of a regular shipping programme for the adequacy of the bulk storage facilities. Mr. Abbey also mentioned that the clause appears to give priority to the joint venturers over C.B.H. I feel this query must be satisfactorily answered. It seems to me to be quite unreasonable that one company should be given priority over another.

The Hon. W. F. Willesee: That is if the companies were using the one berth.

The Hon. A. F. GRIFFITH: Well, they cannot use the one berth.

The Hon. W. F. Willesee: The one facility.

The Hon. A. F. GRIFFITH: They can use the one jetty with adjacent berths.

The Hon. W. F. Willesee: That proposition is being objected to.

The Hon. A. F. GRIFFITH: The companies cannot use the one berth because obviously the loading facility for bauxite is very different from that for wheat. In other words, ships loading for these two companies will not tie up at the same wharf. They may tie up at two different wings of the same wharf.

If the Leader of the House looks at the plan, he will see the foreshadowed wharf facility at Kwinana. This shows the wharf going out and the proposed facility for C.B.H. on one side and the proposed facility for Pacminex on the other. We are not concerned with the question of loading at the same facility, but with the possibility of contamination. However, Mr. Abbey has commented on the priority of loading, and I also felt compelled to raise the point.

We have some unanswered questions, and I feel we are entitled to further information. I say this having regard for the agreements of 1971 and 1972 and the obvious differences which are apparent when these agreements are examined clause by clause. Let me say that the present agreement is more generous to the company than the 1971 agreement. In fact, this agreement is more generous to the company than the Alwest agreement to which I referred a few moments ago. This indicates the anxiety of the Government to get the particular project off the ground.

We are entitled to receive some information about the details of rail freight. We have been given the cost per ton mile or per ton kilometer, and the cost per ton for the whole journey for each of the commodities and each of the journeys likely to be necessary under the 1971 agreement. Comparisons should be made with the 1972 agreement on the same basis. Having passed the 1971 agreement and being prepared to pass the 1972 agreement, we should be told the difference between the two. It is also important to note that a number of different types of journeys are to be made in connection with this industry. The bauxite must be taken to the refineries, the alumina to the ships, and special supplies such as caustic soda and fuel oil from the port area to the refinery.

I think we are entitled to information about that, knowing as we do that concessions have been made to the company because of the marginal nature of the proposition. The question of capital assistance is also one about which we require further information. The Leader of the House touched briefly on the point when introducing the Bill, but I think we are entitled

to be told in greater detail what capital assistance the company is likely to receive. For instance, we know that the wharf facilities are to be constructed at Government expense.

This morning Mr. Lane, the General Manager of C.B.H. told me—and he said I could relate this to the House—that C.B.H. is so concerned about the possibility of contamination that it might be prepared to find the sum of money necessary to construct its own wharf. I believe the cost would be in the order of $3,000,000 to $4,000,000.

Bearing in mind the obligations placed upon other companies when negotiating agreements with the Government, we are entitled to know just what assistance the Government will provide to the Pacminex company. I think we should be provided with an itemised list of comparisons between the 1971 agreement and the present agreement so that we will know what Parliament is being asked to do when it is asked to authorise the signing of the agreement in its present form or substantially in that form.

I think the Leader of the House referred to the additional cost of siting the refinery at Muchea as being in the order of $8,000,000, and that increased operating costs would amount to something like $850,000. This alone will make it difficult for the company to operate. Therefore, I suppose it can be expected that the Government will provide some alleviation of the cost.

Apparently the Government is reluctant to tabulate these items of expenditure, particularly as they relate to freight and that sort of thing. I think it would not be a bad idea for us to be given more information on the question of rolling stock. The question arises as to whether rolling stock includes locomotives as well as brakevans. In this respect the assistance will be in the order of $2,000,000.

I understand the wharf is likely to cost $3,300,000, and that the Government is to provide relief for infrastructure costs to the extent of $3,000,000. The Alwest people had to buy their own land at Bunbury at a cost of, I believe, $1,000,000; but the Pacminex company is to have Crown land made available to it at a peppercorn rental, and roads are to be constructed by the Main Roads Department, apart from internal roads within the complex of the company's operations. Then there is the matter of grade separation. I believe those two items will run into something like $1,000,000. I repeat, the Alwest people had to buy land on the market at a cost of $1,000,000 for their refinery site near Bunbury.

Surely it is fair enough that the Government should classify the type of relief it proposes to grant to the company. Another matter that has caused me to wonder is that I received a communication from the local authority some time ago when the first agreement was afoot, expressing a view about that agreement. However, in the matter of the agreement presently before us everything seems to be quiet on the local authority front. The only reference to the local authority I have seen in the Press is that it is apparently prepared to accept the refinery, but nothing beyond it. I think we should be given more information about this.

I think we should be told whether any consultations have been held with the local authority; and, if so, whether the consultations were held by Ministers or whether they were held at officer level. I would like to know which Ministers have been out and inspected the refinery site. In fact, I would like more details about the final determination of the actual terms of the agreement.

Then there is the matter of what may be referred to as dormitory areas, or supporting areas in which employees will live. The plans which have been tabled indicate nothing of that nature. The shortest route to the coast from the refinery site is in the order of, I think, 20 miles. It seems to me a considerable amount of facilities will be necessary to support the people who will be employed at the refinery site.

We should be provided with information about what planning has taken place for the Muchea area in relation to providing the land and facilities which may be required to house and provide for the people who will live in what is commonly termed the dormitory area. As far as I can ascertain we have been told nothing about that.

Of course, this raises the question of what commitment involving the State Housing Commission has been made by the Government to supply housing for the workers. The Government is silent upon these matters and I think we are entitled to answers.

I will not dwell again on the question of the possible conflict between C.B.H. and Pacminex at Kwinana; however, Mr. Abbey will have more to say about that when the Bill is in Committee.

I have also referred to the question of property, which I regard as terribly important. I would press the Government for information about this aspect. Bearing in mind that I want clarification of the rights of private property owners in relation to the plan, I think some publicity should be given to the matter so that people who own farms or vacant land in the area will be made aware of the fact that mining could conceivably take place on their land. Of course, the mining areas indicated on plan C include Crown land, private properties with minerals reserved to the Crown, and private properties with

minerals reserved to the owners. If the project wanders outside the area defined in plan C, all sorts of complications could arise.

I am not sure, but I believe in another place the question was raised of a side letter between the company and the Government. Side letters, as the term indicates, are letters written on the side by parties to an agreement indicating the intention of the parties—in this case the Government and the joint venturers. If a side letter has been written I think Parliament is entitled to know what is contained in it.

I repeat that I understand it was mentioned, and in order to eliminate the possibility of any suspicion or any misunderstanding of what may be contained in such a side letter, the letter should be placed on the Table of the House so that members can see it. I suggest this for the consideration of the Minister.

It would appear that I have been fairly critical of some portions of the agreement. I reiterate that had I had more time I probably could have asked more questions. The Minister may feel glad that I did not have more time. However, I think, if the Government is to continue to produce these unsigned agreements to Parliament it is asking Parliament for approval for the Government to sign the agreement in a form substantially the same as the schedule presented with the Bill, and therefore it is not only the responsibility of members to examine the agreement as closely as possible, but also to offer some proposal to improve it should that be considered necessary.

In this agreement I found it extremely difficult to offer any proposals for improvement. I am not a parliamentary draftsman. The art of drafting is a legal skill and it is not one at which I am adept and therefore I seldom try my hand at it. If I do it is always with great fear I may do the wrong thing. So it is difficult to make proposals for the alteration of a schedule in a Bill of this nature, but in relation to the particular matters that have been raised, clarification is particularly needed in regard to the berthing facility, and the priority that appears to be given to Pacminex over C.B.H.; and I would definitely like some information on the points I have raised, particularly in relation to the mining area.

I repeat again that I do not think I would have been prepared to give the company an area as large as that which it has been given. The details of the area that we should be given should be so comprehensive that they should show in colour all the areas of State forests and the areas that have already been pegged and held as mineral claims. It should also be clearly shown what areas have been given to the company presumably with the alteration of clause 8. Some have been granted as temporary reserves under section 276 of the Act.

If my memory serves me correctly, another point that has just come to my mind is that several companies carried out considerable pegging in this area. That is, at the time of their pegging, mineral claims would have been granted by the Minister. I am wondering what has happened to the number of mineral claims that were not granted by the Minister. If I read the agreement correctly, the other people who pegged the areas would not have much chance of getting them, because priority would have been given to the company under this agreement. So a detailed plan of the area is what we really needed.

The Government should publicise the plan. It should be published in the Press so that people who own land will not wake up in six or 12 months' time to realise that they are in the unhappy situation that under an agreement passed by Parliament they have lost their right to their land which they farm for agricultural purposes. It may be possible, of course, that a farmer may find that it is more profitable to have his land mined for bauxite than to farm it for agricultural purposes but he must be placed in the position where he can be the best judge of that.

I will leave the matter on that note, repeating that I am satisfied to support the second reading of the Bill, encouraging the Minister to confer with his colleagues and obtain the information I have outlined in the course of these remarks.

THE HON. D. J. WORDSWORTH (South) [10.46 p.m.]: I express shock and amazement that the Government should contemplate the use of a facility for the joint loading of products handled by C.B.H. and Pacminex.

The Hon. D. K. Dans: Would you agree to C.B.H. building its own loading facility?

The Hon. D. J. WORDSWORTH: I think this was the original intention; I think C.B.H. has already indicated it would prefer to do this.

The Hon. A. F. Griffith: C.B.H. indicated that it may be obliged to provide its own loading facility if its product was likely to be contaminated. That is a different thing from protecting its interests.

The Hon. D. J. WORDSWORTH: I am shocked that the Government should contemplate the loading of both chemicals and food from the one facility. I say food because undoubtedly wheat is a food. It is processed into bread and noodles without even being washed.

The Hon. R. Thompson: Have you ever been down the hold of a ship? Obviously you do not know what is carried in the hold of a ship.

The Hon. J. Heitman: Would you mind speaking up; it is hard to hear?

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

The Hon. D. J. WORDSWORTH: The Hon. R. Thompson is implying that often a ship carries a dirty product before it is loaded with wheat. I have my doubts as to whether a ship is loaded with wheat before the hold is properly cleaned out after it has carried a dirty product. If the ships do not follow that practice now it will certainly have to be done in the future. If loading facilities are to be provided for this joint venture I doubt whether we can ever change them in the future.

I mentioned that at the loading facility food would be loaded at the same time as chemicals. Members may consider that bauxite and lime are fairly inert materials, but I do not think we could say that caustic soda is a very inert material particularly when it is considered that it may be loaded close to food. In such circumstances it could become a very dangerous material.

The Hon. D. K. Dans: How will they load caustic soda?

The Hon. D. J. WORDSWORTH: There is provision for it to be loaded on the same wharf as wheat.

The Hon. D. K. Dans: It is a liquid.

The Hon. D. J. WORDSWORTH: It can be a dry material. I happen to know that caustic soda is supplied in dried form.

The Hon. D. K. Dans: That is so.

The Hon. D. J. WORDSWORTH: There is nothing in the Bill that mentions it is to be loaded as a liquid, so I presume it can be regarded as a chemical that will affect other products being loaded on the same wharf. Above all, we in Australia have to protect our name as being a provider of first-class food. The Labor Party has made great play of, and has made a song and dance about, the sale of wheat to China. The provision we are talking about, that of providing a loading facility where bauxite could be loaded simultaneously with food, could cause far more damage to Australia's wheat trade.

The Hon. D. K. Dans: Will you go on record as saying that we should not sell wheat to China?

The Hon. D. J. WORDSWORTH: I will not go on record as saying that at all. I am merely saying we should not mix food with chemicals.

The Hon. A. F. Griffith: You should go on record as saying that you will not be tricked by Mr. Dans.

It has been suggested that the ships could wait, and the loading of wheat could take place on one day and the loading of chemicals on another day. I am sure Mr. Dans appreciates the cost of holding up shipping.

The Hon. D. K. Dans: The requirements relating to the loading of alumina into a clean hold are much higher than those for the loading of wheat.

The Hon. D. J. WORDSWORTH: I hope the honourable member will express that concern in his vote on the Bill. He should be aware of the cost of holding up ships of 100.000 tons. At Port Hedland vessels of this size come in and load iron ore in half a day before they leave again. That is due to the fantastic facilities that have been established to enable ships of that size to turn around quickly. The argument that ships could wait their turn for the loading of these commodities at the jetty at Kwinana is not sound.

Western Australia could lose its reputation as a grain-growing State which supplies other countries with clean food. I foresee foreign countries demanding shipment of clean grain in clean ships, and if our facilities are in doubt they will require inspections when ships are to be loaded.

I have pointed out that I was shocked and amazed at the Government's proposal —amazed because yesterday in this House we debated the Noise Abatement Bill, which was supposed to be legislation that led the world on the question of noise prevention. In the case of the Bill before us the Government is taking a backward step. Having moved forward by introducing a Bill to control the difficult factor of noise, it has now introduced another measure to enable the mixed loading of the different commodities from the same jetty.

I do not think we will relax our attitude on pollution; on the contrary, I am sure that in the future farmers will be required to discontinue the use of some of the chemicals they are now using.

I can recall an incident relating to the export of oats to Germany in the last season. The grain had to be treated in order to destroy the insects, but that prevented the grain from being used as an ingredient in baby foods. Grain used for this purpose has to be completely free of contamination. If we were to attempt to export oats through the C.B.H. facilities at Kwinana I could well imagine what would be the result.

The Hon. G. Berry: Alumina babies!

The Hon. D. J. WORDSWORTH: The Premier has made great play of the fact that his Government presents to Parliament unsigned agreements, whereas the previous Government used to present signed agreements which members were expected to agree to, because the agreements could not be changed. I hope the House will give serious consideration to

overcoming this problem, unless the Government is prepared to give guarantees that it will provide separate loading facilities for these commodities.

Separate loading areas should be established for the loading of food and of alumina. Whilst we all want new industries to be established in Western Australia, I would point out that primary produce is our traditional export. It is a great user of Australian capital and labour, and furthermore the profits derived from these exports remain in Australia. We should certainly put the export of grain before the export of minerals.

THE HON. N. McNEILL (Lower West) [10.55 p.m.]: It is my intention to support the second reading of the Bill. The first matter which comes into my mind in the consideration of the Bill which incorporates an unsigned agreement entered into between the joint venturers and the State Government in relation to the mining of bauxite, the establishment of a refinery, the establishment of facilities and services which are required to go along with those operations and activities, the establishment of loading facilities, and the like is the importance of the measure.

Foremost in my mind, out of all this, is the fact that arguments can change in a couple of years in respect of this type of agreement. Well do I remember the discussions that took place in this House in relation to the Alwest agreement which is known as the Alumina Refinery (Bunbury) Agreement Act of 1970; and more particularly do I remember the part relating to the effect on the natural bushland and State forests.

I am sure members recall the nature of the debate. Because of the alleged impact of the mining operations on the forest areas at least two members of the then Opposition in 1970—one of them today is a Minister on the opposite side of the House—said they would vote against the Bill because of the impact on the forest areas of the south-west and in the areas delineated in the Darling Range from Helena Valley southwards.

It is interesting to note in retrospect some of the comments that were made at the time. I regret that Mr. Dolan is not in the House, but his remarks are well worth noting. They are recorded in *Hansard*. The reason I say their comments are of particular interest is that, as the Leader of the Opposition has indicated, we do not have the necessary information or as much information in connection with the Bill before us as was provided when the Alwest agreement was before us. This is information in relation to the effect of the operations, the damage, and the protective devices used. Nevertheless, that did not prevent Mr. Dolan from saying that whilst he was not necessarily opposed to the Alwest project he intended to deal with the matter on balance. He said he did not want to speak with two tongues, and it was his intention to vote against the Bill.

Mr. Claughton also indicated he would vote against that Bill. One could therefore assume there is a great difference between the two pieces of legislation, because no doubt the two members I have mentioned will be supporting the Bill before us. We can assume there is some radical difference between the agreement presented in 1970 and that contained in the schedule to the Bill before us. I would point out that essentially there is no difference in the provisions relating to forest areas, and the wording is almost identical.

A great deal of time was devoted by some members to dealing with the effect of the 1970 agreement on the Dryandra portion of the State forests—a natural bushland with all the flora and fauna that could be upset and harmed by the mining operations.

It could be claimed that the situation is not comparable, but I remind the House that the area we are contemplating could—and this is recognised in the Bill—have some impact upon Walyunga National Park. In addition the mining areas may well be at some future time set aside as a national park, and this likewise is referred to in the schedule to the Bill. I repeat that one could perhaps be pardoned for assuming there is a difference between the agreement at that time and the one with which we are dealing tonight; but such is not the case. The provisions concerning reafforestation and rehabilitation are the same, and yet in 1970 Mr. Dolan is reported as follows on page 2649 of volume 189 of *Hansard*:—

> What do we find in the forest which is linked up completely with the agreement and the operations of the mining company? When these companies start to operate they will use bulldozers to get out the soil containing the bauxite. It is not possible to run these machines without disturbing natural wildlife and, of course, flora. Consequently, both will suffer. I will give an example later on to show that they have suffered and will continue to suffer in spite of all that is said about conservation or anything else of that nature.

On page 2652 of the same *Hansard* Mr. Dolan dealt with the annual report of the Forests Department which had recently been published. Referring to that report Mr. Dolan said—

> The report continues—
>
> > State forests have been afforded protection for over half a century by requiring a resolution of both Houses of Parliament before the dedication can be revoked and the

land directed to any other purposes. It is desirable that similar protection be given to areas proposed for open cut mining. The over-riding provisions of the Mining Act which still apply, were drawn up in the days of deep mining for rare minerals.

The concluding paragraph states—

Action is being taken to oppose the establishment of further mining operations.

We want to know what that action is, and how effective it is likely to be in view of the experience we have had of the company which has operated under almost identical conditions.

I could go on, but I think I have made my point. When speaking on that occasion in relation to the provisions in the schedule which gave the Conservator of Forests some powers to intervene, I mentioned it was proposed to provide that six months notice be given to the conservator. All those provisions are the same in this Bill.

I repeat that perhaps it is remarkable that attitudes can change within a matter of a couple of years, or perhaps, as the Chief Secretary said recently in the House, members have been playing politics.

At that time I suggested that for possible future agreements in relation to these matters, the wording of that particular provision in the agreement could be altered to enable the Conservator of Forests to exercise a deal more authority or power than he had at that time under that schedule. On page 2656 of the same *Hansard* I indicated that the appropriate provision should be amended as follows:—

. . . for the purposes of the Company's operations that no permit or license for the operations shall be granted unless the Conservator of Forests so indicates in writing that the forest environment will not be unreasonably disturbed.

Obviously no notice has been taken of my suggestion, although I do not hold that against the Government.

Perhaps it could be claimed that the need is not so urgent as it was then because we have now a fully functioning Environmental Protection Authority with an officer who is charged with tremendous responsibility in connection with the protection of the environment. If that is the case we could assume that all those matters would have been thoroughly investigated and the recommendations of that officer would be contained in the Bill.

I am sure members will be aware that the third schedule does in fact contain a summary of the recommendations of the E.P.A., and it is interesting to read them and to take particular note of how many of the provisions are different in any significant respect from the provisions contained in previous agreements and legislation.

Only two or three of the 10 provisions are in any way different from the protective devices written into the previous agreements when no Environmental Protection Authority was functioning. However, I will not labour that aspect.

I hope I have made the point that there will be some impact on State forests. Once again, we do not know how much, and I agree with the Leader of the Opposition who said that although we know that some incursions will be made into dedicated State Forest No. 65 we do not know how much of the mining areas will be in that forest and how much of it will be on Crown land.

We know that 12,000 acres of the Muchea refinery site will be on Crown land, but, as the Leader of the Opposition asked, how much of the mining area will be on private land? I think we are entitled to know this, more particularly as it is recognised by the Government that the forest areas are of significance in view of the fact that there is provision for them to be used as national parks. In fact, under the guidance and direction of the Conservator of Forests the land may have to be rehabilitated to the point where it is compatible with its development as a national park.

Let me now refer to mining on private land. What concerns me, as it does Mr. Arthur Griffith, is that it is not clear what protection will be afforded owners of private land on which mining may be carried out. In the first instance no mining shall be permitted unless an agreement has been drawn up between the joint venturers and the owners to the satisfaction of the Minister, but when the mining operations cease and the area is to be restored, again the person who must be satisfied as to the nature of the restoration and rehabilitation is the Minister. I see no reference to the owners of the land having to be consulted after the mining operations have been completed.

Let me also refer to a subject which has been given a fair airing in this House tonight: The facility for loading at Kwinana. I refer to this matter with some justification, largely from an agricultural aspect and the possible contamination which will take place. More particularly, I refer to it because the Rockingham area is to become part of my province. Therefore, I must exercise a deal more responsibility towards it than otherwise would be the case.

I was particularly struck by the interjection from Mr. Ron Thompson when Mr. Wordsworth was speaking and referring to the possible contamination. At the time of the discussion on the Alwest agreement

Mr. Ron Thompson expressed great concern on behalf of those members representing the Bunbury region regarding the difficulty in controlling possible contamination from alumina dust.

Mr. Ron Thompson, and the predecessor in this House of Mr. Dans—Mr. Fred Lavery of esteemed memory—also made some very significant remarks in relation to this matter. Perhaps I should refer to the remarks of Mr. Ron Thompson because I think they should be noted. I hope they will be noted by the Government. We have to bear in mind that Mr. Ron Thompson probably has had a great deal more experience than any other member in this House of the aggravation caused by the dust nuisance at Kwinana as a result of the loading facility and the operation of the refinery in that area. This is certainly a matter in which he has interested himself. At page 2658 of the *Parliamentary Debates* of 1970 Mr. Ron Thompson spoke as follows:—

> It may be all right for some people to say that the establishment of this refinery in the Bunbury area will make the townsite of Bunbury. I have some doubts about this unless a fool-proof method of loading the alumina into the ships can be evolved before the wharf is built. Unless this is done the establishment of the works will not be of benefit to Bunbury. On the contrary, it will bring a great deal of discomfort to the residents, and I do not want to see that happen. It is better to issue a warning first rather than to say later, "What are you going to do about this problem?"

Mr. Lavery also made a number of similar remarks. Those two members, with their knowledge and experience, recognised the great difficulty associated with the construction of a facility such as this, and the problem associated with the dust which would emanate from the loading facility.

I am sure we all know the tremendous lengths to which Alcoa has gone in order to try to limit the dust nuisance at Kwinana. Needless to say, I mention this matter only to emphasise once again I believe the Government is ghastly shortsighted in believing that in providing one loading facility to handle both alumina and wheat contamination will not occur in the future. It will certainly cause a great deal of worry to those who are responsible for the export of wheat, and to those who are responsible for the wheat industry and the economy of Western Australia—wheat being the tremendous export product that it is.

Another point may well be described as being somewhat typical. The shipping of alumina is, of course, of terrific significance and it is vital to maintain schedules. However, I imagine that in the long-term history of Western Australia it is of no less importance to ensure the prompt loading and shipping of our wheat harvest. However, under the provisions contained in the Bill preference will be given to the loading of alumina, and not to wheat.

I think that is quite an unreasonable view and an unreasonable attitude for the Government to take. I suppose the explanation is that by using the one facility that will constitute some sort of saving to the Government because the Government has accepted the responsibility for the loading facilities.

Once again, that situation highlights the fact that no other company with which the Government has entered into an agreement has been favoured with treatment of this kind. It also indicates the desire, at considerable cost to the State, to get the industry off the ground. I do not hold against the Government its desire and enthusiasm to get the industry under way. By all means, I believe that Western Australia needs the industry but I do not believe we need to go to such lengths in order to get it. This applies particularly because it may adversely affect some of our existing industries and production.

I well respect the fact that employment opportunities will be created and that development has to be pursued. However, I cannot help but recall so many of the statements which have been made in the past by members now on the other side of the House. I wonder what the comments would have been from members opposite if a Government of my particular complexion was in power, and it attempted to introduce legislation of this sort containing these concessional provisions. We would have been laughed out of court, and out of this House.

I marvel at the fact that there has been so little comment from the conservationist section. Perhaps those people, in the words of one of the Ministers of the Crown, have been stopped. I do not remember any member from that side of the House, until two years ago, ever making that statement; that the views of certain people who expressed some concern about contamination and protection of the environment should be stopped.

I make no other comment, but just draw the attention of members to what has occurred. Again, I say it is remarkable how attitudes change. I will conclude by saying that in making these critical comments I intend to support the second reading of the Bill. I hope the joint venturers succeed and I hope the industry will be a tremendous success in Western Australia. I hope that not only the company, but Western Australia will gain tremendous benefits from the industry in all possible ways.

This is still only the beginning of tremendous development and tremendous industry in Western Australia. I acknowledge the fact that this may have been stated by members opposite in past years, but surely this is not to be gained at the sort of price we may be required to pay in the establishment of this industry now. It may well be a cost we cannot afford and could be to the lasting disadvantage and detriment of our wheat industry, in particular, and rural production, in general, in Western Australia.

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

House adjourned at 11.21 p.m.

Legislative Assembly

Wednesday, the 15th November, 1972

The SPEAKER (Mr. Norton) took the Chair at 11.00 a.m., and read prayers.

DENTISTS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 9th November.

MR. McPHARLIN (Mt. Marshall) [11.04 a.m.]: From the speeches made so far on the Bill before us it seems quite obvious that members generally are in favour of the Bill, but they have objections to certain aspects of it. In his second reading speech the Minister said the measure has three parts. The first deals with the disciplinary powers of the Dental Board; the second deals with the employment of auxiliary personnel in the dental health team; and the third deals with the proposed dental charges committee. I do not intend to engage in debate on parts 1 and 3; but I intend to discuss the matters included in part 2.

Criticism has been levelled at the duties that may be performed by dental therapists and of the areas in which they may operate, inasmuch as it is proposed to allow them to perform operative dentistry as distinct from providing an auxiliary service. It has been said that these girls should not be allowed to carry out restorative treatment of people above the primary school age group.

From information provided to me I would advise that in the United Kingdom dental therapists are permitted to treat adults. No restriction is placed upon them in that respect. They are permitted to perform certain filling work, such as amalgam and silicate fillings, on people of all age groups.

I understand that applies also in remote areas in New Zealand. Where there is need for immediate treatment dental therapists in remote areas in New Zealand are permitted to treat patients other than those in the primary school age group.

Another criticism is that more complex situations develop in the treatment of adults than in the treatment of children. I do not suppose one could deny that is so. However, I do not think we should forget that the therapist works under the supervision of a dentist at all times, and treatment of a more complex nature will, of course, be performed by the dentist. The therapist would act only under the instructions of the dentist and would not be called upon to diagnose or to administer treatment of a complex nature. Obviously she could not be expected to perform that sort of work with the same degree of skill as a dentist, who has far greater academic training.

With regard to the question of unforeseen complications which may arise, these may occur not only in the treatment of adults but also in the treatment of children —although perhaps not so frequently as in the case of adults. However, I think it is pertinent to point out that complications can occur in the treatment of children, and there is some risk in that regard.

Another aspect of the dental treatment of children is that an unco-operative child could become fractious and cause the drill or some other instrument accidentally to slip. Of course, that could represent just as great a risk in the treatment of the teeth of children as occurs in the filling of adults' teeth.

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

Mr. Lapham: Would not the risk be far greater in the case of children?

Mr. McPHARLIN: One would think so, because a child may not be co-operative and may jump around.

It has been suggested also that there is a greater need for dental treatment in the primary school age group than there is in the older age groups. I think in that argument there is room for discussion or disagreement, because I understand surveys have shown that the greatest amount of decay and deterioration in teeth occurs in the teenaged group and not in the primary school group. Teenagers are generally students who are financed by their parents whilst they receive their secondary education. So whilst the children in this group remain a financial burden upon their parents they are in need of dental care. I think it must not be overlooked that dental therapists could be employed to provide treatment for that group.

There is, of course, a great shortage of dentists in Western Australia, and particularly in country areas. The number of students who are entering the dental faculty are not sufficient to meet the dental services that will be required in this