

think he meant that the club is too small at the present time to accommodate all those who wish to join, and I do not deny that possibility. As a matter of fact, this applies to most yacht clubs along the river in the metropolitan area; they are all finding it difficult to accommodate all the people who wish to join. I do not deny that there is the likelihood of growth of membership in this yacht club. The club requires six acres. The surrounding land will be held by the Government as public open space and as parkland and the land for the two purposes will take up about 26 or 27 acres.

Mr. Bickerton: The yacht club will be fenced off?

Mr. Graham: The Minister said that when he moved the motion.

Mr. ROSS HUTCHINSON: I said there would be some necessity for building a fence or a wall to prevent vandalism and that sort of thing. Of course, the fencing or walling is not desirable, but again if one weighs the advantages and disadvantages one will find that the fencing or walling will have to be provided. I think I have covered the two points which were raised by the member for Pilbara.

Mr. Davies: How many power boats are registered in this State?

Mr. Graham: Close to 20,000.

Mr. ROSS HUTCHINSON: The member for Belmont has asked me to give an assurance that a yacht club will not be sited in that locality, but I am afraid I cannot give such an assurance. It is one of the reasons for the treatment of this part of the river. Very briefly that covers most of what has been said in this debate.

Question put and passed.

House adjourned at 12.29 a.m. (Thursday).

## Legislative Council

Thursday, the 23rd October, 1969

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

### QUESTIONS (4): ON NOTICE

#### 1. RAILWAYS

##### *Closure of Cuthbert Siding*

The Hon. J. M. THOMSON asked the Minister for Mines:

- (1) Was the Cuthbert railway siding closed because of the requirements of the adjacent Co-operative Bulk Handling grain storage silos?
- (2) If not, what were the reasons?

- (3) If the siding was reopened, what inconvenience would be experienced by—

- (a) Co-operative Bulk Handling; and
- (b) the Railways Department?

- (4) Is such inconvenience insurmountable?

- (5) When the proposal for the closure was being considered, was the Minister for Railways aware that—

- (a) 2,500 tons of potatoes were railed annually from this siding; and

- (b) potato growers would be inconvenienced and liable for additional cartage costs to the next point of loading?

- (6) Will the Minister ascertain if the Minister for Railways will meet the potato growers from the Cuthbert, Gledhow, and Grassmere areas to discuss the situation with the view to re-opening the siding?

The Hon. A. F. GRIFFITH replied:

- (1) to (6) The public siding at Cuthbert had to be removed in the redesign of facilities to accommodate the Co-operative Bulk Handling grain storage silos, but is being reinstated on the southern side of the main line.

2.

### EDUCATION

#### *Kapinara Primary School*

The Hon. R. F. CLAUGHTON asked the Minister for Mines:

- (1) What is the expected enrolment at Kapinara primary school for 1970?
- (2) Will the Minister confirm that the school will be reclassified class 1 primary for 1970?

The Hon. A. F. GRIFFITH replied:

- (1) 350.
  - (2) Kapinara will remain a class 2 primary in 1970.
- Growth during 1969 was—  
 February—270.  
 August—271.  
 October—282.

Regulations require that a school must show an average attendance, over a period, of more than 300 pupils before being upgraded to a class 1 primary school.

3.

### RAILWAYS

#### *Boyup Brook to Katanning*

The Hon. E. C. HOUSE asked the Minister for Mines:

- (1) Would the Minister please advise whether it is the intention of the Government to close the Boyup Brook to Katanning railway line?

- (2) If the answer to (1) is "Yes", from what date is the closure to take effect?

The Hon. A. F. GRIFFITH replied:

- (1) No proposal to close this railway line exists. At the request of the shires concerned and of a local pasture improvement group, the Director-General of Transport is studying the transportation pattern in the area of influence of the Boyup Brook-Katanning railway line with a view to devising ways and means of reducing the cost of transport and improving the quality of it.

- (2) Answered by (1).

4.

TRAFFIC

*Collisions at Hay Street and Mitchell Freeway Intersection*

The Hon. R. H. C. STUBBS (for The Hon. F. R. H. Lavery) asked the Minister for Mines:

- (1) Further to my question on Thursday, the 21st August, 1969, regarding motor accidents occurring at the intersection of Hay and George Streets, as a result of the opening of the Bailey bridge on the Mitchell Freeway, and the reply indicating that from the 29th May to the 20th August, 1969, sixteen accidents had been reported, will the Minister now advise the House of the statistics of accidents there from the 20th August, 1969, to date?

- (2) Is he aware that there was another pile-up at this intersection on Wednesday, the 22nd October?

- (3) Is he also aware that there have been at least four accidents where the damage has been of a value of less than \$100 and were, therefore, not required to be reported to the traffic authority?

- (4) Further to the reply to part (d) of my previous question, would the Minister inform the House what further action has been taken, if any, to further extend the "all red" phase period?

- (5) Does the Minister agree that faulty planning at the Hay Street bridge in permitting traffic from the Bailey bridge to cross over Hay Street from south to north at the George Street intersection, instead of the provision of an underway road to Murray Street, as is provided from Murray Street to the Bailey bridge, would be as much to blame for the dangerous situation occurring there, as is the inefficiency of the motorist travelling west in Hay Street?

- (6) Is there any intention of redesigning this area of the Mitchell Freeway?

The Hon. A. F. GRIFFITH replied:

- (1) There have been 13 reported accidents since the 20th August, 1969.

- (2) I am not aware of any pile-up, but I now know that an accident occurred at about 9.30 a.m. on Wednesday, the 22nd October.

- (3) No.

- (4) The "all red" interval following the Hay Street "green" period was extended from two seconds to three seconds on the 5th September, 1969, which, with the amber period, results in a lapse of seven seconds between the termination of "green" for Hay Street to the start of "green" for George Street.

- (5) No.

- (6) No, but some modification to the Hay Street-George Street intersection is under consideration.

PETROLEUM PIPELINES BILL

*Introduction and First Reading*

Bill introduced, on motion by The Hon. A. F. Griffith (Minister for Mines), and read a first time.

*Second Reading*

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [2.40 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to provide a legislative framework to govern the construction and operation of pipelines for the conveyance of hydrocarbons from production sites to areas where they will be utilised.

At the outset, I think I should make it clear to the House that, for the purpose of this Bill, the term "pipeline" refers to pipelines which convey petroleum from a central storage or treating point in a producing field to a consumer. An example of this would be a pipeline constructed from a central point in the Dongara gas field to consumption points wherever they may occur. It does not apply to the intricate maze of pipes in a production area used for conveying petroleum from wells to a central storage or treating point. The term "pipeline" is defined in part I of the Bill.

A pipeline license will be required for the construction and operation of a pipeline. The construction and operation of a pipeline other than in pursuance of a pipeline license is prohibited by clause 6. However, a person who proposes to apply

for a pipeline license may, with the approval of the Minister, make surveys and preliminary investigations in order to ascertain the most suitable route for the pipeline and to obtain the necessary information for the design of the pipeline.

An application for a pipeline license will give details of the route and design of the pipeline, the proposed land acquisitions or easements, and the agreements proposed to be entered into by the applicant for the supply or conveyance of petroleum. At the time of the application, the applicant must notify local authorities and owners and occupiers of land, through which it is proposed to construct the pipeline, that an application for a pipeline license has been made. Provision has been made in the Bill to allow local authorities and landowners and occupiers time to make representations to the Minister regarding the proposed pipeline.

A pipeline license may be refused but, in order to give the applicant sufficient time to submit proposals to overcome the objections to the construction of the pipeline, the applicant will be given 90 days' notice of the intention to refuse the application. The notice of intention to refuse the application will state the reason for the refusal.

Upon reading my own notes, I see that some misconstruction may be placed on the words I have just used. I said—

A pipeline license may be refused, but in order to give the applicant sufficient time to submit proposals to overcome the objections . . .

I think it would be more correct to say—

A pipeline license may be refused, but in order to give the applicant an opportunity to make his representations in respect of the objections . . .

That is certainly the intention.

Before a pipeline license is granted, the applicant must make provision or give security for the payment of all charges, expenses, and compensation in respect of any land to be taken by compulsory acquisition. The Minister may then grant the license after taking into consideration—

- (1) Any representation made to him with respect to the pipeline.
- (2) The public interest.
- (3) The financial ability of the applicant.
- (4) Whether there would be a contravention of any town planning scheme.
- (5) Whether the construction and operation of the pipeline would interfere unnecessarily with improvements, improved land, flora, fauna, or scenic attractions.

A pipeline license may be issued subject to such conditions as the Minister thinks fit and specifies in the license. A condition that the construction of the pipeline shall be completed within a specified period may be included and this could be important in relation, say, to the provision of natural gas to a certain area, possibly for the establishment of new industry.

Clause 14 covers the term of a pipeline license. Normally this will be for a period of 21 years with rights of renewal for further periods of 21 years each.

A pipeline licensee will be able to apply for a variation of his pipeline license in respect of such things as its size, capacity, and so on. A variation to a license may be granted after interested parties have been given time to submit any matters they wish to have considered in connection with the proposed pipeline variation.

A licensee may make such arrangements and enter into such contracts as he considers necessary for the purchase, or other acquisition of any right, interest, or easement in or upon the land that is the subject of a pipeline license. Where a licensee is unable to make a satisfactory agreement in respect of land that is the subject of a pipeline license, clause 19 of the Bill allows action to be taken under the Public Works Act, 1902, to resume any land or easement over any land. The land or easement over land thus acquired will vest in the licensee and the licensee will be liable in respect of the acquisition to the same extent as the Minister for Works would have been liable had he taking been for a public work.

I think it would be of benefit for me to say at this stage that it should not be imagined that it will be necessary for any large areas of land to be resumed for the purposes of a pipeline. As I proceed with these remarks, some further information will be given. However, the easement of land required for a pipeline will be something in the order of 60 feet only in width. The trench will be dug, the pipeline put down, and then the ground will be rejuvenated so that it will return to its original state.

The Hon. W. F. Willesee: It will not be very much different from a pipeline for water.

The Hon. A. F. GRIFFITH: That is right. For all practical purposes the land will be returned to its original state. If it was previously part of a farm, then the farmer will probably be able to crop the land the following year. There will, of course, be a necessity for inspection points along the line, but I do not want to give the impression that in the event of there being a gas line from Dongara to Perth, Kwinana, Geraldton, or anywhere else as far as that goes, there will be a wholesale resumption of land.

The whole idea is for the pipeline licensee to negotiate with the owners, but a circumstance may well arise in which it might be necessary to resume a portion of land. For instance, a licensee may have all his lines set out and easement arrangements satisfactorily negotiated except in regard to a small section. The owner of that one section might hold up something which is in the public interest; and in that case the section of the Public Works Act must operate in the public interest.

Furthermore, in other parts of the world I have visited I have found, after studying the situation, that in those countries where hydrocarbons occur in the form of gas or oil, the people of the countries or communities concerned accept as a matter of course that these pipelines are just as necessary for the conveyance of oil, or gas, or both, as is a water line, power line, or any other line which may go under the ground.

It becomes a well accepted thing in the community. I only hope that our search for petroleum in Western Australia will one of these days bring us to the point where the quantity of petroleum is such that we will have the same practical approach as people in other parts of the world.

In the exploration and production of petroleum in Western Australia, a situation may develop where a person other than the licensee wishes to convey petroleum through the pipeline. If such a person is unable to enter into an agreement with the licensee, clause 21 enables the Minister to give to the licensee such directions as he thinks appropriate, but the licensee will be given the right to convey his own petroleum through the pipeline in priority to any other petroleum. This could be termed as "other user facilities" in the legislation.

A licensee may apply to the Minister for permission to surrender his license. The surrender of a license is subject to certain conditions including a condition that the licensee remove, to the extent that he is required to do so, property brought into the area to which the surrender relates.

A pipeline license may be cancelled when a licensee—

has not complied with the license conditions;

has not complied with this Act or regulations;

has not paid any amount payable by him under this Act within a period of three months after the day on which the amount became payable.

Clause 25 provides a safeguard in the public interest. It empowers the Minister to direct a licensee to make changes in the route of the pipeline should this be necessary in order to facilitate some construction activity which is in the public interest. In such circumstances, the pipeline licensee will be free to apply to the courts for compensation from those responsible for requiring the rerouting of the pipeline. In normal circumstances, of course, it would be expected that amicable and sensible arrangements would be worked out to the mutual satisfaction of the parties concerned without recourse to the courts.

Clause 27 empowers the Minister to direct a licensee to do all things necessary for the general clearing up of the license area if these things have been left undone when a license has been wholly cancelled or partly cancelled. If this direction is not complied with, the Minister may remove the property, dispose of it, and deduct from the sale all or any of the costs incurred.

The Bill contains a provision that, in respect of each year of the term of a license, a fee of \$20 in respect of each mile or portion of a mile of the length of the pipeline is payable by the licensee. If considered necessary at some later date, this fee can be increased by regulations.

I now turn to part III, "Construction and Operation of a Pipeline." The laying of a main trunk line or pipeline is a highly skilled operation requiring specialised and expensive equipment and considerable experience. The pipeline will operate at high pressures. Under clause 34, the pipeline must be constructed in accordance with such standards, specifications, and conditions as are prescribed or as are stated in the license.

Clause 35 is to ensure that full use will be made of any pipelines which have been authorised under this legislation. A pipeline licensee is not to cease operating his pipeline except with the consent in writing of the Minister. A pipeline that has not previously been operated or that has ceased operating will not be operated again without the consent of the Minister; thus the Minister has the opportunity to satisfy himself that the pipeline may be operated with safety.

The route of a pipeline will be indicated on the surface of the ground by markers or pegs placed at convenient intervals. This will be at the point at which the application for the license is made. I imagine the area will first be shown on a map and the next phase will be to have the pipeline surveyed and marked in some conspicuous manner.

In clauses 39 and 40 of the Bill there are safeguards dealing with situations where a pipeline enters or crosses agricultural land and where a pipe passes over or under any waters.

Part IV deals with the registration of licenses and related instruments; that is, pipeline licenses and dealings affecting these titles. In essence, the principal registrar will keep a register of all pipeline licenses setting out the name of the particular pipeline licensee and certain relevant particulars. The register will also record any dealings or action affecting the title.

Transfers of titles are of no force and effect until they have been approved by the Minister and registered as provided by clause 44.

I now turn to part V. Provision is made under clause 61 for the Minister to delegate his powers and functions and to vary or revoke any delegation given by him. Clause 62 provides the machinery for the appointment of inspectors under the Bill. These inspectors will be invested with the usual powers which are given to petroleum inspectors; that is, access to relevant areas in order to inspect and test equipment and to inspect and take extracts from relevant documents.

Under clause 67, the Governor may make regulations which include regulations covering safety, construction, operation and maintenance of pipelines and also the prevention of damage to any land used for the construction or operation of pipelines.

In conclusion, I would draw attention to the fact that there is great interest in the possibility of using natural gas as a fuel or chemical stock feed. The Kwinana industrial area, the Pinjarra industrial area, and other areas of the State would benefit greatly if natural gas was available.

It is well known that West Australian Petroleum Pty. Ltd. is making an intensive appraisal effort in the Dongara area. It is hoped that shortly this drilling will prove the Dongara gasfield commercial and it may be necessary to construct a pipeline to convey the gas to the industrial areas at Kwinana and Pinjarra—and, for that matter, elsewhere.

For this reason, the Government considers it necessary to introduce, currently, this legislation so that these pipelines can be constructed as soon as they may be required.

I wish to make one further comment. The Bill does seem to be quite large, because it contains 67 clauses. However, I have taken more than a passing interest in the Bill and I would like members to know that I consider it is quite easily read. It gives a kind of historic sequence of what will take place in the application for a license right through from the period of construction to the operating period. I commend the Bill.

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

## SWAN RIVER

### *Reclamation at Alfred Cove: Assembly's Resolution*

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

That this House do resolve to approve, pursuant to subsection (1) of section twenty-two A of the Swan River Conservation Act, 1958-1966, the reclamation of two areas totalling about 51.6 acres of the Swan River in the region of Alfred Cove which areas are shown in the plan deposited in the Public Works Department and marked P.W.D.W.A. 40485—DRG. No. 1 and therein coloured red, and so shown in the copy of that plan laid on the Table of the House; and that the Legislative Council be requested to so resolve.

## MANJIMUP CANNED FRUITS AND VEGETABLES INDUSTRY AGREEMENT BILL

### *Second Reading*

**THE HON. A. F. GRIFFITH** (North Metropolitan—Minister for Mines) [3 p.m.]: I move—

That the Bill be now read a second time.

The agreement that is to be ratified by this Bill was signed last Wednesday week by the Premier, on behalf of the State, and by the directors and secretary of the Shepparton Preserving Company Ltd., the chairman of which is Sir John McDonald.

This is an important agreement because it furthers the Government's programme to practise regional development in its true concept and is part of the total scheme of woodchips, fruit and vegetable production and canning, and alumina production in the south-west. Two of these industries are centred at Manjimup and the third at Pinjarra. This industry might not have the same millions of dollars in it at the start as have some of the other companies which have been the subject of agreements ratified by us, but, in the Government's opinion, it is of equal value and, if anything, more important than some of the other agreements, the conditions of which are more uniform in character. Instead of being an extractive industry, it is just the reverse.

The industry will grow in stature as growers expand their plantings and increase their productivity and as the works are built to cope with ever-increasing quantities of produce of varying species. I would like to emphasise the point of varying species, because part of the company's proposal is to expand with the co-operation of growers into a number of fields of fruit and vegetable production that are not practised in Western Australia at

present. I refer, for instance, to fruits such as cherries and berries, and these are only part of the overall programme to expand our fruit and vegetable production and the canning industry.

The modern concept of a cannery is based on close co-operation, understanding, and mutual trust between the grower on the one hand and the canner on the other. In the early days of this industry, there was a tendency by the grower on the one side and the canner on the other to try to exist in watertight compartments, but this resulted only in failure by both parties. In the modern concept, there has to be a planned development of the grower's capacity and, at the same time, the canner not only has to be prepared and ready to handle the produce of the grower, allowing for the inevitable and inescapable seasonal variations, but he also has the equally important task of finding markets. This has not been without its trials and tribulations.

In recent years we have seen the industry go through a dramatic period when some people were inclined to lose faith in it, but, fortunately, one of the companies that did not lose faith in the future of the industry is the one with which we have signed this agreement. It was able to weather the storm—if, in fact, there was a storm—and it has gone from strength to strength. In fact, today, it is the biggest single cannery in the whole of the Southern Hemisphere and one of the biggest single canneries of its kind anywhere in the world. Therefore, this agreement is of tremendous importance to Manjimup.

Another reason that the Government was attracted to this particular company is that it is based in a country area. When we first set out some years ago to attract this industry as part of an overall policy, we found it surprisingly difficult to get companies that were interested in producing in rural areas, if those areas were any distance from the capital city. The reason for this is that the price of tinsplate and sugar is based on the capital city price and once it is brought to the capital city, although there is uniformity between Brisbane, Sydney, Melbourne, Adelaide, and Perth, at that point the uniformity disappears. If one place has to transport the tinsplate and sugar only 50 miles and another has to transport these requirements over a distance of 250 miles, one can easily see how the disparity sets in.

It was only because we had a company like the Shepparton Preserving Co.—which most people know as S.P.C. from the brand on its tin—which was used to producing in the country, that we were able to attract this industry to establish itself in a country centre, and particularly in Manjimup.

The other company that showed some interest was quite emphatic that its main interest was to establish a plant in the city and bring the produce into the city to gain the benefit of the capital city price for tinsplate and sugar. We have to bear in mind that the tinsplate and sugar not only have to be taken to the site of the cannery, but also the finished product has to be transported back. In doing so, a fair amount of liquid is carried from, say, Manjimup to Perth, or from Manjimup to Bunbury, compared with transporting from Kewdale to Perth or from Kewdale to the warehouses at Fremantle.

I will now deal briefly with the contents of the Bill. I want to explain that the Government feels it is desirable to have this agreement ratified. It could be argued that there is not an absolute necessity for its ratification but there were some aspects in relation to it wherein we felt that the industry, being the first of its kind, was entitled to some protection that might not necessarily be present if it were not the subject of a ratified agreement. Because of this, and its importance—the almost historic significance of this type of development within the State—we felt the agreement should be brought to Parliament and ratified to give the company not only a clear-cut agreement to enable it to know exactly where it was heading, but also to make sure it received full protection under the terms of the agreement so far as they related to the Statutes that might be affected.

The agreement provides that the company will, by the 1971 canning season—we have selected that as a more suitable reference than a specific date—construct a cannery at Manjimup with an initial capacity of 2,000 tons of fruit and vegetables a year.

It will immediately be expanded to permit the production of 5,000 tons of fruit and vegetables a year by the 1973 canning season, and the initial plant will be installed at a total cost of \$500,000. Beyond that point, the expansion will take place as the trade demands, as the growers cope with the added needs of the canning works, and, more particularly, as the local and overseas markets expand, bearing in mind that this company has had considerable experience in overseas markets as well as local markets.

I instance the rate of growth of the Shepparton company's plant, which to those members who have not seen it will be of considerable interest. It has 28 acres of covered area at this stage and this has developed from a standing start; and despite problems up and down which are inseparable from products dependent on seasons and markets, last year it processed over 50,000 tons of products. This year it plans to process over 70,000 tons of products.

It is also interesting to look at the history of Shepparton itself. Not so long ago, this was a community comprising 2,800 people but, today, it comprises over 20,000. I firmly believe—and this is part of the Government's overall programme in respect of regional development—that the presence of an industry like this, as it develops over the next few years, will attract other industries. It is hard to determine what will be the outcome of the decision taken last Wednesday week. I believe it will not only give confidence to the district and bring about a steadily expanding and continuing industry, but it will encourage related industries and produce to be developed in this area. One would be able to see, if one went to the town of Shepparton and to the district immediately around it, that it has achieved tremendous strength through the policy of diversity; and this in turn has attracted to the area some of the big names in the food processing industry.

The site chosen for the cannery is on the South Western Highway near the premises of Hawker Siddeley Building Supplies Ltd. The selected site has a total area of approximately 380 acres and this area is to be made available to the company by the State. This might seem to be a lot of land on which to establish a canning plant, but when we see the nature of the operations we will appreciate that if this industry is to expand, as we think it will, the area is none too great.

It could easily be that within 20 years the 380 acres will not be sufficient. However, in the light of experience in Shepparton and other places, we have worked out, together with the company, an area; and we have settled at 380 acres.

Except for approximately three acres, it is Crown land, and I will table a plan to show the break up of the land, Mr. President, with your permission.

The agreement sets out in detail the conditions under which this land is made available. It is not released on one blanket release; it is released under the control of the Government as the need for the land is demonstrated. Hence the reason for part of the land being released under lease and not immediately under freehold. This is done so that the release of the land can be reviewed and made available according to needs. The company accepts this as a fair proposition, and we believe this is a fair way to handle it.

This comparatively large site is required to enable the company to dispose of effluent arising from fruit and vegetable processing within the boundaries of the works. I should perhaps dwell on the question of effluent. I would not like to give the impression that we will be dealing with something like red mud residue

from alumina. This is not objectionable effluent but it can be best handled on large areas where the effluent can be disposed of, bearing in mind this industry, of necessity, must be a big user of water. This type of so-called effluent is not of an objectionable nature. The main thing is to have a large area in which to disperse the water.

In clause 9(2) of the agreement on page 9 of the Bill, the following appears:—

The Company shall ensure that the effluent will not contain any material which may be or become or cause a nuisance or be or become dangerous or injurious to public health and in particular shall ensure that effluent draining from the site does not contain more than twenty (20) parts per million of suspended matter and has a B.O.D. of forty (40).

This is a well-recognised technical term and is measurable by the public authorities. It is also a measurement which is well understood by the industry and which can be observed. However, the important thing is to realise that the effluent is disposed of within the area allocated, and I would not like members to get the idea that the area will become useless and sterilised because of its use for this purpose. The land can be put to a number of uses as experience has shown and as will be practised by the company.

The company will use the Western Australian Government Railways for the transport of sugar, tinplate, and packaging materials from the metropolitan area to Manjimup and finished goods from Manjimup to Fremantle for local consumption and export.

It may be possible to arrange for some of the raw materials to be landed at Bunbury. Likewise, we hope it may be possible for some products to be exported from Bunbury, as it develops as a port, particularly with the new port developments that are contemplated. For this reason, provision has been made for rail transport between Bunbury and Manjimup as well as from the city to Manjimup.

What I have said is a broad outline of the agreement and more detailed explanation of the various points follows. The two reserves referred to in clause 2(2)(c) are timber reserves. The timber on those reserves will be taken off after consultation with the Forests Department so that any trees of millable size will be brought into economic use.

Clause 3(1)(a) of the agreement makes reference to the portion of the site being retained by the State. The condition was incorporated at the request of the Lands Department, or, to be more specific, the Minister for Lands. That department desires to control the land for some time

in the future to ensure that the acreage involved is needed by the company for the purposes of the agreement.

As I explained earlier, part of the area is leased and this land is only made available to the company on a freehold basis as the need for the area is demonstrated. It will be appreciated that, at this stage, it is impracticable to have a specified timetable when dealing with fruit trees. The company will immediately embark on a programme of co-operation with growers to undertake the planting of a number of varieties and of various species to fit in with the programme. A period of maturity, which can be five years, seven years, or longer, must be allowed for before these trees become fully matured economically. This timetable is, of course, one of the determining factors before the industry builds up its tonnages and before it becomes completely economic.

In respect of clause 3(2) of the agreement, the area shaded green is not yet owned by the Crown. However, negotiations to acquire the land are proceeding. The clause provides that the company will compensate the State in respect of that land at the cost of acquisition.

Dealing with clause 3(5), the \$300 per acre is considered fair value for the land adjacent to the highway and \$75 per acre is the valuation of the balance of the site. The land coloured brown was alienated but has been purchased in anticipation of this agreement for the sum of \$15,000.

Clause 4 sets out the company's obligation for the construction of a plant at an estimated cost of \$500,000—the plant to have a capacity of 5,000 tons by the commencement of the 1973 fruit processing season. This capacity should be sufficient to take care of all the available production from the Manjimup region for some years to come, as it takes from five to seven years to bring the fruit trees into commercial production. Obviously, the quicker the growers can grow, the quicker the company can expand because the economics of scale are just as critical in this industry as they are in any other manufacturing industry, if not more so.

Clause 5 of the agreement provides for the State to build, at the cost of the company, a railway siding into the plant site. The company proposes that initially processing materials and finished products will be transported from the plant site to the Manjimup railway yards by road transport. Later, as the tonnages build up, arrangements will be made to construct the siding.

Clause 6 deals with rail freight. The freight quoted equates to "M" class. Clause 6(3) provides for any amendment of the quoted freight rates to be tied to any alteration in the freight rate which the company enjoys in Victoria. By way of

explanation, as I mentioned earlier in my remarks, the transport costs are a critical factor in getting the sugar and the tinplate from the city—in respect of which a uniform price is fixed throughout Australia—to the plant site. The Minister in another place thanked his colleague, the Minister for Railways, and his commissioner for the understanding they had shown in respect of this problem.

Quite obviously, we have to relate the transport costs to a works which is competing successfully with other people in the Eastern States and also competing on the world markets, and we have related our own transport problems to those of Shepparton in Victoria. This explains why we have related the freight rates in respect of this industry to the movement in Victoria.

Incidentally, Shepparton is not as far away from Melbourne as Manjimup is from Perth. Any variation will be the same percentage as the alteration made by the Victorian railways commissioners. The company negotiated this provision to ensure that it was protected from any heavy freight increases during the formative stages of the project when profitability is expected to be marginal.

Subclause (4) of clause 6 also provides that, in the event of the company finding it practicable to use containers for the transport of fruit from the Manjimup factory, then the freight rate can be renegotiated. The company is continually exploring alternative ways to handle its products in view of the crucial factor that freight is to the industry's marketing programme and its overall costs if it is to be competitive. Thus, a number of experiments have been undertaken.

We have acknowledged in the agreement that if the company can demonstrate it has done this successfully and the railways will not suffer any economic disability and as a result can conform with the new methods, then the company will receive some benefits from the rail freights for its initiative.

Clause 6 (7) is designed to prevent any steep increase in the railway rate to the detriment of the company's operations at the expiration of the agreement. The agreement has a fixed life, but there is a period beyond its fixed life during which the company has to have some degree of protection before it stands alone and has to become subject to the normal negotiations between itself and the Railways Commission.

Clause 7 deals with the provision of water. The company's maximum requirements initially can be provided without difficulty. The maximum demand of 2,000,000 gallons a day and 150,000,000 gallons per annum will require additional



capital works. It is for this reason that the company has to give 48 months' notice of its requirements. This period will enable the work to be undertaken over a period of time so that it does not affect the State's commitments in other areas. It will be appreciated that the company can give this notice because its expansion of canning capacity is tied to the development of additional sources of supply from growers; and the trees take some years to mature.

Members will note that the company has not been granted any concession in regard to the actual charge per 1,000 gallons of water, because we are anxious to preserve uniformity, so far as country industrial water is concerned, of 40c per 1,000 gallons.

Clause 3 deals with the provision of electricity. The State Electricity Commission has a high tension line running past the boundary of the works site. Therefore, there is no difficulty in meeting the company's requirements.

Clause 9 deals with effluent. As I mentioned earlier, the company will be disposing of this effluent within the boundary of the works site. It is to be treated according to accepted modern practice and will have to conform to the requirements of subclause (2) of clause 9. I understand the company will have a high degree of control, so that the effluent will not produce any adverse effects. By the time the effluent goes out, I think the company will have extracted everything of economic value. The company would not want to lose anything in the way of commercial solids.

Clause 11 is to permit the company to install a pipeline beneath the surface of Starkies Road. That has nothing to do with a petroleum pipeline. By giving a permit for the pipeline to be installed under the road, it will obviate the necessity for closing that road and it will make it possible to operate the two separate areas, for all practical purposes, as contiguous areas.

Clause 12 provides for the State to acquire sufficient land to enable the construction of 15 houses in reasonable proximity to the plant. There is no obligation by the State to construct the houses. It is intended that the land, once it has been acquired, subdivided, and serviced, will be sold at cost to the local shire, which will then enter into an agreement with the company to build suitable homes for company employees. This has been agreed to by the local shire and is incorporated in the agreement, which specifies the rate at which houses will be built and the rate at which they will be acquired by the company. The houses will be for the technical staff, which the company cannot recruit locally.

The work force for this industry will be drawn mainly from the local region and will comprise people who work on the orchards and farms during the season, as well as the town people, including women folk.

It is interesting to note that the company is planning to operate for a longer period each year than we thought would apply. This is because the company is planning to diversify into species other than peaches, with the object of giving a longer processing period.

Labour requirements in the initial stages will be about 100 people in the plant but as the company grows, the employment opportunities will rise. First of all there will be those permanently employed in the orchards, as well as seasonal labour in the orchards, together with an expanding work force in the plant, as well as those engaged in packaging, transport, and the like. There are 1,600 in the work force of S.P.C. at Shepparton.

The company does maintain a fairly solid force to keep the plant in good order. In between seasons there is a lot of work to be done. If my guess is correct, there will be a programme of expansion undertaken each season—it would be more correct to say, if the Government's guess is correct. The company seems to be building a new wing, installing new plant, or doing something else at Shepparton, continuously.

It is a seasonal operation. In Shepparton, S.P.C. does not can vegetables, but we hope it will do so here because that will give an extended period of operation, particularly if canned vegetables are available when the standard fruit species are out of season. This is a matter we have discussed with the management of S.P.C. and we hope it will be achieved to a maximum degree.

In the work force, there is a type that likes seasonal work and it seems that the company will be able to find labour within the district up to the first operation—5,000 tons capacity. It is interesting to note that in Victoria the company brings people as far as 40 miles every day in buses, rather than shift them to Shepparton to live. They are brought a distance of 30 to 40 miles by bus and are taken home again each day as part of a seasonal operation. That operation, I think, is portion of a decentralisation scheme in Victoria in which the Government and the company take part. Those involved are mainly housewives.

The company would face a reduced commitment for labour at a particular time of the year, but there would be male members of a farming family who would be anxious to be employed on seasonal work. This is something that seems to sort itself out well in the Goulburn

Valley, in view of the diversification of agricultural and horticultural activity that takes place there.

Clause 13 provides that the State shall not assist the establishment of another cannery within a 50-mile radius of Manjimup or the establishment of another cannery drawing on fruit and vegetables grown within a 50-mile radius of Manjimup.

Members will readily appreciate the reason for this clause. We cannot have a situation where we assist and encourage the Shepparton Preserving Company Limited to set up a factory in this State and then proceed to support another company which will make Shepparton's operation uneconomic. There is nothing, of course, to prevent a company, if it so desires, setting up on its own behalf, after buying its own land, and making its own arrangements; but we would certainly not assist it with lands and loans, etc. I think this is fair enough, particularly as the farmers will be shareholders in this co-operative concern.

As I have already mentioned, it is the desire of the company to have as much participation as possible by local growers—and Western Australians who are not growers, for that matter—in this project.

Members who have seen places like Shepparton will have a ready appreciation of the impact this industry will have on Manjimup; and Western Australia should, in the immediate future, become self-sufficient in certain types of canned fruits for home consumption. We are, of course, conscious of the fact that the big market is in the export field.

I think I have covered all the important points. This is not an industry where one can build a factory and immediately have products coming out at the other end; it is necessary for growers to develop in harmony with the company, and for the company to have the capacity, not only to can its fruit satisfactorily, but also to sell its products on the home and export markets.

Certain developments are taking place in the fruit and canning industry. We have been impressed by the fact that this company is moving rapidly into modern techniques. For instance, there is an upsurge in the demand for fruit salad in cans and that is largely why the company has engaged food technologists from overseas, and is seeking new sources of supply as well as installing new equipment to assist in developing expanded markets at home and for export.

Generally, we feel the company is right up in the field. It is the biggest canning company in Australia, and it has weathered quite a few storms. Therefore, we feel we have been wise in allowing the extra time to complete this negotiation successfully.

*The plan was tabled.*

Debate adjourned, on motion by The Hon. V. J. Ferry.

## MUSEUM BILL

### *Report*

Report of Committee adopted.

### *Third Reading*

Bill read a third time, on motion by The Hon. G. C. MacKinnon (Minister for Health), and returned to the Assembly with amendments.

## EDUCATION ACT AMENDMENT BILL

### *Second Reading*

Debate resumed from the 22nd October.

**THE HON. J. G. HISLOP** (Metropolitan) (3.31 p.m.): I would not give to the students all that they may ask for in the way of additional subjects; yet, at the same time, I must accept that they are eligible for higher tuition. I consider that this progress will soon be accepted as education in divided doses. At the same time, the teachers may have to realise the necessity for expanded training. To show that progress in education must move along gradually, may I weary members with the history of our family, giving the picture as we lived through it.

Electric light was not accepted at first, but it soon was in many homes. We had music as a pleasure, and a pleasure it was, with the piano, the violin, and other instruments. Then came the gramophone, and my father bought one of the first machines that would work properly—a Hunting—and, as a result, we had many people visiting our home to see how this machine operated. Soon people accepted the idea of the gramophone and realised what pleasure it gave and these were the times when we really enjoyed our music.

In addition, we had music provided by visiting bands and musicians—bands of four or six German musicians—and as youngsters we listened to these artists, throwing in our pennies and sixpences plus.

Very soon after this the Boer War was declared and bands that were visiting Australia returned to their native lands and we came to accept the pleasure provided by local musicians. People would invite us to listen to music being played along the beachfront, and various changes took place which we as children accepted. The charge for these musical shows was very small.

The Edgley family played a very big part in the musical world in those days, as it does today, and I shall never forget what that family has done for theatregoers in Australia. I do not suppose any other member here would forget that family either, and a great tribute must be paid to the members of that remarkable family, and particularly for the work they are still doing. Some years before I came to Perth

the Edgley family decided to come here and over the years it has brought many artists to this State who have given pleasure to thousands of people—violinists, pianists, and lovely feminine singers. We owe a debt of gratitude to the Edgley family for what it has done for education in this State—improving the cultural education of the people. That family has brought artists from all over the world for the benefit of Western Australians.

Let me now refer to the time when I was a young boy at school—Brackley—where the pupils were assisted greatly with their lessons by Miss Lascelles. She assisted pupils to pass with ease and Miss Kerley helped in a remarkable way. There were a number of such schools—Cum-lodden for one—as well as schools which catered for the education of girls. Pupils were given personal attention but as the population has increased this personal attention has been reduced.

These days many things are taken for granted. The use of aircraft is increasing and in some parts of the world an aircraft crash is not even a matter of concern. Bigger and more luxurious ships are taking many people around the world and this helps to broaden their views and so improve their education. As with aircraft, the number of cars on the road is increasing every day, in every part of the world, and accidents on the road are of no concern to anybody. Yet the crash of cars is the greatest evil we have and the usage of alcohol continues to the detriment of man.

I think those who have graduated from our schools deserve the greatest praise—whether they be workers, professional people, or anyone else. The schools have played a great part in this respect, too, because the teachers have given their time to their students and I have no fear that this idea will not continue. I say this because I appreciate that young boys and girls are entering their teacher training and they will carry on as their predecessors have done. However, some of the teachers are putting forward certain proposals which are being accepted by the students and I trust that no riots will occur, such as has been the experience in other countries of the world. It would be dreadful if we had to tackle a problem like that. Surely we can accept the routine division in the lower stairs of the new decisions and then proceed to level two, and then to level three. I am pleased to see that, according to the Bill, this is to be done. These young people can accept the present circumstances and can show interest in those who are starting.

I find that the scholars of today have money to spend. We must realise that the difference between scholars of today and those of years ago is that we have come into a wealthy era, and modern scholars

seem to have sufficient money to travel to many places to which we could not have gone when we were their age.

There must be some means by which the teachers of the various groups can combine to ascertain the needs of their pupils. In this connection the Bill before us is, to my mind, a thinking Bill, because it will set up a board which we may expect to make the necessary decisions; and I think the board will make very good decisions.

I ask the students to look to their teachers for help in arranging their careers; for, in truth, everyone is working towards peace and security in the education of students.

**THE HON. G. W. BERRY** (Lower North) [3.41 p.m.]: I rise to support the Bill. I was pleased to hear from Mr. Dolan that our education system has generally improved over the years. I well remember when I first attended the Fremantle Boys' School back in 1924, that Mr. Dolan was a master at that school.

The Hon. L. A. Logan: Did he give you the cane?

The Hon. G. W. BERRY: No, he seemed to be quite efficient without a cane. However, I would say that Mr. Dolan is one who has had much experience in the field of education, and he has seen many changes take place. I have been forming the impression that the education system in Australia was fast becoming one of the worst in the world, and that the education system in Western Australia was probably the worst in the Commonwealth. So it certainly gives me great heart to know that we are not as badly off as some people would have us believe.

My mind goes back to when I was at Fremantle Boys' School. Because of economic circumstances, I had to leave school before I completed my Junior Certificate. As a result, I found I was barred entry to some of the jobs I wished to take in later life; I did not have the necessary qualifications.

I had a friend who attended the school at the same time as I did. He was a brilliant scholar and the captain of the school football team and was destined for a great academic future. However, once again economic circumstances intervened and he was forced to leave school and find a job after obtaining his Junior Certificate; and so probably another brilliant man was lost to the community because he did not have the opportunity to go on with his studies.

The district in which I lived before I went to Carnarvon was populated by many Slavs from the Dalmatian coast. Those people came from a country where there was very little opportunity in the way of

education, and so they came to this country to work in the fields. The children of those people had very little chance to enjoy the opportunities of education, because they were required to toil in the fields as soon as they were old enough to do so.

However, during the post-war years some of the people with whom I grew up gave their children the opportunity to be educated as doctors and dentists; and this opportunity was given to them because of the change that had taken place in our economic situation. This change allowed those children to attend school and to develop their intelligence which, in previous times, would have been dormant because opportunities were not available. I have also seen migrants who were extremely poor come into the area in which I previously lived.

*Sitting suspended from 3.45 to 4.5 p.m.*

The Hon. G. W. BERRY: As I was saying, the children of families which have come here from the poorer parts of Europe are now enjoying the fruits of our education system. Some of these children have turned out to be quite brilliant students, but it is possible that this opportunity might have been denied them had they not come to this country and availed themselves of our educational facilities.

In considering our education system as it is today, my thoughts immediately turn to my own daughter who I find is a long way ahead of me, educationally, at a comparable age, particularly with her knowledge of the human environment. The system of education that obtains today is quite different from the reading, writing, and arithmetic of my days, and this, of course, has been brought about by the changes in our economic situation and by the changes in the school curriculum which, of course, has been changed to meet the changing times.

As times change, systems must of course change with them, and the establishment of the board proposed in the Bill is certainly proof of the Government's awareness that these changes are taking place. I do not propose to bore the House with a long dissertation on the subject; I merely wish to compliment the Government on the introduction of this Bill and I hope it achieves all that is expected of it.

**THE HON. E. C. HOUSE** (South) [4.8 p.m.]: There is no doubt that this Bill will bring about considerable change in our education system as we know it at the moment. I am quite sure it will be a change for the better. At the moment we have a very comprehensive examination system both at the Junior Certificate and the Leaving Certificate levels. The students who go through this process of learn-

ing for an examination are under a considerable strain and I am sure that many of them fail because of nervousness and general psychological upset.

This in itself does not give many of the students an opportunity to express themselves and show the ability of which they are capable. There are some schools, of course—and I am now thinking of the independent schools—which have been practising the Achievement Certificate course for a few years, and those who fail their Junior examination can apply to the school for a certificate. In doing so the school must give the standard, the subjects the students took, and their rating to enable them to use the certificate to obtain employment.

As the board gradually gets established I feel it will have a deeper purpose in the whole educational structure, because it will be able to make recommendations within the education system which will go far deeper than the examination level.

If the board is permitted to do so I think there is also room for it to make some study of the reasons for the large numbers of failures at the University level. There can be no possible doubt in anyone's mind that the percentage of failures at the University level is quite high, and that it is creating a waste in the educational field which is detrimental to the whole State.

As the State continues to grow and expand, it will need far more students who are highly trained in the various fields of commerce and industry. In recent months there has been a great deal of criticism of the education system, and accordingly it was very pleasing to hear Mr. Dolan—an experienced teacher and one who spoke most sincerely—praising the system that now exists. I feel sure the honourable member would consider in his own mind that we should not be satisfied with things as they are; that there is always room for improvement. That being so, the board which the Bill seeks to establish will be able to consider these aspects. That is the purpose for which it is being established.

As we look back over the years and consider our improved standards of education, I am sure we will feel that great credit is due not only to the activities of the Government but also to those of the Education Department under its Minister. Their efforts have certainly uplifted our education system to the standard it has reached today.

It is most disturbing that we should have, at one period, witnessed strikes by the teachers—though I feel sure they did not know what they were striking about. A particularly bad feature of this was the fact that some students followed the example set by the teachers and they were encouraged to do this.

I feel sure the board will be given an opportunity to sort out these anomalies. It will be responsible not only for further improving the education system but also for ensuring harmony within it. I say this because the board will be divorced from the Education Department; it will be an autonomous body; one which can be approached with ideas and thoughts. I am confident that the board will be a great help in providing a standard of education even higher than that which exists at the moment.

As a country member I have some misgivings about the system as it might apply to a number of country schools. As I understand the position each class could have up to three streams of students in the one grade. I might point out that at the moment some country schools have multiple grades. Accordingly, there will be a considerable number of grades or averages with which the teachers will have to cope, and this could create a few problems in some of our class 2 junior high schools where we have not an adequate number of teachers because the number of pupils is not as high as it is in the metropolitan area.

I hope this aspect will be borne in mind by the Government as the scheme gets under way and that the country children will not be detrimentally affected by the system. I might add that I do not think they will be so affected, but the situation needs watching.

The board will be responsible for bringing out the capacity and ability of some of the more brilliant students. It will be easier to do this under the new system than it is under the present education curriculum which in some ways is fairly socialistic, inasmuch as it more or less strikes an average.

Some mention was made in earlier speeches of selecting certain schools according to their achievement levels. This has been in operation in the metropolitan area, and in this connection I immediately think of the old Perth Modern School which catered for the more brilliant students; and although the system set a very high standard the fact that it was so selective was not really good for the community. Although this practice is growing in the metropolitan area it is not quite so evident in the country districts.

When it is obvious that a child is capable of absorbing a higher education, that child should be given the opportunity to get away from the smaller school in the country to the metropolitan area. The Government could make this possible by providing special scholarships or something of that nature. I hasten to add that I am not criticising the small schools. Actually we are very lucky to have such a high standard of teacher. These teachers are magnificent. They work even outside

school hours in an effort to mould the characters of the children under their care. It is remarkable the work they do and the time they put in.

I hope the board will constantly review various aspects of our education system. For instance, I would like the board to review the bond system and also to consider the advantages teachers would gain by travelling overseas for a period. By doing this teachers would acquire a broader knowledge which, in turn, they could pass on to the children in the schools in which they teach.

Discipline is another very important matter which should be reviewed. The modern idea is that discipline is the responsibility of the parents and not the teachers. This may be true to a certain extent, but I believe that children these days are nowhere near as well disciplined as we were when we were children. I do not mean that we should be as strict in regard to caning; but more rigid discipline is certainly required. The lack of discipline is reflected in the teenage groups which eventually leave school and are found hanging around the towns. Everyone knows that all the world over these groups are now representing one of the greatest problems.

For this reason I do hope the board will pay attention to these matters. After all, our young children grow up to be our future citizens and it is up to them to make the country a better place in which to live. The progress of a country depends to a very large extent on the educational standard and moral behaviour of its citizens.

I would like to congratulate the Minister for Education on the way he has handled his portfolio during the period he has had this responsibility. I am certain that any criticism which has been levelled at him by the Teachers Union has not been deserved; and that much of the criticism of his department has not been completely just. I have much pleasure in supporting this Bill.

**THE HON. V. J. FERRY** (South-West) [4.18 p.m.]: This Bill, which has my full support, is most interesting. The field of education is undoubtedly a wide one, and I suppose one could talk for many hours on education, but that is not my intention today. However, I would like to make a few remarks about one or two aspects of education.

In my opinion the composition of the board will ensure a fair balance of ideas. The members of the board will represent a good cross-section and range of educationalists in this State, augmented as they will be by two persons representing the interests of the community in secondary education.

I believe there is a very real place in the Australian community and society for the dual system of education. In other words, there is the need for both Government and private schools, because this creates a fine balance of citizens.

One or two members have referred to discipline. I believe that the State schools provide a certain degree of discipline, but, on the other hand, the private schools provide a discipline which is, perhaps, of a different kind. A child may be disciplined in many ways. In my opinion education does not merely involve the ability to add up a few figures, or write correct English in an essay; it embraces a whole host of things. When a student moves out into the big, wide world he or she is confronted with a very complex life. Therefore I believe the education system should be geared to guide students so that they will be able to cope with almost any situation with which they may be confronted in later life. Consequently I believe that the board, comprising the members prescribed in the Bill, will indeed further the interests of this State.

The educational scene is, of course, constantly changing. This point has been emphasised during the debate, and it requires no further elucidation by me. I merely wish to say that despite the change in scene, the Government, with the limited resources at its command over the years, has coped very reasonably with the situation, and has obtained value for the money spent. We must remember, of course, that with education we cannot gauge the value received merely in monetary terms. We must also take into account our consequent better citizens.

When people criticise our education system, they nearly always make comparisons, and this brings me to the main point with which I wish to deal during this debate. Comparisons of expenditure on educational matters, when expressed as a percentage of the gross national product of a country, present an entirely false picture unless the sets of figures which are being compared all contain exactly the same items. To make an accurate assessment and comparison, this is most essential. If, for instance, the expenditure of two countries is being compared, the items of expenditure in those two countries must be identical. If they are not, an entirely erroneous position is conveyed and this serves only to mislead people.

This practice does not mislead those who are quite capable of thinking for themselves. However, the general public looks at figures and, because they are printed, believe them to be correct. I wish to point out that this is not the case, especially when comparing expenditure on education.

I do not intend to read all the items of expenditure on education in this State, but will merely quote one or two of them to illustrate the differences which do exist in the various States in Australia, let alone in other countries of the world.

In the State of Victoria, expenditure on education includes grants to colleges, adult education, and kindergartens. We all know, of course, that in Western Australia, kindergartens are not included in the Education Vote. They are dealt with under a separate item.

New South Wales includes the money spent on the maintenance of school buildings, but in Western Australia this expenditure comes under the Public Works Department and not the Education Department. New South Wales includes also moneys made available to universities, the Museum, and even an observatory. They include an amount of something like \$3,400,000 for free milk, but, in Western Australia, the cost of free milk is not included under education.

Many other items are included in the United States, but in this State those items are not considered to be legitimate items of expenditure under the Education Vote.

In Canada, such items as civic education for migrants, armed services' colleges, and ex-service rehabilitation and repatriation are included as well as some money spent on sponsoring foreign students who further their education in that country.

The cost of school meals is included in the Estimates for education in the United Kingdom, and so it goes on. The Soviet Union covers a very wide field under education and it is very difficult indeed to compare the figures of that country with those of any western country. However, for the sake of the record, the Soviet Union includes such items as the Moscow Ballet, the Moscow State Circus, space research, and other scientific activities; and it also has a ministry for sport.

I think I have given enough examples to indicate that by no stretch of the imagination can the expenditure on education in one country be compared with that in another when expressed as a percentage of the gross national product. If such a comparison is made, it presents quite an erroneous picture. I repeat that unless exactly the same items are included in each country or State, a true percentage relationship cannot be obtained.

One final point I wish to cover concerns the image of our education system today. We must have confidence in our system or it will not succeed or prosper. Actually, this applies to every facet of community life. One of the functions of the board will be to suggest ideas which will promote confidence in our education system. It will also, I hope, promote confidence in the teaching staff of both Government and

private schools. I would hope this would lead to added confidence amongst the many students.

One of the things that has disturbed me particularly over recent months has been the campaign directed by the Teachers Union. As a former unionist of some 26 years' standing myself, and as one who was actively engaged in the arbitration committee of the union over a period, I appreciate the value of unionism in its right sense—and I use that word advisedly. However, in observing the tactics of the campaign conducted by the Teachers Union over recent months I deplore their projection of their profession. If the Teachers Union wishes to assist teachers it should not act in this way. Let us face it: the union exists to assist teachers.

The Hon. J. Dolan: They are teachers.

The Hon. V. J. FERRY: Yes, the members of the union are teachers. This makes it all the more puzzling to me that they should adopt tactics which besmirch and ridicule their profession, and in so doing degrade themselves.

The Hon. W. F. Willesee: This is completely wrong in concept.

The Hon. V. J. FERRY: It may be wrong, but that is the impression I have gained.

The Hon. W. F. Willesee: The honourable member is a man of limited intelligence.

The Hon. V. J. FERRY: This could be true, but the intelligence I have interprets this type of campaign in the way I have expressed it. I believe the Teachers Union can do more for the teachers themselves, and for the education system which we enjoy today. I hope the union will, in fact, use its energies a little more constructively instead of destructively. I say that quite kindly, because I have a very soft spot for unions which function in the right manner and I do not raise this point with any viciousness at all.

The Hon. W. F. Willesee: Unions to suit you!

The Hon. V. J. FERRY: No, unions to assist the unionists themselves and by so doing giving confidence to the community and, in this case particularly, assisting Western Australia. With those remarks, I support the Bill and I wish the board every success in its endeavours.

**THE HON. N. E. BAXTER** (Central) [4.32 p.m.]: I rise to speak to this Bill because I am rather intrigued by some of its features. The measure provides for a board of 17 members to be elected and an amendment appears on the notice paper by which it is proposed to add another member.

I refer particularly to the appointment of the director of the board of secondary education which is referred to in proposed new section 21F. The provision reads—

(1) The Minister may appoint a person to be the Director of the Board of Secondary Education.

(2) The Director of the Board shall, in addition to being an ex-officio member of the Board, be the chief executive officer thereof.

I have read the Bill thoroughly and I cannot find any clause which states what the duties of the chief executive officer shall be.

Proposed new section 21E(2) states that if the Director-General of Education is present at a meeting of the board he shall preside and, if he is not there, the Deputy Director-General of Education shall preside. Consequently I am rather intrigued as to what the duties of the director of the board of secondary education are supposed to be. The Bill does not state what is expected of him or what his position shall be. It merely says that he shall be appointed by the Minister. I wonder who the unspecified person might be. Perhaps he will be from the Civil Service because the Bill provides—

(4) Where a person who has been appointed Director of the Board was, immediately before he was so appointed, employed under the Public Service Act, 1904 or the provisions of this Act, other than this Part, he is, upon ceasing to hold office as Director of the Board, entitled to be re-appointed under the Public Service Act, 1904 or those provisions, as the case requires, to a position of no less status than that enjoyed by him immediately prior to his appointment as Director of the Board.

When the Minister replies I would like him to explain the position with regard to the director of the board of secondary education. As I read the Bill, he does not appear to hold a position on the board which is different in any way from the other 14 nominees, excluding the Director-General of Education and the deputy director-general. As I have said, the director-general will be able to preside at a board meeting if he is present, and the deputy director-general will be able to preside in his absence. Therefore I seek the Minister's advice on this point and I hope he will let the House know the duties of the director of the board of secondary education and whether they are in any way different from the duties of other board members.

I also wish to refer to the appointment of two persons who will represent the interests of the community in secondary education. I have read the Minister's

speech, but not the slightest indication was given of the section of the community from which these people are likely to be drawn. I wonder whom we would appoint to represent the interests of the community in secondary education. Are we to go to the parents and citizens' associations, to the Chamber of Commerce, the Chamber of Manufactures, or to some other organisation which represents industry and commerce? I consider people from these organisations should occupy positions on the board; because, in many instances, they will be the employers of students who have completed their secondary education and gained the Achievement Certificate. In the past commerce and industry have had a vast experience of students who leave school when many of them are not really competent. I say that because one can walk into a business house and find that some students just out of school cannot add 25c and 10c together without a pencil and paper.

The Hon. W. F. Willesee: Do not be silly.

The Hon. N. E. BAXTER: I am not being silly. I have had this experience in many shops and business houses. I find the assistants frequently have to use a pencil and paper to add a few cents together. They do not seem to use mental arithmetic as we did in our day.

The Hon. F. J. S. Wise: Of course, 10 fingers help the decimal system enormously.

The Hon. N. E. BAXTER: Mr. Wise is quite right. Many of them would be hopelessly lost if they did not have 10 fingers. I suggest members should ask their womenfolk what happens.

The Hon. G. C. MacKinnon: You do not think, do you, that they might do it to ensure they have each item listed in order to evidence to the customer that the account is right?

The Hon. N. E. BAXTER: No, I do not think this after my own experience.

The Hon. J. Dolan: There are slow learners in every age.

The Hon. N. E. BAXTER: I have found that when I have added up an account myself and given the information to an employee, the employee frequently looks at me in amazement as if to say, "How did you add that up?" This is the sort of thing I am talking about and it is one reason for appointing two representatives of commerce and industry to the board to give some direction towards the course of secondary education.

The Hon. W. F. Willesee: Can you tell me why Tom the Cheap makes \$1,000,000 every year?

The Hon. N. E. BAXTER: He makes \$1,000,000—

The Hon. W. F. Willesee: How is this done with all those inferior people working for him?

The Hon. N. E. BAXTER: —because he is using machines.

The Hon. W. F. Willesee: The honourable member said they could not add up; but you would not know what two and two make.

The Hon. N. E. BAXTER: Employees do not need to add up when they use a machine. Mr. Willesee knows that. I think the Leader of the Opposition should go into a few shops, buy some articles, and see what happens.

The Hon. W. F. Willesee: I do this every Friday.

The Hon. N. E. BAXTER: He should see whether he is correct or whether I am correct. I do not intend to continue the argument. I have made a suggestion and I ask the Minister, when he replies, to give the House an indication of the section of the community from which these two representatives are likely to be drawn. I think this information should be made available to the House when a board of this nature is to be set up.

When the Minister introduced the Bill he made a statement which rather amused me. He said that the board would be divorced from the Education Department as a result of the way in which it was constituted. However, when I look at the constitution of the board I find that, of the 17 members originally envisaged under the legislation, the majority will be from the Education Department. Apart from the amendment which is now on the notice paper, I would say that it was not even a decent separation from the Education Department let alone a divorce. The proposed amendment on the notice paper may balance the position slightly, and I do not suppose one can quibble about the structure.

I would like answers to the two questions I have raised in respect of the appointees who shall represent the interests of the community in secondary education. I think the intent of the Bill is quite good and I trust that the board will be able to recommend courses of secondary education and carry out its other functions to the betterment of education in this State.

**THE HON. L. A. LOGAN** (Upper West—Minister for Local Government) [4.40 p.m.]: It is evident from the discussion which has taken place on this measure that interest in education has not depreciated to any extent. It was very refreshing to hear Mr. Dolan yesterday when he discussed practically every facet of education. He indicated to the House the improvements which have occurred in those



facets and he put them in their right perspective. I think we owe Mr. Dolan a debt of gratitude because he is able to give members the benefit of his experience in this field.

In company with Mr. Dolan I believe the majority—if not all—of the teachers in this State are dedicated people. I have had some experience in this regard because my daughter trained and became a teacher.

There was an interchange of remarks a short time ago about the union and the teachers and Mr. Dolan interjected to say that teachers are unionists. One can go the other way and say that those in the Education Department are teachers. Consequently, any reflection upon the Education Department is a reflection upon the teachers. It cannot be otherwise; because of the men who have been at the top of the education system. It is not so long ago that the late Dr. Robertson was Director-General of Education. He was recognised throughout the world as an educator and he went overseas on many occasions to ensure that the standard of education in Western Australia did not deteriorate. The present Director-General of Education has had two trips overseas to keep abreast of modern trends in education. These people are all teachers and in this sense the Education Department comprises all teachers. Consequently, any reflection upon the Education Department must be a reflection upon the teachers themselves.

I hope that what has been said in the House by the different members who have spoken will prove to the public that nothing is wrong with our education system. I think the system is worthy of some congratulation and certainly does not merit the decrying which we have heard in recent times. We must consider the amount of money available and the fact that, although the population is not yet 950,000, we are dealing with a population increase of 5 per cent. per annum.

The Hon. F. R. H. Lavery: You are not suggesting, are you, that teachers do not have some reason for complaint?

The Hon. L. A. LOGAN: They have no reason to complain to the extent that they have been complaining as far as the improvement in the education system is concerned. They are only criticising their own people.

The Hon. F. R. H. Lavery: Why is the Education Department creating—

The Hon. L. A. LOGAN: If the teachers do not do their job the education system will go downhill.

The Hon. F. R. H. Lavery: I would like you to say that outside the Chamber.

The Hon. L. A. LOGAN: I will say it anywhere.

The Hon. R. F. Claughton: I wonder who is talking boastfully.

The Hon. F. J. S. Wise: Say it aloud.

The Hon. L. A. LOGAN: I have challenged people to tell me where the system is breaking down.

The Hon. F. R. H. Lavery: There are too many pupils in the one class in the metropolitan area.

The Hon. L. A. LOGAN: I have just stated that the population is not yet 950,000, but we are dealing with a population increase of 5 per cent. per annum.

The Hon. F. R. H. Lavery: Only in 1969.

The Hon. L. A. LOGAN: I was nearly going to say—

The Hon. F. R. H. Lavery: Come down to my electorate—

The PRESIDENT: Order!

The Hon. F. R. H. Lavery: —and see what has happened in the schools.

The Hon. R. F. Claughton: No education system is perfect.

The Hon. L. A. LOGAN: No system is perfect. A perfect situation is not a human situation.

The Hon. R. F. Claughton: There must be things to criticise.

The Hon. L. A. LOGAN: So we cannot have perfection; it does not exist. It is possible to look around Western Australia today and note the different standards. Not that such improvements have made much difference to the success of those people who were taught in the small country classrooms. Mr. House made reference to the small school. I think I can claim to be a product of a small school which had only 12 to 14 pupils, and where the teacher taught five or six different classes.

The Hon. F. R. H. Lavery: Not in the metropolitan area.

The Hon. L. A. LOGAN: I am not talking about the metropolitan area; I am talking about the small school.

The Hon. F. R. H. Lavery: I am.

The Hon. L. A. LOGAN: Although I received my initial education in a small country school, I have been successful in becoming a Minister of the Crown. Sir David Brand commenced his schooling in a school with approximately 12 to 14 pupils also, and he is now the Premier of the State. There are many instances of men who received their schooling in a small outback school and who have risen up through the ranks.

The Hon. G. C. MacKinnon: Education is a continuing process of which schooling is only a part.

The Hon. F. R. H. Lavery: No-one has yet been able to define education.

The Hon. L. A. LOGAN: It is a matter of learning and then applying what one has learnt to the best advantage and making the most of the opportunities that present themselves in life. I think that explanation is about as simple as any that can be given.

Mr. Baxter wanted to know what role the Director of Secondary Education would play in this scheme. As this is to be a board of secondary education, surely one would expect the Director of Secondary Education to be a member of the board and perform the same functions as the other members. It would be a poor old show if the Director of Secondary Education was not on the board.

The Hon. N. E. Baxter: My query did not concern him, but the third appointee.

The Hon. L. A. LOGAN: The honourable member also queried what the other members of the board would do, and from where would we draw them.

The Hon. N. E. Baxter: My reference was to the director of the board, and not to the Director of Secondary Education.

The Hon. L. A. LOGAN: All the members will be appointed to ensure that this scheme will be a success and that the Achievement Certificate will eventually replace the Junior Certificate. That will be the function of all the 17 members.

The Hon. N. E. Baxter: What will the chief executive officer of the board do?

The Hon. L. A. LOGAN: Every member will have a job to do. If the honourable member cares to look at the report on secondary education he will probably find out what they will do. At the moment no-one can say from what source the two members of the board will be drawn.

The Hon. F. R. H. Lavery: Has a selection of officers already been made for the administration?

The Hon. L. A. LOGAN: We are not talking about the selection of officers; we are talking about the board.

The Hon. F. R. H. Lavery: I am talking about the board, also.

The Hon. L. A. LOGAN: I would point out to the honourable member that the Bill has not yet become law. How can the members of the board be appointed if the Bill has not yet been passed? I do not think the Minister has given much consideration to the source from which the two members of the board will be drawn; whether from the parents and citizens' associations, the parents and friends' associations, the Chamber of Commerce, or any number of organisations.

The Hon. G. C. MacKinnon: They will be drawn from the community.

The Hon. L. A. LOGAN: That is correct. I should imagine that at least some of them will be drawn from employers of labour who are taking into their places of employment those students who have finished their schooling. This is a completely new system. Previously an employer would select an employee from among those students who had passed their Junior Certificate, but when this Bill is passed he will not be able to do that. I do not think I should let this moment pass without having something to say about the Junior Certificate. Sometimes one would almost think that the Junior Certificate system has been a failure, but I do not think it has.

The Hon. J. Dolan: It is still being issued.

The Hon. L. A. LOGAN: Yes, but if the Achievement Certificate is fully accepted, the Junior Certificate will go out of existence. In my opinion the Junior Certificate has played a very valuable part in our education system and I believe it will be many years before it is proved that the proposed system will be a better one. I know that experiments have been carried out here and there to see how this new system will work. However, in many instances, when theories are put into practice, it is found that they are not as successful as the experiments. However, it is certainly hoped, now that we have decided to grant the Achievement Certificate, that the new system will be successful.

There is no doubt that under the existing system a student could be quite brilliant at his examinations conducted throughout the year but, as a result of nerves when sitting for his Junior Certificate examination, he could fail, and all his efforts in the past would be to no avail.

Over the years I think the Junior Certificate has formed a valuable part of our education system. I take this opportunity to say that I am pleased with the reception given to the Bill. Some of the remarks that have been expressed by members in regard to what should be accomplished by the board have been somewhat outside the scope of the board. I think those members are intent on granting the board too much power in comparison with what its duties will be.

The Hon. J. Dolan: Clause 10 is very wide. It gives the board power to do almost anything.

The Hon. L. A. LOGAN: I know it is very wide. The first task confronting the board is to prove the success of the Achievement Certificate. If it proves to be successful, we could take steps to extend the powers of the board.

Question put and passed.

Bill read a second time.

## SWAN RIVER

### *Reclamation at Preston Point: Assembly's Resolution*

Message from the Assembly requesting the Council's concurrence in the following resolution now considered:—

That this House do resolve to approve, pursuant to subsection (1) of section twenty-two A of the Swan River Conservation Act, 1958-1966, the reclamation of an area of about 5.5 acres of the Swan River near Preston Point which area is shown in the plan deposited in the Public Works Department and marked P.W.D.W.A. 40970—DRG. No. 2 and therein coloured red, and as so shown in the copy of that plan laid on the Table of the House; and that the Legislative Council be requested to so resolve.

### *Motion to Concur*

**THE HON. G. C. MACKINNON** (Lower West—Minister for Health) [4.54 p.m.]: I move—

That the request contained in Message No. 49 from the Legislative Assembly, be agreed to.

This proposal is for reclamation for development of approximately five and a half acres of the Swan River, near Preston Point, at East Fremantle.

Originally, the necessity to develop Preston Point largely resulted from the up-river extensions of Fremantle Harbour activities, and from the planning of improvements to the East Fremantle foreshore upstream of the traffic bridge. The Fremantle Rowing Club was displaced from its original site, near the old railway bridge, and the Swan Yacht Club, from the narrow strip of foreshore along Riverside Drive. Because of dredging and reclamation, it was found possible to accommodate these clubs on the river foreshore at Preston Point, north of H.M.A.S. Leeuwin Naval Depot. Dredging of access channels in the offshore sand banks and elevation of low-lying land, and the reclamation of six and a half acres of land was carried out by the Public Works Department in 1961 and 1963. At this period, reclamation of an area less than 10 acres could be approved by the Swan River Conservation Board, without reference to Parliament.

During the evaluation of the development proposals in co-operation with the Swan River Conservation Board, and the East Fremantle Town Council, it also proved possible to provide public open space and sites for the Australian Navy League and a commercial marina. Aquarama Pty. Ltd. was the successful tenderer for the marina site which is now held on a 21-year lease.

I mention in passing, that the East Fremantle Town Council takes a close interest in the development of its river frontage as natural usable foreshore is limited by the original siting of the foreshore road and existing cliff areas. In fact, it is the council's wish to widen the foreshore road and clean up certain traffic hazards.

The value of the amenities provided is witnessed by the rapid growth of the facilities as active development of the marina commenced in 1963, and the Fremantle Rowing Club, Navy League, and Swan Yacht Club facilities, in 1964.

The Swan Yacht Club sought approval from the Swan River Conservation Board to extend its lease, in particular, to enable it to promote and develop a junior yacht club, as the establishment of a junior club would provide a constructive and continuing outlet for youthful energies. This proposal was endorsed by the Swan River Conservation Board. However, a junior club could not be contained within the present lease areas owing to the space limitations and the requirements of the Licensing Act. Investigations were accordingly made in consultation with the East Fremantle Town Council, for the provision of the extra space by reclamation for this desirable objective.

At this stage, the opportunity was taken in planning to provide for a replacement site for the temporary launching ramp located at the foot of Putney Road. This site, despite severe limitations, was extremely popular, as it provided the only public launching ramp downstream of Point Walter and Mosman Bay. Further, when the Main Roads Department's plans for a second bridge near this site, and consequential rearrangement of the foreshore road are implemented, this site will have to be abandoned and a site must therefore be obtained.

It is to be noted that future improvements of the road access along Beach Street and Riverside Drive, will result in the loss of this site.

Again, it should be mentioned that rezoning of areas of Fremantle city and East Fremantle town for high density development, will at least double the population now housed in the area. With the exception of the public open space provided previously at Preston Point, there is no foreshore area in East Fremantle which is available to the public for direct access. The opportunity has been taken to provide additional public open space adjacent to the public launching ramp site.

The total area to be improved is eight and three quarter acres, of which five and a half acres are situated below RL

plus two and a half feet and is classed as reclamation under the Swan River Conservation Board Act. It is proposed that the five and a half acres be developed, and allocated as follows:—

|  | Acres           |
|--|-----------------|
| Extension to Swan Yacht Club lease ..... | $\frac{1}{2}$   |
| Vacant Crown land—unallocated .....      | $\frac{1}{2}$   |
| Public launching ramp and parking .....  | 2 $\frac{1}{2}$ |
| Public open space and road reserve ..... | 1 $\frac{1}{2}$ |

The area proposed to be reclaimed is shallow, exposed at low tide, and of little value for recreational purposes in its present state.

The sand for reclamation will be obtained by dredging a channel 100 feet wide and nine feet deep at low water through the sand bank at Preston Point. In the tabled plan, this is coloured blue, and it will be usable by all ferries and pleasure craft at present operating in the Swan River and will reduce the traffic in the present restricted channel around Rocky Bay.

It is expected that the increased waterway will be beneficial in reducing current velocities around Rocky Bay. A small dredged slip will provide access by boats to the public launching ramp.

This development proposal for Preston Point is in accordance with the general guidelines suggested by the Metropolitan Region Planning Authority in its publication *A Plan for the Swan and Canning Rivers* and as modified by the Swan River Conservation Board.

The total quantity to be dredged to complete the project, is 50,000 cubic yards of material, which, if carried out by the dredge *Stirling*, is estimated to take five weeks at a cost of \$20,000. If approved, it is proposed that this work will be incorporated in the 1969-70 programme for the dredge *Stirling*.

The Government's contribution to the project should be limited to dredging and provision of navigational marks; all other development, such as parking areas, grassing, etc., should be to the cost of either the Town of East Fremantle or the Swan Yacht Club.

The Government believes that this proposed work will bring about a better utilisation of the river and foreshore in this area, and, in conclusion, I would mention that the Swan River Conservation Board, the East Fremantle Town Council, and the Swan Yacht Club, all support the project.

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

## SWAN RIVER

### *Reclamation at Alfred Cove: Assembly's Resolution*

Message from the Assembly requesting the Council's concurrence in the following resolution now considered:—

That this House do resolve to approve, pursuant to subsection (1) of section twenty-two A of the Swan River Conservation Act, 1958-1966, the reclamation of two areas totalling about 51.6 acres of the Swan River in the region of Alfred Cove which areas are shown in the plan deposited in the Public Works Department and marked P.W.D.W.A. 40485—DRG. No. 1 and therein coloured red, and so shown in the copy of that plan laid on the Table of the House; and that the Legislative Council be requested to so resolve.

### *Motion to Concur*

**THE HON. G. C. MacKINNON** (Lower West—Minister for Health) [5.2 p.m.]: I move—

That the request contained in Message No. 50 from the Legislative Assembly be agreed to.

This project, Mr. President, involves approximately 51 acres of reclamation for development. The central core of the proposal will be a man-made island with an area of 40 acres at Alfred Cove. It is proposed that this island will become at one and the same time a sporting, leisure, and pleasure place, and something of consequence in the community life of the region; and it has been planned to be aesthetically pleasing.

The development of Lucky Bay and Alfred Cove has been under consideration from at least as early as 1939, when the then Minister for Works (The Hon. H. Millington), a former member of both Houses of Parliament, met a deputation from the then Melville Road Board, which presented development proposals for the whole of the board's river frontage.

The Lucky Bay proposals were apparently given low priority, because it was not until 1962 that extensive surveys to determine the extent of shallow water and the ground conditions were put in hand by the Public Works Department at the request of the Town Planning Commission.

This survey forms the basis of a preliminary feasibility study which was presented by the Public Works Department in mid 1963 as a basis for discussion by the Swan River Conservation Board and the Melville Town Council.

The study highlighted the following points:—

- (a) The need to maintain the waterway in Alfred Cove to preserve the effective storm water drainage of developed low level skirting areas.
- (b) The creation of areas suitable for all aquatic sports (yacht clubs, water ski clubs and launching ramps), without conflict to residents, owners and other parties.
- (c) The need for balancing the quantity of dredging with that required for reclamation.

In its broad outlines the scheme proposed a reclaimed peninsular of some 35 acres jutting eastward from Point Waylen, the dredging of the shallows of Alfred Cove, and the fringe reclamation of the reedy foreshore of Alfred Cove beyond Point Waylen and Tompkins Park. No moves, however, were made to finalise and implement this scheme.

In 1965 the Town of Melville submitted a proposal for an isolated island to be established in a part of the river at Attadale with the idea that the island would become a bird sanctuary. This proposal was endorsed by the Director of Fisheries and Fauna and by the Swan River Conservation Board.

Then, in 1967, the Town of Melville received a deputation from the ratepayers who wished to form a Melville Yacht Club and, in turn, requested the Public Works Department to complete the proposals for the dredging of Alfred Cove to sufficient depth to provide for yachting purposes.

The Naturalists Club of W.A. submitted in 1968 the results of a survey which supported the retention of Alfred Cove in its natural state as a bird sanctuary. This concept also received the support of the Department of Fisheries and Fauna and the Swan River Conservation Board, as being a far superior bird sanctuary than an artificial island bird sanctuary, which would remain barren for a considerable time.

The proposals now submitted to members adopt the concept of retaining Alfred Cove in its natural state as a desirable bird sanctuary and the reclamation of an island to the east of Point Waylen, some distance from established residential areas.

These proposals aim at obtaining the maximum use of the area to provide additional usable open space and to foster aquatic activities with minimum disturbance to bird life.

The bay to the south-west, which is Alfred Cove proper, is therefore to be left untouched in its present condition as a fauna reserve, mainly as a bird sanctuary. If the scheme is implemented, the Swan River Conservation Board, through the

Harbour and Light Department, will prohibit boating of all kinds west of the marked boundary line. The Director of Fisheries and Fauna has been consulted on this matter and it is his opinion that this is an excellent location for a bird sanctuary. Prime requirements are freedom from disturbance by human activities and no dredging of the river bed, which provides the natural food supplies. The cove is surrounded by a belt of land which would remain undisturbed and, at his suggestion, further buffer zones are to be provided as shown.

The area on the mainland shown as playing fields is already being developed above normal water level by the City of Melville. As this work is all above the statutory level of plus 2 ft. 6 in., it is not classed as reclamation. The proposal requires extension of reclamation beyond the work being done by the council to join up with the general improvement of the Attadale-Point Waylen foreshore, which was commenced in 1964 and is now virtually complete. While this reclamation is not essential for the island proposal, it does present an opportunity to provide badly needed playing fields with a minimum of disturbance to the river and river foreshores.

Except for small sections in the yacht club and marina areas, where some form of walling may be necessary for the development of facilities, the island will be surrounded by a sloping, sandy beach. This will provide an extensive paddling beach for small children along the whole of the waterfront of the area shown as public open space.

The water in front of this beach will remain shallow and hence provide a high degree of protection against accidental drowning.

As has been stated, the City of Melville has already received requests from interested groups for a water frontage area on which to establish a yacht club, and there is little doubt that with the excellent site that would be provided a yacht club will be formed and developed on the usual lines. A site for a marina has also been provided. It is proposed that this would be placed under the control of the council to ensure compliance with all of its requirements, such as tree planting, grassing, building standards, and general tidiness.

Provision has been made for public open space, boat launching ramps, and an associated parking area at the eastern end of the island, thus placing it as far as possible from the residential areas on the mainland.

The headroom clearance under the connecting bridge has been deliberately made small to prevent the use of this channel to all except the smaller pleasure boats.

The estimated quantity of material to be dredged and placed to reclamation on the island is 45,000 cubic yards, which is estimated to cost \$135,000; and dredging and reclamation for the area on the mainland shown as playing fields involves 85,000 cubic yards of material, and this work is estimated to cost \$25,000.

Concerning the reclamation of the playing fields on the mainland, it is proposed that this be carried out as a joint operation between the City of Melville and the department, in that the former will provide the bulk of the fill, by way of rubbish dumping, and the department will supply sufficient cover and foreshore sand by pumping in dredged materials. This is the method which has been used very successfully along the Attadale-Point Waylen foreshore.

Dredging will provide for a channel and mooring area dredged to six feet below the low-water mark on the north and east side of the island, together with a small channel dredged to four feet below low-water on the south and west sides of the island.

As with another motion dealing with the development of Preston Point, the whole project is in accordance with the general guidelines suggested by the Metropolitan Region Planning Authority in its publication *A Plan for the Swan and Canning Rivers* and as modified by the Swan River Conservation Board.

It is proposed that, if approved, this work will be done by the dredge *Stirling* as soon as its commitments will allow. This will probably be some time in the latter part of 1970. Once undertaken, the work is estimated to take about nine months to complete.

In conclusion, I advise that the Swan River Conservation Board and the Melville City Council approve and recommend this project, which is now submitted to Parliament for its approval.

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

# STATE HOUSING ACT AMENDMENT BILL (No. 2)

## *Receipt and First Reading*

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

# MINES REGULATION ACT AMENDMENT BILL

## *Second Reading*

Debate resumed from the 21st October.

**THE HON. R. H. C. STUBBS** (South-East) (5.14 p.m.): I wish to direct my remarks to what the Minister for Mines said when he introduced the second reading of the Bill. He said that further modifications are now necessary, and that some

small errors and omissions have been found which require correction. Last year, when a similar measure was before the House, many people who were interested in the matter were present in the President's gallery, and they included the mining fraternity and members of the Mines Department. I see that the Bill before us is not as interesting as that one was, because there is now no-one in the President's gallery.

The Bill contains 21 amendments many of which are not at variance at all with the wishes of those concerned. I am pleased that the union has been consulted. All the comments which I will make are suggestions only. Firstly I would like to deal with one matter which I shall refer to again at a later stage. The Minister when introducing the second reading of the Bill said—

It is well recognised throughout the mining industry that a revision of regulations made under the Mines Regulation Act is overdue and this need has been accentuated by the upsurge in mining activities currently being experienced in this State. An initial draft of regulations to cover all classes of mining operations has, in fact, been prepared and is currently under review by the Chamber of Mines of W.A. and the Mining Division of the A.W.U.

The Minister stated further—

However, the Crown Law Department has advised that many of the regulations, which have been in force for years and which have always been accepted by both mine management and the A.W.U., are not lawful because they give discretionary powers to the Minister for Mines, the State Mining Engineer, and inspectors of mines, without the discretion being authorised in the Act.

He then quoted regulation 73, which states—

If required by the Minister to ensure the safety or good health of the workmen employed, additional rises, winzes, chambers, drives, or other workings shall be constructed.

The Minister then referred to regulation 64, which reads—

Rises of more than 30 feet in height shall not be made in any mine unless the sanction of the district inspector of mines has been first obtained; the sanction shall be in writing and may impose conditions under which the work shall be carried out, and may at any time be cancelled or altered by the district inspector at his discretion.

Incidentally, this comes under part V—the safety and protection part of the regulations. The Minister further stated—

The above are merely two of the many examples of regulations made under the Act which are said to be unlawful because they allow a certain amount of discretion. The Crown Law Department has advised that only the Governor has authority to make regulations under this Act; and, as things stand at present in any regulations made, he cannot delegate any discretionary powers to the Minister for Mines, the State Mining Engineer, or inspectors of mines.

For many years those engaged in the mining industry have thought that the Mines Regulation Act, and the regulations formulated under the powers of section 61 of that Act, were valid. Unfortunately, that has been proved wrong. Section 61 of the Act gives the Governor power to make regulations. I will refer to regulation 106 which is headed, "Cover Overhead" and reads as follows:—

(1) A sufficient cover overhead securely hung on hinges shall be provided on every cage and skip used for lowering or raising persons in a working shaft.

(2) When shaft repairs are being carried out, a hood of a type approved by the inspector shall be fitted for the protection of the workmen.

The general rules are made by the Governor, and I will refer to subsection (4) of section 61 of the Act which reads—

The Governor may declare any such regulations to be General Rules and for the purpose of making the provisions of all such General Rules known to all persons employed in and about each mine, a copy of the same, supplied on the application of the owner or manager of a mine by the inspector of the district on behalf of the Minister, shall be published as follows—that is to say the owner or manager of the mine shall cause a correct copy in legible characters of all such General Rules to be posted up in some conspicuous place at or near the mine where they may be conveniently read by the persons employed in and about such mine, and so often as the same may become defaced, obliterated or destroyed shall cause them to be renewed with all reasonable despatch.

The workmen have followed the general rules and over the years have thought that they were protected. Clause 6 of the regulations, under the heading of "Observance and Enforcement of General Rules" reads as follows:—

Any person who contravenes or fails to comply with the provisions of any general rule contained in these regulations shall be guilty of an offence

against the Act, and in the event of any contravention of or non-compliance by any person being proved, the manager, owner, and agent shall also be deemed guilty of a like offence, unless it is proved that the manager had taken all reasonable means by publishing and, to the best of his power, enforcing those rules in order to prevent the contravention or non-compliance.

A very bad mining accident occurred at Norseman. A skipman was using a skip with no cover. A large piece of stone fell down the shaft and struck him on the head. Previously, he was the heavyweight boxing champion of Western Australia, and a very good athlete and cricketer. The hit on the head crushed his skull and now he gets around like a punch-drunk pugilist. Fortunately, he still has all his faculties but he cannot even chop wood because he loses his balance all the time.

That man took his case to court but he lost. Enough money was raised to take the case to the High Court of Australia, but again the case was lost because of the general rules. Clause 4 of the regulations, under the heading, "General Rules" reads as follows:—

The provisions of Part IV to X, inclusive, and Part XIII of these regulations are hereby declared, pursuant to subsection (4) of section sixty-one of the Act to be the general rules and shall be observed in all mines wherever and so far as in the opinion of the inspector they are reasonably practicable of application.

That is where the case fell down. Perhaps I will be permitted to read an extract from *Hansard* of the 15th November, 1967. At page 2088 I had the following to say:—

Bad accidents are characteristic of the mining industry. They are happening all the time. It is part of a miner's work, which is dangerous work. That is why someone said they carry the ribbon of the George Cross in their crib bag. In my opinion they are game to go down below.

What worries me most is the Mines Regulation Act. I thought that Act protected the worker, because it deals with the every-day working environment of mining. Miners have to obey the general rules made under that Act; and everyone thought they protected the miner. However, the miners recently received a shock. In 1952 a case was taken to court before Mr. Justice Dwyer under the Mines Regulation Act, and the case was won. In 1953 another case was heard before Mr. Justice Jackson and again the case was won. However, in 1963 a similar case was taken before a justice and the case was lost. It was lost because 160 regulations in the Mines Regulation Act were found to be useless

owing to regulation 4. Section 61 of the Act empowers the Governor to make regulations which are general rules. These general rules are followed by about 160 regulations. The general rules, on page 2 of the regulations, are as follows:—

The provisions of Part IV to X, inclusive, and Part XIII of these regulations are hereby declared, pursuant to subsection (4) of section sixty-one of the Act to be the general rules and shall be observed in all mines wherever and so far as in the opinion of the Inspector they are reasonably practicable of application.

I repeat: where in the opinion of the Inspector they are reasonably practicable of application. To continue—

That is the meat of it. The application of the words "and so far as in the opinion of the Inspector they are reasonably practicable of application" was the reason why the case fell down.

The trial judge held that the plaintiff did not hold that an inspector had declared it practicable to have a cover overhead on a skip; and the regulation says all skips in working shifts must have a cover overhead. The trial judge found that the inspector did not state this was practicable.

There was an appeal to the High Court of Australia against this decision, and the five judges found the regulation was valid—that it abrogated the Act. I always thought the Act would stand the test of time, but apparently the regulation abrogated the Act. The case was lost on that point. Therefore the miners have no confidence in the Mines Regulation Act in regard to protection against injury.

The court decision was given on a legal technicality, but it was upheld by the High Court of Australia so it must have been right. The ruling covered part IV, which deals with explosives, and includes regulations 44 to 60; part V—Safety and Protection—covering regulations 61 to 83; part VI—Ladders and Travelling Ways—covering regulations 84 to 91; part VII—Winding and Signals—covering regulations 92 to 131A; part VIII—Ventilation—covering regulations 132 to 158; part IX—Sanitation and Hygiene—covering regulations 159 to 171; and part X—Underground Locomotives, including Shuttle Cars—covering regulations 132 to 158; part IX to part XIII—Miscellaneous—covering regulations 245 to 249.

So it can be seen that because of this judgment of the court, all those regulations are illegal. I certainly support what the Minister said and I would like him to look at the position because the workmen must have protection. It seems ludicrous that the regulations state a man must have

overhead cover, but this person was injured to such an extent that he could never work again and when he took the matter to court he lost his case. The miners can reasonably expect to have this protection but the regulations, apparently, are not valid.

As I have said, the men have very little confidence in the Act and I would like the Minister to give the regulations a great deal of thought when the Act is being amended at some time in the future. One of the Minister's officers, a senior member of the Crown Law Department, defended the case on behalf of the State Government Insurance Office, so the Minister would know all about the case I have mentioned. I am sure the Minister will see that justice is done and that the men get protection under the provisions of the Act. The man to whom I have referred received a certain amount of workers' compensation but when he sought damages he lost the case.

Clause 2 of the Bill will amend section 4 of the Act. The clause covers seven amendments to interpretations which provide for the better working of the Act. The first amendment will substitute for the word "staff" the word "shift," so that the interpretation will read "shift boss." This is the term which has been generally used ever since mining commenced on the goldfields, and long before it was necessary to have underground supervisors.

The interpretation "inspector" is being broadened to embrace the State Mining Engineer, and the Assistant State Mining Engineer, or Senior Inspector of Mines for the State. The interpretation "machinery" will have the word "hand" added and will now read "not hand guided rock drills or small hand held power tools." I cannot understand why electric motors, which drive pumps and all other electrically propelled machinery underground, do not come under the definition of "machinery."

Under the interpretation of "mining" the word "cart" is to be added, and the interpretation will read "mining or to mine means to drill, blast, disturb, remove, cut, cart, carry, etc." That, I suppose, is to allow ore to be removed and carted to the mill or the treatment plant; or, perhaps, it might be mullock which has to go to the mullock dump.

As regards the interpretation of "quarry," the proposal in the Bill is to delete the words "and which is declared in writing by the Senior Inspector of Mines for the State to be a quarry." The Minister when introducing the Bill, said that this would lessen the amount of writing that the senior inspector had to do. With those words deleted I think the definition of "quarry" is still watertight and almost complete. Therefore, I do not think anything will be lost by agreeing to that amendment, and it will certainly mean less of the senior inspector's time will be taken up in writing.



Also as regards the same interpretation, after the word "excavation," in line 23, the passage "but does not include a plant used for making bricks, tiles, or similar products" is to be inserted. I am sure that will make those engaged in the extractive industries happy and allay any fears they had regarding the definition.

The interpretation of "underground" is to be amended by adding after the word "sunk," in line 9, the words, "from the surface." At present that interpretation reads as follows:—

... includes tunnels, adits, drifts, shafts, and winzes over six feet deep sunk ...

and then will come the words "from the surface" followed by the words "that are used in mine workings." In other words, the definition is being cleaned up.

Now we come to the amendments to section 25, and subsection (2) of that section is being repealed and re-enacted. This subsection refers to second-class certificates, and under the new subsection the men will be under the daily supervision of an underground manager or a person possessing an underground supervisor's certificate of competency. I think that is good enough because, after all, men in possession of that certificate are in constant touch with the men employed. The men take their orders from such a person and he goes from place to place supervising the men in their work, organising the work, and so on. Men with this certificate must have had five years' experience, be the holder of a first aid certificate, and have passed an examination, both oral and written set by the board of examiners. One of the members of the board is usually the Chief Inspector of Mines. I do not know whether that is the position these days, but in my day it was. It was either the chief inspector or the senior inspector, the person in charge of the School of Mines, and another person.

I am proud to say that I am a life member of the Underground Supervisors' Association. I started the union when I was in Norseman. Actually, we did not have sufficient numbers to satisfy the provisions of the Industrial Arbitration Act, so a car-load of us, including Milton Aylemore, Harry Cook, the driver of the car, Mr. Turley, and myself went to Kalgoorlie. We called a meeting to establish the association and 60 men attended. It was held in the A.W.U. hall and Charlie Oliver, who is now in New South Wales, chaired the meeting. He is the father of John Oliver, the manager of Western Mining at Kambalda. From that meeting the Underground Supervisors' Association was formed, and, as I said, I am proud to say that I have life membership of the association. Many years have gone by since those days and I wonder how many supervisors today really know how the union started.

Subsection (5) of section 25 is to be altered by substituting for the words "more than twenty-five men are employed in or about a quarry," in lines two and three, the words "twenty-five men or more are employed in or about a quarry by the owner of the quarry." I cannot understand why the word "owner" is included. What about the shareholders and other people? Perhaps when replying to the debate the Minister could give us some information about that aspect.

The Hon. A. F. Griffith: Under the former definition anybody who worked in a quarry was included to cover the number required. Therefore, whether a man went in and served himself with sand, or whether he did something else, he became a part of the number required under the definition.

The Hon. R. H. C. STUBBS: I can see some of the logic in this proposal.

The Hon. A. F. Griffith: This will not include the subcontractors because they are not employed by the owner.

The Hon. R. H. C. STUBBS: I was coming to that point. I wondered about them, too, because there is something in the Workers' Compensation Act about subcontractors. They are not covered and that is what had me worried.

The Hon. A. F. Griffith: It is not intended that any difficulties will be created. This is to relieve a difficulty associated with the small quarry owner.

The Hon. R. H. C. STUBBS: There is a further additional amendment to subsection (5). It is proposed to add after the word "Act," which is the last word in the subsection, the passage, "but, where explosives are not used in the quarry, it shall be sufficient if the quarry manager is the holder only of a Quarry Supervisor's Certificate of Competency or Service," and so on. I have no quarrel with that because he would not have a responsibility where explosives were being used.

The Hon. A. F. Griffith: That is why we are making a distinction.

The Hon. R. H. C. STUBBS: I can see that.

The Hon. A. F. Griffith: It was because in the former case there is very little danger.

The Hon. R. H. C. STUBBS: Further, subsections (6) and (7) of section 25 are to be amended. Subsection (6) is amended by substituting for the words "twenty-five men or less are employed in or about a quarry," the words "less than twenty-five men are employed in or about a quarry by the owner of the quarry." The subsection will then read—

Subject to subsection (7) of this section, if less than twenty-five men are employed in or about a quarry by

the owner of the quarry, where required by a district inspector in the district wherein the quarry is situated, the quarry shall be under the control and daily supervision of a quarry manager, who may be the registered manager and who shall be the holder of a First Class Mine Manager's Certificate of Competency . . .

As with the previous provision, I have no quarrel with that.

Now we come to the amendments which are proposed to be made to section 31 and the first is to subsection (1) which is being repealed and re-enacted. This, too, is a good amendment and the re-enacted subsection will read as follows:—

(1) Where a person suffers injury in an accident in a mine and is thereby disabled from following his ordinary occupation and earning his usual rate of remuneration the manager shall, within the period of one week after the accident, or, if it appears to be a serious injury, shall, forthwith, give notice of the accident—

(a) to the inspector; and

(b) if the injured person is a member of a union, within the meaning of that term under the Industrial Arbitration Act, 1912, to the Secretary or local representative of the union.

I can see nothing wrong with that because nowadays almost every union has a representative working in the mines—electricians, fitters, and all those men who work with metal or plant in some form or another.

The Hon. A. F. Griffith: I think I can remember having words about this a couple of years ago.

The Hon. R. H. C. STUBBS: We did, but we all mellow a little, do we not? Even the Minister has mellowed.

The Hon. L. A. Logan: You wouldn't have words. I am the only bloke who has words.

The Hon. R. H. C. STUBBS: I am happy about the amendment which is to be made to section 39. The proposal is to substitute for the words "the hours in any day provided in the relevant Industrial Award," in subsection (1), the words "seven and one-half hours in any day."

The Hon. A. F. Griffith: We also had words about that, but now we have come to a happy conclusion.

The Hon. J. J. Garrigan: It should never have been interfered with.

The Hon. R. H. C. STUBBS: The sins of omission! There is also a provision for six shifts, and the sixth shift is not to be worked without express consent. Section

39 is a new section and the amendment to which I have just referred is followed by one in which it is proposed to delete the words "is relieved of his work and" in subsection (2). We had words on this proposal too, on the last occasion.

When it was inserted in the Act we were unhappy about it because it has been the custom on the goldfields for the men to go underground in the company's time and to come back in their own time. Under the proposal which is in the Act at present the men had to be relieved at the face. We objected to that because of the ventilation aspect and so I am happy to see that the position is to be rectified.

A new subsection (3) is to be added to section 39, which reads as follows:—

(3) Subsection (1) of this section does not apply where a serious breakdown of plant, machinery or mine workings, or any other event occurs that causes a hazard or danger to the health or safety of the personnel employed in or about a mine.

We are quite happy with that, too. On the last occasion the Act was amended we pointed out that the men never refused to work overtime when they were really wanted.

The Hon. A. F. Griffith: In the interests of the industry and the men, sometimes I wish we could do something more about the sixth shift.

The Hon. R. H. C. STUBBS: It is also proposed to add a new subsection (4) which reads—

(4) Where a workman accepts employment contrary to subsection (1) of this section, he and his employer are each guilty of an offence against this Act.

That is a good provision in our opinion because, after all, an employer will not ask a man to work unless he is wanted, and the employee will know that if he works under conditions which do not comply with the Act he will be breaking the regulations.

I think I have covered all the amendments thoroughly in the time at my disposal and I have much pleasure in supporting the Bill.

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

#### LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 4)

*Returned*

Bill returned from the Assembly without amendment.

*House adjourned at 5.43 p.m.*