It's plain that the unions intend to create dire emergencies in the future —otherwise they wouldn't be making such a bogy out of the fuel and energy Bill or going to such lengths to try to prevent it being passed.

It's also time that the unions realised that the public is fed up with having their civil liberties curtailed by strikes and stop-work meetings.

The point I am making is that civil liberties extend to all people, and the right to work or not to work is one of the civil liberties which we, as Australians, believe we have. However, yesterday's fiasco, brought about by misrepresentation of a Bill, did nothing but, as one fellow said, take away from 99 000 out of 100 000 people their civil liberty to make the decision whether or not they wanted to work. I could read what *The West Australian* said in its leading article about the "futile strike".

The Hon. D. W. Cooley: Read it all, too.

The Hon. CLIVE GRIFFITHS: I will not read any of it. If I read it all it would only serve to indicate further the futility of the Opposition's actions in inciting the people to hold the State to ransom yesterday for no good reason at all other than a cheap political stunt on behalf of the Opposition.

I repeat what I said earlier. I believe the Opposition has every right to oppose the Bill and fight it vigorously within certain limits but when it goes to the extent of hoaxing the people into holding a one-day strike which cost the trade unionists themselves thousands and thousands of dollars and put the State to tremendous inconvenience, I believe the Opposition has reached an all-time low in the tactics it is prepared to adopt for its own political ends. I intend to support the Bill.

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

House adjourned at 5.37 a.m. (Wednesday)

Legislative Assembly

Tuesday, the 1st October, 1974

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

BILLS (11): ASSENT

Messages from the Lieutenant-Governor and Administator received and read notifying assent to the following Bills—

1. Plant Diseases Act Amendment Bill.
2. Weights and Measures Act Amendment Bill.
3. Hire-Purchase Act Amendment Bill.
4. Wheat Marketing Act Amendment and Continuance Bill.
5. Official Prosecutions (Defendants' Costs) Act Amendment Bill.
6. Traffic Act Amendment Bill.
7. Stamp Act Amendment Bill.
8. Constitutional Convention Bill.
9. War Service Land Settlement Scheme Act Amendment Bill.
10. Metropolitan Region Town Planning Scheme Act Amendment Bill.
11. Daylight Saving Bill.

QUESTIONS (16): ON NOTICE

1. TOWN PLANNING

Guidelines to Small Traders, and Shopping Centres

Mr J. T. TONKIN, to the Minister for Urban Development and Town Planning:

(1) When is it proposed to publish the "revised planning guidelines" which he has been reported to have said "will give a new deal to small traders"?

(2) For what period is it intended to defer all major shopping development plans?

(3) Are the plans of the Glenway Corporation Ltd., which has been given till 24th September to notify the South Perth Council what it intends to do about its proposed major shopping complex and community centre in South Perth, affected by the deferment which has been announced?

Mr RUSHTON replied:

(1) Guidelines for retail shopping development are being considered by the Metropolitan Region Planning Authority and should be released about mid-November.

(2) and (3) The Metropolitan Region Planning Authority has set no period of deferment for all major shopping development plans. Each application, if on zoned land and basic planning data is available, is being determined by the authority.

2. FREMANTLE HOSPITAL

Additional Beds

Mr FLETCHER, to the Minister representing the Minister for Health:

(1) Is the Minister aware of page 12 comment in *The West Australian* of 18th September, 1974 that the Federal Government intended allocating grants to the States over a five year period for modernisation of State public hospitals and

related facilities and that the 1974-75 allocation is to be $28 million?

(2) Is the Minister also aware of replies to my question 13 of 28th August, 1974, which demonstrate—

(a) a disparity of 2 to 1 in ratio of hospital beds per thousand of population north of the Swan River as to south of the river; and

(b) that Fremantle Hospital averaged 25 to 30 bed refusals to patients monthly?

(3) Is the Minister further aware that this unsatisfactory situation developed over a period of many years?

(4) Is he aware that the recent State Labor Government tried to partially relieve this situation by—

(a) the acquisition of a 70-bed private hospital at Bicton; and

(b) approving the 60-bed addition under construction to Fremantle Hospital east of Attfield Street?

(5) As bed refusals continue and at times exceed the figures above, will the Minister prevail on his Government to ensure that a sufficient amount of this State's share of the $28 million mentioned is allocated to Fremantle Hospital in the 1974-75 financial year to expedite completion of the first 150-bed block of the 300-bed addition planned for Fremantle Hospital and in so doing—

(a) attempt to relieve the disparity in ratio of beds as to population north as to south of the river;

(b) dispose of the embarrassing current need to refuse beds to 20 to 30 patients monthly at Fremantle Hospital?

Mr RIDGE replied:

(1) Yes.

(2) I am aware of the answers to the Member's question 13 of 28th August, 1974.

(3) The Member will realise that major hospitals were established in their respective locations many years ago and some located north of the river serve patients from south of the river as well as those from all over the State. The river is not regarded as a line of demarcation when assessing hospital bed requirements.

(4) (a) I am aware that the Bicton Medicentre would have closed but for its acquisition for use as an annexe to the Fremantle Hospital.

(b) Approval and acceptance of the tender of George A. Esslemont and Son for the construction of the 60 bed ward block currently under construction was given in June, 1974 by the present Minister.

(5) We have no idea how much of the $28 million will be available from the Commonwealth for this State. The needs of the Fremantle Hospital will be included in any discussions relating to the availability of funds from the Commonwealth.

3. UNEMPLOYMENT

Statistics, 1960-1972

Mr TAYLOR, to the Minister for Labour and Industry:

Of the years 1960-61 to 1971-72 in which years was the average rate of unemployment in Western Australia higher than the Australian average?

Mr GRAYDEN replied:

Year ended 31st December	Western Australia	Australia
1960	1.6	1.2
1963	2.0	1.7
1964	1.7	1.1
1965	1.1	1.0
1970	1.1	1.0
1971	1.7	1.4

The latest year for which statistics were available was 1973.

4. HEALTH

Arteriosclerosis: Statistics

Mr DAVIES, to the Minister representing the Minister for Health:

(1) Does he have any statistics regarding the number of deaths caused by arteriosclerosis during the past several years, and if so, can he give particulars?

(2) Similarly, does he have any hospital morbidity statistics as to what the prevalence of the disease might be?

Mr RIDGE replied:

(1) Yes, statistics are available in respect of deaths caused by arteriosclerosis. The principal cause of death is recorded in the terms of the international classification of diseases and this combines arteriosclerosis of vessels of internal organs with other diseases of the same organ. It is not possible to separate out the deaths due to arteriosclerosis disease of the heart, brain or lung.

However deaths due to arteriosclerosis of other arteries (including peripheral arteries) are recorded separately. There were 138 such deaths in Western Australia in 1971 and 126 in 1972.

(2) Hospital morbidity statistics are available in the same terms and show that the relevant figures for WA hospital discharges for 1971 and 1972 were 122 and 141 respectively where arteriosclerosis was the principal condition treated.

5. TEACHERS

Training Colleges: Boards

Mr A. R. TONKIN, to the Minister representing the Minister for Education:

(1) How many teachers graduated from each of the teachers' colleges in 1970, 1971, 1972, 1973?

(2) How many such graduates are expected for each of the colleges for 1974?

(3) How many of those numbered in (1) were bonded to the Education Department in each of those years?

(4) How many of those bonded teachers took up teaching in each of those years and how many are still employed by the Education Department?

(5) How many in (4) received metropolitan appointments in the first instance?

(6) How many mentioned in (5) were transferred to the country areas?

(7) How many overseas teachers are being employed on a permanent or long term basis?

(8) How many of the teachers referred to in (7) have had teaching experience?

(9) How many of the overseas teachers arriving in 1973 have been given—

(a) metropolitan; and

(b) country

postings?

Mr MENSAROS replied:

(1) to (3)—

(4) It is difficult to provide information as to how many bonded teachers took up teaching in each of the years mentioned because some who declined appointments at the opening of the year may have accepted positions at varying times during that year. It is estimated that in any one year, in excess of 90% of graduates accept appointments in Government schools or in special cases non-Government schools where service is counted.

It is not possible to state how many of these teachers are still employed as they might have returned in a temporary capacity after resignation.

(5) and (6) It is not possible to provide this information without undertaking an extensive and detailed analysis. Appointments are subject to considerable variation in the new year on account of many factors such as increased enrolments, teacher resignations, housing developments and decisions of the Teachers' Tribunal.

(7) Overseas teachers might be migrants, specially recruited teachers or itinerant teachers. Statistics are not compiled for each category and as a specific period or number of years is not mentioned in the question it is not possible to estimate numbers.

(8) Information not available but it is the policy of the Education Department to employ only qualified teachers.

(9) Answered in (7).

6. ARTS COUNCIL MEETING

Perth City Ballet Company Representation

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

(1) Was a meeting of the WA Arts Council held on 6th September last?

(2) Was the Perth City Ballet company invited to have a representative at this meeting?

(3) If not, would he please ascertain and advise why?

Teachers College Graduates—1970–74
(Bonded students numbers in brackets)

Teachers college	Actual				Anticipated
	1970	1971	1972	1973	1974
Claremont	299 (293)	237 (237)	253 (214)	187 (187)	200
Graylands	134 (129)	200 (188)	89 (88)	133 (130)	178
Mt. Lawley	....	....	148 (148)	224 (218)	220
Churchlands	....	....	....	....	167
WA Secondary	291 (280)	333 (318)	442 (414)	426 (401)	470

(4) What is the attitude of the Council to the abovenamed company as to continuing funding support?

Mr STEPHENS replied:

(1) No.

(2) Not applicable.

(3) Because the meeting was not held.

(4) The attitude of the council remains unchanged.

7. HOUSING

Home Buyers Assistance Plan

Mr J. T. TONKIN, to the Minister for Housing:

(1) What sum of money is to be made available this financial year for the purpose of the Government's plan to help home buyers?

(2) Will assistance for special hardship cases be decided on fixed or variable criteria?

(3) What is the nature of the co-operation and support which is expected to be obtained from "major lenders" to enable the plan to be operated successfully?

(4) What will be the minimum rate of interest to be charged for amounts of "low-interest money" which it is proposed to make available for injection into mortgages to reduce monthly repayments?

Mr O'NEIL replied:

(1) It is estimated that approximately $750 000 domestically generated by the building societies' operations of Home Builders' Account Funds will be available.

(2) Variable according to income.

(3) The co-operation will be as outlined in my circular letter of 27th September, 1974, to all Members of the State Parliament, and Western Australian Members and Senators of the Commonwealth Parliament, a copy of which I hereby table.

(4) 5¾ per cent.

The letter was tabled (see paper No. 251).

8. TRAFFIC

Motor Vehicle Licenses: New Scale of Fees

Mr J. T. TONKIN, to the Minister for Police:

(1) When was the Traffic Act Amendment Act, which has the effect of increasing motor vehicle license fees on an average of 65 per cent, proclaimed?

(2) Prior to the proclamation of the Act, how many motor vehicle owners were issued with notices requiring payment at the increased rate—

(a) before the Act was proclaimed;

(b) before the 1st of October?

(3) In how many cases was payment at the increased rate actually made—

(a) before the Traffic Act Amendment Act was actually proclaimed;

(b) before the 1st October?

(4) What explanation does he give for requiring payment of increased fees before his department was entitled to charge them?

Mr O'CONNOR replied:

(1) The Traffic Act Amendment Act No. 8 of 1974, came into operation on the first day of October, 1974 by virtue of section 2, subsection 1 of that Act. The Bill was assented to on 19th September, 1974. Proclamation of the Act is unnecessary in relation to the increase of fees.

(2) (a) 6 400 notices were posted on 18th September, 1974.

(b) A further 20 700 notices were posted before 1st October, 1974.

(3) (a) This information is not readily available and would be difficult to obtain.

(b) Answered by (a).

(4) Although the notices posted showed the increased fees, no demand was made for payment of the fee increase. If the licence holder elected to pay the previous fees, this was accepted, but advice was given that an under-charge would be raised, and on or after 1st October, the additional amount would be sought.

9. GRAIN POOL

Annual Meeting

Mr OLD, to the Minister for Agriculture:

Following the tabling of the 1974 Annual Report of the Grain Pool on Wednesday, 18th September, 1974—

(1) Does he know—

(a) if the notice for the annual meeting was included in the report;

(b) the date the annual meeting was to be held; if so, when;

(c) the date meeting notices were sent to Pool participants; if "Yes" when;

(d) if under the Articles of Association and the Grain Pool Act sufficient notice was given of the meeting?

(2) If insufficient notice was given of the meeting, does he know if a further meeting of Pool participants is to be held?

Mr McPHARLIN replied:

(1) (a) Notice of the meeting was included on page 1 of the 1974 annual report.

(b) The date given was 23rd September, 1974, at 11 a.m. The meeting was duly held at that time.

(c) No official notice was sent to individual growers, other than the 8 000 copies of the annual report circulated prior to the meeting.

The meeting was advertised in the *Farmers' Weekly* on 8th September and 15th September, 1974.

(d) The Grain Pool Act does not require notices to be sent to individual growers.

(2) As 8 000 copies of the annual report incorporating notice of meeting were circulated, and advertisements inserted in the *Farmers' Weekly*, there appears no justification for another meeting.

Attendance of pool participants other than grower councillors was double the previous record.

10. CONSUMER PROTECTION

Supermarkets: Repricing of Goods

Mr HARMAN, to the Minister for Consumer Affairs:

(1) Has the Minister received complaints about the practice of some supermarts of repricing goods after such goods have already been placed on shelves for sale to consumers at a lower price?

(2) Will the Government consider introducing legislation to prevent this practice? Similar legislation already exists in New Zealand and the United States.

(3) If not, why not?

Mr GRAYDEN replied:

(1) Yes.

(2) Not at this stage—however, I will arrange for the New Zealand and United States legislation referred to in the question to be assessed.

(3) Answered by (2).

11. HISTORIC WRECKS

"Investigator": Anchors

Mr GREWAR, to the Premier:

(1) Can he please advise the latest position regarding the anchors from Matthew Flinders' ship "Investigator" which were recovered in 1973 in Goose Island Bay?

(2) Have representations been made to the Commonwealth Government for at least the "stream" anchor to be retained in Western Australia, and if so, with what result?

Sir CHARLES COURT replied:

(1) and (2) Earlier this year the larger "best bower" anchor and the smaller "stream" anchor were successfully treated in the conservation laboratory of the Western Australian Museum. The "best bower" anchor was subsequently delivered to South Australia because of the special relationship between Flinders' work and the history of that State, and also because of the special efforts of South Australians in locating both anchors.

Representations have been made to the Commonwealth Government to have the "stream" anchor retained in Western Australia, and the Prime Minister has agreed that the anchor be on public display in Western Australia until the end of 1975, but it is then to be taken to Canberra for permanent display in the national capital.

The WA Museum has advised that restoration is almost completed and it will be put on display at the Fremantle Maritime Museum shortly.

However, I have written to the Prime Minister again, asking that his Government re-consider its attitude to having the "stream" anchor shifted to Canberra at the end of 1975.

An invitation has been extended to the Prime Minister to visit the Fremantle Maritime Museum at an appropriate time.

When I receive a reply from the Prime Minister, I shall inform the Member of the result of my representations.

12. TOWN PLANNING

Canning Vale Light Industrial Complex

Mr BATEMAN, to the Minister for Urban Development and Town Planning:

(1) Has any allocation of blocks been made in the Canning Vale light industrial complex?

(2) If so, to whom?

(3) How many applications have been received from interested buyers to purchase blocks in the Canning Vale light industrial complex?

Mr RUSHTON replied:

(1) No.

(2) Not applicable.

(3) A number of inquiries have been made as to availability of land in this proposed industrial area, but in view of the present stage of development these are not being considered as applications.

13. EAST MADDINGTON SCHOOL

Completion

Mr BATEMAN, to the Minister representing the Minister for Education:

(1) Is he aware that demountables which are being used as classrooms at the Maddington school for the East Maddington primary school are overcrowded?

(2) If so, will he use his authority to ensure the completion of the East Maddington primary school in order to enrol students for the commencement of the 1975 school year?

(3) Is he able to give a firm undertaking the school will be ready for the 1975 school year?

(4) If not, why not?

(5) If "Yes" will he further agree to the completion of the two cluster-type classrooms for the 1975 school year?

Mr MENSAROS replied:

(1) Yes, there is considerable pressure on the temporary accommodation at the school.

(2) Yes.

(3) Yes, one cluster of six teaching areas and the administration block should be completed by the beginning of the 1975 school year.

(4) Not applicable.

(5) Tenders closed on 24th September for the construction of stage 2 which comprises a cluster of six teaching areas and a covered assembly area. Until a tender is accepted, a completion date cannot be forecast.

14. WATER SUPPLIES

Rates: Increase

Mr BATEMAN, to the Minister for Water Supplies:

Further to his answer to my question 14 of 18th September regarding an increase in water rate charges and an increase to 8 cents per kilolitre for excess water used, will he further advise what criterion was used to reduce the household allowance before excess water was assessed?

Mr O'NEIL replied:

Rates and charges levied by the Metropolitan Water Supply, Sewerage and Drainage Board are determined annually to meet the cost of operation, maintenance and debt charges.

The increased price of water recognised the increasing need for water conservation and had the effect of reducing the allowance and increasing revenue derived from excess which is a cost within the control of the consumer. The alternative was to further increase rates.

15. CURRENCY DEVALUATION

Representations by State Government

Mr J. T. TONKIN, to the Premier:

With reference to his reported statement welcoming devaluation in which he said: "The State Government had been pressing for months for such a decision",

(a) to whom had the Government made representations;

(b) were the representations verbal or written;

(c) on what dates were the representations made?

Sir CHARLES COURT replied:

The opposition of the Government parties to the revaluations which took place, and our support for devaluation, have been well known and publicly stated on many occasions—both when in Opposition and in Government.

There was no specific written case presented to the Commonwealth, although we were in the process of preparing such a case following the decision made and announced during the recent visit to Western Australia by the Premier of Queensland.

This case is not now necessary—at least for the time being, whilst the results of last week's devaluation decision are assessed.

The Commonwealth Government was aware of our opposition to revaluation and our desire for devaluation.

16. GOVERNMENT GUARANTEES

Number and Amounts

Mr J. T. TONKIN, to the Premier:

(1) What is the total number of financial guarantees which his Government has given to the end of September, 1974?

(2) To which companies or persons have such guarantees been given and for what amounts in each case?

Sir CHARLES COURT replied:

(1) and (2) Approval has been given to the issue of the following guarantees—

	$
Sherwood Overseas Co Pty Ltd	215 000
Eyre Investments Pty Ltd	515 000
Candle Light Pty Ltd	50 000
Westralian Plywoods Pty Ltd	6 000 000
Adelphi Tailoring Co (1973)	100 000
Poul Kirk Electronics	10 000
Sellarc Pty Ltd	5 000
Max Schmidt	3 000
Club Hotel (Collie) Pty Ltd	130 000

QUESTIONS (5): WITHOUT NOTICE

1. DAIRY INDUSTRY AUTHORITY

Producer Members

Mr BLAIKIE, to the Minister for Agriculture:

(1) What are the names of the producer members appointed to the Dairy Industry Authority and their terms of office?

(2) How will subsequent appointment of producer members to the Dairy Industry Authority be made?

Mr McPHARLIN replied:

(1) The four producer members on the Dairy Industry Authority and their terms of office are—

Mr F. J. Oates—appointed from the 14th February, 1974, for one year.

Mr R. Skidmore—appointed from the 14th February, 1974, for two years.

Mr M. Bell—appointed from the 14th February, 1974, for three years.

Mr P. R. Noakes—appointed from the 14th February, 1974, for three years.

(2) As each vacancy occurs, a person shall be nominated as a producer member from a panel of names submitted by the Farmers' Union of W.A. (Inc.). The person so nominated shall be appointed by the Governor.

2. IMMIGRATION

Visitors' Visas: Employment Restriction

Mr HARMAN, to the Premier:

(1) Has he read a statement in *The West Australian* of the 30th September, attributed to the Minister for Immigration, which reads as follows—

> The State Minister for Immigration, Mr Grayden, said last night he would be happy to make representation to the Commonwealth on her behalf.
>
> He said it was ridiculous that people travelling on visitors' visas could not take work if necessary or apply for permanent residence.
>
> There was no flexibility in Commonwealth policy. It was unfortunate that the State could not issue work permits?

(2) Is he aware that nearly 500 000 people came to Australia in the last 12 months and, apart from the people in transit, those who came here on business, and students, of that number 284 000 came purely as visitors on holidays?

(3) Is he aware that with his Minister advocating this policy Western Australia would become the working holiday paradise for overseas visitors?

(4) Does this statement and the attitude of the Minister represent the policy of the Government?

Sir CHARLES COURT replied:

All I can say in answer to the honourable member's question is—

(1) I have not seen the statement.

(2) to (4) Not having received any notice of the question I cannot be expected to comment on the other points. If the honourable member wants to pursue the matter, I suggest he place the question on the notice paper.

Mr Grayden: Or ask me. He would not do that, of course.

3. PREMIER

Shareholdings and Interests

Mr BARNETT, to the Premier:

In the light of his disclosure on a television programme last week that if anyone would like to know the full details of his shareholdings and interests in any companies "all they would have to do is ask", would he please now inform me of his shareholdings and any interests he may have in any companies anywhere in the world?

The SPEAKER: Order! This question relates to personal affairs and it is not incumbent upon the Premier to answer such a question.

Sir CHARLES COURT replied:

Mr Speaker, I know it is not incumbent upon me to answer the honourable member's question but I am so deeply touched and moved by his interest in my affairs that if he would like to write me a personal letter I will be delighted

to give him the answer, but I ask that when I give him the answer he reciprocate and give me the same information about himself.

4. PREMIER'S DEPARTMENT

Letters from Members of Parliament

Mr BRYCE, to the Premier:

(1) Has the Premier's Department discontinued the practice of acknowledging letters from members of Parliament?

(2) If not, would he indicate why my letter to him dated the 25th July remains unacknowledged and unanswered despite four subsequent telephone calls to his office, by my secretary and myself, since the 16th August?

Sir CHARLES COURT replied:

(1) and (2) I could not say offhand whether the department has a practice of sending formal acknowledgments. I must admit I have never regarded them as being highly satisfactory because it is one way of getting the department off the hook. I prefer a method whereby one receives an answer to the letter. I will ask the department whether it has discontinued the practice and I will inquire about the honourable member's letter, which I cannot recall having seen.

5. PENSIONERS

Transport Concessions

Mr YOUNG, to the Premier:

In view of the great concern being experienced by pensioners as a result of obviously malicious and deliberately provocative rumours that this Government intends to remove travel concessions for pensioners, will he dispel those rumours and state the Government's intentions in this regard?

Mr Barnett: Did you get any notice?

Sir CHARLES COURT replied:

The honourable member extended me the courtesy of giving me notice of the question.

There is no foundation for the rumours mentioned.

The Government has not contemplated removing travel concessions for pensioners, and no such action is proposed.

On the contrary, a committee has been established to study, in conjunction with the representatives of the various pensioner organisations, the whole of the fringe benefits available to pensioners, including travel concessions. This will cover an examination of the benefits existing in Western Australia in comparison with other States, to ascertain ways in which anomalies in the present system can be overcome.

BILLS (2): RETURNED

1. Explosives and Dangerous Goods Act Amendment Bill.
2. Nickel Refinery (Western Mining Corporation Limited) Agreement Act Amendment Bill.

Bills returned from the Council without amendment.

AGRICULTURAL PRODUCTS ACT AMENDMENT BILL

Introduction and First Reading

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

POLICE ACT AMENDMENT BILL

Report

Report of Committee adopted.

MAIN ROADS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 5th September.

MR T. H. JONES (Collie) [5.01 p.m.]: This Bill is to amend the Main Roads Act to provide for grants to be made for roadworks in Western Australia. When introducing the Bill the Minister for Transport indicated at great length the policy changes included in the measure, and he explained the level of revenue which has been made available to Western Australia. It is true to say this is complementary legislation which provides for the disbursement of funds made available to the State.

I indicate that in general principle we agree with the Bill. However, we do not agree with a number of clauses, and nor do some organisations in this State. I am sure the Minister would be aware of one organisation to which I refer because I have received correspondence from it, which he also received, outlining its views. I refer to the Country Shire Councils' Association. That body has clearly demonstrated it is not happy with a number of clauses in the Bill. So whilst it is true that we agree with the Bill in principle, we do so with the proviso that we will query some clauses during my submission and other speeches made by members on this side.

The Bill makes available a sum of $49 million for the 1974-75 year, and it indicates the grants which will be made available over the next two years, and to which I will refer later. Of the $49 million, an amount of $28 million has been allocated

by the Commonwealth for national highways and urban arterial roads in this State, and Federal funds for rural arterial roads have been considerably reduced.

It has been clearly demonstrated—and the Minister indicated this—that the Government saw fit to increase motor vehicle license fees as a means of making available additional revenue to be used for various purposes. In his second reading speech the Minister referred to the need to increase license fees by an average of 65 per cent in Western Australia in order to make up for the reduced allocation of funds by the Australian Government. It is true to say that whilst he referred to the slight cutback in the funds available from the Commonwealth for roadworks, he did not mention the grants which have been made available under a special scheme, and a grant the Australian Government made available to the State for important work in the metropolitan area. It is unfortunate these were not mentioned by the Minister, because they clearly demonstrate that the Australian Government is concerned about the situation not only in this State but in Australia, generally; and it is making available special funds, of which the Minister would be aware, for specified work programmes in the States.

Mr O'Connor: Are you talking about roadworks?

Mr T. H. JONES: I am speaking about grants, generally.

Mr O'Connor: For roadworks?

Mr T. H. JONES: Not entirely. A little later I will refer to the Minister's answer to a question asked by the member for Fremantle.

The Minister also indicated that the amount of finance made available to local authorities in this State is greater than that made available to local authorities in other States. Of course, that should be the case because motor vehicle license fees in this State have been increased by 40 per cent more than the increase in South Australia. So in my view, if the Government is receiving 40 per cent more revenue than the South Australian Government, our nearest State, it is incumbent upon it to make available more funds than the other States are making available.

The Minister also mentioned the strict control which will have to be exercised due to the fact that under the new provisions of the Federal Act all road programmes carried out by local authorities with Federal funds must be submitted to the Federal Minister for Transport for his approval. The Commonwealth Bureau of Roads report, to which I will refer in a moment, and to which the Minister referred, shows the effort of local authorities in Western Australia as compared with the effort of those in other States. The Minister referred to criticism which was levelled in the report not only at this State but at other States, and I will refer to that later in my submission.

He then went on to explain the basis of the grants and how they will be made available and spent. I will not weary the House by outlining that procedure, because this is complementary legislation. I do not think it is necessary for me to outline how the money is to be expended, some of it under the jurisdiction of the Australian Government, and some under the jurisdiction of the State Government. The Minister then explained the new concept of inner and outer councils, and what will be expected in relation to the approval of their programmes. He indicated that programmes submitted by an inner council must be approved by the Minister for Transport on the recommendation of the Commissioner of Main Roads, and they must also be acceptable to the Federal Minister for Transport under the terms of the Federal Act.

Whilst referring to the Australian Government the Minister was somewhat critical of its effort and indicated that in his opinion the level of funds has been reduced due to the inflationary spiral. In defence of the Australian Government I think we must consider the local grants which have already been made. In this respect it cannot be denied that Western Australia received a fair deal.

I refer members to the statement issued by the Prime Minister on the 23rd August, 1974, which shows clearly that on a *per capita* basis Western Australia fared reasonably well in respect of road grants. I know criticism has been made that some shires did not receive grants; but it is also on record that a number of them did not apply. It is true to say that in the main Western Australia received its fair share of Federal grants to local authorities for specific purposes. I will not list the grants which were made to this State, but it will be appreciated that, on a *per capita* basis, Western Australia received more than the other States. In this respect, I quote from the statement as follows—

> W.A.'s percentage of the total Australian grant of $56,345,000 was 8.8%; in comparison, the State's percentage of Australia's population at 31st December, 1973 was 8.2%. On a *per capita* basis, W.A. received $4.64 (or $4.86 excluding non-applicants) compared to the national figure of $4.29.

That clearly demonstrates that on a *per capita* basis the amount Western Australia received was higher than that allocated to other States.

Mr O'Connor: Have a look at it on an area basis and see how you go.

Mr T. H. JONES: I appreciate that point; but we heard the Minister referring to the *per capita* basis, and I am merely indicating that whilst at every opportunity

he may be critical of the Australian Government, he did not refer to the fact that these grants were made available on a generous basis to local authorities in Western Australia.

In answer to a question asked by the member for Fremantle on Tuesday, the 17th September, the Minister said that the Australian Government had agreed to provide two-thirds of the $2.84 million programme put forward by the State Government for specific works and the replacement of equipment. This shows that additional finance has been made available to this State over and above the road grants programme.

I turn briefly now to the report of the Commonwealth Bureau of Roads. This is a very interesting report; I do not know whether members have perused it. It illustrates the problems of transport throughout the world. Of course, the Bill before us deals with the reconstruction and care of roads and highways throughout the State. The report refers to a very important facet of licensing which is being considered in other parts of the world. I quote from page 113 as follows—

> Licensing: Another method, which is receiving close study in a number of European cities is to issue supplementary licenses to people wishing to enter the congested areas. It would require the purchase of a special licence or ticket, in addition to the annual road licence, in order to use a vehicle at specified times in designated areas. Penalties geared to the cost of licences would be needed to discourage evasion.

I make that point because we are all presently concerned with traffic congestion, particularly in the metropolitan area; and this plan is being considered in other parts of the world. It involves an additional charge to be paid by motorists who wish to enter the city, and it is one way of trying to discourage people from taking their vehicles into congested areas. It would encourage them to use public transport.

The Minister rightly referred to the criticism of the Bureau of Roads in relation to the effort of local authorities in Western Australia, as compared with local authorities in other States. I quote from page 298 of the report—

> The conclusions indicated by these comparisons are obvious. The road expenditure effort of Local Governments is substantially lower in Western Australia, South Australia and Tasmania than in New South Wales, Queensland and Victoria and this disparity is not expected to diminish over the forecast period. Four possible explanations of this disparity have been investigated. First, that the taxing capacity of Local Governments varies substantially between States. Second, the priority attached to roads as against other Local Government expenditure programmes differ substantially between States. Third, indexes of tax effort are biased according to the relative importance of urban as against rural areas in each State; and finally the division of responsibility for roads between State Road, and Local Government Authorities differs substantially between States.

I think in fairness to the local authorities, there is some reason for that. The Minister clearly stated that the Commonwealth Bureau of Roads was critical of the effort of local authorities in Western Australia, and it considered that if a greater effort were made a better result would be achieved.

I turn now to the attitude of the Local Government Association of Western Australia and the Country Shire Councils' Association. Those associations are not happy with a number of clauses in the Bill. The Minister would be aware of this because I have a copy of correspondence forwarded to him in this respect, and I have had discussions with the Local Government Association regarding its views on the Bill. Perhaps that association would agree with the legislation, with three exceptions. Firstly, the association says the Bill does not provide enough moneys for local authorities. Secondly, it feels—and I agree with it—that in view of the additional revenue obtained as a result of increased license fees, and in view of the increased revenue to be obtained in the next three years from that source, that Government could have done better. Thirdly, the Bill contains no provision for an escalation of the amount of funds to be made available to local authorities; they will receive a set amount for the next three years.

For the sake of the record, I am commenting on the attitude of the Local Government Association of Western Australia, which wrote to me as follows—

> Dear Sir,
>
> Re: Commonwealth Aid Road Funds.
>
> I refer to our recent discussion relating to the "Bill" to amend the Main Roads Act 1930-1972 and enclose for your information copies of my letters to the Hon. Minister for Transport, Mr R. J. O'Connor in this regard.
>
> Any assistance which you are able to render to Local Government generally would certainly be appreciated.

Mr Nanovich: Is that from the Local Government Association or the Country Shire Councils' Association?

Mr T. H. JONES: It is from the Local Government Association. Of course, the secretary of that association is also the

Secretary of the Country Shire Councils' Association; he plays a dual role. I do not know whether he acts in one capacity when he says "Yes", and in another when he says "No".

For the sake of the record I should like to read to the House the views expressed by this body in a letter to the Minister for Transport. The letter states—

> Dear Mr O'Connor,
>
> Re: Commonwealth Aid Road Funds.
>
> I refer to my letter of 17th September concerning the "Bill" for an Act to amend the Main Roads Act 1930-1972.
>
> At the meeting of this Association on Friday 20th September discussion ensued on this matter and whilst considerable concern was expressed regarding the lack of escalation provisions the difficulties confronting the State Government were appreciated. Nevertheless, the hope was expressed that the Government would be able to do something in this regard.
>
> The matter of Clause 5 (b) of the Bill was also given further consideration and in this respect the Association resolved that failing your agreement to delete this Clause entirely it be amended to provide that you as Minister have the final decision as to whether or not any unexpended moneys are transferred to the Main Roads Trust Account—such amendment would make the Clause consistent with other provisions in the Bill where any discretion rests with you on the recommendation of the Commissioner of Main Roads.

The last paragraph states—

> As previously advised regarding the Executive's concern that the money within the two funds may be lost to Local Government the Association was firmly of the opinion that under no circumstances should this occur and therefore asked that a new Clause be inserted providing that the moneys within the two "pools" is for the sole use of Local Government. In this respect Members of the Association have indicated they propose to canvass their individual members of Parliament to support the inclusions of such a Clause.
>
> It would therefore be appreciated if you would agree to insert an appropriate Clause.

That is self-explanatory. I will touch on that point in a moment. I go along with the views expressed by the Local Government Association, not because they are the views of this body but because we on this side of the House believe the Bill should be more clearly defined in relation to the powers of the Minister and the commissioner in regard to unexpended money.

The final letter to which I refer is dated the 17th December and is from Mr Coffey, Secretary of the Local Government Association of Western Australia. It states—

> I refer to my letter of 1st August urging that in any legislation to be introduced by the State as complementary to the Commonwealth legislation should provide for some escalation of the grants to Councils.
>
> It is noted from the "Bill" for an act to amend the Main Roads Act 1930/72 that no provision has been made for any escalation in the amounts Councils will receive during the next three years i.e. the duration of the legislation and in this regard at a recent meeting of the Executive of this Association grave concern was expressed concerning this aspect.
>
> The Commonwealth legislation provides for an escalation of approximately 2% in the amount of funds to Western Australia viz 1974/75 $49,000,000, 75/76 $50,000,000 and 76/77 $51,000,000 which together with the proposed increase in traffic license fees will provide the State with it is understood an additional $8 million during the current financial year and something in the order of $10,000,000 during the following two fiscal periods should allow for some escalation of grants to local authorities.

The additional revenue has been underestimated because the Minister in his second reading speech on the Traffic Act Amendment Bill stated that this year the Government expected to receive an additional $8.1 million and, in a full year, an additional $10.9 million from increased license fees. The letter under-estimated expected additional revenue by $0.1 million in one case and $0.9 million in another case, which adds up to a fairly reasonable figure. The letter continues—

> The Executive therefore resolved that although appreciating the restrictions imposed by the Australian Government you be requested to use your best endeavours to provide some form of escalation in the current legislation.
>
> Concern was also expressed regarding Clause 5 (b) of the Bill which provides the power to the Commissioner of Main Roads to transfer moneys within the Inner Metropolitan Councils Urban Road Fund or the Outer Metropolitan Councils Urban Road Fund which are not expended to the Main Roads Trust Account.
>
> Whilst accepting your comment (Second Reading Speech "This is a precautionary measure to ensure that the State will not lose any of its entitlement to Federal Funds") it is feared that some of these moneys may be lost to local government.

I believe that is a reasonable concern and I should like to hear the Minister's views on this point when I expand the matter a little later. The letter continues—

> The Executive therefore asked that this Clause be deleted from the legislation and a new Clause inserted to the effect that all moneys within the two funds is for the sole use of local authorities.

I believe that is a very important reference. The letter goes on to say—

> The Country Shire Councils' Association has not considered the new proposals but you can be assured they will be most upset if there is no escalation in the amount of funds they are to receive over the next three (3) years.

Whilst he was speaking generally as Secretary of the Local Government Association, I believe he was speaking as Secretary of the Country Shire Councils' Association in the final paragraph, where he indicated that although they had not had a meeting to discuss the Bill, he believed that the members of the association would not be happy with the measure. In fact, I understand this to be the case, because I have spoken to a number of local authorities in relation to the lack of an escalation provision in the Bill.

Mr O'Connor: Have you spoken to them in the last two or three days?

Mr T. H. JONES: Yes, I spoke to them only 20 minutes ago. I should like to hear the Minister's views on this matter.

Turning to the provisions of the Bill, I do not think the Minister will deny that in 1974-75, Western Australia will receive from the Commonwealth an amount of $49 million to be spent on roads; in 1975-76, it will receive $50 million; and, in 1976-77, it will receive $51 million, a total of $150 million over a three-year period. These grants provide for an escalation of some 2 per cent.

However, there is no provision for escalation in the grants to be made to local authorities; the figures will remain stationary for the three-year period. This point is causing the authorities some concern. No-one would deny that costs have a tendency to increase, not only in relation to the purchase of equipment but also in relation to wages and general operating costs. The local authorities of Western Australia are concerned that no escalation provision is included in the Bill. The Government will receive a 2 per cent increase over the three-year period and will receive a sizeable increase in revenue as a result of increased license fees. We would like to see the Bill amended so that some relief is given to the local authorities in Western Australia in the form of an escalation provision.

Mr O'Connor: Have you had a look at the increased allocation in the form of Commonwealth aid road funds?

Mr T. H. JONES: Yes. The Government will receive a rather sizeable amount of increased revenue and I believe an escalation provision should have been included in the Bill to alleviate the concern felt by local authorities. The Government will receive an additional $10.9 million as a result of the 65 per cent average increase in license fees and the increase in the number of vehicles licensed also will provide additional revenue.

I refer members to a question I asked the Minister for Transport on the 17th September. The first part of my question was—

> (1) What revenue was received for vehicle license fees for the years 1970 to 1974 inclusive?

The Minister replied—

		$
(1)	1970-71	13 808 696
	1971-72	14 893 414
	1972-73	15 267 402
	1973-74	16 401 756

Part (2) of my question asked—

> (2) What were the average percentage increases for the periods involved?

The Minister replied—

		%
(2)	1971-72	7.8
	1972-73	2.5
	1973-74	7.4

The third part of my question was—

> (3) What is the anticipated percentage growth increases for years 1975, 1976 and 1977?

The answer I received to this question was rather revealing. We are not talking about the vehicles that are now being licensed and which will bring an additional $10.9 million a year; we are talking about the expected growth in the number of vehicles on the roads over a three-year period. The Minister replied that the growth for 1974-75 was expected to be 54.9 per cent. The Minister can correct me if I am wrong, but this is what is contained in his answer.

Mr O'Connor: For what period?

Mr T. H. JONES: For the period 1974-75. I cannot understand that figure, but it is contained in the Minister's answer. The Minister went on to say that the expected growth for 1975-76 was 14 per cent and that 3.4 per cent more vehicles would be on the roads in 1976-77.

Mr O'Connor: I would imagine that figure would be wrong.

Mr T. H. JONES: I have not had the opportunity to examine the figures, but I think I would go along with the Minister; it certainly appears to be a very high figure.

Mr O'Connor: I would imagine that the expected growth would be 5.49 per cent, or something of that order. However, I will check the figures for the member.

Mr T. H. JONES: I can only quote from the answer given to me by the Minister; unfortunately, I am not Minister for Transport. The fourth part of my question was—

> (4) With the new license rates applying what additional revenue will be received for years 1975, 1976 and 1977?

The Minister's reply was—

		$
(4)	1974-75	9 010 244.
	1975-76	3 555 000
	1976-77	984 000

I take it that the figures for 1974-75 are incorrect. However, even allowing for the wrong information given in the answer to my question of the 17th September, and allowing for a readjustment of the figures, assuming the 1975-76 figure of $3 555 000 also will be the 1974-75 figure, we can see that the Government will receive, in round figures, $8 million in additional revenue from the increased number of vehicles on the roads over this three-year period. This is a very sizeable figure. I emphasise that I have rounded off the figure to $8 million. I have had to readjust my calculations, due to the wrong answer given to my question. However, we can see that the additional revenue amounts to more than $2.5 million a year which, when added to the $10.9 million in additional revenue to be received by the Government from the increase in license fees, will give the Government an extra $13.5 million each year.

Mr O'Connor: The figure of 54.9 per cent would be correct because when I look at my answer I see that it includes the increase in license fees.

Mr T. H. JONES: That is misleading, to say the least.

Mr O'Connor: No it is not; it is an accurate answer to your question, if you read your question properly.

Mr T. H. JONES: The question was—

> (3) What is the anticipated percentage growth increases for years 1975, 1976 and 1977?

I think that is quite clear.

Mr O'Connor: When you have a look at the third part of your question, it could be taken to refer to increases in revenue. I will check the figures for the member, but I anticipate that they will be correct.

Mr T. H. JONES: The Minister can appreciate the position in which he has placed me. I received the answer only a week before Parliament rose. My question was quite clear; I do not believe there can be any area of doubt.

Mr O'Connor: You look at your question again.

Mr T. H. JONES: I asked, "What is the anticipated percentage growth increases. . ." Surely that cannot be misconstrued?

Mr O'Connor: In the first part of your question you asked what revenue was received for license fees for the years 1970 to 1974, and your third question followed on from there. However, I will check the figures for the member.

Mr T. H. JONES: In fairness to me, the Minister must concede that I mentioned vehicle license fees. Surely the word "growth" cannot be misinterpreted? As I have said, my reason for asking the question—the Minister would have asked a similar question if he were a member of the Opposition—was to establish what additional revenue the Government could expect to receive during the lifetime of this Bill. We already know that the increased license fees will raise an additional $10.9 million; however, my question sought to establish the expected growth in the number of vehicles on the roads, and, hence, the additional revenue received by the Government in the form of license fees.

The only figure that I can use is approximately $13 million a year; that is, on the average. Perhaps during the tea suspension the Minister will be able to check on these figures. With the high figure of 54.9 per cent, there is an increase of about $9 million. That is excessive. As a consequence, I cannot average out the figure over the three-year period in respect of the additional revenue. I assume it will be around $13 million in additional revenue, as a result of increased license fees and the increase in the number of motor vehicles on the roads. If these figures are correct—

Mr O'Connor: From the figures supplied to part (4) of question 6 of the 17th September, you will be able to work out the total amount. I refer to the figures given in answer to your question as to the new license rates applying, and the additional revenue for the years 1975, 1976, and 1977.

Mr T. H. JONES: If the total was based on 54.9 per cent it would not be correct.

Mr O'Connor: It would be correct if you are referring to the license fees for the next 12 months.

Mr T. H. JONES: It is hard to envisage an increase of $9 million in one year and a reduction to $3 million in the next. I would like the Minister to clarify this matter, because I have set out the information I am seeking. I wanted to know the additional revenue the Government would receive, but unfortunately the Minister did not give that information in his answer to my question.

If the Government is to receive an additional $13 million a year, and an increase of 2 per cent in the funds from the Commonwealth, it is not unreasonable to suggest that the Local Government Association and the country shires should receive some of that additional money. If the figure is $13 million—we know that it will be $10.9 million as a result of the increased license fees—then it is not unreasonable for us to support the attitude of the Local Government Association and the country shires. They contend that the Bill should contain a clause to provide some escalation in the allocation of fees. That is one of the problems we see in the Bill.

The Minister has blamed the Australian Government for not making the same amount of revenue available to the State as it did previously. He has argued that the 2 per cent increase each year is a very fine increase, and will not meet the additional expenditure. However, while the State is to receive a 2 per cent increase, the local authorities over the three years will not receive any increase at all. That is what causes them concern. As a result some local authorities have cut back on their road programmes.

I would urge the Minister to amend the Bill by inserting a provision containing a reasonable escalation figure, so as to relieve the local authorities of the responsibility for meeting the increased costs during the three years of the operation of the Bill.

Mr O'Connor: Have you heard about the Commonwealth putting up a new proposition in December this year to include another formula to apply for the following three years?

Mr T. H. JONES: I was not aware of that. I was to meet the Federal Minister, but unfortunately my time was taken up in other directions. Another point which is of concern is the provision contained in proposed subsection (5) (b) of section 32. It states—

> (b) Where moneys within the Inner Metropolitan Councils' Urban Road Fund or the Outer Metropolitan Councils' Urban Road Fund are not expended within the time specified in the Roads Grants Act 1974 of the Parliament of the Commonwealth, the Commissioner may transfer those moneys to the Main Roads Trust Account.

That is a reasonable proposition, otherwise the State would lose the benefit of such money.

The point I raise on behalf of the country shires is that if a recession occurs, due to climatic conditions or a downturn in trade, and they have to cut back on their road programmes as agreed upon originally, the money will be transferred to the Main Roads Trust Account. What is to happen to that money? Will it be made available to the Local Government Association, or to a particular shire which has cut back on its road programme? The provision merely says that the moneys will be transferred to the Main Roads Trust Account.

I do not argue against the money being transferred to that account, otherwise the State will lose the benefit of the additional finance. However, if a particular local authority experiences a bad time and has to cut back on its road programme, will consideration be given to making additional finance available to it in the following year, so that the cut-back in the programme could be made up in that year? That is a fair enough proposition, and in fairness to the local authorities which might be affected in this manner it should be looked at by the Minister.

When the money is transferred to the Main Roads Trust Account we do not know what is to be the basis of its distribution, or what rules will be set down to qualify for the grant of that money. We on this side of the House consider this matter, as well as the proposal to insert a provision containing an escalation in the fees, should be looked at by the Minister. These are the only issues that are raised by the Opposition.

I have had consultations with individual shires, the Local Government Association, and the country shires. I agree that their complaints are justified, and that the Bill should contain some escalation provision.

I realise that in reply to the debate the Minister will continue to blame the Federal Government, and contend if that Government does not make money available to the State then the State will not be able to make money available to local authorities. I would point out that the State will benefit greatly from the increased license fees, and this year it will obtain 40 per cent more in revenue than will South Australia, because South Australia has increased the license fees by 25 per cent whereas Western Australia has increased them by 65 per cent. This additional money together with the 2 per cent increase which the Government will receive will enable it to include an escalation provision in the Bill, to enable local authorities to meet the cost-spiral increases.

In principle we on this side of the House agree with the Bill. It is not a lengthy one, although it involves considerable expenditure. The measure makes some changes to the formula that is to be applied. It is complementary legislation under which funds are made available to local authorities for the next three-year period, after the existing agreement expires at the end of this year.

I hope the Minister will give consideration to the points I have raised, and to those put up by the Local Government Association and the country shires. I also

hope the Minister appreciates the difficulties that will confront the local authorities in Western Australia if some escalation provision is not included in the Bill. The Minister cannot deny that the Government will obtain additional revenue, and I am sure he agrees that some of this money should be made available to the local authorities. With those remarks I conclude by saying that we on this side of the House support the Bill.

MR J. T. TONKIN (Melville—Leader of the Opposition) [5.38 p.m.]: The member for Collie has presented the case for the Opposition in relation to the Bill, but there is one matter I wish to raise with the Minister so that I may be able to satisfy the people who have made complaints to me. I have looked through the Bill, but I have not been able to find the particular provision which obliges these people to do what they tell me they have to do.

Is the Government imposing upon local authorities an obligation to raise additional money, which money will not qualify as matching money from the Commonwealth because the Government has already raised more than sufficient to qualify fully? That is the point on which I seek clarification.

Mr O'Connor: Would you repeat that?

Mr J. T. TONKIN: The Government is obliged to raise a certain amount as matching money to qualify for money from the Commonwealth. I am informed the Government has required local authorities to raise money; this will mean the Government will have available, as a result of increased license fees plus the money from the local authorities, more than it needs to qualify for the full amount of matching money which the Commonwealth Government will make available. Will the Minister explain that situation, and tell me whether there is anything in the complaints that have been made to me?

MR O'CONNOR (Mt. Lawley—Minister for Transport) [5.40 p.m.]: I thank members for their comments on the Bill and for their general support of this complementary legislation to the Commonwealth legislation. The member for Collie has explained fairly thoroughly most of the details involved, including the great need from the point of view of the State to raise additional money for rural arterial roads and rural roads. These are areas of particular concern to all of us.

The member for Collie pointed out that the license fees increase in South Australia is lower than that for Western Australia; that is to say, South Australia has increased its license fees by 25 per cent. I should point out that the increases in license fees that are to be effected in Victoria, New South Wales, and other States will be substantially greater than the increase in Western Australia. While the position in respect of South Australia is as outlined by the member for Collie, the position in the other States is quite different.

The need for Western Australia to obtain this extra money is obvious. No doubt members realise that there is need for the State to raise additional money for rural arterial and rural roads. Some reference has been made to $8 million as being the amount of shortfall, and this will be made up by the money the State will receive from the field of increased license fees. The other day when the Federal Minister was in this State he gave some notification about the money that would be made available for the provision of buses. We appreciate the money being made available, because it is helpful to the State in many ways. I expressed this viewpoint verbally to the Federal Minister, and also through the Press. I indicated quite clearly that Western Australia was happy to get that money. Generally speaking the money is not for roads; the majority of it is for the provision of buses. Here again in one way or another it is money which the State needed.

I would point out that it is not unusual for additional funds to be made available to the State for various purposes. I think that during the term of office of the Leader of the Opposition, funds were made available by the Commonwealth to the State for sewerage, at a time when difficulties were experienced in the field of employment. Previous to that the Commonwealth made funds available to the State—although I contend the funds were not adequate—for the building of the standard gauge railway. Generally speaking, in the past instances have occurred where the Commonwealth made funds available to Western Australia, and they proved to be of tremendous help.

One aspect of this legislation which concerns me, and I have discussed it with the Commissioner of Main Roads, is that this year many local authorities have experienced a very difficult period. I refer to road maintenance throughout the State. It is likely that road maintenance this year will cost substantially more than in previous years. Whilst we did indicate that one-third of the moneys that are to be made available to the shires may be spent on road maintenance, I want to assure members that there is flexibility in this arrangement. Frankly, I think more than one-third of these funds is required for road maintenance, particularly in districts where the rains have broken up the roads to a greater degree than in other years. We are prepared to be flexible in this regard, if the local authorities desire us to be. I am saying this so that members will be aware that if shires are confronted with difficulties

in this regard they will be able to contact the Main Roads Department, to see what can be done to help them.

The member for Collie referred to the provision in proposed subsection (5) (b) of section 32. In this regard I have had discussions with the local authorities. The Secretary of the Local Government Association has been to see me, and the association has also written to me. I want to assure members that there is no intention to take any money away from local authorities out of the pools of funds that are available. The reason for the insertion of proposed subsection (5) (b) is to provide a safeguard.

While the shires have a period of 12 months during which to spend their money, there is also a six months' overlapping period during which the money can be spent. The purpose of the proposed subsection is to make sure the money is not lost to the State. If the money is not expended within the period of 18 months it will be placed into the Main Roads Trust Account and expended by the Main Roads Department, and it will not be lost to the State. I know what the member for Collie intends to ask, and I will return to that point in a moment.

The honourable member wanted to know whether, in the case of a shire which was not able to expend its money within the period of 18 months, that shire would be able to get the money back at a later time. I cannot give a guarantee that that will happen because I do not know what the financial position of the Main Roads Department will be in the following years. I have received information—secondhand—that the Commonwealth intends to call a conference of departmental heads during December of this year to ascertain the amount of money available to the States in the three-year period following the present programme. There will also be a further meeting of Ministers, in the Eastern States, within the next three or four weeks to discuss road funds.

I assure members there is no intention at all to deprive local authorities of moneys to which they are entitled. The provision referred to by the member for Collie is a safeguard to make sure that the State will not lose that money. If, as the Minister in charge of the legislation, I find that a particular shire has not been able to expend its money within the period set down, I will try to make sure the money will be made available at a later date. However, as I have said, I cannot give a guarantee, bearing in mind that we do not know what the financial position will be in the future.

We are to receive a sum of $49.2 million during the first year; $50 million during the following year; and a sum of $51 million during the third year. However, it must be realised that while we are to receive an extra $1 million next year, an extra $2 million will be expended on national roads.

Mr T. H. Jones: The Government will still receive the increases from license fees.

Mr O'CONNOR: But we will lose part of that on national roads. Talking in round figures, and leaving out the odd thousands of dollars, we will receive $50 million which will be an increase of $1 million. However, we will lose $2 million which must be spent on national roads. Therefore, while there will be an increase in the amount of money which is to come to the State there will be a decrease in the actual amount over which we will have control.

Mr T. H. Jones: The State will still finish up in front.

Mr O'CONNOR: I hope we will not be behind. I am sure members realise only too well the position in South Australia. I am only speaking off the cuff but I believe that something like $36 million will be made available to that State for expenditure on roads. However, $17 million has to be spent on national roads and South Australia will have control over $19 million only. So, South Australia is virtually in a worse state and unless it increases its license fees that State will be in a poor position.

Mr T. H. Jones: That State has not increased its license fees.

Mr O'CONNOR: It is important to have fairly good roads and I am sure the member for Collie would be one of the first to complain bitterly about the state of roads in his area if money were not available for their upkeep.

We have increased license fees by approximately 65 per cent and I know that the increase is not acceptable, and that the people, generally, do not like it. However, we increased license fees in an effort to raise sufficient money to bring urban arterial and rural arterial roads up to a standard acceptable to local shires.

We will have an additional amount of approximately $1 million in hand at the end of next year and that money will be used to assist shires which are genuinely in difficulties. This is probably the money to which the member for Collie was referring and it will be used to assist those shires which are genuinely in difficulties as a result of the new system.

Mr T. H. Jones: The Minister will be prepared to look at any special case which a shire might present?

Mr O'CONNOR: I certainly will. As the member for Collie would expect, applications from wasteful shires will not be considered but genuine cases will be considered. I might say that only last week we assisted one shire which had a problem of this nature. I believe it is necessary to have some reserve when a new system is to be introduced, and I think the member

for Collie would agree with that proposal. Shires with special difficulties will be assisted, within certain limits.

Naturally, the shires are not happy about receiving only the same amount of money as they received last year. However, we are not happy with the amount which we will receive but there is very little we can do about it. We have raised vehicle license fees to a maximum in an attempt to provide funds for the various local authorities so that they can carry on with a grant equal to that given last year. The shires know that they will not be able to do as much work with that money as they did last year, because of the inflationary spiral which has built up during the last year or two.

I expected that there would be a few more speakers to the Bill.

Mr T. H. Jones: That is co-operation.

Mr O'CONNOR: We like to see that. A point raised by local authorities—and I believe the member for Collie also mentioned it—was with regard to money being transferred at the request of the Commissioner of Main Roads. The local authorities would prefer the money to be transferred at the request of the Minister, and I am prepared to accept an amendment to that extent. This is something to which the local shires agreed.

Generally speaking, the Commissioner of Main Roads is a responsible person and I do not think we would have any worries. However, if the Country Shire Councils' Association prefers that the money be transferred at the request of the Minister I will accept an amendment to that effect.

Mr T. H. Jones: The greatest concern of that association is that if a local shire cannot complete its programme, there will be some chance of getting the money at a later date for a specified project.

Mr O'CONNOR: I think the member for Collie will understand that I cannot give a guarantee, bearing in mind that we do not know what lies ahead of us. If we were to have a depression and a resultant fall-off in license fees there will be a decrease in the amount of money available. However, as I have pointed out, I am prepared to accept an amendment along the lines requested by the Country Shire Councils' Association.

The member for Collie also referred to the use of license plates in the metropolitan area, and the provision of a special plate for an additional fee. We did look into this matter and I think the previous Government also looked at it. There are a number of difficulties associated with such a scheme. For instance, a person who licensed his car at Collie might want to go to Scarborough and would have to skirt around the metropolitan area. While such a scheme might sound fairly good, I think it would have to be restricted to certain hours.

I know the system does apply in other parts of the world but I would prefer to avoid a similar system here. If the system were introduced in this State it would need to be applied to certain hours. It would also take a fair amount of policing and a large number of people would be charged with minor offences. From a parliamentary point of view, we should avoid legislation which would raise pin-pricking problems. I believe that in certain parts of the world this system is effective and it does keep a number of cars out of the metropolitan area during peak hours.

The Leader of the Opposition asked a question regarding Government matching moneys, and the amounts raised by local authorities. There has been an alteration to the matching requirement but, because of the system to be used, I am unable to give a complete answer at the moment. However, I have a representative of the Main Roads Department in the Chamber and as soon as I get an opportunity I will obtain the information and make it available during the Committee stage of the Bill.

I thank members for their co-operation and I commend the second reading.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Thompson) in the Chair; Mr O'Connor (Minister for Transport) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Second Schedule substituted—

Mr T. H. JONES: I am still not happy with the explanation given by the Minister regarding the holding of grants in the Main Roads Trust Account. The Minister indicated that a shire with a special case would receive a grant. However, who would determine what was a special case? The matter would be left to the discretion of the Commissioner of Main Roads or the Minister. I am not suggesting that either of those two persons would be unfair but we have to appreciate the concern of local authorities, generally.

The Minister indicated he was prepared to accept an amendment to provide that the Minister, rather than the Commissioner of Main Roads, would be the person to request that the money be transferred to the Main Roads Trust Account. I will refer the matter to the Country Shire Councils' Association and, if necessary, I will arrange for an amendment to be made in another place.

While the Minister has given some assurance with regard to the matter of grants, I would rather see the conditions spelt out more clearly so that when a local

authority is not able to complete its programme, because of the conditions to which I referred earlier, the unspent money will be made available during the next period.

The Minister said that he did not know what moneys would be available in following years, and he also indicated that another meeting would take place regarding the programme for the next three-year period. However, he must appreciate the concern of the local authorities in Western Australia. The Minister was sincere when he said favourable consideration would be given to a shire which presented a genuine case. However, there should be a definite provision that where money has gone into the trust account, that money will be made available for a special programme at a later stage.

Mr O'CONNOR: There will be a 12-month period during which the local shires are supposed to expend their funds. They will have a six months' overlapping period so that will extend the time during which the money can be spent to 18 months. However, any money not spent within that 18 months will be lost to the State unless the provision now under discussion is included in the Bill.

The provisions of the clause will ensure that the money is retained in the State. If the money is not transferred to the Main Roads Department, we will lose it anyway.

The honourable member expressed his concern and his desire to retain this money within the State. I am prepared to accept that principle, but I am not prepared to accept an amendment to ensure that the money goes back to the shire concerned. I have already given an undertaking that I will endeavour to see that the money goes back to a particular shire in the following year if that is possible. I cannot imagine that many shires would not spend their money in the 18-month period, although special cases may arise where a shire has been unable to get work completed in a particular period. In such circumstances I will be very sympathetic. I will confer with the Commissioner of Main Roads and I will see that my views on this matter are put in writing on the file.

Turning now to the comments made by the Leader of the Opposition, I agree that there is no relevance between State matching money and local authorities matching money. This requirement was written into the measure in an attempt to meet the criticism made by the Bureau of Roads that a number of local authorities have not obtained sufficient money for roads. According to my information this provision will affect only about 25 per cent of the local authorities in the State. However, it will encourage them to see that such criticism cannot be levelled in the future by the Bureau of Roads or by the Commonwealth Government. This will assist us in our efforts to get more money for the State.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

MARKETING OF POTATOES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 19th September.

MR H. D. EVANS (Warren) [6.03 p.m.]: The measure now before us to amend the Marketing of Potatoes Act has been contemplated for quite some time. Indeed, it was delayed whilst several examinations of the industry were carried out.

This measure involves five separate amendments to the parent Act. It is proposed to change the composition of the Potato Marketing Board to give the Minister greater flexibility when making his final selection of board members.

Another amendment will provide growers with the right of appeal, and we believe this action is long overdue. Many of the growers are dependent on the industry for their livelihood and when the board makes a decision to reduce, suspend, or reject a grower's license, this can have disastrous consequences upon an individual.

The parent Act contains a rather unusual provision requiring that commercial growers must be naturalised Australian citizens before they can vote on the representation of their particular board—the board that controls their industry. I believe this provision is unique and I have never come across it in any other Act. The deletion of this provision will affect probably only eight or 10 growers in the whole industry.

The Bill also proposes to alter the penalties prescribed in the parent Act, and I will discuss these in more detail in a moment. However, I point out that at present some anomalies exist in regard to the penalties. A magistrate would find difficulty in some cases, and I believe this has caused embarrassment to the board. We support the principle that the penalty should reflect the extent of the misdemeanour.

The production and marketing of potatoes in Western Australia is controlled by the Potato Marketing Board. The board was constituted under the Marketing of Potatoes Act of 1946 and it came into operation on the 18th October of that year, on the expiry of the Australian Potato Committee. Under the Act growers are licensed to enable them to produce an area of potatoes nominated by the board.

The problem confronting the board is to ensure an adequate supply of potatoes in the State for the whole of the year. The Board must set a target acreage sufficient to ensure a full supply for the ensuing 12 months. It must be appreciated that seasonal variations, disease, and many other factors can affect very seriously the total State production. As a consequence, the board has a rather unenviable task in trying to gauge the total requirements and then relating this to an acreage. The board does not find this task easy, and usually it allocates about 25 per cent above the estimated acreage to meet the State's requirements. This leeway has been reduced lately to obviate the need to export the surplus at a much lower price.

In 1970, for the first time since 1949, potatoes were imported from the Eastern States to meet local requirements. However, retailers are now importing potatoes from the Eastern States when the prices are low. This is a significant trend, and it will have a distinct bearing on the operation of the industry in future years. To my mind this is probably the greatest single problem facing the Western Australian potato industry at this time.

I said earlier that the previous Government intended to amend this Act. Before referring to the investigations of the industry, it may be as well to indicate the problems besetting it at this time. Firstly, in common with all other rural industries in Western Australia, and no doubt in the whole of Australia, the cost of the production of potatoes is steadily escalating—perhaps the term "steadily" is an understatement.

Every single item used by the farmer has risen in price, including fuel, fertilisers, bags, etc. Fortunately, the efficiency of the potato industry in recent years has enabled the absorption of some of the increases, and I believe the potato industry is in the forefront of rural industries in this regard. The reasons for this are probably improved methods of technology and husbandry, and great credit is due to the horticultural advisory service provided by the Department of Agriculture. Another factor is the seed potato scheme and many other ancillary matters which have brought about this increased industry efficiency. I suppose in the last 10 years the average annual acreage has doubled and this is indicative of the progress that has been made.

The use of irrigation is now more the order of the day than the novelty it was not so very long ago. Vegetable processors in the lower south-west are finding that water is a restrictive element for growers going into horticulture. Members will be aware that when vegetables are required for processing the returns per acre must be high to ensure economic production. It is well known that the payments are low for the high-quality articles required for processing. It is because of the lack of irrigation that many farmers are not turning now to what could be very useful diversification. However, as I say, irrigation has been the salvation of the potato industry and it has contributed to the steadily increasing yields. The obvious result is that the centre of potato production has shifted steadily south into more suitable climatic potato production areas. We find that instead of Harvey and Benger being the main centres of potato production, more and more of the potatoes are grown in places such as Marybrook, Pemberton, and Denmark. Yields from these areas have more than doubled in the last decade.

The increased cost of labour is now the most significant factor in the growing of potatoes. It is difficult to find reliable seasonal labour for this task. These two factors—the expense and the lack of reliable labour—make it very difficult for potato farmers to cope. Probably the only course open to the farmer is mechanisation but he must then meet the capital costs of the equipment. To a large extent the growers have absorbed the increased costs.

Sitting suspended from 6.15 to 7.30 p.m.

Mr H. D. EVANS: I would like to complete the remarks I was making in connection with the problems confronting the potato industry. I had made mention of the main difficulty of containing costs in an inflationary situation.

It is fairly obvious that a large percentage of the absorption of these costs has been accepted by the growers themselves and I think they have justified the fact that they should have a closed industry by reason of the efficiency they have achieved.

Previously the biggest single problem was the possible competition from the Eastern States potato growers during glut periods. It is of course a facet of human nature that whenever it is economic for retailers to bring potatoes in from Victoria, New South Wales, or South Australia they will do so; and this means they will do so when the freight differential is in excess of $30. That would be the cost of bringing potatoes in; and as the Eastern States have geared themselves towards production in large areas this sort of thing can be expected with increasing frequency in the future.

As I have said, the Eastern States have geared their industry towards the processing aspect, and areas of some hundreds of acres are not uncommon. This means that at certain times, and probably with the decline in beef prices, this competition will become more frequent when large acreages are planted.

With reasonably good crops a large surplus will be available for export and this will come into competition with the locally-grown product. The cost of transport is approximately $30 which means that the barrier we had at one time in the shape of

the Nullabor Plain has, to some extent, diminished with that level of price justification.

So the producers themselves have the problem when this occurs of accepting below-cost production returns which can continue for a very short time only. They cannot expect to recoup the lean years by taking full advantage of seasons such as the present one where potatoes in Sydney are approximately double the price they are here. They cannot expect to take full advantage of that.

The board itself has a problem, in that it must arrange the scale of prices with as much expedition as possible. This particular season has seen tremendously high prices in the Eastern States, with a comparatively slow rise in Western Australia.

Growers who last year faced Eastern States competition are concerned—and they have expressed some frustration—as to whether they could recoup this price by sending their full crop to Sydney and other parts east. However, it is, of course, essential if they are to retain the stability that the board gives them, that they honour the moral obligation they have in times of need to ensure that the local market demand is fulfilled at reasonable prices; this is why over the years Western Australia has enjoyed reasonable returns to the producers and reasonable prices to the housewife.

If this position is to be maintained the moral obligation of the growers is one aspect of it. However the board does have the extreme difficulty of making a commercial judgment where prices are raised, bearing in mind the cost-of-production index which confronts the grower, and having regard also for the type of competition that the Eastern States can provide.

The solution, therefore, is not a very easy one. It is difficult for all aspects of the industry, and it is pleasing to note that some of these problems are being faced in a most realistic manner.

Several weeks ago a seminar was held at Busselton. It was called by the producers' association itself, and the reason for its being called by the producers' body is of some historical significance. The association was taking the initiative and analysing the problems of its industry. The seminar was conducted under the auspices of Mr Herb Endy who got the most possible from this occasion.

The seminar resolved two resolutions—which were ultimately crystalised—the first of which was to recommend the establishment of a bulk-handling shed at some appropriate centre. I indicate, here, that Donnybrook was suggested for this purpose. This will go forward as the recommendation of the board. So the board will have the opportunity now to conduct fairly extensive experiments in bulk handling. This will mean that potatoes in bulk from the producers can be forwarded direct to the shed.

The opportunity will be available now for the grading system to be revised so that a greater range of quality and size can be available to the housewife. This is something which has been of great concern. It is quite an interesting possibility and it is one that leads into some of the major solutions that could be possible within the industry.

The second recommendation of the seminar was the appointment by the association of a liaison officer, whose function would be to co-ordinate the efforts of the Department of Agriculture, the growers' association, and the board itself. Hitherto this has not been done and accordingly the connection between the three segments of industry has been clumsy and blurred to say the least.

It is only now that the association realises that it too has shortcomings that must be rectified in the very near future. It is recognising that it must contribute funds that will enable this type of research and service facility to be carried out. The cost previously by way of levy has been a fraction of 1 per cent. I think the idea has dawned on those concerned that an industry cannot be operated in this modern day and age on this sort of shoestring budget; and it is to the credit of the association that it is doing something about the matter.

The recommendations that came from the seminar in question, however, do not by any means constitute the full gamut of answers to the problems that have been manifest. Bulk handling certainly does indicate it can reduce handling costs and give a far greater service to the consumer; but I think the board must go way beyond this into the marketing aspect, because it is here that some very detailed research and probably, too, some imaginative initiative will be possible.

It is highly probable that the board could act as its own agent in the case of supplying processors and, indeed, the Lissiman report gave some indication of this. But in areas like the Pilbara and, to a lesser extent, the great southern, the board should act in this capacity, leaving the metropolitan area under the existing situation; it probably could not act much more economically than the agents in the metropolitan area are doing. But the problems in the more remote areas are quite distinct and it is here that I suspect that quite a degree of blackmarket trade has flourished and probably is still doing so.

Seed research is something that also must be continued. Without a supply of quality seed the industry cannot be expected to give returns that will make for the total economics of the industry.

We look far beyond Victoria in the matter of seed research and, indeed, even our best methods would probably be an ineffectual comparison as far as the Victorians are concerned.

As I indicated initially, the present amendments are very closely allied to the original intention of the Tonkin Government in February of 1972 when it put forward four distinct amendments which are virtually contained in the present set. Approval was given in February, but it was not until September, 1972, that a draft Bill received approval.

In the intervening period, however, the committee of inquiry set up by the Legislative Council brought down its report. Its deliberations extended over several months by way of research. It probably stopped short by way of depth and the incisive detail that was required for changes to be recommended; and this was the major reason that a further report was commissioned under K. H. Lissiman & Co., whose inquiries brought forward a much more detailed document, but even it had some limitations in respect of marketing operations and the recommendations it made in this area.

There was also the question of the appointment of a chairman, during this period, who came onto the board with a distinct commercial background. He operated an agricultural farm and with an agricultural background and commercial experience he would appear to be the type of individual who could well take his place on a marketing board. I have every confidence that in this particular capacity he will acquit himself with quite a degree of distinction.

The amendments as they are presented to the House cover, firstly, the requirement of voting for a representative of growers on the marketing board. This is to be done under the definition of "commercial producer", by deleting the requirement as follows—

> and who is qualified to vote at the election of a member of the Legislative Assembly.

In other words, there is a distinct requirement in the Bill that a person shall be naturalised before he can participate in an election for a board representative to represent the growers. This probably emanates from the acceptance of the principle that it would be wrong for people who come here from overseas, and who are unnaturalised, to vote and so perhaps control the potato industry. There were a great number of non-Australian citizens in the south-west growing potatoes and, in fact, in some areas such people probably predominated among the growers. The situation now would be completely reversed and I suspect that the number of unnaturalised citizens growing potatoes at the present time would be about eight. The principle remains, however, as to whether an unnaturalised person should be entitled to the privilege of participating in the ballot to select the representative on the body controlling his industry. This is quite distinct from not having the right and privilege to elect members to represent him in the various Houses of Parliament.

I am only assuming that this is the reason the philosophy was espoused in the first instance. There were a number of unnaturalised growers in past years but now that this situation has changed it is felt the existing provision is rather redundant. I do not know of any other piece of legislation that contains this particular qualification. I have conducted some research but I am unable to ascertain whether such qualification does obtain in other laws. I suspect that it probably does not and I feel that the provision is included in this legislation only because of the industry and the large number of migrants who were involved in potato growing in the initial stages when the parent Act was drawn up. However, the Minister may have some further reason for this provision and if he could elaborate on what he has already said about it I am sure it would be appreciated by members.

As far as I can see there is no objection to the Bill and it is certainly accepted by that section of the grower organisation I have contacted. The change in the composition of the board, as proposed in the second clause of the Bill, does indicate that more careful thought is being given to the marketing process. At the moment there are six members on the board and of these two shall be growers nominated by the Minister to represent the consumers, and one shall be engaged in the commercial production of potatoes.

As the Minister indicated in his explanatory notes, the purpose of the amendment is that it is a move to give greater flexibility in nominating representatives without altering the total number of members on the board. This means that when the Bill is ultimately accepted—as I feel it will be—only one direct consumer representative will be on the board. Although the Bill does not necessarily exclude the appointment of a further consumer representative, it does allow for a certain amount of flexibility and elasticity so that the Minister may appoint some other person and, in his own words—

> . . . that person to be drawn from any field associated with the industry, depending on the particular needs and problems being experienced at that time.

I would like to think that consideration will be given here to somebody with marketing expertise. This is the trend that is being followed with the marketing of all agricultural products; that is, the old

philosophy and syndrome of producing and then selling what is best on the local market and exporting the rest willy-nilly, is to be disregarded. The requirements of the market have to be considered and these have to be met with a continuity of supply of the product which is demanded by that particular market. These requirements may vary from market to market, but in a world of increasing costs with the requirements of the housewife being more demanding and more exacting, in the long term this is the only course to follow to ensure the survival of the rural industry.

Therefore, by allowing this latitude in the composition of the board, it will mean that the use of commercial expertise in the field of marketing will be possible. The appointment of a board chairman with the particular qualifications he possesses is an indication of the attitude that has been adopted.

There is one further point I wish to make, and that is that I do not think consumers will be disregarded. The consumer protection provisions that are now available to the community represent an additional safeguard that was not available when the parent Act was placed upon the Statute book. Whilst this further protection is available to the consuming public there is no great need for alarm when one specifically designated consumer representative is changed to meet some other category.

As I pointed out, in the terms of the Bill, a consumer, for this purpose, is not specifically debarred and could well fulfil this role at the same time.

Probably the next provision is the first we have seen in print. It has slightly unusual wording in that it is now illuminating and demonstrating the extent to which metrics will reach. The clause to which I am referring seeks to establish the area illicitly grown with potatoes before action can be taken and the case heard before a stipendiary magistrate. I think this provision is necessary and it has been worded in a logical and reasonable manner.

In the first instance 2 000 square metres is the area designated as prima facie evidence before a charge can be laid. In regard to yields, I am still talking in acres and tons. Therefore something of the order of 10 tons could possibly be harvested from half an acre with a good crop. Obviously this would be more than the requirements of the average family and suggests that the potatoes have been grown for profit outside the control of the board. So it is reasonable to base a prima facie case on an area of 2 000 square metres.

The degree of penalty that is awarded in such cases is directly proportional to the area that has been set and for a first offence—bearing in mind that 2 000 square metres is the minimum area—the fine that may be levied is 7½c per square metre. In other words, that is approximately $150 per half ton.

Mr McPharlin: No, half acre.

Mr H. D. EVANS: Yes, half an acre. It is also pleasing to note that this is not a specified minimum. For a first offence the minimum can be up to this level. This means that the magistrate can have discretionary power, if he sees fit, to impose a penalty below 7½c per square metre. This could well be desirable where a magistrate feels he should not impose a direct minimum penalty. I would point out that there have been some fairly irrational illicit growers in the past and they themselves were not completely to blame, because of misunderstandings and all sorts of family and other complications. In these circumstances to impose a direct minimum penalty would, I think, be wrong; it would deprive a magistrate of an area of discretion which he could justly and reasonably put to good purpose.

For subsequent offences the penalty is 7½c minimum and not more than 12½c. This again is quite necessary, because if the penalty is not sufficient to meet the profit the grower could expect from the illicit growing of potatoes, then the penalty becomes meaningless. Therefore a reasonable figure has to be struck to ensure that the penalty will serve as a deterrent and to give the board the support it must have to maintain stability of operation.

I have some reservations about another clause and I seek some additional clarification from the Minister concerning it when he replies to the debate. I am referring to the appeal provision. At the present time the board cannot make a decision on the allocation of a license, the suspension of a license, or the granting of a license for a reduced acreage. It has been a contentious point for many years as to whether the board could act in this fashion, because the grower concerned has no redress; he has no right of appeal. In this amendment it is proposed to allow a right of appeal to the Minister, and as far as it goes this is desirable.

However, I would like to point out that during the debate on the Dairy Industry Authority Bill a close examination was made of the rights of appeal in regard to various licenses and various offences. It is my opinion that it would be preferable for the appeal to be heard by a stipendiary magistrate. This would have the great advantage of relieving the Minister of the responsibility of determining that an appeal should be disallowed. He could perhaps be accused of accepting guidance from departmental officers and other persons connected with the industry. The removal of the necessity for the Minister to hear an appeal would, in the long run, be advantageous to himself.

Few objections could be made to an appeal being heard before a stipendiary magistrate. Therefore, in the light of

experience with the Milk Board and the Dairy Industry Authority, this suggestion could well be given further consideration. There may be good reason for the present provision in the Bill, and therefore it would be desirable for the Minister to follow up his line of reasoning and make a comparison with other boards and marketing authorities that are in operation, and the underlying principles to which they adhere. That is a further point requiring comment and clarification.

The Lissiman report was compiled at considerable expense, but in my opinion the expense was completely justified in order to give the industry a starting point and some initiative or imagination for the future because in the ensuing years the potato grower will face extreme difficulties. These difficulties will really involve economics, but at the same time they will be compounded by increasing competition from a source over which the grower does not have any control.

On page 67 of the Lissiman report is a recommendation concerning the rewriting of section 30 of the Act. I do not know why this could not have been done at this time when the legislation is before the House. Other recommendations of an administrative and general organisational nature could also have been adopted at the same time. On page 67 of the report the redrafting of almost every section is advised. I am wondering whether or not it would not have been more expeditious for the Government to introduce all the recommended amendments at the one time rather than having to take a second bite of the cherry at some later date. However, I am hoping that further amendments will be made to meet the full requirements which I regard as being desirable for the future.

I did not mention a recommended administrative procedure; that is, the creation of an expense account. This was to be established by taking the odd amounts from the payments due to growers and using them as a contingency fund for unforeseen expenses in any of the pools which the board operates. This would give a little latitude to meet these expenses and so make for a much tidier accounting procedure.

Most of the additional recommendations in the Lissiman report and the Select Committee report are outside the scope of a Government to take any major or serious action. Rather they come within the ambit of board policy. Nevertheless I suggest that these matters should not be left entirely to the board. Certainly I feel that although no precise direction should be given to the board, it should be encouraged to display initiative; and the results of established research could be supplied to it with the suggestion that it take the necessary action to rearrange its policy to embrace all the desirable features which have been recommended.

Those on this side of the House support the amendments in the Bill, although a number of points require clarification. Also we have a slight reservation in connection with the appeal provision, but I am sure the Minister will have some explanation for that particular point.

MR BLAIKIE (Vasse) [8.05 p.m.]: I also desire to make some comments on the Bill, although I wish to indicate that I support the amendments it contains.

It is just as well for us to realise that the legislation we are discussing is the result of a Bill passed in 1946 to establish an Act for the marketing of potatoes.

During the 1939-45 war the Commonwealth Government of the day, as part of its war effort, passed an Act to ensure that staple food products were produced. Part of that effort was an underwriting of a guaranteed minimum price for potatoes. At the conclusion of the war all States introduced their own forms of legislation and that is the reason this Bill is before us today.

However, I wish to make the point that of all the States in Australia, Western Australia remains unique in that it has the only legislation which controls the licensed areas in which potatoes can be grown. No other State has such legislation today. The reason for this is section 92 of the Commonwealth Constitution which allows free trade between States and this has negated any State legislation introduced for the benefit of growers.

This is an important point which we must not forget. While by and large growers in this State have an advantage from the legislation, they also have a degree of protection because of the Nullabor Plain and the distance between the Eastern States producers and the market in Western Australia. In money, this distance represents some $30 or $40 a ton, which is a real advantage. Nevertheless as the forms of transportation improve the growers in this State will in the future face a critical period.

Over recent years the potato industry has been subjected to inquiry after inquiry, and no doubt the same situation will apply in the future. I rather disapprove of such inquiries because it is so easy for the public and the Press to be critical of the board. It is glorious to be able, as it were, to pluck the board from the air and blame it for any problems facing the industry. If a shortage of potatoes occurs in the State the public and the Press want to know why the board has created the shortage. It does not matter to them whether a drought has occurred or a succession of very wet days has been experienced during which time a crop cannot be planted.

No matter what the problem, it is always the fault of the board. I believe the public has a responsibility—and, more importantly, the Press has a responsibility—in this regard because in fact the board is a "nameless person". It can be attacked at will with very little fear on the attacker's part of any form of reprisal.

Recently at Busselton a seminar was conducted by the potato industry. It was representative of the entire industry—growers, consumers, producers, processors, and distribution agents. It was highly successful and the organisers responsible are due for commendation.

The seminar discussed the very bases of the problems facing growers, producers, distributors and consumers. It gave all sectors of the industry the opportunity for an open forum and all parties participated in a spirit of goodwill and co-operation. I believe the result of that seminar augurs well for the future of the industry.

Between 1946 and today a considerable drop has occurred in the number of growers. In fact the drop has been approximately 600. If this trend continues, and I believe it will, even fewer growers will be expected to plant larger acreages of potatoes with a higher rate of production. This brings me to another point. The need will arise for greater mechanisation in the industry, as well as improved handling.

At the conference I indicated that 25 years ago the potato growers dug up their vegetables with a potato fork, picked them up by hand, and placed them in a bag. Since then, advances have been made. The next improvement was the two-row digger, a mechanical digger, but the potatoes were still picked up by hand and placed into bags on the ground.

Today machine harvesters are utilised. This has been the result of advances made in the last 25 years, but even greater advances will have to be made in the next 20 years if the growers are to remain in the industry.

Quite frankly, in this day and age not too many people are prepared to lug a 140-lb. bag of potatoes around a farm. Whatever the weight might be in kilos, it is still 140 in pounds. I can see a move being made towards bulk handling, and in this regard the Government will be requested to carry out a feasibility study into bulk transportation and handling of potatoes. If potatoes could be transported and handled in bulk, a tremendous saving would be enjoyed by the entire industry.

This will be a revolutionary step, but it is the type of advance which the growers are now realising will be necessary in the future. One can well imagine potatoes being harvested in the paddock, then being moved into the bins by conveyor belts. These bins would probably hold a quarter to a half a ton of potatoes. However, instead of the potatoes being transferred back to the growers' sheds and repacked into bags, and repacked again, a feasibility study could prove that the potatoes could be moved direct from the growers' paddocks to the packers' sheds and in this way the saving in handling would be tremendous. More important would be the saving in labour. In my opinion that is a far more important factor to be considered in the future because, as I said a moment ago, not very many people in this country would be prepared to lug a 140-lb. bag of potatoes around.

So I make the point that the Government will be approached for assistance in the undertaking of a feasibility study into the bulk transportation of potatoes.

I said earlier that I intended to support the measure, and with those words I do so.

MR McPHARLIN (Mt. Marshall—Minister for Agriculture) [8.14 p.m.]: I thank those members who have spoken to the measure. The member for Warren demonstrated that he has quite a wide knowledge of the industry, and he made some important points which are quite appropriate. If I miss any points as I progress, I would appreciate it if the honourable member would remind me of them.

The proposed amendments were submitted after a great deal of research, first of all by a Select Committee which was appointed in another place to carry out an inquiry.

The Select Committee inquiry was followed by the Lissiman investigation. The member for Warren said that, as the Minister at the time, he wanted more detailed information than had been provided by the Select Committee, to enable a deeper study of the industry to be made and amendments to be drafted following the suggestions contained in those reports.

The amendments in the Bill involve a number of changes. One is the matter of giving the right to vote at elections for representatives on the board to people who are newcomers to the country and are not naturalised but who produce commercial quantities of potatoes. This is a desirable amendment which has been agreed to by both the Potato Growers' Association and the board. To my knowledge there has been no opposition to it and the amendment is quite acceptable to those engaged in the industry.

There has also been a change in the membership of the board. One consumer representative is to be replaced by a member nominated by the Minister. This is not really a radical change because in the case of most boards various sectional interests seek to have representation on the board. The amendment will cover the situation which exists at the present time, where one of the consumer representatives is a major distributor of potatoes. He is doing a first-class job but I think a principle is involved and the amendment is

designed to rectify the situation. The board itself has always objected to having a merchant representative, on the ground that he would make use of inside information.

The Lissiman report recommended replacement of the two consumer representatives by a member drawn from the distribution side of the potato industry. The Select Committee recommended replacement of one of the consumer representatives by a representative of the wholesale merchants, and it made a further recommendation that a representative of the retail merchants could be appointed. However, the latter recommendation was not agreed to. An approach was made to the Retail Grocers' Association but it did not display an interest in being represented on the board.

The member for Warren referred to the amendment relating to the right of appeal. Under the Act as it stands there is no right of appeal but the amendment has been put forward because it is considered the grower should have the right of appeal against having his license reduced or cancelled. The Select Committee recommended that the right be given to appeal to a magistrate. After giving a considerable amount of thought to the matter, it has been pointed out that the industry is not greatly concerned about appeals because all commercial growers are members of the Potato Growers' Association and they would probably have the full support of that organisation where a reasonable case could be submitted for consideration by the board. It therefore appears to be a matter of principle rather than of practical necessity, and the reasoning is that reference to the judiciary will be unnecessary unless developments in the future indicate that this more cumbersome mechanism is warranted, in which case further consideration will be given to the matter.

The member for Warren also mentioned the scale of fines for illegal plantings and the reference to metric measures in the Bill. It is necessary to have a cut-off point where it is reasonable to assume that beyond that point the area is greater than is required and is prima facie evidence that the area was planted with a view to selling the potatoes.

The scale of fines contained in the Bill differs from that in the Act. The amount stated in the Act is $400 whereas the amendment gives the judiciary flexibility to impose whatever fine is considered warranted for the particular offence. The amendment enables the judiciary to handle cases in their own way and could result in a higher penalty than that at present provided for. In many cases the present penalty has not been a sufficient deterrent to illegal growing, and the possibility of a higher penalty being imposed emphasises the need for the board to have some control. One of the functions of the board is to try to gauge the quantity of production required for the local trade, and it needs to have control. It is not an easy exercise to gauge the requirements year by year to ensure the trade is catered for without having excessive supplies or great shortages. It is fundamental that some penalties should be imposed because illegal plantings could lead to black marketing, and a scale of fines will help the board in its management of supplies and operations. The amendment appears to be satisfactory to the association and the board.

The rounding off of amounts and payments into the suspense account are matters of normal practical business administration and I do not think there is any need for great discussion of that.

The point was made that there have been tremendous increases in the costs of production. These are escalating very quickly, and immediately create the need for increases in price to give the grower a return which enables him to make a reasonable living. Because of a shortage due to flooding in some areas in the Eastern States this year, the price in the Eastern States was far higher than the price here and there was the probability that growers would send potatoes to the Eastern States to get a higher price. The association, through the board, sought an increase on two occasions this year. The case put forward was justified and the price was increased so that growers would not send their potatoes away and create a shortage in this State, and also to give them a fairer return for their production because of the costs, not only of fuel, fertiliser, and labour but also of transport, handling, and so on. The returns to growers at the present time appear to be satisfactory.

One does not know what the future holds but I think the board is quite capable of taking further action to give growers a return which will keep the industry viable. Growers work in very close co-operation with the horticultural division of the Department of Agriculture, which is continually testing and doing research to try to provide a better and more suitable type of potato for the trade. Several different varieties are on the market but the most popular one is the Delaware, which gives the greatest yield and the best return to the grower.

I was pleased to hear the comments of both the member for Warren and the member for Vasse in regard to the seminar held at Busselton. Apparently it was very successful. Unfortunately, I was unable to be present, although I was invited to attend. One of the motions passed was the proposal to build a bulk handling shed, possibly at Donnybrook. This proposal has many possibilities because bulk handling will cut costs and be much easier

than bag handling. I hope this proposal will come to fruition and give the industry a lift, which will be needed to keep the industry going. If that is a measure which will achieve the objective, it needs encouragement.

Reference was also made to the appointment of a liaison officer. No doubt the industry will go ahead with that, and I think it will result in greater co-operation.

There does not appear to be any cause for opposition to the Bill. No doubt the legislation will be examined in the future to see whether there is any need for further amendment. It is quite possible that at some time in the future it will be necessary to revise some aspects of the industry and the legislation under which it operates, but I think the amendments contained in the Bill will cater for the immediate future.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Thompson) in the Chair; Mr McPharlin (Minister for Agriculture) in charge of the Bill.

Clause 1: Short title and citation—

Mr H. D. EVANS: I wish to say how pleased I am to see the present Government espousing with enthusiasm such socialist legislation as that introduced by the Leader of the Opposition so many years ago.

Sir Charles Court: That is the standard speech of the Deputy Leader of the Opposition.

Clause put and passed.

Clauses 2 to 8 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

DONGARA-ENEABBA RAILWAY BILL

Second Reading

Debate resumed from the 19th September.

MR CARR (Geraldton) [8.33 p.m.]: At the outset of my remarks I would like to indicate to the Minister that the Opposition in general supports the proposition put forward by him. We welcome this measure for a number of reasons. Firstly, a railway line from Eneabba to Dongara to link up with the present railway to Geraldton will be particularly valuable to the two mineral sands industries which are presently operating at Eneabba, and other mineral sands industries which are envisaged for the area.

I mentioned in my first speech in this place that the mineral sands industry in particular, and the minerals industry in general, are of particular importance to Geraldton and to the region based on Geraldton. Processing of the mineral sands from Eneabba is occurring at both Eneabba and Geraldton. At both places the industry is providing a considerable amount of employment.

Perhaps the major importance of the mineral sands industry to the Geraldton area is the diversity it adds to the economy of the district—an economy which for many years has been based very largely on farming and fishing. Now the new mineral sands industry is providing diversity to the region.

I also welcome this railway line because it will take the very large road trains off the road. At the moment these road trains are travelling from Eneabba to Geraldton; but soon they will be travelling only from Eneabba to Dongara, and the sands will then be railed to Geraldton. Anybody who has travelled on this road and seen these large road trains passing by every three or four minutes will be aware that while no major accident has occurred as yet, there is certainly a danger inherent in having the vehicles on the road.

One regrettable point is that even when the railway is completed mineral sands will be taken by road from the industrial estate of Meru to Geraldton—a distance of some six miles—for shipment; the sands will not be transported to the wharf by rail.

I welcome the proposal to construct this railway line also because it is an economically sound proposition. In his second reading speech the Minister said—

> The proposal for construction of the new railway has been subjected to careful economic analysis by both the Railways Commission and the Director-General of Transport. The results indicate a very viable, indeed profitable, project for our railways system.

The Minister also indicated that the railway will be used only for the transport of minerals and that it will not be used for the cartage of farm products, superphosphate, etc. This will certainly please the farmers of the area, who were considerably concerned that the advent of a railway in the area could lead to higher costs if they were prevented from carting their own grain and superphosphate.

The route for the railway line south of Dongara is generally a direct one and this, of course, is pleasing to see. I have one small query with regard to this which I hope the Minister will clear up. South of Eneabba the route appears to deviate extensively; it seems to follow two sides of a triangle. I presume this is due to the terrain, but perhaps the Minister will clear up the point later.

While I have expressed a number of reasons why I welcome the railway line, there are a number of points about which I am not completely happy and upon which I would like to comment. The first point

is the decision to use narrow gauge line. I might say that my original reaction to hearing that it will be a narrow gauge line was one of disappointment. I was hoping a standard gauge line would be constructed.

Mr O'Connor: I would agree with you on that. Finance is the problem, as you probably realise.

Mr CARR: I will come to finance in a moment. In the meantime, it does seem to me that the construction of a 3 ft. 6 in. line is something of a backward step when we consider that the trend throughout Australia for a number of years now has been towards the construction of standard gauge lines. I would have suggested a standard gauge line from Eneabba to Dongara and then a three-line track from Dongara to Geraldton to take both the present narrow gauge rolling stock and the standard gauge rolling stock.

The suggestion that a standard gauge railway be constructed in the Geraldton area may seem strange to some members when they realise that all other railways in the area are of narrow gauge. I suggest that in this respect I am looking considerably forward—or perhaps not that far forward—because I am aware of the concept plan which has been drawn up for the Railways Department for a standard gauge line in the future to go from Perth to Port Hedland. I was fortunate to attend a function in Geraldton last year at which a senior civil servant outlined this concept plan. Such a line would travel from Perth to Geraldton via Eneabba, a distance of some 265 miles. Then it would travel from Geraldton to the Weld Range; and this, of course, is in line with the proposition of the Northern Mining Company that, if it is able to proceed with its project, it will construct such a railway line, or else have it constructed by the Government.

A line would then need to be constructed between Weld Range and Mt. Newman, to link up with the existing track from Mt. Newman to Port Hedland. Hence, once this concept is put into effect we will have a railway line linking the Pilbara with the rest of the State and, of course, with the whole national railway system. It would mean that people could travel on the one gauge from Port Hedland right around Australia to Queensland.

Considerable benefits would accrue to, firstly, the Pilbara and also to Perth and the rest of Western Australia and, of course, to the whole nation.

The trip from Perth to Port Hedland could be cut to about 24 hours. Cost benefits would accrue to the Pilbara, as I would anticipate that freight reductions would be possible under such a scheme. As this service would be much faster, it would probably also attract considerably increased tourism to the north. The *Indian Pacific*, of course, at the moment attracts heavy bookings. So it is quite reasonable to anticipate an extension of this traffic into the north should such a line be constructed.

I would argue that this railway is a very desirable proposition, and it deserves to be given a high priority. I should explain that it is not at all an impractical proposition. The Port Hedland to Mt. Newman railway of, I understand, something like 280 miles is already constructed. The Geraldton-Weld Range section probably would be a similar distance, and this track is still well and truly on the books if the Northern Mining Company proceeds with its project. If the Geraldton-Eneabba section were constructed of standard gauge line, well over half of the distance between Port Hedland and Perth would be in existence and in operation within a relatively short number of years. All that would be left would be the remaining 160 or so miles between Perth and Eneabba, and the section of approximately 250 miles between the Weld Range and Mt. Newman.

Mr Coyne: The Geraldton-Weld Range railway would not be used for general transport.

Mr CARR: Should such a line be constructed it would seem not unreasonable to me that it should be available to take freight and passenger trains as well as ore trains.

Mr Taylor: Under the agreement it will be owned by the State Government and not by the company.

Mr Coyne: But there will be no room for anything but ore.

Mr Taylor: It will be owned by the Government, and there is no reason why it should not take other trains.

Mr CARR: In discussing the viability of this concept, I would point out that the three sections I have already mentioned which are constructed or proposed to be constructed will all be viable units in themselves. It would seem not unreasonable that the extra sections would provide an overall viability to the concept; and if it is not a viable proposition overall, it would seem reasonable to argue that the sociological and decentralisation benefits which would accrue from such a line would well and truly justify the line in the national interest.

I think it is fairly obvious that if this larger concept is to be put into operation a considerable amount of Australian Government assistance would be necessary. Indeed, if only the Eneabba-Dongara section were to be constructed in standard gauge a considerable amount of Federal assistance would be necessary.

I understand the Minister has discussed this general concept with Mr Jones, the Federal Minister. An article appeared in *The Geraldton Guardian* on the 27th September—I understand following a telephone conversation between the newspaper and the State Minister—and the last two

paragraphs stated that the State Minister (Mr O'Connor) met on Thursday with the Federal Minister for Transport (Mr Charles Jones). The article stated that Mr Jones had indicated briefly that the railway system to Geraldton may be continued to Port Hedland in an effort to reduce costs to people in that area.

I think probably it would be in the interests of this debate and of this House if when the Minister replies to the debate he outlines in as much detail as he can—I realise probably some confidentiality is involved—the details of this discussion between the Ministers.

Before the Minister makes those comments, I would like to make a couple of comments myself with regard to financing. I understand the Australian Government is prepared to take over the railway system of this State. I realise there is not much point in developing this argument too far because I know the State Government is fixed in its views that this should not occur; and probably we are in one of those situations in which we must agree to disagree. I accept that the Government is not likely to change its position in the near future.

However, I would like to point out it is my firm opinion that, given that the Western Australian Government Railways system is a losing proposition overall, and given that the Australian Government were to take over the railway system we would then have a better financial position for the State. I would definitely advocate that the State Government go along with the Australian Government and hand over the control of the railways and receive the financial benefits which would accrue as a result.

Sir Charles Court: What else would you hand over? They now want the hospitals.

Mr CARR: If the Australian Government is prepared to spend more moneys on the upgrading of hospitals and the provision of facilities in this State, I would be very reluctant not to accept what it is offering.

Mr Stephens: Let them reimburse the States adequately and they will do the job better.

Mr CARR: I said at the commencement of the discussion on this point of financing that this was a matter on which we would have to agree to disagree. There is not much point in pursuing it further because I cannot change the minds of members opposite and they are not likely to change my mind.

Mr McPharlin: What do you think you would save by handing over the railways?

Mr Taylor: If, as the member suggested, we could get the line to link through to the Pilbara, there could well be some ground for discussion.

Sir Charles Court: Come back to the main point. What would you save overall? Do you know what conditions Mr Whitlam has put on his offer?

Mr Taylor: No, has he submitted another offer?

Sir Charles Court: You know that you did not like it and that your Government did not like it. What the Commonwealth was prepared to spend on our railways, it was going to take away from our grants. You should know that.

The SPEAKER: Order! The member for Geraldton has the floor.

Mr CARR: Even if the proposition to hand over the railways to the Commonwealth is resisted by members opposite, I would argue that major railway connections can be seen to be in the national interest. I recall that one of the main reasons for Federation was the irrational development of railway gauges which was occurring in each State, where we had three different types of railways gauges prior to Federation.

Mr Hartrey: And for a long time afterwards, too.

Mr CARR: Yes, we still have them. One of the main reasons for Federation was that a more rational approach was needed towards communications on a national scale within the country. In my opinion, the Perth-Port Hedland line certainly can be seen as a benefit to the whole nation.

I would urge the Government to drop the narrow gauge idea and to deal with the Federal Government to hand over the railway system with its loss of revenue and to obtain as much Federal Government assistance as possible. When a standard gauge line is built from Eneabba to Dongara, the Government should proceed as quickly as possible to the introduction of the concept of which I have spoken; namely, the construction of a line from Perth to Port Hedland. If the Government is to be inflexible in its opposition to the terms laid down by Canberra, I suppose we will have to accept the narrow gauge line proposed in the Bill. In that case, I would say that I am glad the Minister mentioned that the construction of the line would be sufficient to enable easy conversion of the line to standard gauge at such time as may be practicable in the future. I believe the Minister said that the sleepers are to be eight feet wide, which will facilitate conversion.

SIR DAVID BRAND (Greenough) [8.47 p.m.]: I, too, support the Bill. I happened to be absent from the House when the measure was called on and I was glad to to see that the member for Geraldton took the opportunity to speak. We are quite neighbourly on this matter and I hope we are both thinking in the right direction. However, I should like to put the honourable member right at the beginning of my

remarks. I hope that we as a Government have no intention of handing over our railways to the Commonwealth Government. I say this simply because the very satisfactory alternative is for the Commonwealth to hand out to us the necessary grants which would enable us to set up a railway system that we can know. It will be just as efficient to run the railways in such a manner and, I think, with the same very good results which will occur when a railway from Dongara to Eneabba eventually comes into existence.

I hope the Minister when examining the economics of establishing the railway keeps in mind some of the problems which lie ahead for the people who live in this area. Certainly, I was pleased to see that he gave an undertaking that farmers in the Eneabba area would retain the right to carry their own goods on their own transport, free of charge. I think he has saved a lot of controversy by this action.

One of the first questions I was asked when the railway was mooted was whether the farmers would retain the free area they have enjoyed for some time. I am not certain that after the railway has been established and becomes an economic proposition some claim may not be made for the railway to compete with road transport. Nevertheless, that is an argument which lies ahead. In the meantime, I make the point that there are a number of people who live in the farming areas adjacent to the Eneabba township who are concerned about the amount of land which is to be taken up by this new development. First of all, the road cut through quite a number of areas; now, the railway is to cut through; and, finally, some of the developments of the township, to wit, the sewerage scheme also will intrude into these areas. I hope the Minister will not overlook the fact that, whilst we know we must make progress and have this sort of development, these people should receive a reasonable amount of recognition when compensation is made.

I do not want to talk about the railway line going to Port Hedland because I imagine this is a long way ahead. Certainly, the development of the northern mining areas must lie way ahead. I would like to think that we can envisage developments around the Murchison, Cue, Meekatharra and other areas; that would be a tremendous step forward in the development of Geraldton and its harbour. The justification for the expenditure of money on the Geraldton Harbour is one of the most vital issues concerning the development of the area north of Perth. When we boast of a decent harbour in Geraldton, we will be able to boast of a fast developing area, not only in the field of minerals but also in the many other developments around the area. I only hope that something will come to pass in the mining areas which will justify the Government or local government developing and deepening the Geraldton Harbour. This is vital to the growth and development of the area.

Mr May: Would the harbour be deepened or would there be a harbour or port further north? Surely you cannot deepen the harbour.

Sir DAVID BRAND: We have the same problem with the harbour as we have in establishing the standard gauge railway; namely, the lack of money. As members no doubt would know, a great effort has been made to deepen Geraldton Harbour. It has a very hard capped sandstone bottom and, despite the efforts which have been made, the harbour has been deepened only a few feet. I asked some questions on this matter recently. The Geraldton Harbour Board recognises that it will be a long time before it will be able to boast of a worthwhile harbour.

The only alternative to deepening the harbour would be to construct a bulk handling depot somewhere immediately north of Geraldton itself, perhaps at the mouth of one of the rivers or at a suitable site which can be developed.

In regard to the construction of a 3 ft. 6 in. gauge railway, I recognise the importance of building a railway using the standard gauge. However, it would seem to me that, considering the Mullewa line and the Midland line, both of which are of 3 ft. 6 in. gauge, for the time being we cannot look to standard gauge. Not much progress can be achieved by establishing a 4 ft. 8½ in. gauge railway between Geraldton and Eneabba. As the member for Geraldton pointed out, it is rather regrettable that the line will not carry through to Meru. I think that is a very sad oversight and certainly will rob the railway of the great advantage it otherwise would have had. Unless some arrangements are made for the minerals to be carried right through, I cannot see that a great deal of advantage will be achieved by the line. Perhaps if members from both sides of the House got together we could influence the Federal Government to make available a sum of money so that we could build the railway right through and, if the Federal Government is interested in what it is doing in respect of railways, it might even be forward-thinking enough to make a grant to the State Government to enable us to build a standard gauge railway right through.

However, that is all in the future, and a matter for a central Government. It is a matter now of building the railway and I look forward to its development in the hope that the unfortunate people whose farms are for the time being robbed of some of their area will be well treated and that their problems will not be overlooked. I like to think that the area around Eneabba will support three or four mineral developments; that certainly will

justify the expenditure of finance on the railway for the loading of mineral sands. Until we hear more refreshing news about the development of additional mines, I do not think we can look forward to a very profitable railway. However, the Minister is going to tell us something about the economics of the railway and, as a member of the district, I certainly look forward to the day when the official opening takes place.

MR O'CONNOR (Mt. Lawley—Minister for Transport) [8.57 p.m.]: I thank members for their comments on and general support for this Bill. Both members who spoke have a tremendous interest in the area, which they have demonstrated in their remarks on the Bill. As pointed out by those members, nothing but good can come from the construction of the line between Geraldton and Eneabba, because it will present increased employment opportunities in the Geraldton area. The economics of the line are particularly good. As members who have been connected with the railways in the past would know, if ever the railways are to make a profit, it must be in the transportation of bulk commodities. This is the sort of freight we look for and on which we can make a good profit. It is the sort of freight that no other transport organisation can carry at a better rate and on a more profitable basis.

The railways have studied this line carefully. As members know, we put a proposition to the Commonwealth to assist us in the building of this line but our application was rejected. The benefits to be derived are two-fold. The line handling the iron ore will enable the wagon turnaround to be effected in such a manner as to make it a very economic and profitable operation. It will also give farmers the opportunity to carry freight, as they have done in the past. As members have informed me, the farmers would be very loath to give this benefit away and, if it were not for the other freight considerations involved, it would have been an uneconomic proposition for the railways to carry the farmers' freight as it has done in the past.

The member for Geraldton referred to the half-mile deviation shown on the map. Whenever we lay down the route for a line, we allow a half-mile deviation so that we can shift the line half a mile one way or the other from the original path. In this case, we have given the line a greater area in relation to deviations. We are trying to have as little effect as possible on the farming community. We do not want to cut farms in half if we can possibly avoid it and if we can go around them.

There is also a low-lying area which causes construction difficulties; that is why such a large deviation has been allowed for.

Mr Carr: I was not actually referring to the five kilometre mark. I referred to the route south of Eneabba which involves considerable detours.

Mr O'CONNOR: There is some bad land in that area. I was speaking to the Commissioner of Railways the other day who informed me that there is some very low, black country around there on which it is very difficult to construct a line. However, I will confer with the honourable member at a later stage.

Like the member for Geraldton and the member for Greenough, I would love to see standard gauge construction adopted throughout the State, but the economics of the situation must be considered. The State is limited in its finances and must have regard to the amount of money it has and, at the moment, standard gauge construction is not in the financial scheme of things. We have provided for eight-foot sleepers so that the line can easily be converted to standard gauge at a later stage. Like other members, I would like to see standard gauge introduced, but we must live within our pockets and at the moment it is not possible to standardise the entire operation.

The member for Greenough mentioned Northern Mining Corporation N.L. This company is very familiar to me because back in 1968 I did some work in the Weld Range, Mt Gould, Mt Hale, and Robinson Range area. There was some fairly good ore but also a lot of low-grade ore in that area. This is where the delay is occasioned, as the previous Minister for Mines would know.

I think Mt. Gould contains 15 million tons of fairly high-grade ore; but the rest, although substantial in area contain fairly low-grade ore and this makes the economics very doubtful. Northern Mining has worked tremendously hard to get sales for this ore and to obtain money for the construction of the line. A guarantee had been given previously to assist in this regard, but since then the economics have been found to be fairly doubtful. Whilst we would all like to see this operation become fact rather than remain fiction, there is some doubt that it will come into being in the near future.

Mr May: Especially when we have high-grade iron ore in the Pilbara.

Mr O'CONNOR: That is so. I cannot see this operation coming into being in the next 10 to 20 years, but we all wish to see it come into operation for the benefit of the Geraldton district.

Mr May: Has any thought been given to resleepering the line between Dongara and Geraldton with eight-foot sleepers?

Mr O'CONNOR: Not at this stage. If and when the time arrives for making this a standard gauge line that would make the conversion easier.

Mr May: When normal maintenance is carried out on the Dongara-Geraldton line will provision be made for replacement with eight-foot sleepers?

Mr O'CONNOR: As far as I know no consideration has been given to that aspect. As members are aware we did that on the Geraldton line, and it proved to be a winner. If we did the same in this case we would be making provision to proceed more cheaply in the long run with this project.

Mr Thompson: Would it not be necessary to upgrade the earthworks?

Mr O'CONNOR: Probably that would be so. I did intend to deal with one aspect which some members mentioned; that is, the takeover by the Commonwealth Government of the railways of Western Australia. In this respect it is necessary for me to put a couple of matters straight.

Mr Taylor: Are you responding to the comments made by one or two speakers earlier this evening, or are you introducing a new matter?

Mr O'CONNOR: I am not introducing a new matter. The member for Geraldton said that Western Australia should hand over its railways and the losses of the railways to the Federal Government. However, that was not what the Commonwealth Government offered to the State. The Commonwealth offered to take over our railways, and to leave us with the loss. When I spoke to the Federal Minister (Mr Jones) I asked on what basis would the railways be taken over. He replied, "You are bearing the loss now. What is the difference?" I do not know of any businessman who will say, "If you take over my business and run it I will take over the loss."

Mr May: Your Government did that in the case of the Midland Railway Company. Your Government took it over, and it also took over the loss.

Mr O'CONNOR: What the honourable member says the State should do is to hand over the railways to the Commonwealth Government while the State takes over the loss.

Mr May: I am referring to what your Government did previously.

Mr O'CONNOR: The Commonwealth Government has not proved that it can run a railway profitably. It has a beautiful straight railway line and a long run—and this is best for the profitable operation of a railway—yet its loss has increased from $3 million to $7 million.

Mr May: And your Government uses the wagons of the Commonwealth railways.

The SPEAKER: This discussion can only be related to the suggestion made to the Minister that the Commonwealth should take over the line. I do not think that theme should be developed too far.

Mr O'CONNOR: I am very disappointed, but I accept your suggestion, Sir. I want to make it quite clear that under the terms and conditions offered, we would be extremely foolish to hand over our railways to the Commonwealth Government which has proved that it cannot run its own railways at a profit.

Mr Bertram: Can you put up a counter proposition?

Mr O'CONNOR: We can, and we have asked the Commonwealth to assist with the Eneabba-Dongara railway, but it has refused pointblank to do so.

Mr J. T. Tonkin: Just like the McMahon Government refused to assist in the construction of the railway from Kambalda to Esperance, which you said could not be built except with Commonwealth funds.

Mr O'CONNOR: Yes, and we got private finance to build it.

The SPEAKER: I think members are going beyond the bounds of the Bill.

Mr O'CONNOR: I thank members for their general support of the Bill. I sincerely hope that we can get the railway line in the near future, because it will do a lot of good for the State.

Mr Carr: I would like to refer to your quoted comments arising from your discussions with the Federal Minister (Mr Jones) in connection with the provision of funds to extend the railway to Port Hedland.

Mr O'CONNOR: I did not discuss that point with the Federal Minister. I do not know how it arose. I did discuss with him the question of airports in the north-west, but the matter of railways in the north-west was not included in the discussions.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

MINISTERS OF THE CROWN (STATUTORY DESIGNATIONS) AND ACTS AMENDMENT BILL

Second Reading

Debate resumed from the 19th September.

MR BERTRAM (Mt. Hawthorn) [9.12 p.m.]: We, the members of the Opposition, support this measure which can really be described as an administrative type of Bill. In the pursuit of its objective it does not appear to produce any unacceptable side effects or byproducts. The fact of the matter is that some of our Acts of Parliament make reference specifically to particular Ministers of the Crown.

This fact, among other things, makes it obligatory for the Minister administering the Act to set forth the name of the particular title assumed from that Act in his long list of portfolios.

As a consequence the Minister has a long string of titles representing each of the Acts he administers and the portfolios he represents. That is regarded as an unsatisfactory position; and we agree it is unsatisfactory. It produces a lengthy nomenclature for the Minister. It is cumbersome, and probably it is also a time-wasting proposition. It would be much better if Ministers could come under one title, instead of a list of them. As I understand the position, the Bill will go a long way to achieving that worth-while objective.

In addition, we have instances where the Minister specified in Acts to perform certain functions pursuant to the provisions of those Acts is no longer the Minister administering them.

A further purpose of the Bill therefore is to remove the portions of Acts which specifically name Ministers, so that the present Government and future Governments, when selecting Ministers, will be given a certain amount of flexibility; and in effect may name any Minister the Government wishes to name in respect of the administration of a particular Act, so the Government will not be tied down to a Minister named in an Act, which might be one that has been operating for many years.

As the Minister also pointed out in his second reading speech, this Bill sets out changes in the interpretation of the word "Minister" in certain Acts so as to provide a more practical definition than presently exists in the various Acts. The Minister's remarks appear at page 1659 of *Hansard* where, on the 19th September, 1974, he said—

> It is proposed that the operative instrument in this Bill will be by way of an Order-in-Council which can be either in general terms or could be made specific in relation to any one Act or any part of an Act or to some particular regulation, legal proceeding, contract, or the like.

I was looking at the Bill a moment ago and I imagine that the Minister's comments spring from the provisions of clause 3. Clause 3(1)(a) and (b) states—

> 3. (1) The Governor may, by Order in Council, direct that a reference to a Minister of the Crown contained—
>
> (a) in any law; or
>
> (b) in any instrument, contract or legal proceedings made or commenced before the coming into operation of the Order,

What it does not, in fact, specifically refer to are Acts, regulations, by-laws, and rules of that type. It would appear that the Minister believes that his words "or the like" encompasses each of those I have just mentioned. Whether or not it does, I am not perfectly sure; it may well do so. However, for the better comprehension of the ordinary person who will read this Bill I would suggest for the consideration of the Minister that he may add the words "Act, by-law, rule," and so on. Anybody then reading the measure would, in fact, understand it and in my view it would be much clearer and would state what the Minister has, in fact, said in his second reading speech, an excerpt of which I have just quoted.

As intimated, the measure is administrative and it seems to us, on this side of the House, to be perfectly acceptable. It does not have any adverse side effects springing from it and, for that reason, we support it.

MR O'NEIL (East Melville—Minister for Works) [9.18 p.m.]: I thank the member for Mt. Hawthorn for his general support of the Bill. Those who have studied it will realise that it is in a rather unusual form. The first part of the Bill, which will become an Act, relates to the titles of Ministers of the Crown. There are a number of other parts relating to the Interpretation Act, the Traffic Act, the Local Government Act, the State Electricity Commission Act, the Public Works Act, and the Main Roads Act.

At the request of the Government the Parliamentary Draftsman has examined all Acts, as far as he was able to, where the title of a Minister has a particular designation. For example, the Public Works Act contains certain references to the Minister for Works and to the Minister for Water Supplies, and the Main Roads Act contains certain references to the Minister for Works. We have endeavoured to find as many Statutes as possible which contain these specific references and have the references removed. It may well be that some Acts may have been omitted along the way.

Part 1 of this Bill is, in fact, a new Act. It is an important part which will cater, in general terms, for the title "Minister". As I mentioned when introducing the Bill, when in Opposition I criticised the previous Government for introducing legislation which specifically named a particular Minister. One occasion which I recall was during debate on the traffic safety legislation wherein there was reference to the Minister for Traffic Safety.

Once such a provision appears in an Act it becomes incumbent on the Government of the day, and on succeeding Governments, always to have a Minister for Traffic Safety sworn in. That does tend towards the long list of portfolios which one sometimes sees. I was interested to

note when studying the structure of the Victorian Cabinet that the titles of Ministers in that State are kept as brief as possible. Many Statutes are referred to those Ministers for their consideration and administration.

The purpose of this legislation, I am pleased to say, is that it will no longer be necessary for any Government to refer to the title of the Minister concerned with a particular law.

Mr May: It still will not go out of usage.

Mr O'NEIL: That is right.

Mr May: I am thinking of the Minister for Mines, Power, and Electricity.

Mr O'NEIL: The Minister will be able to use the short title if he wants to, the same as we use the short title when referring to an Act. The present law requires the Government to have a Minister for Electricity even though the Government may not want that portfolio. To be more specific, I will mention the Minister for Traffic Safety. It is necessary to swear in a Minister for Traffic Safety because the Act passed by the previous Government requires the Government to have a Minister with that portfolio.

Mr May: We were looking towards restructuring electricity, fuel, and power. They have one and the same purpose.

Mr O'NEIL: That is right. There can be a Minister for Fuel and Energy, and that would cover all those fields. It will not make any difference; there will still be a Minister to administer the State Electricity Commission Act. However, it is not necessary to have a Minister for Electricity. The provisions of this Bill will make the situation flexible.

Mr T. D. Evans: Will the Minister comment on the provision in the Education Act? That Act refers to the Minister being the Minister for Education, and that Minister is, in fact, a corporation sole under the Education Act. I cannot see that this Bill will affect that situation.

Mr O'NEIL: No, and I suppose, too, the situation could be looked at with respect to the Treasurer. I suppose we must always have someone as Treasurer, and probably someone as Premier, but I do not know that there is any Statute which contains particular reference to the Premier, whereas many refer to the Treasurer. I suppose there are some Acts we cannot change but, certainly, the provisions of this Bill will make the situation more flexible in respect of those Ministers other than the Premier and the Treasurer.

Mr T. D. Evans: When the Murdoch University legislation was introduced I think reference was made to the Premier of the day and to the Leader of the Opposition of the day as being two persons to sit on the senate. I was advised by the Parliamentary Draftsman that that was the first statute to name the Premier, or the Leader of the Opposition, or both.

Mr O'NEIL: After that little cross-Chamber conversation, which I found to be very interesting, I commend the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

RAILWAYS DISCONTINUANCE AND LAND REVESTMENT BILL

Second Reading

Debate resumed from the 19th September.

MR McIVER (Avon) [9.27 p.m.]: Unlike the previous measure concerning railways, which was discussed in the House tonight, this Bill is for the discontinuance of certain railways. I have always expressed the view that it is a retrograde step for any State to have to close railways. However, in this case, because of the isolated situation of particular sections of railways in the goldfields, it is necessary for the lines to be closed and the Opposition has no objection to the measure.

There is one point which I will challenge at a later stage, during the Committee debate, but it is of a minor nature and I am sure the Minister will be able to answer my question.

The purpose of the Bill is to discontinue the services of certain railways; namely, the Coolgardie-Lake Lefroy section, the Coolgardie-Kalgoorlie section, a small section of the Tambellup-Ongerup line within the townsite of Gnowangerup and, finally, the Kalgoorlie-Gnumballa Lake section of line commonly known as the Boulder townsite loop.

This particular line was constructed in 1897 and it is interesting to look back on what the then Commissioner of Railways (the Hon. F. H. Piesse) had to say when he introduced the Bill for its construction on the 20th December, 1897. He was questioned by the then member for East Coolgardie (Mr Moran) regarding freight tonnages. It is interesting to note that in those days it was questionable whether the wagons could carry 20 or 30 tons of freight. It can be seen that there has been tremendous advancement in our railway system since 1897.

There is always a certain amount of sadness when railways are closed and I note with interest that the Minister has considered the wishes of the people in the district, and he will allow the Boulder

loop line to remain as an historic monument. The Minister is to be commended for his action in retaining the railway for historical purposes.

These railway lines are always rich with history and tradition. Of course, at the turn of the century, this railway line played a very important role, in fact, the prime role, in supplying the mines of "the golden mile" with materials and equipment, as well as taking the employees of the different mines to work each day. Because economics feature largely in these matters, I mention the fact that the Tambellup-Ongerup line was constructed in 1912 at a cost of £140 000. Taking the value of the currency of the day compared with present-day values, this line was constructed at considerable cost. We can never get away from the fact that railway lines are very expensive. So we must look at the economics of any railway in relation to its role in the State.

I realise that the discontinuance of this line will have been amply considered by the commission and I have no doubt that it has outlived its usefulness. However, I am a little concerned about one aspect of the Minister's second reading speech. He said—

> The present traffic being hauled comprises mainly oil in tank wagons for the mines at Kallaroo, Golden Gate, and Kamballie and nickel concentrates from Great Boulder Mines Ltd., Fimiston to Esperance, which will be hauled by road following closure of the line.

I would like to ask the Minister a question about the nickel concentrates being transported to Esperance by road. Is there insufficient tonnage to make it economical to transport this on the standard gauge line from West Kalgoorlie to Esperance? What tonnage is involved, and why has the Transport Commission decided to use road haulage in preference to the standard gauge railway line?

Mr O'Connor: There is no reason why it should not be taken by rail, but it has to be taken by road to that rail.

Mr McIVER: I see, to West Kalgoorlie.

Mr Taylor: West Kalgoorlie to Kambalda.

Mr O'Connor: Down to Kambalda—that is where the line runs from. There is no reason why it could not go from there by rail.

Mr May: What is the distance in the linkage from Kambalda to Esperance?

Mr O'Connor: It is 100-odd miles.

Mr McIVER: If I may continue, Mr Speaker—

The SPEAKER: You may.

Mr McIVER: I mentioned that the railway lines are very rich in history. I recall the use of the Australian Garrett locomotives on the Widgiemooltha section of the Coolgardie-Norseman line. We found by trial and error that these locomotives could not be used on heavy gradients and their most economic use was on that particular section of railway. We were able to increase tonnages and to give greater service to the rural producers and mining companies. Of course, this era has now passed.

Mr Hartrey: The Garrett was only a wartime measure.

Mr Nanovich: "I'll walk beside you!"

Mr Coyne: It was all downhill.

Mr McIVER: The area through Widgiemooltha was most suitable for this type of locomotive. The State was able to get some return for its huge outlay on these engines. They were brought here from Queensland and they caused a great deal of disruption.

We must remember that the railway lines played a big part in the progress of these sections of Western Australia. Apart from economics, they must also be looked at from the point of view of the service they gave to the people. As I said earlier, the people of the goldfields will be saddened to see this section of line no longer in use.

Railwaymen usually have a humorous story to tell about these old branch lines. With your indulgence, Sir, I would like to relate one particular incident about a branch line very similar to this one during the war years.

A very popular girl in a small town joined the WRAAF. The whole community turned out to give her a send-off. After a civic reception in the main hall, all the residents of the town went to the railway station where the girl was due to leave on the train at 11.30 p.m. The shire president instructed the driver that when the train departed there was to be plenty of whistle blowing so that the residents could join in the spirit of the occasion.

Mr Mensaros: Were you the lucky fellow?

Mr McIVER: Of course, everyone got into the spirit of things on this occasion. However, the locomotive also had to pick up a truck of stock before it departed. Everyone was so busy shaking the girl's hand and wishing her well that no-one realised the stock truck had not been coupled to the train, and it had gone some distance before the crew realised they had left something behind.

Mr Ridge: Were you the driver?

Mr McIVER: The crew had to take the engine back and couple the truck to the train. The driver said to the fireman, "Of course, there are 200 or 300 people on the station to couple it on." However, he said, "You get out and couple it on yourself."

I mention this to give one instance of some of the tales attached to these small lines. Many similar stories can be told about other railway lines throughout the State.

On this side of the House we do not oppose the Bill. I did have one query but the Minister has replied to that by way of interjection. With those remarks I have pleasure in supporting the measure.

MR HARTREY (Boulder-Dundas) [9.39 p.m.]: It was not my intention to take part in this debate, but I would now like to make a suggestion because the closure of this line involves the old Brown Hill-Kamballie-Kallaroo loop line. My suggestion is that this loop line might be preserved as an historic site for tourism. It is not a very long line.

This line is an historic relic, and I believe it could be made into a tourist attraction. There is a mine in the area, the old Hainault mine, which is now set up and operating for tourist purposes. People are taken underground to see the stopes, the drives, the winzes, and the type of operation which took place in the area. This mine is adjacent to the railway, and I believe it would be a good tourist attraction to incorporate the line with the operating mine.

I could tell members many more funny stories than the one told by the member for Avon a few moments ago.

The SPEAKER: I will allow you only the one.

Mr HARTREY: Perhaps it would not be wise to relate them here, even though the member for Wellington is not present at the moment. I will say no more, but I do stress the benefits of saving this line for tourist purposes.

MR T. D. EVANS (Kalgoorlie) [9.41 p.m.]: I would like to take the opportunity to put a proposition to the Minister, although he may not be able to reply to it immediately. However, I hope he will have my proposition considered and perhaps he could advise me of his decision at a later date.

As the member for Avon has said, the suspension, and particularly the termination of a service—that is, the removal of a line—traditionally engenders feelings of sadness amongst the local people. On this occasion we are referring to the Boulder loop line.

As you would be well aware, Mr Speaker, the Bill is basically a schedule Bill. In each schedule we see that paragraph (a) describes the particular railway service, and paragraph (b) relates to the land upon which the railway is built. It is in relation to the land that I wish to pose a question to the Minister.

The schedule refers to the land upon which a railway service is built, and this would be the land originally annexed. If the neighbouring land was freehold, it would have been annexed by some form of easement to enable the railway line to operate. The part of the schedule referring to the land provides that with the coming into operation of this Act—that is, the suspension of the railway service—the land is returned to Her Majesty as of Her former estate. If the land is under the operation of the Transfer of Land Act, then it is removed from the operation of that Act.

In the case of the Boulder loop line, once the line leaves the old Hannan Street station site upon its journey around the loop, I do not think it would traverse any freehold land at all. This would be vacant Crown land, as well as Crown land under the jurisdiction of the Mines Department and subject to existing, dormant, or in some cases, extinct mining leases. As I understand the situation, any person who wishes to take up a mining lease which may be near, or in the future may be near, an existing railway line, must comply with certain conditions. The Railways Department will always extract from the particular leaseholder of the mining tenement an indemnity prohibiting him from mining within a certain distance of the railway line for safety purposes.

The leaseholder of a mining tenement is also required to put up a certain sum by way of surety to indemnify the Railways Department and others for any damage that may result from his breach of such a covenant. Now, assuming that in the past these convenants had been extracted by the Railways Department from the then mining leaseholders, and assuming those covenants are still in operation, what will happen with the passage of this measure?

The actual service has not operated for some time now, but with the final termination of that service, by virtue of this legislation, will the covenants automatically cease to have effect, or will it be incumbent upon the holders of the leases to apply to the Railways Department if they wish to mine much closer than formerly to the area where, I hope, the line will continue to be?

Mr O'Connor: Are you concerned about the retention of this line?

Mr T. D. EVANS: Yes, I am coming to that aspect now. As the Minister knows, provision has been made for the preservation of this line; negotiations are taking place to establish a method whereby the line can be acquired and put on a profitable operating basis. I do not like to speak along these lines, but if there were a great increase in mining activity close to the existing line, the prohibition would cease to operate. The intention to preserve this as a tourist line could be jeopardised by an increase in mining activity close to the existing line. Does the Minister follow my point?

Mr O'Connor: If we restrict proclamation of this until such time as we have designed the line, we will have overcome the problem.

Mr T. D. EVANS: Will the existing conventions cease to operate automatically upon the coming into operation of the Act? Or will it be necessary for the holders of the leases who wish to increase their activities closer to the line to make special application to the Railways Department? Those who are interested in the preservation of this line as a tourist feature, of course, are concerned with that question. I put it to the Minister now and perhaps in due course he can advise me as to the situation. It goes without saying that I support the Bill.

MR MAY (Clontarf) [9.46 p.m.]: I should like to ask the Minister to clarify a few points. If I understand it, the standard gauge runs from West Kalgoorlie, down through Kambalda, links up with Widgiemooltha and goes down to Esperance.

Mr O'Connor: That is correct.

Mr MAY: In his second reading speech, the Minister said—

> The present traffic being hauled comprises mainly oil in tank wagons for the mines at Kallaroo, Golden Gate, and Kamballie and nickel concentrates from Great Boulder Mines Ltd., Fimiston to Esperance, which will be hauled by road following closure of the line.

I cannot understand why road transport will be used to Esperance.

Mr O'Connor: It is not meant that way; it only means in the areas where discontinuances are to occur. The maximum distance will be nine miles.

Mr MAY: That is what I am trying to clarify. If the Minister looks at the map, he will see that it is only a matter of three miles.

Mr O'Connor: Yes, three miles generally but the maximum is nine miles.

Mr MAY: How are the concentrates to be carried—by road transport?

Mr O'Connor: By rail, and road transport in areas where the railway line is to be discontinued.

Mr MAY: So, eventually, the concentrate will go all the way to Esperance by rail.

Mr O'Connor: Yes.

MR O'CONNOR (Mt. Lawley—Minister for Transport) [9.48 p.m.]: I thank members for their general support for this Bill. I will never forget the day I originally took the legislation to the party room. The members were sitting back and I said, "We have a fairly noncontroversial Bill here, which deals with the discontinuance of railway lines." If members ever want to make other members sit up and take notice, they should say they intend to discontinue railways.

Mr May: You should have done that with the fuel and energy legislation.

Mr O'CONNOR: We did, and received tremendous support. However, I know the Speaker will not allow me to spend too much time on the fuel and energy legislation.

The Kalgoorlie line is of great historical significance and I take the point made by members, particularly the member for Kalgoorlie, that it should be retained. I gave an undertaking during my second reading speech that we would not discontinue the line until such time as we had discussed the matter with the local people who were anxious to retain it as a tourist attraction. I will discuss the matter with the Commissioner of Railways along the lines mentioned by the member for Kalgoorlie to make sure that this line will not be undermined to any degree or made unsafe until such time as we have come to some conclusion regarding the matter.

I do not think there is much need for me to say a great deal on this point. It is very obvious that the sections from Kalgoorlie to Lake Lefroy, from Widgiemooltha to Coolgardie, and in the Gnowangerup area are no longer required. I have not had a great deal of objection from the people concerned. Bearing in mind that other forms of suitable transport are available in the area, I can see no objection to continuing with the Bill. I thank members for their general support.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

EVIDENCE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 28th August.

MR BERTRAM (Mt. Hawthorn) [9.52 p.m.]: This is a reciprocal and convenience measure; it also seeks to inject into our law a greater amount of justice. As Bob Hawke said to an assembly of 20 000 or more people in the Supreme Court Gardens and I do not know how many other thousands on television, people still believe that our laws are wholesome and beyond challenge or disrespect merely because they are laws, when the true position is that our laws in many cases are not as good as they should be. To the extent that they fall short of what they should be, they are unjust; to the extent that our laws are beyond the reach of certain people in their

implementation and to the extent that they are inaccessible to people also is a shortfall in justice.

This measure does something on the score of justice. It will give to litigants in our lower echelons of courts the same or similar rights enjoyed by litigants in, for example, the Supreme Court. At the moment, a litigant in, for example, the Local Court seeking to adduce evidence to prove an important point may well find the only way he can do it is to call a witness who may for the time being be residing in North Queensland. His opponent may well be aware of the technical difficulty with which he is confronted. In any event, while it is possible in such a situation for a litigant in the Supreme Court to obtain the evidence of the witness by commission from the people to be called in Queensland, at the moment it is not open for a litigant in the lower court to do so.

This Bill will enable a litigant in the lower court in circumstances where, for example, his key witness may be residing in North Queensland, to obtain an order of, say, the Local Court in Perth enabling him to have the evidence of the witness taken by what in this Bill is called a corresponding court in the area where that particular witness is residing. The witness can have his evidence taken and he can be examined and cross-examined. Objections concerning his evidence can be noted and his evidence can be transmitted to Perth for use as may be necessary in the Local Court here. By that procedure great expense and inconvenience can be overcome.

The procedure as envisaged by this Bill seems to me to be not dissimilar to the analogous provisions which obtain in the Supreme Court Act and/or the Supreme Court Rules. Members may be a little curious at some of the definitions contained in this Bill. One definition is of a corresponding court, which we need not touch upon now as I have already indicated its function. The Bill allows for the creation of corresponding courts not only in the various States but also in the Commonwealth Territories. The arrangements also extend to New Zealand. The corresponding court is set up for the purpose of taking evidence in the manner which I have outlined.

When I look at the notice paper, I see that the definition of "examiner" is to be slightly amended. I see no objection to that because there is nothing new about judges' associates taking evidence on commission and it seems that they will be included as is now proposed by the amendment. Another definition is "prescribed country". Here we have the rather odd situation where, for example, the States of Australia come within that definition of "prescribed country". This is a little curious and I think it has been brought about by the fact that the draftsman was already confronted in the principal Act—the Evidence Act—with definitions of "States", of "the State", of "the Commonwealth" and even a definition of "colony". He sought to introduce a new title or classification and so we have this new definition of "prescribed country" which includes New Zealand, the Commonwealth Territories, and each of the States of Australia. On the face of it, "prescribed country", though a misnomer, is a perfectly acceptable term.

I do not think there is any real need to further discuss the measure which comes before us on the initiative of the committee of the Attorneys-General. The intention is that each of the Governments of the areas coming within the term "prescribed country" will enact legislation along the same lines as we are now considering.

As a matter of fact it appears that Victoria has already legislated along these lines and, as of a few days ago, Tasmania was said to be also contemplating the introduction of a similar measure. At this stage it is not clear as to what has happened in New Zealand, but it is clearly the intention that each of the States, the Territories, and New Zealand will all have Acts of this kind, identical so far as is possible, so that there shall be convenient and reciprocal arrangements between each of them, one with the other.

As I have said, it seems to be highly desirable that wherever it is at all possible, all litigants should have the same access to the law. A litigant in the Local Court should have the same rights as a litigant in the Supreme Court. In fact, he may well be the same litigant. In the Supreme Court a litigant has certain availability of procedure, but until this Bill becomes law that availability is not present in the Local Court. However, when the Bill becomes law, although it will provide this facility to a litigant, it does not actually mean that every litigant will take advantage of it. Should a litigant wish to call a witness from a remote State to give evidence in this State—even if the evidence is only formal—it seems to me that that right is clearly preserved in this measure, although I should imagine that in that case he would find some difficulty if he insisted on following such a course in that he may be mulcted with costs for having done so.

Mr T. D. Evans: Did you say milked or mulcted?

Mr BERTRAM: I said "mulcted". For the reasons I have given we support the measure.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Thompson) in the Chair; Mr O'Neil (Minister for Works) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: New Sections 109 to 118 added—

Mr O'NEIL: On the notice paper in my name appears an amendment which I propose to move to clause 3. This Bill was introduced on the 28th August last and was in train through the Parliament when the Senior Puisne Judge, on behalf of the Chief Justice, brought to the attention of the Minister for Justice that an amendment to the Bill should be made. Perhaps it is as well for me to quote from the comments which were supplied to me by the Minister for Justice. They are as follows—

> The Senior Puisne Judge made representations to the Minister for Justice on the 23rd August, 1974 on behalf of the Chief Justice and Judges, with a view to extension of the definition of "examiner" as appearing in Clause 3 of the amending Bill.
>
> It was pointed out to the Minister that the definition in the Bill is in far more restricted terms than the similar provision for examination of witnesses in the Supreme Court Rules (0.38 R.1) which authorizes such examination to be held before "a Judge or Officer of the Court or any other person".

I understand some consideration was given to whether or not a judge, an officer of the court, or any other person should be added to this list. However, it was deemed advisable that the extension of the definition of "examiner" should be made to include only the judge's associate, because I understand that is the practice in any case. In those circumstances, I move an amendment—

> Page 2, line 36—Insert after the passage "judge," the passage "judge's associate,".

Amendment put and passed.

Clause, as amended, put and passed.

New clause 3—

Mr O'NEIL: Also appearing on the notice paper in my name is a proposal to insert a new clause. This, too, requires some explanation. The new clause proposes to delete subsection (5) of section 104A and to insert a new subsection.

Once again, for the purpose of accuracy, I hope you will allow me, Mr Chairman, to resort to the information supplied to the Minister for Justice by the Under-Secretary for Law in regard to this matter. He had this to say—

> Currently the Evidence Act is the subject of an Amendment Bill in the House. It has passed the Legislative Council and is now on the notice paper in the Assembly for the Second Reading.

That was on the 2nd September. Continuing—

> Attention has been drawn to the need for another minor amendment to subsection (5) of section 104A of the Evidence Act. The amendment which was apparently overlooked when the original Amendment Bill was considered, refers to the provision for a person appointed by a foreign authority to take or receive evidence and administer oaths in the State. There is some doubt that the reference in subsection (5) to "a law of a foreign country" includes the States and Territories of Australia.
>
> This matter was the subject of discussion at the meeting of a Standing Committee of Attorneys-General in Sydney in March, 1973. No firm resolution arose out of that meeting, but rather it was left to each State to take such action as it thought fit.
>
> It is recommended for your consideration that this further amendment to the Evidence Act Amendment Bill be proceeded with in the Committee stage of the Legislative Assembly.
>
> A suitable Notice of Motion is herewith for this purpose.

The Minister for Justice gave consideration to the recommendation of the Under-Secretary for Law and as a result an amendment, which appears in my name on the notice paper, requires to be made to the Bill. I therefore move—

> Page 2—Insert after clause 2 the following new clause to stand as clause 3—
>
> Section 104A amended. 3. The principal Act is amended by deleting subsection (5) of section 104A and substituting a new subsection as follows—
>
> (5) In this section "authority" means any court, judge, person or body that is authorised under the law of any State or Territory of the Commonwealth, New Zealand or any other foreign country to take or receive evidence on oath therein.

New clause put and passed.

Title put and passed.

Bill reported with amendments.

REGISTRATION OF DEEDS ORDINANCE AMENDMENT BILL

Second Reading

Debate resumed from the 28th August.

MR BERTRAM (Mt. Hawthorn) [10.11 p.m.]: It appears that some little time ago consideration was most belatedly given to the need to increase the fees chargeable under the provisions of the Registration of Deeds Ordinance. It transpired that in

order to give effect to that desire it was necessary to amend the legislation. These days, of course, almost always, fees of this kind would be provided for by regulations under an Act or Ordinance, and one of the amendments to this particular Ordinance in the Bill before us is to make it possible for regulations to be made under it and for those regulations to include the ability to fix fees by regulation.

In any event, this provided an opportunity not only to bring the Act up to date so far as fixing fees under it was concerned, but, generally, to renovate it *in toto*. That opportunity has been seized. Briefly, in the main, what the Bill intends to do is to tidy up an Ordinance of 1856, which was affected by two Acts in 1909, and subsequently amended in 1923 and 1966. The Bill also takes the opportunity to delete certain provisions in the old Ordinance which are no longer necessary, because they are dealt with by other Acts. For example the Interpretation Act of 1918, the Fines and Penalties Appropriation Act of 1909, the Constitution Act of 1889, and Treasury regulation No. 9 made under the Audit Act of 1904, to mention most, if not all of the Acts which have become law since 1856 and which all make their impact upon this Ordinance and, having done so, it is no longer necessary for the provisions so affected to remain in the Ordinance.

The next purpose of the Bill is to change the name of "Ordinance" to that of "Act" which is the modern description of any one of our Statutes, although, if one looks at the relevant section of the Interpretation Act it already contains, as a fact, that where an Act is mentioned in our laws it not only includes an Act, but also an Ordinance.

The next objective is, as I have said, to create the ability to make regulations, including regulations to deal with fees which, incidentally, at this stage, by reason of the fact that they have not been adjusted since 1856, are thoroughly out of gear and far too low for the nature of the work involved in effecting the registrations under the Ordinance. When compared with registrations of analogous documents under the Transfer of Land Act, they fall far short of what are reasonable and proper fees. Consequently one can hardly object to the fees being brought up to date, particularly when it is kept in mind that the documents registered under this Act tally to something like 100 each year. So the impact on the public or the Treasury will not be of particular significance.

Indeed, the measure before us is not very important at all, but it is good that we should place the Act into better shape at this time rather than do it piecemeal. It will also give us the opportunity to reprint the Ordinance as an Act and make it far more convenient to be read and understood.

Furthermore, the measure will enable the Registrar of Titles, although appointed under the provisions of the Transfer of Land Act, simply by virtue of his office, to be also the Registrar of Deeds and Transfers. Similarly, the assistant registrar will have appropriate power to act in lieu of the registrar when the latter is not available.

Finally, the measure intends to validate certain acts of one kind or another—administrative acts under Statutes—which have, in the past, been performed by registrars who apparently have not been properly appointed under the Act. So, any shortcomings in that regard will be made good by this measure.

It is a rather short and sweet Bill. It has already been dealt with by 30 reasonable people in another place and it seems therefore a little curious that all 51 of us should now be going over a matter which has already been dealt with a few days ago by as many people as I have mentioned and prima facie that would seem to me to be a thorough waste of time as well as less than a compliment to the other 30.

MR O'NEIL (East Melville—Minister for Works) [10.18 p.m.]: I thank the honourable member for his support of the measure. He mentioned the fact that the amendment of charges was somewhat belated. He is quite right. The law was passed by the then Legislative Council on the 14th day of June, 1856, and no changes have been made to the charges under the Ordinance, as it is now called, since that day.

The member for Mt. Hawthorn is always particular in asking whether the appropriate amount of research has been done, and for the facts which occasioned the need for the legislation. The file upon which this amendment is based is rather interesting. I notice that on the 20th October, 1972, the Under-Secretary for Law commented as follows—

> The fees prescribed by 19 Vic. No. 14 in respect of above matters would appear to need up-dating to bring them into line with other fee increases.

Of course that is also an understatement of a need. The under-secretary asked the registrar to carry out an exercise to determine precisely how much time it took to execute all the provisions required for such registration, and the papers before me indicate that the registrar has done just that and, in fact, the paper immediately before me indicates that some 40 minutes of work was occasioned in doing certain procedures related to the Ordinance and the fee charged was about 25c. So it is quite clear the legislation was in need of updating.

I think I agree with the honourable member. The legislation has had the surveillance and review of people in another

place. It has received their approbation, and I thank the honourable member for supporting it in this place.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

House adjourned at 10.23 p.m.

Legislative Council

Wednesday, the 2nd October, 1974

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS (2): WITHOUT NOTICE

1. PARLIAMENTARY DEBATES

Time Limits

The Hon. H. W. GAYFER, to the Minister for Justice:

Would the Minister consider calling a meeting of the Standing Orders Committee with a view to altering our Standing Orders to provide for time limits on general and Committee stages of debate along the line pursued by the Legislative Assembly following its experience of 1963, which now appears to be occurring in this House?

By way of explanation, I handed in this question last night, but in the flurry which occurred I would not be at all surprised if the Minister has not been advised of it. From the evidence I have I feel he well may not have been advised. I apologise for this.

The Hon. N. McNEILL replied:

I have had some notice of the question, although perhaps not in the precise form in which the honourable member directed it to me. I would convey to him that I am prepared to forward to you, Mr President, and to the Standing Orders Committee for further consideration, his request that the Standing Orders Committee give consideration to time limits on general and Committee stages of debate.

2. CONSUMER PROTECTION INQUIRY

Raymond Marketing Company and Pinelands (Australia) Pty. Ltd.

The Hon. CLIVE GRIFFITHS, to the Minister for Education:

In view of the announcement in an article in the *Daily News* of the 25th September, 1974, concerning the activities of Raymond Marketing Company and Pinelands (Australia) Pty. Ltd. that the Minister for Consumer Affairs was having an investigation into the activities of these organisations, would the Minister advise—

(a) has the investigation been completed;

(b) by whom was the investigation carried out;

(c) if the answer to (a) is "Yes" has the Minister for Consumer Affairs been furnished with a report;

(d) if so, will he lay the report on the Table of the House?

The Hon. G. C. MacKINNON replied:

Mr Griffiths was kind enough to give prior notice of this question to my colleague, the Minister for Consumer Affairs. The answer is that the investigation has been completed. It was carried out by the Consumer Protection Bureau, and the Minister has been furnished with a copy of the report, which I seek leave to lay on the Table of the House.

The report was tabled (see paper No. 236).

QUESTIONS (5): ON NOTICE

1. INDUSTRIAL STOPPAGES

Closure of Hotels

The Hon. D. J. WORDSWORTH, to the Minister for Justice:

(1) On the 1st October, 1974, was union labour withdrawn from the hotel industry?

(2) Did the Swan Hotel Chain decide to close its hotels, as did many of the larger hotels which were dependent on other than family staff?

(3) Did the union movement bring pressure on the Swan Brewery to change its decision and open for a short period before and after the proposed public meeting?

(4) What staff are manning these hotels during these limited opening times?

(5) Has the Licensing Court allowed bottle departments to open if insufficient staff are available to open the bars?