

"Dummying" has been a vexed question with the police for many years, and it is hoped that this legislation will eliminate this practice. At least it will provide for the full disclosure of interested parties connected with used-car dealing.

Consideration has also been given to the definition of "dealer." The provisions now to be found in the Traffic Act define a dealer as one who, among other things, sells 15 vehicles in the space of a year. However, it appears on inquiry that this provision was incorporated not because of the policy of allowing a limited amount of dealing without a license but rather as an evidentiary provision. However, as an evidentiary provision, this is valueless as in any prosecution it is necessary to prove two ingredients; namely, that the defendant—

(a) is engaged "in the business of acquiring, disposing, or exchanging used motor vehicles"; and

(b) in the course of that business acquired, disposed of, exchanged, or sold 15 vehicles in the space of a year.

Thus, far from lightening the burden imposed on the prosecution, it, in fact, increased it.

In the Bill the provisions contained in (b); namely, "in the course of that business, acquired disposed of, exchanged or sold 15 vehicles in the space of a year" has been omitted.

While the present provisions do provide for the Commissioner of Police to refuse a license on the grounds of bad character, there is no control over employees. This in itself is most unsatisfactory; but when there is the possibility that a person with a bad character has only to nominate a "dummy" as a responsible person, and he is then able to operate the business of trading in used cars quite openly, the position is alarming, as such an owner, although not mentioned in the license, can in effect, completely run the business even to the extent of constructing his "dummy" and other employees and salesmen on the premises. As previously mentioned, the Bill attends to this; and, although it does not completely eliminate "dummying", it brings it into the open.

The inspection of motor vehicles is most desirable, and the Bill allows a police officer or traffic inspector to enter a used-car dealer's premises for the purpose of inspecting vehicles; and, above all, allows him to affix unroadworthy notices if considered necessary, and in just the same manner as he has the authority to do if a suspected faulty vehicle is being used on the roads. Such power will, I feel sure, largely eliminate unroadworthy vehicles being offered for sale, and also will largely combat misrepresentation. No genuine dealer should fear the inspection, and I feel that the greater majority will welcome it.

It has been considered for some time now that "wreckers" should be brought within the interpretation of "dealers", and the Bill does this. The reason is that although used vehicles may be chiefly bought by wreckers for the specific purpose of wrecking and the sale of parts, many firms do resell complete vehicles when the opportunity offers.

In addition, it is felt that there will be very obvious advantages, both from a traffic and a C.I.B. point of view, if returns are required of all vehicles acquired by wrecking firms.

In an effort to eliminate much of the inquiry work which is now so time-consuming, and also to reduce the possibility of unlicensed vehicles being sold to purchasers as licensed vehicles, a requirement is included to enforce either the renewal of used-car licenses held by used-car dealers, or the return of number plates within 15 days of the date of expiration. I am sorry to have been so hasty with the introduction of this Bill, but it was because of the time.

Mr. Hawke: Could you give us some detailed information about the middle part of the Bill?

Mr. CRAIG: The Bill has the support of all connected with the industry and I commend it to honourable members.

Debate adjourned, on motion by Mr. Brady.

*House adjourned at 6.11 p.m.*

## Legislative Council

Tuesday, the 13th October, 1964

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The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

## BILLS (4): ASSENT

Message from the Governor received and read notifying assent to the following Bills:—

1. Inquiry Agents Licensing Act Amendment Bill.
2. Agriculture Protection Board Act Amendment Bill.
3. Health Act Amendment Bill.
4. Presbyterian Church Acts Amendment Bill.

## QUESTION ON NOTICE

## LAND FOR SELECTION

*Blocks and Applications*

The Hon. N. E. BAXTER asked the Minister for Mines:

- (1) What was the total number of blocks thrown open for agricultural development for the year ended the 30th June, 1964?
- (2) What was the total number of applications received for the blocks?

*Lands and Surveys Staff Employed*

- (3) How many surveyors on the staff of the Department of Lands and Surveys are employed full time on the survey of land to be thrown open for selection?
- (4) How many officers of the Lands and Surveys Department are employed in the drafting of plans and lithograms of agricultural land to be thrown open for selection?
- (5) Is there a shortage of—
  - (a) Surveyors;
  - (b) other departmental officers;
 to carry out the necessary work connected with unalienated land which otherwise could be thrown open for selection?
- (6) Would an increased number of surveyors and other departmental officers expedite the availability of more blocks of land for selection?

The Hon. A. F. GRIFFITH replied:

- (1) 512.
- (2) 2,515.
- (3) There are 30 licensed surveyors employed by the Department of Lands and Surveys full time on the survey of land to be thrown open for selection. Of this 30, 14 are on the permanent staff, and 16 are contract surveyors.
- (4) Plan work for land settlement is in two phases—
  - (a) The drawing of the plan—23 officers including 11 cadets.
  - (b) The examination of plans and surveys—20 officers.
- (5) and (6) Since the Government assumed office in April, 1959, 3,687 separate parcels of land aggregating over 5,500,000 acres, have been released for agricultural development in the South-West Land Division and Esperance district.

In addition to this area there have been approximately 42,000,000 acres made available for pastoral, grazing, and special leases. Twenty-six new townsites were declared and planned, and 1,755 townsites lots were released for sale.

It is considered that the consistent annual release of 1,000,000 acres for agricultural purposes is the maximum which at present can be successfully absorbed in the State's economy. In the development of new areas it is necessary to ensure as far as possible the provision of essential services such as roads, medical, education, transport, etc., and to co-ordinate overall planning with local authorities. An increase in the number of surveyors and other departmental officers would not, therefore, necessarily expedite the availability of more land for agricultural development.

## LEAVE OF ABSENCE

On motion by The Hon. J. J. Garrigan, leave of absence for six consecutive sittings of the House granted to The Hon. G. Bennetts on the ground of private business.

On motion by The Hon. A. R. Jones, leave of absence from and including the 20th October, 1964, for the remainder of the current session granted to The Hon. A. R. Jones on the ground of his absence as elected representative of the Parliament of Western Australia at the general conference of the Commonwealth Parliamentary Association at Kingston, Jamaica.

**PRISONS ACTS AMENDMENT BILL***Third Reading*

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

**BUSH FIRES ACT AMENDMENT BILL***Third Reading*

**THE HON. L. A. LOGAN** (Midland—Minister for Local Government) [4.41 p.m.]: I move—

That the Bill be now read a third time.

During the course of the previous debates on the Bill, I promised members that I would pass their complaints on to the Bush Fires Board. I have some notes from the board and, with your indulgence, Sir, and that of the House, I shall now read them—

The Bush Fires Act applies to the whole of the State, i.e., including the metropolitan area. This is distinct from the Fire Brigades Act which generally applies to the protection of buildings from fire.

Because of the increasing number of grass or bush fires in the metropolitan area, throwing an additional burden on to the Fire Brigades Board, it was decided to focus attention on the metropolitan area, which followed a conference of all local authorities; government departments; Fire Brigades Board and Bush Fires Board representatives.

The metropolitan area covers 23 local authorities, and the majority of them—because of the absence of trained personnel and equipment—preferred not to undertake the clearing of land to remove bush fire hazards; in other words, they preferred the Bush Fires Board to do this work.

The metropolitan fire district, comprising the 23 local authorities, involves 200,000 ratepayers. Each ratepayer receives a pamphlet dealing with the requirements under the Bush Fires Act, and this is normally sent with the rate notice. Owners or occupiers of land are required to remove fire hazards in the first instance or provide firebreaks where necessary, and these requirements are clearly set out in the pamphlet or order posted to ratepayers by shire councils.

When default occurs—and this did in 400 cases out of 200,000—the local authority was asked whether it would take the necessary action. In most cases the shire or local authority preferred the Bush Fires Board to take the action to comply with the order to clear the fire hazard or provide firebreaks as the case may be.

For any clearing work done under this direction the Bush Fires Board is entitled to recover costs for clearing the land or providing firebreaks as the case may be. Contractors are engaged for this work, but it is difficult to get the work done for a relatively low cost.

I shall now deal with the town of Melville, which the honourable Mr. Ron Thompson mentioned—

Town of Melville: More than 16,000 ratepayers were advised of the requirements of the Bush Fires Act, and the town council advised the Bush Fires Board of 63 cases on which fire hazards existed and that the council's order had not been complied with. It was not in a position to do the necessary work of removing the hazards, and requested the Bush Fires Board to do this.

That is not quite in accordance with the information given by the honourable member—

Action was taken in all the 63 cases submitted by the council.

The honourable Mr. Thompson referred to a fire hazard which he says was caused by the Bush Fires Board near a block of flats. The flats were not there at the time the contractor cleaned up the block.

The Hon. R. Thompson: A house was, though.

The Hon. L. A. LOGAN: To continue—

The heaps of rubbish came off the block concerned, and the adjoining owner had cleared a firebreak alongside his own land. The material pushed on to the land could not be burned because it was during the period of prohibition. Standing trees were not removed or interfered with, and there is no doubt that the heaps of rubbish to which the honourable member referred had been added to through dumping of additional rubbish by neighbours. The heaps of rubbish could have been burned by the owner of the land after the prohibition on burning of fires had ended.

The case referred to by the honourable Mrs. Hutchison has already been investigated; in fact, on more than one occasion. The complaint was made by the Bush Fires Board and, on inspection, the property was found to be in extremely bad condition—overgrown and with highly inflammable material. Apart from vegetation there was such material as car bodies and old building material.

Because the Bush Fires Board was not able to see the owner, action was taken to clear a firebreak around the boundaries. There was no damage to trees and shrubs, and the work done

by the board was in accordance with the order issued by the council. There was considerable difficulty in making the firebreaks because of the general condition of the land.

The Honourable Mr. Lavery: The general information on the application of the Bush Fires Act in the metropolitan area has already been given. Notices are issued by each of the shire councils.

Action by the Bush Fires Board was taken only after each case was investigated and where the owner or occupier did not comply with the notice. In most cases where action has been taken, this was as the result of a report either by the Fire Brigades Board or police officers.

General: There has been the fullest co-operation between the Bush Fires Board and the Fire Brigades Board. Although it is the responsibility of shires in the metropolitan area to take action under the notice which it issued to ratepayers, the Bush Fires Board takes the action necessary only where the local authority is not prepared to do this.

**THE HON. R. THOMPSON (West)** [4.46 p.m.]: I realise the position of the Minister under Standing Orders, but I take it that as he has read a statement I am justified in making some explanation in addition to my previous contribution.

The information was supplied to me by two councillors of the Melville Town Council. It is not correct for the Bush Fires Board to say that neighbours had dumped rubbish at the corner of Dee and Matheson Roads, because the bulldozer tracks can still be seen on the sides of the heaps. It is true the blocks of flats were under construction when this work was carried out, but the fire hazard is close to a house of many years standing—a house that would be endangered if a fire got out of hand.

Probably some lawn clippings have been dumped by neighbours on the block at the corner of Perkins Road. But that does not get away from the fact that the Bush Fires Board in carrying out this clearing work has created a hazard. It is also not correct for the board to say that no standing timber has been removed; because anyone who cares to have a look at the Dee and Matheson Roads area will see that most of the heap is composed of standing timber that was pushed down. This timber is piled up into a dangerous fire hazard. I will not, for a moment, accept the explanation by the Bush Fires Board.

If the board is going to be given permission by the local authorities to carry out this work, it should carry the work out correctly. What it is doing is not good

enough. The board sends bills for work that is only half carried out, and that endangers neighbouring properties.

The £4 administration costs seems a lot; and even for the amount of work mentioned by the Minister this afternoon, it would appear to be excessive. The local authorities could carry out this work more efficiently; or local contractors could do it; and there are numbers of them looking for this particular type of work. The quotes of one firm are approximately half of what is being charged by the Bush Fires Board operators. Therefore not for one moment can I accept that the Bush Fires Board is carrying out its work correctly. Even though it is given the privilege by the local authorities to do this work, it is not carrying it out properly or safely.

I do not want to labour the question, but it is strange to note that although the Local Government Association has notified all local governing bodies throughout the metropolitan area of the action taken by the Bush Fires Board to clean up the metropolitan area, it has now appointed a committee to inquire into the actions of the board.

On the one hand it knows all about what is going on, but after the work has been done it views the action of the board so seriously that it appoints a committee of inquiry, which met for the first time last Thursday evening. I therefore hope the Local Government Association will bring down recommendations; and if, as the Minister has stated, he takes notice of the association, next year he should bring down regulations making it the responsibility of the local authority concerned to carry out this work.

I would point out that this matter is also the subject of clause 18 of the Local Government Act Amendment Bill (No. 2), which is before the House at present. That clause seeks to give to the local authority the right to clear the land of any refuse or rubbish which the owner has not cleared after receiving a notice from the local authority. If this provision is agreed to by the House the Bush Fires Board will not be able to carry out this work.

I hope, therefore, that the Local Government Association will come forward next year with a request to keep the Bush Fires Board out of the metropolitan area.

**THE HON. R. F. HUTCHISON (Suburban)** [4.52 p.m.]: I could not hear all the Minister said when he was reading the report to the House. When I made my complaint, I referred to both the Bush Fires Board and the local authority. Could I ask the Minister whether it was the Bush Fires Board he was referring to?

The **PRESIDENT** (The Hon. L. C. Diver): What is the question the honourable member wishes to ask the Minister?

The Hon. R. F. HUTCHISON: I will speak on what I think the Minister said and he can correct me later if I am wrong. For those of us sitting on the back benches of the Chamber the acoustics are not very good and I was not able to hear all the Minister read out to the House. I want to make it clear that I made a complaint, and it is not true to say that the machine I mentioned could not have entered the block at a place other than where it did enter. The work that was to be carried out was to clear a 3-foot strip around the block. This was not done except for one part at the bottom of the block where there is a fowl run, and because of the fowl run there was no need to do any clearing there.

I would also point out that a jacaranda tree which I gave to my sister as a Christmas present, and which had reached a height of about 8 to 10 ft. was smashed down. If the inspectors so desire I will accompany them to the block and show them how it was smashed down. I could not make that statement about some of the other blocks, because some time had elapsed before I returned; but what happened to the jacaranda tree is perfectly true because I bought the tree as a present for my sister. Therefore, to say that there was no damage done is not true.

It is also true that the machine was driven on to the block from all directions around the house itself. The land comprises three blocks and if it had been cleared properly there would have been no dispute when the bill was sent in, but in doing the damage that was done around the house with the machine that was used, I think my complaint was justified. Nothing was picked up from the block for the purpose of preventing a fire. Therefore I am not going to be glibly fobbed off by the statement that there was no substance in my complaints; because I am ready to substantiate everything I said.

Whoever carried out the work did not do the job that was supposed to be done, and they charged by sister £8 10s. for damaging her ground and doing nothing whatsoever in the way of fire prevention. I showed the inspectors the jacaranda tree that was broken down, and they picked it up; so I hope some notice will be taken of my remarks in that regard.

**THE HON. L. A. LOGAN** (Midland—Minister for Local Government) [4.55 p.m.]: I would point out to the House that the Bush Fires Board does not come under my jurisdiction, and the notes I read a short time ago were prepared by the board. In reply, I merely want to say that the information supplied by the honourable Mrs. Hutchison was investigated on more than one occasion, and I am not going to say that she did not have justification for her complaints. I do not know the size of her sister's block, but if it is

a quarter of an acre, she must clear the whole of the block herself. That is her own responsibility.

If the honourable member's sister has not complied with the requirements of the local authority, that is her own fault, because the Act definitely lays down what shall be done. Apparently some person has laid a complaint; because the Bush Fires Board never takes action unless a request is received from a local authority or the police. Apparently someone has fallen down on his job somewhere along the line. Honourable members will recall, however, that last year we had a Bill before the House to amend the Bush Fires Act, and one of the clauses sought to ensure that the local authorities should carry out their responsibilities, but this House would not agree to that provision and, in effect, said to the local authorities, "You can please yourself what you do."

The Hon. R. Thompson: It was not for that reason that the provision was not agreed to.

The Hon. L. A. LOGAN: No; but the House would not agree that the responsibility should rest on the shoulders of the local authorities. At the same time 99 per cent. of them have carried out their responsibilities in regard to bushfire prevention. Apparently in this case the local authority has said to the Bush Fires Board, "Despite the instructions we have sent out, these owners have not complied with the requirements of the Act."

The Hon. R. F. Hutchison: My sister did not get a notice!

The Hon. L. A. LOGAN: Everyone got notices: 200,000 were sent out.

The Hon. R. F. Hutchison: How do you know?

The Hon. L. A. LOGAN: I know they got notices, and many did not comply with them. The responsibility reverts to the owner for doing what he is required to do under the Act. The prime responsibility is on the owner's shoulders, and if something goes wrong after receiving notice he must accept the blame.

I am not going to say that what the honourable Mr. Ron Thompson has said is not factual. I have known him long enough to realise that any case he puts forward is a reasonable one. However, I hope the report I have read to the House will do a lot of good and that everyone in the future will make sure that the requirements of the Act are observed. If everyone co-operates by doing the right thing we will get somewhere with bush-fire prevention.

The bushfire problem is a difficult one. As honourable members know a fire can wipe out a homestead overnight, or within a few hours, and we do not want to see that in the future. The Bush Fires Board is constituted to protect the public and the property of the individual. If the

board acts with greater zeal than it should in endeavouring to provide this protection, I do not think we can censure it for that. If the board lapses at any time and fails to carry out its duties as prescribed by the Act, it could mean ruin to some individual who does not have his property insured. There is then an appeal made to the public to assist such a person to rehabilitate himself after he has been burnt out.

Therefore I think all honourable members will agree that the protection offered by the board is most essential, and I believe it is a question of co-operation between everyone concerned. I can assure the honourable Mr. Ron Thompson that I will make further inquiry into this matter following the comments he has made this afternoon. In my opinion the airing of these grievances will do a lot of good.

**Question put and passed.**

**Bill read a third time and passed.**

## **CHIROPRACTORS BILL**

### *Further Report*

Further report of Committee adopted.

## **BILLS (3): RECEIPT AND FIRST READING**

1. Bellevue-Mount Helena Railway Discontinuance and Land Revestment Bill.

2. Police Act Amendment Bill.

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

3. Banana Industry Compensation Trust Fund Act Amendment Bill.

Bill received from the Assembly; and, on motion by The Hon. L. A. Logan (Minister for Local Government), read a first time.

## **OFFENDERS PROBATION AND PAROLE ACT AMENDMENT BILL**

### *Second Reading*

**THE HON. A. F. GRIFFITH** (Suburban—Minister for Justice) [5.4 p.m.]: I move—

That the Bill be now read a second time.

The parts of the Offenders Probation and Parole Act relating to parole were proclaimed to come into operation on the 1st October. The Parole Board is required under section 47 to fix a minimum term where a prisoner currently undergoing a sentence has 12 months or more of the sentence still to serve. That prisoner then becomes eligible for parole. Such a person will not necessarily be released on parole, but he is eligible at that point to be considered for parole.

A minimum sentence cannot be fixed, however, in respect of the sentence of a prisoner having less than 12 months still to serve and he, therefore, cannot be considered for parole. There are numbers of prisoners who have served a substantial portion of their sentences, but who had less than 12 months still remaining to be served as at the 1st October. Undoubtedly, some of these might be fit subjects for release on parole, but, as the Act now stands, this is not possible. Upon examination of the Act, just prior to the Parole Board beginning its operations, it became evident to me that strictly a person who had 12 months and one day to serve was eligible.

The Hon. F. J. S. Wise: That is, he has served the major part of his sentence?

The Hon. A. F. GRIFFITH: Not necessarily. The Act now provides that a prisoner who has more than 12 months to serve can be considered for parole; but in strict terms a prisoner who has less than 12 months of a sentence to serve—be it less by one day or one week—is not eligible for parole. It occurred to me that hardship could be inflicted—if hardship is the applicable word—on a prisoner who has 364 days to serve, as against one who has 366 days to serve.

This Bill contains an amendment to enable the Parole Board, in its discretion, to release on parole a prisoner who has served at least half of the sentence imposed on him and who has less than 12 months remaining to be served as at the 1st October. I am anxious that this situation should be resolved in order that, in certain circumstances, the Parole Board may be able to consider the case of such a person.

There is another amendment affecting section 5. This section provides that the Offenders Probation and Parole Act does not apply to, or with respect to, a child as defined by the Child Welfare Act, who is convicted of an offence by a children's court.

Under this provision, a prisoner who was under 18 years of age at the time of his conviction, and who was sentenced to imprisonment is not eligible for parole, despite the fact that he might attain the age of 18 years during the currency of the term of imprisonment he is undergoing, and then ceases to be a child. This class of young prisoner could well be the most suitable to be paroled under supervision. The amendment in this Bill will bring this class within the ambit of the parole section of the Act. The Director of Child Welfare and my colleague, the Minister for Child Welfare, are in agreement with this proposal. It is not necessary, however, to bring them within the scope of the probation section of the Act, because there is a probation system already operating for juveniles within the Child Welfare Department.

I might mention incidentally that the proclamation of the part of the Act dealing with probation will be deferred until the Parole Board and parole officers have completed the task of fixing minimum terms, and have considered the individual cases of the prisoners undergoing sentence at the commencement of the new procedures contained in the Offenders Probation and Parole Act of 1963.

The small amendment to section 34 is necessary to correct an error in the wording of the original Act. The word "commuted" is being substituted for the word "committed" in subsection (2). It is evident from the context that the word "committed" may not be read properly into the context, which has reference to the commutation of the death sentence to life imprisonment.

I would like to point out that the Parole Board came into operation officially on the 1st October. It is proceeding with its task of fixing the minimum sentence of persons who have more than 12 months to serve, and progress is being made in respect of the administration of that portion of the Act. I feel sure this small amending Bill will receive the support of honourable members.

Debate adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).

## EDUCATION ACT AMENDMENT BILL

### *Second Reading*

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [5.13 p.m.]: I move—

That the Bill be now read a second time.

Mr. President, this Bill has been passed in another place, and though it contains many amendments of varying degrees of importance to the Education Act, the most important is regarded as that extending the present school-leaving age by 12 months. On its passing, the permissible school-leaving time in this State will be that at the end of the year in which the child turns 15. Provision has existed in the Act since 1943 for raising the leaving age to 15, and now it is considered that the time has come to do so.

The 1962 amendment made it obligatory for children to remain at school until the end of the year in which they turned 14. This ensured that nearly all children would benefit from at least two years of secondary education. The initial stage in secondary education is planned as a three-year course, so children leaving before it has been completed have received only part of the full course and are lacking in their knowledge of technologies. Upon the completion of the third year, they would be much better fitted to take their place in the modern world and have a greater measure of understanding of the demands of these technologies in their

everyday living. It is highly desirable that this preparedness, if we could term it such, be imparted to the young adolescent before leaving school.

The proposal in this Bill conforms to Australia-wide policy. In Tasmania, the age is the sixteenth birthday, but with liberal exemptions based on scholastic achievement after the fifteenth birthday. New South Wales and Victoria adhere to the fifteenth birthday; and in South Australia, the pupil may leave at the end of the year in which the child turns 15. In Queensland, the leaving age is on the fourteenth birthday or completion of grade 8, whichever is first, but the authorities in Queensland have announced their intention to raise this to the fifteenth birthday by 1966. A child may leave school at the end of the half-year in which he turns 15 in the United Kingdom, so it will be seen that Western Australia is gradually bringing its school-leaving age into line with accepted practice elsewhere.

The existing provisions which assure only nine years' schooling are considered inadequate and, unless the additional year be made compulsory, the State could come to be regarded as having an educationally backward population. This is quite apart from the fact of its being essential for Western Australia's economic future that its youth receive the benefit of the fuller education now proposed.

It is proposed to establish prevocational classes for students in their fifteenth year who show strong practical ability as contrasted with academic ability. These will be located in technical schools, where possible, and will comprise specially devised programmes in such subjects as English, social studies, civics and health education, shared equally between workshop and pre-trade activities.

The experience gained from the exemptions provided in the 1962 legislation from compulsory attendance at school after the fourteenth birthday shows that only 2½ per cent. of the affected age group applied for exemption, which may be granted if suitable employment is available, and the Minister is satisfied that it is in the best interests of the child.

This principle has been retained in this Bill, though amended to operate from the fifteenth birthday. Exemptions will be granted liberally since rigorous enforcement of the later school-leaving age could cause hardship in certain areas. Suitability of the employment available is an important factor in the granting of such exemptions.

It is proposed the extended school leaving provisions shall not become effective until the beginning of 1966. This will give parents fair warning and allow also time for the erection of the additional classrooms which will be required.

As provision has been made to exempt children who turn 14 in 1965 from having to return to school in 1966, the full impact of the Bill will not be felt until 1967.

It has been estimated that in that year an additional 3,500 children will remain at school.

The next matter I wish to deal with concerns the Government subsidies on projectors, library books, radios and pianos. It is now proposed to extend these benefits so that all schools will receive the same degree of financial assistance and for the same items in their purchases of classroom equipment.

The range of subsidised purchases will be extended to include physical education equipment, television sets, duplicators, record playing equipment, and brass or pipe band instruments.

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

## CLEAN AIR BILL

### *Second Reading*

Debate resumed, from the 7th October, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

**THE HON. J. DOLAN (West)** [5.17 p.m.]: This legislation is most important and opportune, because we have reached the stage in our industrial development where unless some controls of this nature are introduced we are likely to experience the chaotic conditions which existed in many countries prior to clean air legislation being adopted.

This legislation is patterned on, and follows very closely, the New South Wales Clean Air Act of 1961, which comes into force by regulation on the 1st January next. The New South Wales Act is based on, and follows closely, the English Act.

I propose to address myself to some aspects of the English Act, because I feel that we can learn from what was introduced in England; and by so doing we might make our own legislation more effective.

The English Act resulted from a report of a committee on air pollution appointed by the British Government on the 21st July, 1953. The committee reported back to the government in November, 1954. The terms of reference followed closely those laid down by the New South Wales Government; and similar terms of reference appear in our own Bill, although the verbiage may be a little different. The British committee was asked to examine the nature, the causes, and the effect of air pollution; the efficiency of existing preventive measures; and also to consider what preventive measures should be taken, and to make recommendations.

The problem is widespread. Air pollution has many sources. In the first group is included pollution caused by

smoke, gases, grit, and dust from domestic and industrial chimneys. Pollution also comes from locomotives and includes exhaust gases from motor vehicles. In the second group come the solid and gaseous pollutants which come from chemical works and industrial processes. Of the two groups, the latter is more dangerous to human beings.

There are other sources of air pollution. One which has occupied the attention of famous men throughout the world is nuclear fall-out. There is also the problem which exists in our north-west, in central Australia, and in many other parts of Australia. I refer to the dust-storm problem which is often man caused. Nature has done the rest by producing that particular brand of air pollution.

There are related matters to this problem of air pollution. There is the cost to a nation. I will refer to this aspect a little later. In some countries the cost is considerable. In England, for example, the figure is about £300,000,000 a year. In the United States of America, the figure, in the last analysis, was about \$300,000,000,000 a year.

The Hon. G. C. MacKinnon: How would that be assessed?

The Hon. J. DOLAN: I will come to that later, when I will tell honourable members how the assessment was made. The estimate is a conservative one. Another related matter is the economics of prevention. How can air pollution be prevented; what is the cost involved; and what part can all sections of the community—factories, the government, and ordinary people—be expected to play?

The British committee consisted of 12 men who were highly qualified in various spheres. It included medical health officers, chemical engineers, and field technologists who understood the problems associated with clean air. It also included a professor of public health and social medicine from Glasgow University, and a director of meteorology. There should perhaps be a word of explanation as to why there should have been a director of meteorology on this committee.

Once air pollution occurs it is spread by prevailing winds, and so on. That is where the meteorologist came in. He was able to explain to the other members of the committee how and where the polluted air was likely to be borne; where it was likely to descend; and what were the local conditions which might affect the pollution. On the committee there was also an economist of high standing. He was responsible for finding out the cost of air pollution, the cost of remedying it, and the ways in which this cost could be met.



When the committee presented its report, it stated its belief emphatically in the following terms—and this is most important:—

Air pollution on the scale with which we are familiar in this country—

That is, England, Wales and Scotland. Continuing—

—is a social and economic evil which should no longer be tolerated; and it needs to be combated with the same conviction and energy as was applied 100 years ago in securing pure water.

One hundred years ago when, in certain countries, agitation took place for the introduction of pure water, there were the usual crowd of disbelievers who said it could never be achieved. There are the same crowd of disbelievers today who feel that the problem of air pollution cannot be controlled.

This legislation is a start. If it follows the same pattern as that in England and the United States of America, it will go far not only towards solving our present problems but also towards ensuring that in the future we will live in a happier and healthier country. The British committee was confident that its proposals would, if carried out, secure happier and more healthy living conditions for millions of people. It felt that the cost involved would be far less than the cost of allowing the evil to continue. It was of the opinion that at the end of 10 or 15 years the total amount of air pollution in all heavily-populated regions would be reduced by 80 per cent.

That is a remarkable objective. If we can achieve a similar result in our industrial areas, and in other parts of Australia, we will be doing marvellous work for the people of this country.

I turn now to the effects of air pollution. The most serious problem is the pollution which arises from the combustion of fuels; namely, from coal, oil, and so on. I refer also to gas, and a new fuel which is in use in parts of the metropolitan area; namely, sawdust.

There is a distinction between visible pollution—pollution in the air that one can see, caused by grit, smoke, and dust—and invisible pollution. The most important of the latter type is pollution caused by dioxides of sulphur associated with industries operating close to the metropolitan area. Most of the smoke comes from industrial sources and from our railways; and nearly all the grit and dust comes from the same source. Sulphur dioxides are discharged wherever coal, coke or oil is used, whether for industrial or domestic purposes.

It might be helpful if I outlined the effects of pollution in other countries on health to see what the effects might be here. Scientific evidence on the health

effect of air pollution is incomplete, but enough is known to make it abundantly clear that air pollution is injurious to both physical and mental health. It fosters disease, and can even cause death. I will give honourable members examples later on which will convince them of that statement.

There is a clear connection between air pollution and bronchitis and other respiratory diseases. Statistics show that the death rate from bronchitis and other respiratory diseases every year in England and Wales is much higher than in other European countries for which figures are available. I will quote statistics, and will use as the basis for comparison the Scandinavian countries. In Denmark, for 1951, the death-rate figures per hundred thousand were males 2.2 and females 1.9. In Norway the figures were males 5.5 and females 5.8. In Sweden the figures were males 5 and females 4. In England—in the same year, 1951—the figures were males 107.9 and females 62.7.

In 1952 the figures in England showed a drop, which could have been due to climatic reasons. The figure for males was 83.8, and for females 42. In 1953 the figure for males was 91.9, and for females 47.6. Of course, all of these deaths cannot be attributed to air pollution. Other factors, such as climate and bad housing conditions, may have contributed to the English figures.

It is the industrial towns which are liable to heavy pollution that have the highest death rates. The death rates from pneumonia and bronchitis during 1952 in England and Wales show a definite and consistent difference as between each centre of population.

In urban areas where the populations are high—around the 100,000 mark—the death rate per 100,000 of population from pneumonia is 47.9. Those from areas with a population of 50,000 to 100,000 drop to 39.22; and under 50,000 the rate is 35.75. In the rural areas the death rate drops still further to 31.5. There was a corresponding degree of comparison in all the other respiratory diseases.

In Scotland—probably the greatest industrial area—is the Clydeside, and in the urban area the death rate from bronchitis is much higher than in any other part of Scotland, so we draw the most obvious conclusion that it is because of the air pollution in that particular area. During 1952, in the Clydeside area, 11.7 per cent. of all male deaths and 9.7 per cent. of all female deaths were due to respiratory diseases whereas the corresponding figure for the rest of Scotland was males 7.5 per cent. and females 5.6 per cent. I could not imagine the late Sir Harry Lauder singing "Roamin' in the gloamin' on the bonny banks of Clyde" in modern times; not with the air pollution that is there today.

The Registrar-General in England, when giving evidence before a Royal Commission for the distribution of industrial population in 1938, listed as one of the four factors contributing most to the increasing urban death rate, the production of smoke from factories and houses which reduces the effect of sunlight. That is a point of which I would like honourable members to take particular notice. The psychological effect might be no less serious than the physical effect. The comparative death rates for urban and rural areas generally suggest that the pollution of the atmosphere might be a big factor in the production of cancerous lungs.

If this legislation is passed we will not notice much change for many years. Eventually, however, if we make the industrial progress we hope to in this country, it will be of tremendous value for the general health of the people.

One final example of the effect on the health of the community—and I would refer to a statement made by Dr. Read of the London School of Hygiene; and this could be most important—can be shown by a study made of postmen and postal workers. Of course, it would be assumed that a postman who goes around in the open air, pushing a bicycle, would be much healthier than a postal worker working in the post office. Dr. Read took out separate figures for the two groups of employees, both in the city and in the country. It was found that respiratory diseases, such as pneumonia and bronchitis, were 20 per cent. higher in the case of postmen than of postal workers in offices. In the city the figure was 75 per cent. higher. The great difference, of course, can only be attributed to air pollution.

The Hon. G. C. MacKinnon: Would not the fact that the outside worker was affected by wind and rain have helped to increase the percentage?

The Hon. J. DOLAN: It may have had a contributory effect, but generally speaking Dr. Read reached the conclusion that the difference was due to air pollution. I would refer to London, in 1952, when air pollution associated with fog, in four days was responsible for the death of 4,000 people. That means that on each of those four days 1,000 people, above the average death rate, died. Their lives were taken through air pollution. That is a terrific loss.

Earlier the honourable Mr. MacKinnon asked how the economic loss was calculated. We can refer to the economic cost under two headings. Firstly, the direct costs, which I will explain later, are obvious; and, secondly, the loss of efficiency; which is much harder to calculate. Direct costs include laundry and domestic fees. One has to see the figures from England and other large countries to realise what an enormous item this is.

Another item is the cleaning, painting, and repairing of buildings. Another is the corrosion of metals, which entails the cost not only of replacement but also of providing protective coverings. Damage to goods also occurs, and additional lighting is necessary to offset the lack of natural sunlight. Hospital and medical services are involved in extra expense.

It was calculated that air pollution was costing £250,000,000 at least, and those figures were compiled by men who are experts in their particular spheres. They maintain, of course, that their estimate was very conservative. The loss of efficiency would include the effect on agriculture, damage to soil and crops, and the effect on animals. Interference to transport is very often caused by air pollution, particularly in areas where traffic is very thick.

One item not included in the estimate of cost was the loss of fuel due to incomplete combustion. Strange though it may seem, it is possible to burn smoke, because the bulk of smoke coming out of chimneys is really due to incomplete combustion. It can be dealt with in the machine producing it so that very little smoke would come out of the chimneys. In England it is estimated that the waste of coal alone, through ineffective and incomplete combustion, amounts to from £25,000,000 to £50,000,000 a year, and the loss is something the nation cannot afford.

I will now come closer to home. I feel that if honourable members can hear of examples close to themselves, they will give more thought to this matter. During a recent cleaning of the Sydney Harbour Bridge, the cost of removing dirt, dust and soot from four pylons was £19,000. On that basis alone, how much is spent annually on trying to keep the buildings and factories of Sydney clean? I gleaned that information from a debate which took place in the New South Wales Parliament at the time a similar Bill was introduced in that State.

It was reliably estimated by the Department of Public Health in New South Wales that from all sources, eighteen and a half tons of ash, grit, and dust, is deposited on every square mile of Sydney every month. We have all heard the old, old story about putting things end to end and making them stretch around the world, and so on, but the Department of Public Health of New South Wales has calculated that if all the accumulation of air-borne debris over the City of Sydney fell at the same time, the city would be covered with 21 feet of dirt.

Now let us come even closer to home. The amount of fall-out from the rubbish burnt by an average family of five people would be 850 lb. a year.

The Hon. F. J. S. Wise: I have some neighbours who would exceed that figure, I am sure.

The Hon. J. DOLAN: It is necessary that we should start to look at the problem in our own backyards.

The Hon. F. J. S. Wise: I agree with you.

The Hon. J. DOLAN: The problem of domestic incinerators requires serious consideration. They are causing a nuisance in many parts of the metropolitan area. I do not want to remain on this subject too long, but if any other honourable member wishes to take part in the debate, that is one aspect which can be discussed.

The Hon. G. C. MacKinnon: You will start the honourable Mr. Loton off again.

The Hon. J. DOLAN: I will come closer to home again and refer to the Repatriation General Hospital at Hollywood. In that particular neighbourhood, not very far away from this place, the people complained for a long while about the nuisance of fall-out coming from the chimney. They complained so bitterly the matter was taken up by the Federal Parliament. The Minister for Repatriation was concerned about the matter and he had an investigation made. He eventually decided that action would have to be taken. To start with an arrester was installed in an attempt to stop the fall-out which was causing so much trouble to the people in the district.

When that was not successful, the Commonwealth works engineers sought advice from independent air pollution experts in New South Wales and from fuel technologists available in Western Australia. Arising out of their examination certain measures were recommended. One recommendation was that a special type of high efficiency arrester should be installed. The cost to the Federal Government, and I will quote the Minister's answer if necessary, was expected to be £39,000. That work has now been done and that trouble was very close to home. The Minister for Repatriation commented that the expenditure was worth while if it overcame an inconvenience to residents of the district.

A lot of people who are causing the nuisance think that it does not matter. They should have the same consideration for the people concerned as the Minister for Repatriation had for the people who lived in the vicinity of the Hollywood hospital, which is under his control.

I suppose all honourable members are aware that in my particular electorate there are residents who are very upset about various aspects of air pollution, and this is one thing which makes me very unhappy. The majority of the places which are causing the air pollution do not come under the provisions of this Bill. I think it behoves the Government and the representatives of those factories to get together. Between them they should recognise that it is in the interests of the Government and the factories—and I know

the Government realises this, otherwise it would not have brought in the Bill—that a conference should be held involving all the people concerned. I realise that no pressure can be brought on the owners of the factories.

The Hon. F. J. S. Wise: Do you think they are able to get out of their responsibility because of lack of legislation?

The Hon. J. DOLAN: That seems fairly obvious but I think they are responsible enough to realise that if pollution is allowed to continue it is going to cause severe unhappiness to the people concerned, and affect the health of the people generally. I would also say that if any new industries are started, they should be made aware of this legislation and the conditions laid down in it.

If any honourable member feels that the complaints are not warranted, I will give a couple of examples of the damage that can be done. I can take honourable members down to South Coogee and show them some beautiful tuart trees which have died—and anybody who has tried to chop a tuart will know how hard and tough they are. Those trees have been killed only by the pollutants in the atmosphere—there is no other reason for it. People whose nasal organs are in good condition can go down to that area on any night, particularly if there is a sea breeze blowing, and if they are not aware of the problem that exists down there I will be amazed. If they do not become aware of it it is about time they made a visit to a nose doctor who could have a good look at that organ.

The first recommendation made by the British commission was this—

The emission of dark smoke from any chimney should be prohibited by law throughout the country.

If we look at the Bill we find a definition of "dark smoke", and I am sure honourable members must be impressed by such a profound definition. It reads—

"Dark smoke" means smoke, which by a method prescribed by the regulations, is ascertained to be smoke that is dark smoke within a meaning prescribed by the regulations.

I would say the author of that definition must be the first fellow who called a spade a spade and not an agricultural implement. I suppose it is easy to be facetious about this definition, but I think I would serve a better purpose if I were to offer a more practical and perhaps more intelligible definition of "dark smoke."

Probably some preliminary explanation is necessary before I give a definition which is accepted internationally and which is used by inspectors in two big industrial countries—I refer to Great Britain and the United States of America. When an inspector in those countries wants to find

out whether it is "dark smoke" or not he uses a well-known shade chart which was invented over 50 years ago in France by Professor Ringlemann. When one is tuning a TV set one is asked to observe the colours ranging from white on the inside to black on the outside, with alternate shades of grey. That is based on the Ringlemann chart.

His chart is quite a big one divided into five sections going from nought to one, two, three, four, and five, and it has various shades of colour to correspond with the various shades of smoke, starting from nought, when there is none visible, right through to the top one, which is equivalent to the outer circle on a TV set. That is dark billowing smoke which used to come out of the funnels of ships in Fremantle Harbour at one time.

The usual thing would be for the inspector to put the chart down and then stand about 50 yards away. He lines it up with the smoke and he is able to tell the colour of the smoke that is being emitted. However, in a heavily built-up area where there are several factories, it is not always possible to follow that procedure and so a miniature of that chart has been produced and it is called a micro-Ringlemann chart. With this chart the inspectors can get much closer but they are still able to reach the same conclusions. The definition, which is a simple one, and a much more intelligible one, takes the Ringlemann chart as a background and it is as follows:—

"Dark smoke" is something as dark as or darker than shade 2 on the Ringlemann chart.

I said previously that this chart is accepted internationally and has been the standard by which smoke is judged. The definition given is likewise recognised.

I would now like to spend a few minutes referring to the question of installing preventive equipment in factories and industrial establishments. When we see excessive smoke coming from an establishment, invariably it is a sign that fuel is being wasted, and expenditure on smoke-preventive equipment is always likely to be a most profitable investment. It is in the interests of the owners of these places to install this equipment because they will save the price of that equipment by the elimination of fuel wastage.

I would suggest, as an effective incentive—and that is the reason why I referred to the action of the Federal Minister for Repatriation in spending £39,000 to rectify the nuisance at the Hollywood hospital, which shows that the Commonwealth Government is interested and would be sympathetic to the proposition—that the Commonwealth Government should allow the cost of new plant and

equipment which is installed for the express purpose of avoiding air pollution as a charge against revenue for tax purposes in the year in which the expenditure is incurred.

Alternatively, if a company wishes to spread the expenditure over a period of five years, the same principle could apply. Industries which have not already installed this equipment should be encouraged to do so, and if some incentive were given, I think they would probably be prepared to install it. It is a costly business. What are called electro-static precipitators cannot be bought for peanuts, and any factory that has to install one will find it expensive. I am sure there is some way in which industry and government can get together so that it will be made less burdensome on the people who have to install this equipment.

A question I have heard discussed fairly often around the metropolitan area is the trouble from automobile exhausts. If any honourable member has travelled at the back of some of the trucks which go up and down the Canning and Stirling Highways he will know that there are times when these vehicles emit from their exhausts a pollutant through which, quite frequently, one cannot see.

The Hon. N. E. Baxter: What about some of the M.T.T. buses?

The Hon. J. DOLAN: I would classify a bus as an automobile and in the same class as big trucks. In those circumstances we might say, "Well, what can be done about it?" Only one place in the world has passed legislation to try to counteract this nuisance and that is Los Angeles.

The Hon. L. A. Logan: It came into effect only this year.

The Hon. J. DOLAN: Yes, but the authorities there realised they had to do something. We are fairly fortunate here that in our summertime we have a natural south-westerly breeze that clears away a good deal of our smoke and our air is comparatively clean. We want to keep it that way—not only keep it that way, but we also want to keep it clean and, in the areas in which it is a nuisance, to get rid of it. If we can get rid of it now, in the same way as the committee in England hopes to do, in 50 years' time there will be a group of people who will be calling us blessed. Whether they add any other words or not will be left to their own judgment.

In Los Angeles all motor vehicles have to be fitted with a special device. It is not a costly one—I think it costs between £13 and £20 Australian to fit—and I think if we made it compulsory for the bad offenders here to fit such a device, it would be well worth while.

The Hon. F. J. S. Wise: In days of heavy smog in Los Angeles they ban motor vehicles completely during certain hours.

The Hon. J. DOLAN: That is so. Actually conditions there are very bad and the city should never have been built in this particular area. However, when it was first established I do not suppose the people in those days visualised the trouble automobiles would cause.

The Hon. G. C. MacKinnon: Are you sure that it is compulsory at the moment to fit these devices?

The Hon. J. DOLAN: Yes, it has been brought in by legislation.

The Hon. G. C. MacKinnon: I thought they legislated for it over a 10-year period.

The Hon. L. A. Logan: They have time to fit these devices.

The Hon. J. DOLAN: The device has been tested and has been found to be most effective. The authorities have made it compulsory to fit these devices. I read the source of my information very carefully and I would say it is a most reliable source.

The Hon. A. F. Griffith: Do you know what sort of device it is?

The Hon. J. DOLAN: Yes. If I had the time I could go through its description and read it out. However, I think if I did that I would be taking up too much time. I will undertake to give it to the Minister at a later stage of the debate.

The authorities have worked out that diesel smoke is unnecessary, and the controllers of some of the largest bus and coach undertakings in Great Britain have agreed with the British Air Pollution Committee that diesel engines, if they are properly serviced and properly driven, need not emit smoke. The only time a diesel engine should emit smoke is when it is being started; once it has been started there is no reason why it should continue to emit smoke. Therefore, more attention should be given to the proper maintenance and proper driving of diesel engine vehicles.

Perhaps it would be useful if we had some means of letting the drivers of these vehicles know the nature of the smoke they are throwing out from their vehicles. If we had some little lead which would enable a sample of the smoke to be taken into the drivers' cabins it would be a good idea and would tend to make the drivers drive their vehicles properly. There is nothing like giving these people a taste of what they are giving to the ordinary motorists driving behind them for them to realise the trouble they are causing.

The Hon. F. R. H. Lavery: The driver does not give it to them. It is the engineer.

The Hon. J. DOLAN: I do not know about that. I think the driver should be made aware of it and when he gets back to the depot he can say to the engineers, "You had better do something about this because the smoke nearly killed me today."

I would say air pollution is a problem that can and must be controlled with the co-operation of the responsible authorities. I have always been deeply impressed with a statue in Broken Hill. There is only one statue there and it is to an ordinary simple naturalist called Carl Morris. He was the man responsible for practically removing the duststorm menace from Broken Hill because he put the equivalent of a green belt around the city. He is the only man to whom a monument has been erected in Broken Hill, and it is a monument to what can be done by persistency and courage, particularly in the face of criticism. Now a start has been made with the introduction of legislation of this kind we must go forward bravely and not let any companies offend against the legislation. If it can be proved that the pollution from factories is a menace to health and to efficiency, action must be taken to see that they conform.

There are two points I would like to mention. The first one I have referred to briefly, and that is that there are large establishments which are responsible for air pollution and which will not come under the control of this legislation. I say again that a proper approach would receive a responsive chord from them and they would make a move to try to remedy the problem. In every other country of the world where similar legislation has been introduced there has been the utmost co-operation as there has been between big business and the Government in New South Wales.

While I am about it I would commend this Government for using the New South Wales legislation as a basis for this legislation. It is enlightened and a reminder of the way they think in New South Wales. Another point that has worried me a little is the necessity for having both a council and a committee. One of the council's duties is to obtain the advice of persons having a special knowledge, experience, or responsibility in regard to the prevention of air pollution.

If that is one of its functions surely it can get anybody at all to advise it on any point. Yet, we find there is another organisation called the Scientific Advisory Committee which will also operate, and one of its functions is from time to time to take into consideration and advise the council on any matters and questions relating to the prevention, abatement, and mitigation of air pollution that are referred to it for consideration and advice by the council.

I cannot see why it is necessary to appoint a separate body which can be approached for advice. What is wrong with using the power the committee already possesses to obtain advice from any person who might have specialist knowledge, without going to the special group to whom I referred? If it is proposed to pass that duty on to a second body to make the necessary inquiries we might just as well remove that duty from the functions of the first committee.

I support the Bill, and I hope it achieves what it seeks to achieve. I hope it will clear the air of our beautiful skies and keep it clean. If the committee achieves that objective we will have good reason to feel we have made a very worth-while contribution to the health and happiness of the people of Western Australia.

**THE HON. N. E. BAXTER** (Central) [6.2 p.m.]: Like the honourable Mr. Dolan I feel certain that this measure will play a large part in preventing pollution around the city area. There are, however, some strange and unusual features in the Bill. One such provision which we do not often see is that contained in clause 4 which binds the Crown. It is an unusual provision to include in a Bill. I was rather struck when considering the formation of the air pollution council that even though the legislation binds the Crown the council itself is certainly loaded in favour of the government.

As members know the council is to consist of a chairman and 13 members. First of all we have the chairman who is the Commissioner of Public Health—a public servant; there are also six other public servants on the council, making seven public servants in all. It makes me wonder how, in the event of the Crown offending in any way, the public servants would be able to align themselves to take action against the government. It does not seem possible that they will be in a position to recommend that action be taken against the Crown.

I notice that on this council there is also to be an officer of the Town Planning Department nominated by the Minister. The Minister will also have another bite at the cherry by appointing an officer from the Local Government Department. I cannot see why it is necessary to have an officer from the Town Planning Department together with an officer from the Local Government Department, and on top of that a representative nominated by the Local Government Association.

In the matter of air pollution I daresay the Town Planning Department would be the body which should be given the authority. I cannot see what application an officer of the Local Government Department would have, because there is also a representative from the Town Planning Department and the Local Government

Association. There are a few rather amusing although necessary clauses in the legislation, and we find that clause 15 says that a member of the council shall be deemed to have vacated his office if he dies. I know this has appeared in legislation before but it does seem a little odd to state that a man shall be deemed to have vacated his office if he dies.

**The Hon. A. R. Jones:** Who is going to let him know?

**The Hon. N. E. BAXTER:** I do not know. I have been trying to do a little mental arithmetic in regard to the formation and numbers of the committee. Clause 8 says that the chairman shall be the commissioner, and in subclause (3) we find that one member shall be the chairman for the time being of the committee. I do not know exactly what that means, but perhaps the Minister might be able to explain what, "chairman for the time being of the committee" actually means. I take it from that that one member of the council shall, for the time being, be chairman of the committee.

Clause 20 sets out the formation of the committee, and we find that it shall consist of a chairman and six other members. The seven members of the committee are to be appointed by the council and they will consist of a person who is a legally qualified medical practitioner, a person who is a fuel technologist, a person who is an engineer employed in the Public Works Department, a person who is a qualified meteorologist, a person who is a chemist, and two persons nominated by the Chamber of Manufactures.

So we have seven members appointed by the council and we also find that one member of the council shall be the chairman for the time being of the committee. For the life of me I cannot see how that will not make eight in all, and yet the Bill says that the committee shall consist of a chairman and six other members. It is a little difficult to understand, but I will leave it to the Minister to explain when he replies.

**The Hon. L. A. Logan:** The member of the council is a member of the committee.

**The Hon. N. E. BAXTER:** It does not say so. It lays down who shall be appointed, and the only one who could be chairman of the committee is one of those appointed by the Chamber of Manufactures.

**The Hon. L. A. Logan:** It also says who is chairman of the committee.

**The Hon. N. E. BAXTER:** Why does it not say in the Bill that the chairman of the committee is to be one of the two persons nominated by the Chamber of Manufactures? It could be any one of the members of the committee. It is a very strange provision to include, and I cannot see what application it has to the committee. I do not want to deal with

the Bill generally. I have gone through it fairly thoroughly, and I feel that most aspects are fairly well covered.

As the honourable Mr. Dolan said, the legislation has been taken from the New South Wales Act, which is a fairly well constructed Act, and the legislation should help to deal with the matters of air pollution in the future. There is one factor which strikes me as rather difficult, and that deals with fumes and odours.

*Sitting suspended from 6.9 to 7.30 p.m.*

The Hon. N. E. BAXTER: Before the tea suspension I intended to deal very shortly with the matter of fumes, mists, and odours, which are mentioned in the Bill as being impurities. This is a rather difficult matter to deal with and will be quite a job for the council and advisory committee. I think you, Mr. President, remember the time we had an insecticide industry in our province, and you will remember the results of it.

The Hon. R. Thompson: You are lucky! We have it now!

The Hon. N. E. BAXTER: It has been shifted into the territory very close to that of the honourable Mr. Ron Thompson. As a matter of fact I think it is on the boundary of our province at present. However, even though it has been shifted, the fumes and odours from that particular factory can be smelt and tasted on some days a mile away; and the effect it has on some people and plant life is something that many would see only once in a lifetime.

The answer to the problem of that factory is location. I do not think any device could possibly deal with the fumes, gasses, and odours from a factory such as that one. It is necessary to establish that type of industrial concern either out in semi-desert country or on an island at least a mile from the coast, in which case it would not matter whether vegetation was killed. I do not think any committee could deal with it successfully.

The Hon. L. A. Logan: What about the situation when a factory is established and then a residential area is launched.

The Hon. N. E. BAXTER: In this case it was not.

The Hon. L. A. Logan: Yes it was.

The Hon. N. E. BAXTER: No.

The Hon. L. A. Logan: I mean where it was originally.

The Hon. N. E. BAXTER: I can assure the Minister that the residential area was well and truly there before the factory moved in.

The Hon. L. A. Logan: No, it was not.

The Hon. N. E. BAXTER: I know the area, as do you, Mr. President, and we can vouch for the fact that there were rural holdings there before the factory was established.

The Hon. L. A. Logan: Approval for the residential area was given some time afterwards.

The Hon. N. E. BAXTER: That was a fair way away, but the main close settlement was there long before the factory was established. Now that I have a new lease of life, I will go further into the Bill.

The Hon. L. A. Logan: I knew the President should have let you go on before tea.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. N. E. BAXTER: On page 7 of the Bill is subclause (5) which refers to a Minister or a body authorised under subclause (4) to nominate an officer or person for appointment to the council, and it states—

If a Minister or a body referred to in subsection (4) of this section, authorised to nominate an officer or person for appointment to the Council fails to do so within thirty days after the receipt by him or it respectively of a written request from the Minister so to do, the Minister may nominate for appointment . . .

We all, of course, know the Ministers to whom reference is made in these subclauses. The Minister referred to in subclause (4) is the one who has the power to nominate persons to this council. The Minister in subclause (5) is the Minister of the Crown who will have the responsibility of administering the Act.

It strikes me as rather strange that we have not at some time had a look at the interpretation of "Minister" under the Interpretation Act, because to the outsider, subclauses (4) and (5) would be rather confusing. In one case the Minister referred to is one who has the power of appointment and in the other case it is the Minister who administers the Act.

The Hon. L. A. Logan: That is fair enough.

The Hon. N. E. BAXTER: A lot of people would wonder what the clause really means.

The Hon. A. F. Griffith: No they wouldn't.

The Hon. N. E. BAXTER: I think in future we should have included in the Interpretation Act a reference to the Minister as being the one who administers an Act as distinct from a Minister who has the power to appoint someone. In this way the matter would be clearer than it is at present to the general public and to those who must operate under the Act.

The Hon. A. F. Griffith: It is clear now.

The Hon. N. E. BAXTER: I mention this because the draftsman has been rather meticulous on little matters, but not so meticulous in regard to the difference between the Ministers involved in this part of the legislation.

The Hon. A. F. Griffith: That depends on the way you read it.

The Hon. N. E. BAXTER: Yes, but if the Minister will have a look at this particular provision he will realise that the ordinary person would wonder which Minister was which.

The Hon. A. F. Griffith: Which subclause is it?

The Hon. N. E. BAXTER: It is subclause (5) on page 7. While I am on my feet I would like to refer again to this committee. During the tea suspension I had an opportunity to look at the New South Wales Act and I found that it was rather strange—not bringing party politics into this—that in New South Wales there are, I think, three or four civil servants on the advisory committee; but in this State there will be seven civil servants on the council. It seems rather strange that in a State like ours so many public servants will be on this committee.

Another aspect of this is that under various Bills passed in Parliament from time to time public servants are nominated to committees; and I often wonder how these officers manage to put their full time into their work—

The Hon. F. J. S. Wise: They have a lot more officers appointed around them.

The Hon. N. E. BAXTER: —and at the same time carry out their duties on these committees.

The Hon. F. J. S. Wise: That's easy!

The Hon. N. E. BAXTER: I trust that the committee and council under this Bill will not operate similarly to an advisory committee under another Act which I could name. It meets from time to time and reaches certain conclusions under the chairmanship of a public servant. However, a reference to the files of that department will reveal that there is no record of any recommendations having been made to the Minister under that particular Act. Even if reference were made to the minutes of that particular committee it would be found that very few recommendations were made. From what I can gather of the whole set-up, the particular departmental head who was the chairman of the committee—

The Hon. A. F. Griffith: To which committee are you referring?

The Hon. N. E. BAXTER: —never referred to the Minister the recommendations made by the committee. I am not going to tell the Minister. He can come to his own conclusion.

The Hon. R. Thompson: It is sitting in Fremantle tomorrow.

The Hon. N. E. BAXTER: I hope that the committee under this Bill will not operate on the same basis as the committee to which I have just referred. It will be a complete farce if it does.

The Hon. R. Thompson: Absolutely!

The Hon. N. E. BAXTER: That is all I have to say on this Bill. I support it in a general way. I think that it can be straightened out to a certain degree in regard to the appointment of members to the council and committee, and in regard, perhaps, to another item or two.

THE HON. H. K. WATSON (Metropolitan) (7.41 p.m.): I do not think anyone can quarrel with the principle behind this Bill, but I do venture to suggest that much will depend upon the manner in which it is administered and upon the consideration which many manufacturers will be entitled to receive from the committee in its deliberations, decisions, and endeavours under this Bill.

I think it can be taken for granted that industry as a whole does its best in the circumstances within its knowledge, and within its financial resources, to refrain from doing anything which would impair the health of the community. On the other hand, we have to realise that in much the same way as there is no rose without thorns and no breakfast in bed without crumbs, so we cannot have industry without some ill-effects, or some results which in some respects may be unpleasant.

In so far as this Bill is designed to investigate and assist industry, I would like the emphasis on assistance rather than direction because as I have said I am convinced that the average industrialist is happy, willing, and anxious to co-operate with the authorities in anything for the well-being of the community.

Before the tea suspension, the honourable Mr. Dolan addressed himself to this Bill in a manner which showed his considerable research into the Bill and its genesis. He also covered a very wide range both of countries and of illustrations of nuisances that could arise.

I do think that at this time, at any rate, —and for quite a while in the future—one does not get very far by comparing the position in Western Australia with its climate, the position of the City of Perth near the coast, the breezes and so on, and its comparatively sparse industrial establishments, with the position of, say, Birmingham, where factories have been belching forth smoke for over 300 years, and factory has been added to factory during that time. Nevertheless I do not suggest we should wait until Western Australian industry has been operating for 300 years before we have a look at this question.

When listening to the honourable Mr. Dolan I did receive, in one respect, a great amount of personal satisfaction, because I am now convinced that on the occasions when my bronchial tubes worry me, it is not due to cigarette smoking but is inherited from the days when I was a telegraph messenger at Fremantle and rode my bike during World War I either in the middle of the night or in the early



hours of the morning from the post office to the naval office; and for that I am greatly obliged.

Turning from the general to the particular, I draw the Minister's attention to what I consider is an anomaly in the Bill. At the outset the Bill stipulates that when its provisions are in conflict with those of the Factories and Shops Act, the Health Act, the Local Government Act, etc., they shall prevail. Yet later on in the Bill, at pages 16 and 17, it provides that the council shall not grant an application for a licence in respect of scheduled premises the use whereof as such would contravene any town planning scheme, or by-law of any local authority respecting the use or development of land. The two provisions seem to me to be in conflict, particularly as the next subclause of clause 24 provides that the application shall thereupon be automatically deemed to be finally determined.

I visualise this possibility: Assume there is an odour emerging from a factory, and the factory is directed by this committee to erect a chimney or smokestack. Assume the factory is anxious and willing to erect a smokestack. As a matter of form it applies to the local authority for permission to do so in a manner which conforms to all the building by-laws of the local authority, but the local authority, simply because it does not like the look of smokestacks, refuses the permit. Imagine the predicament of the factory owner in such a case—one authority telling him he shall erect a smokestack or enlarge an existing one, and another authority, either with or without justification, telling him he shall not erect a smokestack. In such a case of conflict, I feel the provisions of the Bill should prevail; and the early part of the measure suggests that they do, but when we come to a subsequent clause there is room for doubt.

The point I have just raised is not a hypothetical one; and there is nothing fanciful about it, because I know of an instance where precisely what I have just been discussing has, in fact, occurred.

The Hon. G. C. Mackinnon: In that instance, under what Act would the factory be ordered to erect a chimney if this Act was not in force?

The Hon. H. K. WATSON: I am still trying to find out. I think the whole instruction not to erect the chimney is unauthorised; but that is by the way.

The Hon. L. A. Logan: The council can only deal with scheduled premises.

The Hon. H. K. WATSON: This measure does apply to scheduled premises, but the point I am discussing is, I suggest, equally applicable under part IV of the Bill, which relates to premises other than scheduled premises; because power is given in clause 39 to instruct an occupier

to erect or alter the height of any chimney through which air impurities may be discharged from the premises.

I would be obliged if the Minister, in his reply, would clarify the powers of the board and the obligations of the manufacturer in respect of unscheduled premises as distinct from scheduled premises. So far as I can gather the council acts, in respect of scheduled premises, without any consideration for what the manufacturer has done to prevent air pollution and so on; but in respect of unscheduled premises it would appear that the council only operates or interferes or gives direction if, in its opinion, the manufacturer has not taken all practicable means to do such and such.

I hope that with respect to unscheduled premises the administration of the legislation will be as I mentioned at the outset; namely, that it will be understanding and wise, and that the comparatively small manufacturer will not be put to unnecessary and uneconomic expense to install expensive machinery in a very small factory.

It is all very well for the Minister for Health to spend £39,000 at the chest hospital and say that he is pleased to spend it and that he hopes everyone else will follow suit; but the Minister spends the money from the public purse.

The Hon. L. A. Logan: The Minister for Repatriation.

The Hon. H. K. WATSON: Yes; the Minister for Repatriation. He spends the money from the public purse, and the two cases are by no means analogous. I hope that if it is found that a small manufacturer has taken reasonable steps to prevent air pollution, and so on, the council will recognise that fact and will not put him to unnecessary expense.

I would like to congratulate the honourable Mr. Dolan on one point he made: that in so far as a manufacturer is compelled to install expensive plant to prevent air pollution it should, for income tax purposes, be allowed as a revenue item. Normally the manufacturer would be allowed depreciation on it, but I think there is much to be said for treating the expenditure as a complete revenue item in the year in which it is spent. Of course, we have to appreciate that that matter does not rest with this Minister or with this Parliament, but is one for the Federal Legislature.

I think that is all I desire to say. I notice a couple of printer's errors in the Bill, but I assume that the Minister will have them attended to when the measure is in Committee.

The opening clause of part IV of the Bill says—

This Part of this Act does not apply to any scheduled premises.

I suggest it would probably be clearer if the clause read—

This Part of this Act shall apply to premises other than scheduled premises.

We would then have a clear division between scheduled premises and unscheduled premises.

I think any further remarks I have to make can be deferred until the Committee stage; but I would like an assurance from the Minister, when he replies, that industries which are not large ones will receive every consideration and will not be put to unnecessary expense.

**THE HON. J. G. HISLOP** (Metropolitan) [7.58 p.m.]: This is an interesting Bill because it is a necessary one, and one that must in the future—if it is carefully administered and if all the decisions of the council are worked out on a highly skilled and technical basis—in every way enhance the future of this city, and any other cities in which it might ultimately be employed.

I, too, congratulate the honourable Mr. Dolan on a very interesting story of pollutants of all sorts. But I would also say there is a considerable difference of opinion in regard to the so-called effects that have been made known by him, because many of them have been argued in a different manner.

I was very interested in an original document which came out from Los Angeles some 10 years ago—and I think a copy of it is still in the M.T.T. offices—stating that it had been proved that diesel exhaust fumes had no pathological significance to human beings. Here, of course, we find exactly the opposite. I could go on giving examples of this sort of thing, but I am not going to make another speech on the question of pollutants.

What does concern me is how this Bill is going to be administered. I am rather on the side of the honourable Mr. Baxter, because I am growing very concerned over the number of committees that are being appointed by various departments and, in particular, the Public Health Department. Recently in a Bill we had evidence which made it clear that the Commissioner of Public Health had reached the stage when he could not sit on any more committees that were constituted by his department and that other members of his staff beyond the deputy Commissioner would have to take the chair in presiding over some of these committees.

I am rather concerned as to whether the findings of some of these committees will receive precedence of action, or whether they will take the time that is so often spent in producing the results for which a committee is constituted. I draw the attention to the fact that it was in November, 1962, that this House and the Minister agreed to appoint a committee to inquire into the problem of silicosis

and pneumoconiosis, and it is only within the last 30 days that we have seen the report. If a similar length of time is to elapse before the decision of any of these committees is put into effect, the objective in the Bill which we expect to reach will not be attained.

**The Hon. A. F. Griffith:** What year did you say it was?

**The Hon. J. G. HISLOP:** November, 1962. It was in that year the House agreed to the formation of the committee.

**The Hon. A. F. Griffith:** The committee was not set up in 1962.

**The Hon. J. G. HISLOP:** The House agreed to set up the committee in 1962 and it has taken until the last 30 days or so to get a report. It is this sort of thing that makes me worried about the proposed organisation mentioned in the Bill. When we realise that on this council there are going to be heads of various departments, or an officer appointed from each, sitting on them, I am rather concerned. Heads of departments could assume these positions with authority and take action, but what is going to be the position of an officer of one department conveying the news to another department that it is the one which is causing the trouble? What is to be the result?

In my opinion a great many of these matters will be shelved until such time as equitable arrangements can be made between the various departments. Proceeding further with the Bill we find there is to be formed a scientific advisory committee, but when it comes to a question of air pollution I am wondering whether such a committee could be properly constituted. The committee is to be given power to "co-opt a person or persons who is or are conversant with any particular matter upon which the committee is required to advise." But then again, if the Commissioner of Public Health cannot sit on the committee, the chairman shall be one of his staff; and the members of the committee shall be a fuel technologist, a qualified meteorologist, an engineer employed in the Public Works Department, a person who is a chemist employed on the staff of the University, and two persons who shall represent the interests of industry generally.

The person referred to in paragraph (e) of subclause (3) of clause 20 should not be a chemist trained in any other field than that of industrial chemistry. This brings me back to the point that this committee could quite well be disbanded and the work done more expeditiously by a small committee of three highly-trained officers knowledgeable in all the fields of air pollution who could meet as a scientific body and tender advice to the council. If this were done I could see this measure functioning in the way we wish it to

function, but to form a committee and permit it to investigate the conditions of a city or an area in which it is going to act, following which it would pass its findings to a council of officers drawn from various Government departments, would surely cause considerable delay.

I think we have reached the stage when we have to forget about conducting everything by departments, and remember that there are people outside departments—particularly in industry—who probably would be able to render much more valuable advice on what is required under the provisions of a Bill such as this than an officer of a department, or the people who have been mentioned who shall comprise the committee. I know of several people in this city who are industrial chemists and industrial engineers in private practice. If they were brought together and granted power and authority, and given a real salary for the purpose of investigating this problem thoroughly, and if they used that authority wisely to advise the council of their findings, I think we would make progress.

However, I am afraid this Bill will not bring about the progress we seek. I think it will take a long time before the committee reaches the necessary decisions. Therefore, I have probably no alternative but to vote for the Bill, but I seriously suggest to the Minister in charge to look to a smaller and more scientific collection of, say, three men—he would not need more—to investigate the various aspects of air pollution and to give their knowledge freely to the departments concerned. If that were done, I am certain that more rapid action would be obtained than by a series of committees being given authority to co-opt other people and ask their advice and then report to a second committee of government officers.

I believe that unless those officers are the most senior in the departments concerned they will have to advise the senior officer of the department of their decisions, and he could quite easily negative them because he is the senior officer. So whilst I heartily approve of the objectives of the Bill I cannot see how they are to be brought to fruition in the near future.

**THE HON. L. A. LOGAN** (Midland—Minister for Local Government) [8.8 p.m.]: In discussing a Bill of this nature, which is to be something new on the Statute book of Western Australia, it is found that each and every one of us, after making a thorough study of the measure, arrives at his own conclusions, which he endeavours to convey to other honourable members. Being something new, this measure naturally brings about a difference of opinion. However, in fact, there is nothing new in its contents. Many of its provisions are already contained in other Acts, and if all departments were to put

into effect the legislation already on our Statute book this measure would not be required.

The object of the Bill is to co-ordinate all the other Acts dealing with the subject of air pollution into one piece of legislation, and it is inevitable that a few anomalies may be created for a start. I feel sure that each and every one of us agrees that the Bill is a wise move. The departmental committee which has been investigating this problem over the past three years—the department is probably the only one that has taken an interest in the subject over the last three years—is of the opinion that whilst there is no real air pollution in Perth at the moment the time could arrive when there would be; so rather than wait for Perth to reach the stage reached by Los Angeles and other major cities of the world, it is considered that now is the time to pass a specific Statute so that industry could have an eye to the future. If some guidance had been given to some of the industries which have already been established around Perth the problem of air pollution would not have arisen. We have to make a start somewhere, sometime, and this Bill represents a start.

I thank honourable members for accepting the Bill. The honourable Mr. Dolan must have conducted a great deal of research before making his speech in the House this evening, and I am indebted to him for conveying the results of that research to the House for its information. He has certainly relieved me of a great deal of work in conveying the necessary information to honourable members, but I take this opportunity to state that I do not think it is always the duty of a Minister to acquaint the House of all the various points contained in any measure, because not only is it of assistance to the Minister in charge of a Bill when another honourable member conducts research into the subject matter of the measure, but a different viewpoint is brought to bear on it.

The honourable Mr. Dolan made a real point when he spoke of the various sources of air pollution around the metropolitan area. It is a point that has been uppermost in the minds of those in authority. It is the desire to concentrate industry in an isolated pocket and to ensure that it is surrounded by public open spaces or a green belt. We call it the breathing space of a community and, to avoid air pollution, it is most essential that the community have such a safeguard. However, this cannot always be achieved but, wherever possible, it is going to be put into effect.

I interjected when the honourable Mr. Baxter was speaking of the establishment of a certain plant. I can recall when, a few years ago, the Swan Cement Works was the subject of many complaints day

after day because of the air pollution caused by that factory. When investigations were made it was found that nearly everyone who made a complaint about the factory had built his home after the cement works had been established.

The Hon. H. K. Watson: The point is well taken.

The Hon. L. A. LOGAN: The same applied to the establishment of the cement factory at Cockburn.

The Hon. N. E. Baxter: There was a subdivision approved down there.

The Hon. L. A. LOGAN: Yes, there was a subdivision approved down there.

The Hon. F. J. S. Wise: One can find that effect in many suburbs.

The Hon. L. A. LOGAN: Yes, the same position applies in many suburbs. This makes the position pretty difficult, because very often a factory or works has been directed to a certain location by the local authority concerned. We have an instance at Carlisle at present where industries were directed to that location by the Perth City Council because, at the time they were directed, there was no town planning or zoning. The Perth City Council told them, "You can erect your plant there and it will be all right." After 10 years, when the industry has been built up, people build homes in the surrounding district and then complain about the noise from the nearby factory.

The Hon. F. R. H. Lavery: That occurred at Fergusons.

The Hon. L. A. LOGAN: People, when they are making complaints to me about the noise from a certain industrial establishment, have brought tape recorders into my office to reproduce the noise to which they are subject. As far as I am concerned I have to get used to the noise of the heavy traffic outside my office.

The Hon. F. J. S. Wise: You have cleared the air without the Bill.

The Hon. L. A. LOGAN: These are problems which each and every one of us has to face. I think the point was well taken when it was mentioned that this type of legislation has to be accepted reasonably. If one studies the wording of the Bill itself, it will be found the definition of "practicable" is given as follows:—

"practicable" means reasonably practicable having regard, among other things, to local conditions and circumstances, and to the current state of technical knowledge and the term "practicable means" includes the provision and maintenance of plant and the proper use of the plant;

The Hon. F. J. S. Wise: I think the Bill should also contain a definition of the word "reasonable."

The Hon. L. A. LOGAN: Both leave themselves open to different interpretations. It all depends on the interpretation of the individual concerned. Regarding the point raised by the honourable Dr. Hislop on the constitution of the committee referred to in the Bill, and as to whether the members should be appointed from Government departments or from people engaged in private practice, it is not an easy one to solve. Busy executive officers engaged in controlling big business are not willing to serve on such committees.

The Hon. F. R. H. Lavery: I doubt if you will find these members in the Government departments, because they are understaffed.

The Hon. L. A. LOGAN: We will be able to obtain them from the Government departments, but not from private industry. I can assure honourable members that the top executive officers in the departments are flat out in their duties, but we will be able to obtain their services. It would be difficult to attempt to implement the suggestion of the honourable Dr. Hislop. No government in the past has attempted that as a matter of policy, because we find that nearly all committees set up under various Statutes are composed mainly of departmental officers.

In the case of private industry, the manager or executive officer who is earning £5,000 to £10,000 a year is required to give his full time to the control of the business, and he would not have time to pay attention to the matters referred to in the Bill, unless he is semi-retired. I agree that the point raised by the honourable member is a very good one.

The Hon. F. R. H. Lavery: Mr. Lance Brisbane found the time to serve on committees.

The Hon. L. A. LOGAN: Such people were retired or semi-retired. He was about 68 or 70 years of age before he was brought in.

The Hon. J. G. Hislop: If we want this type of person to serve on the committee we will have to pay for his services at a reasonable rate.

The Hon. L. A. LOGAN: I am aware of that. As the honourable Mr. Watson said we should not impose too much on small business establishments. We cannot have it both ways. The honourable Dr. Hislop wants this legislation to be implemented in a hurry, but the honourable Mr. Watson advocates gradual implementation.

This is one Bill on which we should tread warily. Some of the provisions contained in the Bill have been included as a result of the co-operation between the Minister for Health and private industry.

The Hon. F. J. S. Wise: In the past the Government departments have been very helpful.

The Hon. L. A. LOGAN: There is a committee which works through the Local Government Department, and most of the members on it are included in the council proposed to be set up under the Bill. That is one reason why they are prepared to serve on the proposed council, because in the last three years they have had a great deal of experience of these matters. It is no use for these persons to have three years' experience and then to throw the experience down the drain.

Referring to the point raised in this debate, that the chairman of the proposed committee has not been nominated, there could be some deficiency in the wording. However, the two members referred to by the honourable Mr. Baxter will be the nominees of the Minister for Health, and one of them will be the chairman of the committee. In fact, the chairman of the council and the chairman of the committee will be the nominees of that Minister. The honourable Mr. Baxter seemed to be worried about the particular Minister concerned with this legislation; but I experience no such difficulty. If as the Minister of my department I do not nominate a person to the Minister for Health, he will have the right to nominate.

The Hon. N. E. Baxter: In the Bill it does not specify the Minister for Health.

The Hon. L. A. LOGAN: But the Minister for Health will control the Act.

The Hon. F. J. S. Wise: It refers to the Minister specifically.

The Hon. L. A. LOGAN: Dealing with the point raised by the honourable Mr. Watson, in clause 5 (2), relating to inconsistency between the provisions of this Bill in their application to the Factories and Shops Act, I would say that one deals with the inconsistency between the two Acts mentioned, while the other deals with the inconsistency between the council and the Act. However, I shall cause some clarification to be given.

The honourable Mr. Watson might have a point in regard to clause 36, and he thinks the wording should be the other way around. I shall have that matter checked. I agree there appears to be an incorrect word in clause 38, and that the word "thereof" should be substituted for the word "hereof."

The honourable Mr. Dolan referred to the definition of "dark smoke." I do not know where he obtained his definition from.

The Hon. J. Dolan: From the United Kingdom and the U.S.A. legislation.

The Hon. L. A. LOGAN: The definition in the Bill is—

"dark smoke" means smoke, which by a method prescribed by the regulations, is ascertained to be smoke that is dark smoke within the meaning prescribed by the regulations;

I have no intention of taking the Committee stage of the Bill this evening, because there are various matters to which I have not the answers as yet.

The Hon. F. R. H. Lavery: How long will it take to put this legislation into operation?

The Hon. L. A. LOGAN: As soon as possible, after the committees have been appointed. We have to obtain the nominees from several departments.

The Hon. F. R. H. Lavery: I understood you to say that you already had them.

The Hon. L. A. LOGAN: No. I did say there was a committee which had operated for some three years, looking into these matters. I found this committee to be very helpful in dealing with complaints which have been raised. Complaints have been raised regarding air pollution caused by industry, particularly by quarrying. The nearby residents were affected not only from the health point of view, but also financially, because in one case therein orchards suffered. They made a complaint, but nobody took any notice. As a last resort they approached me and I took action. I sent some officers from my department, and some members from the proposed committee along to examine the position. When the particular industry was notified of what was going on, it took steps to remedy the position.

I am sure that in the future the same thing will happen when industry is notified. In these cases it does not take the public very long to lodge complaints, and the public is a pretty good guide. Generally industry takes steps to overcome the problem, if at all possible.

The honourable Mr. Wise is aware that at Wittenoom Gorge the Colonial Sugar Refinery is spending a lot of money to overcome the dust nuisance in the mill; and that is typical of the action that is taken by industry generally. It will do everything possible to assist the public in keeping the air clean.

Question put and passed.

Bill read a second time.

## LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2)

### Second Reading

Debate resumed, from the 7th October, on the following motion by The Hon. L. A. LOGAN (Minister for Local Government):—

That the Bill be now read a second time.

**THE HON. H. E. ROBINSON** (Suburban) [8.25 p.m.]: In supporting this Bill I concur with the views expressed by the honourable Mr. Heitman when he stated that local authorities were in favour of the amendments contained therein. I have discussed this matter with the President of the Local Government Association (Mr. Smith), and also with a number of shire clerks of quite large local authorities in the metropolitan area. They all agree that the amendments contained in the Bill are desirable.

I cannot support the objections which have been raised to clauses 6, 18, 21, and 26. Clause 6 relates to section 36 of the Act, and objection was raised against the provision which will disqualify pensioners whose rates have been suspended, from standing as candidates. In my view such people are ineligible under the existing Act, because section 36 (1) states—

A person is disqualified from being elected as a mayor, president or councillor of a municipality, if at the time of his nomination for election to the office he owes to the municipality, in respect of rateable land owned by him, other than in the capacity of a trustee or liquidator, the amount of any rates or portion thereof imposed by the municipality on the land more than six months prior to the date of the nomination.

The amendment in the Bill has been introduced to clarify the position which arose, as a result of an incident which occurred in May of this year in the Perth Shire Council, when Mrs. Lester nominated for the Osborne Park ward of the council. After the returning officer had accepted the nomination he found that she owed something like £100 in rates which had been suspended. His interpretation of the Act was that she was ineligible to take a seat on the council, even if she won the election. The shire council sought legal opinion, which I intend to read shortly. This opinion concurred with the opinion of the returning officer. I understand that Mrs. Lester also sought legal advice, but it did not agree with the legal opinion given to the shire council.

It appears to me the amendment in the Bill will clarify the position. I agree with the honourable Mr. Heitman when he said that it was not desirable that a person owing rates should be appointed as president, mayor, or councillor of a local authority, in which capacity he is responsible for spending the money of the ratepayers. It is not logical that he should be eligible for nomination.

It is rather interesting to examine the legal opinion given to the Perth Shire Council by its legal advisers, Keall, McCall

& Brinsden, who are very competent in the field of local government matters. This opinion states—

Section 561 of the Local Government Act authorises a person whom we might refer to as a pensioner, to claim to be exempt from liability for the payment of rates or charges under this Act in respect of land of which he is in actual occupation as owner. Although the Section says that the pensioner may claim to be exempt from rates, in fact, if his claim is admitted, he is not granted an exemption from the payment of rates in the true sense of the term. Subsection (2) of this section was replaced by a new subsection by the amending Act of 1962, and this subsection now states—"On receipt of the claim the municipality to which the rates and charges are payable shall postpone the payment of them until the sale or transfer of the land by the person, or his death, whichever first occurs, or until the person ceases to be entitled to be exempt from liability for payment of rates or charges under this Act in respect of the land."

It will be noticed that this subsection refers to the person's entitlement to be exempt from liability for the payment of rates, but in fact, grants that person only the postponement of the payment of them until the happening of certain events.

Section 36 of the Local Government Act states—"A person is disqualified from being elected as a mayor, president or councillor of a municipality, if at the time of his nomination for election to the office he owes to the municipality, in respect of rateable land owned by him, other than in the capacity of a trustee or liquidator, the amount of any rates or portion thereof imposed by the municipality on the land more than six months prior to the date of the nomination."

We understand Mrs. Lester, who has nominated for the forthcoming elections, has applied for, and obtained, relief from the payment of rates under Section 561 of the Local Government Act, but in fact, there are unpaid rates which have accumulated over the period, and now amount to £84 5s. 2d. in addition to current rates of £18 13s. 1d. There is no doubt that there are rates unpaid by Mrs. Lester, imposed by your municipality on land owned by her for more than six months prior to the date of nomination. The question arises as to whether Mrs. Lester owes to the municipality the amount of the said rates in terms of Section 36 of the Act, and is thereby disqualified from nomination. Can it be said that because the date of payment of money has not

yet arrived, or the payment of money arises on the happening of an event, does that person cease to owe the money?

We are of the opinion that the person owes the money, whether or not the date of payment has arrived. The money may not be immediately due and payable, but we think that within the terms of Section 36 of the Local Government Act the amount of rates is in fact owing by Mrs. Lester, even though the payment of them has been postponed in pursuance of Section 561 of the Local Government Act. For this reason we are of the opinion that Mrs. Lester is disqualified in accordance with Section 36 of the Act.

The returning officer and others in local government have had a look at this and agree that the Act will disqualify a person such as Mrs. Lester from taking her seat. It seems to me the position needs some clarification; and in view of the fact that Mrs. Lester, in turn, sought legal opinion, I think the amendment is justifiable.

Another point was raised in connection with clause 18 which amends section 202 of the Act. The amendment simply clarifies the position of a council that clears land of refuse and rubbish, etc., and enables it to recover the cost involved without the payment of compensation.

This is quite a reasonable amendment. There were several cases, and one in particular, where the Shire of Perth had to get a court decision in connection with the removal of rubbish and refuse; and whilst it won the case, in reality there was some doubt as to what it could do about taking action to clear the area. In this particular case there were a lot of car bodies on the area and the question arose as to whether a claim for compensation would be made, because those car bodies were worth a certain amount of money. This amendment simply clears up the position.

One of the other points raised by the honourable Mr. Wise was in connection with rights-of-way. I agree with him that there is no mention of rights-of-way. The only mention of "way" is in section 6, where a "way" is defined as an "alley" or a "court." What we previously referred to as rights-of-way seem to be referred to in this Act as private streets.

The proposed new section in clause 26 clarifies the section in connection with building lines. This is a most desirable amendment. I think there was an amendment last year in connection with this matter to try to clear up the position. When the Act was first proclaimed, if a local authority declared a building line in a certain area, that local authority was liable for compensation immediately it made the declaration. About two years ago at the suggestion of the Main Roads Department a certain building line was recommended for Green Street in Osborne

Park; and if the Shire of Perth had declared that building line, it would have had to pay many thousands of pounds in compensation.

It would be most unlikely that the road widening in this particular street would be carried out for some 20 or 30 years; and there would be no upset to the occupiers living in that street, the only exceptions being in the case of extensions to a building that would overlap on to the specified building line, or if a house were burnt down and a new house was to be constructed on that particular building line. It would have to comply with the conditions of the declared building line. I support the amendment in connection with the building line.

Clause 28, which amends section 433, requires a by-law specifying the provision of parking areas, and so on, in the case of flats. I think this is a reasonable amendment to the Act. Numbers of flats are going up today, and they are spreading out into the suburbs. At the present time some quite big flats are being erected and at times on the verges are parked 15, 20, or 30 cars. It is quite reasonable for a local authority to make certain conditions whereby the builders or owners of these premises will have to provide off-street parking for cars. This is also a reasonable amendment. I support the Bill.

**THE HON. R. THOMPSON (West)** [8.38 p.m.]: I have listened with interest to this debate. I have heard the honourable Mr. Heitman say that local authorities wanted these amendments; and I have heard the honourable Mr. Robinson say he has contacted certain people who are all in favour of them. However, all local authorities are not in favour of these amendments; and it is not always the Minister's wish that he bring forward amendments with which the Local Government Association is in favour.

I remember several years ago that members of the Local Government Association carried a resolution for telephones to be installed in their homes at the expense of the local authorities, but the Minister did not bring forward legislation to give effect to that resolution.

When we come to a situation where a person is going to be disqualified from nominating or holding office because he is a pensioner, I think we are going to the very limit.

I am going to read the objections of the Fremantle City Council to this Bill—and this is the second largest city council in Western Australia. What that council has to say about clause 6 is in line with the views expressed by the honourable Mr. Wise, when speaking to the second reading. The views of the council are as follows:—

Clause 6: This clause proposes to repeal and re-enact Section 36 (1) of the Act, which section deals with the disqualification from election to the

office of Member of a Council where the person nominating for such office owes rates which were imposed more than six months prior to the date of nomination. Generally, it may be said that the new section ties up some points in regard to which there has been some doubt in interpretation.

The proposed Section 36 (1) (c), however, deals with the matter of disqualification of persons who have availed themselves of the opportunity to defer the payment of rates, as prescribed in Section 561. By virtue of this section, such a person is ineligible to be a Member of a Local Authority when any portion of the rates deferred has been imposed for a period in excess of six months.

As you know, the Council of the City of Fremantle has, by resolution, expressed its opposition to this provision. Although not specially dealt with in the original Act of 1960, the limitations of Section 36 (1) were considered to extend to Pensioners, and the introduction of the proposed Section 36 (1) (c) will leave no doubt as to the intention of the Act.

In a broad expression of opinion, this Council has stated that it believes that good, sound Local Government is more likely where a Council consists of Members who form a cross-section of the community. The experience of the City of Fremantle supports this view, where Council function has progressed with understanding between its Members and without the petty squabbles which occur from time to time in some Municipalities.

Statements have been made questioning the fairness of offering more generous conditions for any person to act as a Councillor than those applicable to persons who are already acting in an honorary capacity and who must pay their rates to continue as a Councillor. But is it reasonable to provide that a person who becomes a Pensioner and exercises his right to defer the payment of rates, in accordance with Section 561, is thereby disqualified from being a Member of a Local Authority? Many persons now serving in Local Government are aged over 65 years but continue to give excellent service to the community in the capacity of Mayor or Councillor. Is it suggested that the same people would be less competent, or otherwise unacceptable, simply because it had become necessary for them to defer the payment of rates?

It might also be said that a Pensioner desiring to serve in the capacity of Mayor or Councillor should make an effort to pay rates in the same manner as any other individual, but

it is well known that many Pensioners have no choice but to defer rate payments in favour of their every-day needs.

The Executive of the Local Government Association offered the comment that instead of considering means whereby non-rate paying Pensioners can enter Local Government, should not the efforts of the Association be directed towards encouraging more young people to serve their fellow-ratepayers.

This comment warrants correction in that Pensioners are not "non-rate paying"—they merely have a statutory right to defer payments.

The need to encourage young persons into Local Government is agreed, but it is also submitted that there is an argument for some older members—to provide the cross-section of the community previously referred to.

If it is to be accepted that a person of 65 years of age is too old to serve as a Member of a Local Authority, then the Local Government Act should include such restriction. It is wrong to apply the proposed Section 36 (1) (c) and thereby provide that a person with means can continue as a Councillor to any age, but a person whose financial position dictates that he apply for deferment of rate payments at the age of 65 years is unacceptable. This more or less introduces a form of "means test" for persons whose age exceeds 65.

It is on the basis of the foregoing argument that the City of Fremantle has expressed opposition to the limitations which are now to be enacted in the form of Section 36 (1) (c), and the opportunity should be taken to have clause 6 of the Bill, in its present form, opposed in Parliament.

In fact, the wishes of the City of Fremantle can be effected by amending clause 6 by the insertion of the word "not" after the word "is" in lines 19 and 29 on page 3 of the Bill.

The Hon. H. R. Robinson: They are referring all the time to age pensioners. They do not have to be aged. Mrs. Lester wasn't aged.

The Hon. R. THOMPSON: The honourable member knows the section which deals with the definitions. He is conversant with that, just as I am.

The Hon. H. R. Robinson: The statement is referring all the time to aged pensioners.

The Hon. R. THOMPSON: That is so. It does not matter whether a person is an aged pensioner, an invalid, or a widow, it means the same thing: a person who applies for deferment of rates.

The Hon. F. R. H. Lavery: Even super-annuation pensioners.



The Hon. J. Heitman: There is one law for one set of persons, and another law for others.

The Hon. R. THOMPSON: The city council has prepared its case and no doubt other local authorities have similar views. Why should sectional legislation be brought down precluding these people from nominating or standing for local government?

The Hon. H. R. Robinson: It is already in the Act.

The Hon. R. THOMPSON: The honourable Mr. Robinson has only one interpretation. Lawyers before today have been wrong in their interpretations. The Minister knows that only too well. Let us have a look at the other situation. A person might have bought a property with his life's savings and he might own that property freehold. At the age of 65 he gets an aged pension, or at the age of 45 he might have to get an invalid pension.

The Hon. H. C. Strickland: Or a soldier's pension.

The Hon. R. THOMPSON: Or an ex-serviceman's pension, or a full T.P.I. pension, or whatever the case might be. He might have been industrious enough to purchase a property in order to safeguard his future—

The Hon. F. R. H. Lavery: And paid rates all his life.

The Hon. R. THOMPSON: —and he may have given years of service to a local government authority. Many people have. I have cases in mind. They have given many years of valuable service to local government, and they are going to be denied, through financial difficulties, to stand for local government in the future. As has been pointed out, this is like a fixed deposit in the bank. As surely as night follows day, the local authority must collect.

The Hon. L. A. Logan: Not necessarily.

The Hon. R. THOMPSON: It has to collect, as surely as night follows day.

The Hon. F. J. S. Wise: As surely as the taxation commissioner collects.

The Hon. R. THOMPSON: Payment can be deferred until such time as the person concerned dies or ceases to become exempt. Section 561 (2) reads as follows:—

On receipt of the claim the municipality to which the rates and charges are payable shall postpone the payment of them until the sale or transfer of the land by the person, or his death, whichever first occurs, or until the person ceases to be entitled to be exempt from liability for payment of rates or charges under this Act in respect of the land.

A person might have purchased his own place through his own industry and given valuable service to the community. Another person might not have accepted

any responsibility whatever. He may have floated along and obtained a pension at the age of 65 and been given a State Housing Commission flat. If he is living on his own, he pays 15s. a week, and if he is married, he pays 28s. a week. Rates and charges on any other property amount to much more than that. A person who is living in a State Housing Commission home or flat can be enrolled as a tenant, can nominate, and can be elected to a council. I want to know where we stop and start.

The Hon. J. Heitman: Let us all defer our rates.

The Hon. R. THOMPSON: We are speaking about pensioners. I am asking the Minister where we stop and start in this set of circumstances. There is no difference between a pensioner who lives in a State Housing Commission flat and a pensioner who has his rates deferred. Who pays the rates on a State Housing Commission home? The pensioner does not pay them. We all know, or should do, that on a State Housing Commission home there is a loading of 9d. per week. That creates a balance whereby people receiving social service benefit, unemployment benefit, sickness benefit, and so on, can obtain a rebate on their rent.

The Department of Social Services does not pay the rates. The other tenants who live in State Housing Commission homes pay them—right throughout Australia. This clause should be removed. It is not fair and equitable legislation for any community.

The Hon. H. R. Robinson: Would you not agree that local government is a young man's job and not an old man's job?

The Hon. R. THOMPSON: You are in it! No argument can be brought forward about who can have rates suspended and who cannot, so far as age or ability is concerned. Some people go bankrupt. One does not necessarily have a fortune simply because he has brains. Plenty of people who serve the community are on a pension and have no money of their own.

The Hon. J. Dolan: Would you get rid of Sir Frederick Samson and Sir Richard Moore?

The Hon. R. THOMPSON: I imagine that Sir Frederick Samson is around 73 or 74 years of age; and let us see what he has done for Fremantle during his term of office. Before he became mayor the area of Fremantle comprised about a mile or a mile and a half. There was not much to be proud of. What did he do and what did the deputy mayor do—and here I am referring to the late Mr. Evan Davies? They gave to the State Housing Commission the area of land known as Hilton Park and built up the first, and possibly the best, State Housing Commission area. They also created the industrial area of O'Connor. That was only the start, so

far as Sir Frederick Samson is concerned. He is now proposing to pull down much of Fremantle and rebuild it, and he is 73 years of age!

The Hon. H. R. Robinson: Who makes the decisions? The council or the mayor?

The Hon. R. THOMPSON: There must be a leader. The honourable member has been in that position himself.

The Hon. D. P. Dellar: Sir Richard Moore is 80 years of age.

The Hon. R. THOMPSON: I was about to mention Sir Richard Moore. I defy anyone to think of a better mayor, in any town of Australia, than Sir Frederick Samson at 73 years of age.

The Hon. C. R. Abbey: We all agree with you.

The Hon. R. THOMPSON: If he was reduced to a pension and he could not pay his rates, he could not become Mayor of Fremantle. The legislation will affect at least six people that I know of, who have made local government their life's interest. They put more time into local government matters, and give more service to the public, than 10 young men could do.

The Hon. H. R. Robinson: I doubt that.

The Hon. R. THOMPSON: It is their life's work. They know every person who lives in their respective wards. We are going to deny them the right to continue their interest in local government.

It is not much good paying lip service to local government authorities by saying what wonderful work they do. It is men like those who have created a good impression, and they have devoted time and energy to community matters, when younger people have not been interested.

I am definitely going to vote against the clause. I sincerely hope that justice will be done and that other honourable members will do likewise.

Another interesting comment deals with clause 10. It reads as follows:

This clause proposes the enactment of a new Section 93 (5a) whereby the responsibility of establishing that a candidate for election is not disqualified by virtue of non-payment of rates is placed upon the Returning Officer.

This is a most unreasonable provision for, in large local authorities, it can involve the checking of 20 or more rate accounts. In regard to some rate-payers, transfers of property occur almost monthly and, at a time when there is some delay in the posting of rate credits to accounts, it would be virtually impossible, in the time available, to accurately verify that payment had been made of all rates which had been imposed in excess of six months prior to the lodging of a nomination.

Furthermore, the Returning Officer is required to read out the names of candidates and to commence such reading within 15 minutes of the closing of nominations (Section 97 (1)). It would be impossible to comply with this requirement should a nomination be lodged just prior to the time for closure, particularly if the candidate was the owner of several properties. (You will recall that a nomination was lodged only five minutes prior to closing at the recent annual elections.)

Surely the responsibility for compliance with the requirements of Section 36 of the Act should rest with the person who nominates for Council, which person should be in a position to readily establish that, amongst other things, any rates which are outstanding have not been imposed for more than six months.

As the council rightly points out, it may be all right in some small local authorities where the shire clerk, or the lass on the counter, knows almost everybody who comes into the office. That applies with some local authorities, but in a district like the City of Fremantle or the City of Perth, where there are thousands of rate-payers, if a late nomination is received who is going to be the bunny?

The Hon. H. R. Robinson: He does not reject it forthwith. He can reject it next day. It does not say he will reject it forthwith.

The Hon. R. THOMPSON: The returning officer is required to read out the names of candidates and any such reading shall take place within 15 minutes of the closing time for such nominations.

The Hon. H. R. Robinson: He can reject it the next day.

The Hon. R. THOMPSON: Who says he can reject it the next day?

The Hon. H. R. Robinson: He does not have to reject it forthwith.

The Hon. R. THOMPSON: This is what it says—

Where a nomination paper is delivered to the returning officer, he shall inspect the rate book of the council to ascertain whether the person referred to as the candidate in the nomination paper is disqualified under section thirty-six from being elected to the office of member for which he has nominated, and if the returning officer is satisfied that the person is so disqualified he shall, notwithstanding subsection (6) of this section reject the nomination as invalid.

I think that is clear enough. I can understand it.

The Hon. H. R. Robinson: If he comes in at five to four and there is insufficient time at 4 o'clock for the returning officer to inspect the rate book, he can reject it next day.

The Hon. R. THOMPSON: It does not say so; and that is the clause which deals with it. It says he shall reject—

The Hon. H. R. Robinson: It does not say when.

The Hon. R. THOMPSON: —the nomination as invalid. The Minister can answer that query. If he can give me an assurance that what I have suggested is not correct possibly we can have another look at it.

Now we come to clause 18, which the honourable Mr. Robinson mentioned; and possibly I referred to this when I was speaking to the Bush Fires Act Amendment Bill. This clause states that where the owner or occupier does not clear the land or remove the refuse, rubbish, or disused material, as required, etc., certain things shall occur. Could it mean that it applies to an owner who has other than rubbish on his land? What does the term "clear the land" mean? Does it mean that it shall be cleared of all vegetation and the like? If it does the local authority will have all the rights now held by the Bush Fires Board and it would not be necessary for the board to have any control whatever in the metropolitan area.

The Hon. H. R. Robinson: It all depends on what you define as "rubbish."

The Hon. R. THOMPSON: The clause states—

Where the owner or occupier does not clear the land or remove the refuse, rubbish, or disused material . . . I imagine that could mean almost anything; anything could be defined as "rubbish, refuse or disused material."

I do not want to delay the House, but in view of the communication from the Fremantle City Council I feel sure other local authorities will want to have a second look at the proposals in the Bill. I certainly do not intend to vote for a provision which will mean that a person can find himself classified as a second-class citizen—because that is what this Bill does—and unable to take his part in the functions of a local authority in whose district he has probably resided for many years, and of which he has been a servant for many years.

The Hon. H. R. Robinson: I think in regard to the points you raised about bushfires—

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. R. THOMPSON: I support some portions of the Bill, but there are others which I hope, in the Committee stage, will not be agreed to and that enough sense and goodwill will prevail to see that they are rejected.

**THE HON. H. C. STRICKLAND (North)** [9.8 p.m.]: There are some aspects of this Bill which concern me, and in particular I refer to clause 28 which amends the provisions relating to the building line and street alignments; and this clause also proposes to add a new paragraph (32a) which will give power to an authority to specify, for certain classes of buildings, the number of garages to be erected on a site.

I think it is bad enough to have the Government interfering with a man's castle, but it is getting a little bit beyond a joke to give power to local governing authorities to interfere with a man's domain. It might be said that these proposals are for the improvement and betterment of town planning generally. But are they? We have been told that town planning is something which is never completed—it never ends. I think that is a fairly accurate statement, because if 1,000 town planners came to this State, one after the other, they would all alter the plan. If they all agreed, of course, we would not need them.

The main point is that the liberty of the individual and the right of a man to be king of his own castle, so to speak, is being whittled away, first by the Government direct and now, under this proposal, by semi-governmental authorities. It is all very well for honourable members like Mr. Robinson to say, "Why should people use verges for parking their cars?" I suppose the next thing we will be asked is, "Why should people buy a car at all?" That is the stage that is being reached, and I am sure there are many people who do not know where they stand in regard to the land they possess or the homes they occupy.

Although many thousands of people in the metropolitan area might not know it they are in that position now in regard to the town planning scheme, and when we see this very wide provision which will give to local authorities the power to specify the class of buildings and the area on which a certain number of garages may be erected, I think it is going a little bit too far. It will boil down to a matter of, "It's not what you are but a matter of who you are." This was the case under the old Acts which dealt with local authorities—the Municipal Corporations Act and the Road Districts Act.

We had a striking example in the city itself in about the year 1953 or 1954. The Perth City Council declared that Hay Street was to be widened by, I think, 16 feet at that time, but I understand that has now been reduced to 12 feet. I do not know that the Perth City Council declared a building line, or a street alignment, but its policy in this regard was made public and it would not approve of plans for building alterations unless the buildings were set back 12 or 16 feet from the street frontage.

Yet a bank bought premises occupied by a fruit shop at the corner of Barrack Street and Hay Street and remodelled them, using the old building line; and at the same time the Perth City Council remodelled the Town Hall and complied with its policy of setting the building line back from the street alignment. So it is not a matter of what one knows but who one knows, or who one is, as it was in this case. Further along the same street the Commonwealth Bank built new bank premises on the corner and it complied with the council's policy, as did Worth's and a few other shops. That is the sort of thing that hits one in the eye.

As regards verge parking, if anyone wants to see verge parking tolerated one has only to look at the back of Parliament House in Parliament Place. There is verge parking there, and the Perth City Council could overcome it if it simply widened the road and allowed the people to park there, the same as they do in other parking areas. But that does not happen.

One can also see motorists' rights to the road being filched away in large areas where new filling stations are erected. A couple of years ago the Perth City Council building by-laws were disallowed and in no time—within a matter of three or four weeks—houses were being demolished on the corner of Hay, Outram, and Cook Streets—three street frontages—and a garage was erected there. That was done in a matter of weeks while there was no by-law operating. How much of the motorists' parking area has that garage taken? I would venture to say that that garage has, in rights-of-way, pavements, and entrances, used a lot of parking space, to such an extent that little space is available there for motorists; and cars could charge into the garage three or four abreast. Is that a fair go to the motorist?

Now the honourable Mr. Robinson would say that anybody erecting a building must make provision for a garage in his backyard. But these oil companies can take up half the street frontage and deny the motorists on whom they depend the road space in which to park their cars.

The Hon. L. A. Logan: You voted against the zoning by-laws.

The Hon. H. C. STRICKLAND: In Outram Street in West Perth one will find that cars are parked two chains from the post office.

The Hon. L. A. Logan: You voted against it.

The Hon. H. C. STRICKLAND: I was not present at the time. The Minister's memory is not at all good. I would certainly have voted against it had I been here.

The Hon. L. A. Logan: What are you complaining about?

The Hon. H. C. STRICKLAND: I am not against the filling station being there, but I am against any filling station being given more than 50 per cent. of the street frontage. I do not know why this is done. It makes me wonder whether the owners are paying a further 50 per cent. in rates. But I do not think this could be so, because they would be rated on unimproved valuations.

A motorist comes along and wants to do business at the West Perth post office or at the shopping area and he is denied at least half a dozen parking spaces by that particular garage. That is not the only one either. There are garages in Adelaide Terrace and everywhere else that also deny this space to the motorist; there are old garages and new ones. Why they are given this huge right-of-way over footpaths I do not know. They are not all used. They are so large that an army could charge through them. It is not a fair go at all.

After listening to some of our local government representatives in this Chamber I feel that too much power has been concentrated in the hands of members of local government. They are very anxious to grasp more power all the time, particularly over the privileges and liberties of private persons. That is not right at all. If the Government wants to do this sort of thing then it has unlimited power to do so. It should not delegate the power to a local authority to do this sort of thing. The Government has unlimited power to confiscate people's property, and unlimited time to make up its mind as to what it is going to pay for such property.

The Government should shoulder its own responsibility in matters like this; it should not pass on that responsibility to semi-government organisations—they should not be given power over people's private property, and be permitted to tell them what they must supply and what they must not supply. Let us for a moment consider the flats that are proposed to be erected near the top of Jacob's Ladder. How could a local government specify that the owners of those flats must erect sufficient parking space for the number of people it is proposed to house?

The Hon. L. A. Logan: It is already specified.

The Hon. H. C. STRICKLAND: It cannot be done. But poor old Jimmy Brown, or somebody else out in the suburbs where the Shire of Perth operates, is told that he must put up so many garages if he wishes to build a few flats. According to the honourable Mr. Robinson, that is quite desirable.

The Hon. L. A. Logan: Yes.

The Hon. H. C. STRICKLAND: The Minister says "Yes." I think that he and the honourable Mr. Robinson are losing sight of the fact that flat-builders provide

a service to the community. They are helping to relieve the Government of a tremendous amount of expenditure and pressure by providing accommodation for people who might require it. What a fine mess there would have been had there not been flats built around the city in the last 10 years or so! What a fine problem the Minister for Housing would have had on his hands! On the other hand all we hear from certain correspondents and critics in the papers is that avaricious landlords are erecting flats and charging too much rent.

The Hon. L. A. Logan: They do not do it at a loss.

The Hon. H. C. STRICKLAND: Nobody operates at a loss. The State Housing Commission does not operate at a loss, though it does carry too much overhead. It could reduce its rents a bit. That is where the problem arises. There is no sympathy at all for private initiative and private investment about which the Government boasts so much. It is proposed to take away all private initiative and private investment. This legislation could have the effect in some cases of killing the goose that lays the golden egg, particularly if people are deprived of useful land which can be used to accommodate those who require accommodation; and they could be deprived of such land by the local authority saying they must build this and they must build that.

The Hon. H. R. Robinson: They should not park in the street all night.

The Hon. H. C. STRICKLAND: The honourable Mr. Robinson will tell us very shortly they should not own a motorcar. I do not think local authorities should be given that power. Where are we going to put all these motorcars? We will say to some private individuals they must go in their backyards. I do not think that is fair at all. It is quite wrong. The House should give long and serious thought to the implications of that particular amendment to provide for paragraph (32a).

I am also interested in the provision which will deprive pensioners of the right to defer their payment of rates, that is if they wish to remain, or have any chance of being, a member of a local authority. It is a strange thing, but in all the debates to which I have listened, the two principal arguments against the exemption of these pensioners seems to stem from two very prominent members of local authorities; men with long and varied experience.

The honourable Mr. Heitman on the one hand says that he expresses the association's view in Parliament. If the Local Government Association is desirous of depriving widows and pensioners, including ex-servicemen, from enjoying the privilege which they have enjoyed, and will still enjoy until this Bill goes through, it confirms my conviction that we are giving

too much power to too few people all the time. We will finish up with a dictatorship—a semi-government dictatorship.

We are getting right away from our democratic principles. After all is said and done, a pensioner who is eligible to stand for office in local government must get there by choice of the ratepayers. He must be elected, just as we are elected to Parliament; although I admit it is a limited franchise. Why does the Local Government Association desire that pensioners should be deprived of rights and privileges that they enjoy now; and why, because that association feels as it does, should we deprive those pensioners of these rights and privileges? I cannot for one moment think that a government that calls itself a Liberal government will be restrictive and take away these privileges which exist under the present Act, and which have existed for many years. No definite case has been stated by way of argument as to why these rights should be taken away.

The Hon. L. A. Logan: We are not taking anything away.

The Hon. H. C. STRICKLAND: Which of these pensioners has misbehaved or become handicapped that the Minister should decide he has done the wrong thing, even though the ratepayers have elected him? How can we decide they should not be there after the ratepayers have elected them? We will have to amend the Act so that that cannot occur again. When the Minister is replying he might state a couple of cases where he has found that there is substantial evidence to justify his action in taking away the privileges pensioners have enjoyed.

The Hon. L. A. Logan: It is justified by Parliament.

The Hon. H. C. STRICKLAND: The Minister can tell us in his reply rather than by interjection, because it will be understood a lot better. From the interjections that have been made by the honourable Mr. Robinson, the honourable Mr. Heitman and the Minister, this hostile action against pensioners is quite a sore point with them. The honourable Mr. Robinson detests them. He just cannot help it. There is no doubt that the rights and liberties of the individual are being whittled away day by day, and they will continue to be whittled away if we agree to this sort of thing. It is neither fair nor right.

I hope honourable members will give very serious consideration to these matters, and not think selfishly of themselves. Let them think of the people generally—of the ratepayers generally, because it is the ratepayers who supply the money. The poor old ratepayer is going to be hit to leg, particularly the man who is helping the Minister for Housing by providing accommodation. He is to be told that he must also erect more garages. What is

wrong is that the local authorities do not widen their roads; they should build them out a bit and make more room for people to park their cars. Even when we consider Canning Highway, Stirling Highway or any other highway, there are in fact only two main laneways, because people are allowed to park their cars along such highways. Why not turn the verges into parking areas, and give the motorist some parking space for which he does in fact pay by way of taxes and everything else connected with his motorcar?

**THE HON. J. G. HISLOP** (Metropolitan) [9.29 p.m.]: When I first read this clause dealing with paragraph (32a) on page 25 I developed rather an anti-attitude to it. But on very careful reading of it, it is to my mind quite in order. The only thing wrong with it to my way of thinking is that it is too wide in its specification as to what sort of building this shall apply to. I think this is purely applicable to flats.

**The Hon. F. J. S. Wise**: It does not say so. That is the objection I raised to it.

**The Hon. J. G. HISLOP**: If it were made for this type of building, I think it would be a good idea. We built flats in Mount Street and we did not receive consent from the Perth City Council to erect them until we demonstrated that we could provide a certain number of parking spaces for cars for those who inhabited the building.

**The Hon. F. J. S. Wise**: This could apply to every classification of building in section 4.

**The Hon. L. A. Logan**: Only if specified.

**The Hon. F. J. S. Wise**: Every one.

**The Hon. L. A. Logan**: It has to be specified, though.

**The Hon. J. G. HISLOP**: It allows the local authority to specify any class at any time.

**The Hon. F. J. S. Wise**: On any one of them.

**The Hon. J. G. HISLOP**: I think it might be better to reword this in some way so that it is limited. The same thing applies to the block of flats on the waterfront at South Perth Esplanade. Land had to be bought to provide sufficient parking space off the normal verge and off the road. This does not, in any case, state that one parking space must be made available for every flat, but it tries to produce as many parking spaces as is possible within a limited area around the building. If that is all this means, and I think it is, then I have no objection to it.

The extraordinary thing was that when we were arranging to provide the parking spaces in our flats, there was an idea that we might have been able to run these cars into a slightly lower level and then

cover the space so that the cars would be protected from the weather. But we were not allowed to do that because it was specified as a building on the property and was taking away the area around the flats. It really does not matter now, because the cars are parked there, but if we had been able to put a roof over them, the cars would have been far more satisfactorily housed. These are the things which irritate one when building flats.

However, if the Minister could have a look at this and bring it down to a more common level, none of us, I am sure, would have any objection to the clause because it is essential that there be a wide area around flats. It is a pity that flats have been allowed to be built, such as we built, without there being a bigger area provided for green lawn, and so on.

**The Hon. L. A. Logan**: I agree with you.

**The Hon. J. G. HISLOP**: We are limited now entirely to a very small garden area on the front and side. I think in future outside the city area, where land can be bought at a cheaper rate, I would be on the side of the local authority to require not only parking areas which might be 50 per cent. of the number of flats, but also an area of green around the building in some way or other. Otherwise, we will have blocks and blocks of flats with asphalted car parks—not very attractive.

**The Hon. L. A. Logan**: You have that at the Freeway at South Perth.

**The Hon. J. G. HISLOP**: It is occurring almost every day in the city. The tall ones in Malcolm Street, built recently, have very little parking ground, or they have a parking area underground. However, in Mount Street there is a considerable parking area behind the flats.

What I would not like to see in this city is a sight such as one can see in the streets running off the main highway along the lake in Chicago. The flats are built right up to the edge of the street and are six or seven storeys high. As far as one can see, cars are parked on either side of the street. Certainly every night and even in the day time a large number is there. It would not do much for our city to have something of that sort.

Therefore I have no real objection to this clause except to the wide powers it gives, because a class of building can be specified. I think we should start these things slowly in town planning because we do not know the reaction. For instance, if a new Woolworths was to be erected in Morley Park and those concerned were told that they had to provide so many parking spaces for the staff, and if they got the idea that all such parking spaces could be put on the ground and first floors, such as in Los Angeles, so that the

business section would not start until the second floor, all that would happen would be that the investors would cancel the idea and would come back into the heart of the city.

The Hon. F. J. S. Wise: This wording would permit of that being done.

The Hon. J. G. HISLOP: It could do quite easily, and that worries me. I am not worried about what is meant. That I think, is correct; but I do not like the wording giving from now on such complete powers to local bodies to decide how they want parking bays provided.

If some places like the Grove, are provided with big parking areas, they may fit in very well with what is intended under this Bill. However, if it is intended that parking areas must be provided in built-up areas when a new building is being erected, then I think this Bill would be wrong. I would be quite happy to vote for this clause with lessened powers, but I would have to think twice about voting for it as it is at present worded.

Debate adjourned, on motion by The Hon. D. P. Dellar.

## **GOLDMINING INDUSTRY: STABILISATION AND EXPANSION**

*Appointment of Parliamentary  
Committee: Assembly's Resolution*

Debate resumed, from the 7th October, on motion by The Hon. G. C. MacKinnon to concur in the Assembly's resolution as follows:—

That in view of the refusal of the International Monetary Fund at its meeting in Tokyo last week, to agree to any increase in the world price of gold, and bearing in mind the tremendous importance of the gold mining industry to Western Australia and the difficulties which the industry is facing due to rising costs of production, an all-Party Parliamentary committee be appointed with the object of examining and exploring means by which the industry in Western Australia can be assured of stabilisation and expansion in the future.

The committee shall consist of two members nominated by the Premier and one member nominated by the Leader of the Opposition from the Legislative Assembly; and that the resolution be transmitted to the Legislative Council for its concurrence, and the Legislative Council be requested to appoint a similar number of members to the committee, making a total of six members.

**THE HON. E. M. HEENAN** (North-East) [9.39 p.m.]: I rise to support this motion, but I will move a small amendment at the close of my remarks. The main arguments in favour of the motion have

been very capably and lucidly put forward by the honourable Mr. MacKinnon, and, in passing, I would like to say I feel sure all goldfields members in this House are appreciative of the generous references that he made to our past efforts to achieve something for the betterment of the goldmining industry, which has done so much for this State over the past 60 years and which for reasons mostly beyond its control is now facing a difficult and uncertain future.

Figures and statistics have been quoted here from time to time, but they are easily forgotten; so I will again point out that this State over the past 60 odd years has produced gold to the approximate value of £500,000,000.

The industry still produces £1,000,000-worth of gold a month, employs about 5,000 men, and directly supports communities in outlying parts of the State with populations totalling around 25,000 people. Its importance, therefore, to Western Australia is obvious; and when it is realised that the continued existence of such a valuable industry is now threatened, it must be of the greatest concern, and it is our responsibility and obligation to attempt to do something about it.

I feel, therefore, that the motion for the setting up of a committee with the object of examining and exploring means by which the industry can be assured of stabilisation and expansion in the future merits the unanimous support of this House. Honourable members are fully aware of the fact that the problems confronting the industry stem almost wholly from the fact that the price of gold has been fixed at 35 dollars per ounce for the past 30 years and in spite of this injustice all efforts to date have failed to bring about an increase in the price of gold. Goldmining, therefore, has become unattractive to the investor.

The prospector also, who, for the past 60 odd years, has been a key man in the finding of new mines to replace those which were worked out, no longer sees sufficient inducement to go looking for gold. The inevitable result is that no new mines are being found to replace those which have had to close down from time to time. Towns which supported large communities and which were household names in Western Australia a few years ago no longer exist, and most people have forgotten them.

Honourable members will recollect that goldfields representatives have from time to time stressed the important role of the prospector in the goldmining industry. Without him there is not much hope for the expansion of the industry. New finds must be located, otherwise the industry will inevitably fade out.

Honourable members may recall that towards the end of last session I submitted a motion to this House which had objectives somewhat similar to those proposed in this motion. Unfortunately the Minister for Mines opposed the motion and it was defeated. In the course of his remarks the Minister expressed the view that if the motion were carried it could be interpreted by some as being criticism of himself and of the Mines Department. It is no use now, I agree, in indulging in recriminations, but it does seem a pity that a year has elapsed and we are still awaiting the taking of some positive steps.

I do not intend to weary the House by reading many extracts from a number of worth-while articles which have appeared in the Press this year. I assume that most of these articles have been read by members. However, one very good article was written by Mr. J. H. Laurence of *The West Australian* and published in that newspaper on the 28th August last—only a few weeks ago. Mr. Laurence spent many years on the goldfields, and has been an informed and most capable authority in advocating the importance of the gold-mining industry to Western Australia and the need for its assistance. An extract from his article, which I feel sure will be of interest, is as follows:—

In 1962, the Commonwealth Government enacted the Gold Mines Development Assistance Act to stimulate development which would add to a mine's ore reserves, but difficulties have already risen over the interpretation of the Act and its application.

The industry was also helped for a few years by permission to sell gold for dollars at a premium, but more recently the premium has dwindled to only a few pence an ounce.

In the face of this help, costs have continued to outstrip income and something more is required if the gold industry is to remain a vital element in Australia's economy.

Membership of the I.M.F. restricts the assistance Australia itself can give—though this arouses fierce argument—and the time has been reached when the I.M.F. must take a close look at the dollar price if it wishes to preserve goldmining.

But, even if I.M.F. members were sympathetic, a rise in the price of gold could not be accomplished by a stroke of the pen. A straight-forward rise in the price of gold or devaluation of the dollar requires an Act of the U.S. Congress and the approval of the President—or, if he vetoes the measure, the approval of two-thirds of both Houses of Congress.

### Binding Legislation

The binding legislation is the Bretton Woods Agreement Act of 1945 which explicitly says that unless Congress by law authorises a change in the dollar price of gold, neither the President nor any agency can make or approve a change.

The United States dollar is the only currency registered with the I.M.F. in terms of gold and it generally underpins all member currencies. As an alternative to a lift in the price, devaluation of the dollar has been canvassed, but U.S. officials have stoutly denied for years that devaluation has been considered, even with the recent runs on gold at Fort Knox.

This aspect of the problem must be remembered in any move for a higher gold price. Perhaps the alternative would be to permit member countries who are producers to give more domestic help than they are now allowed. But basically the complex mechanism of price adjustment should not be allowed to stand in the way of helping goldmining to expand again.

One other small item to which I wish to refer appeared in the *Kalgoorlie Miner* last Friday, the 9th October; and I refer to the report of certain comments made by the Federal Minister for the Interior (Mr. Anthony) on his visit to Kalgoorlie last week, as follows:—

He did not think any other industry would succeed in Kalgoorlie if the gold mines closed down, the Federal Minister for the Interior, Mr. J. D. Anthony, said yesterday.

"We have got to make sure the major companies do not close down," he said.

The report further stated—

The Minister believed Australia should speak up and rally support for an increase in the price of gold and eventually it might come.

"Gold is a commodity the world must have and it is stupid to let it continue to decline," he added.

Getting back to the wording of the motion, it provides for the appointment of three honourable members from the Legislative Assembly and three honourable members from this House. I gather, however, from the honourable Mr. MacKinnon's remarks that the Minister for Mines will probably nominate two honourable members from this Chamber and that the honourable Mr. Wise, as Leader of the Opposition in this House, will nominate one; although that is not explicit in the wording of the resolution from the Legislative Assembly.

The Hon. A. F. Griffith: The honourable Mr. MacKinnon has foreshadowed an amendment.



The Hon. G. C. MacKinnon: An additional motion.

The Hon. E. M. HEENAN: Yes. I want to admit quite readily that the honourable Mr. MacKinnon's interest in the subject and his capacity to be a useful member of any such committee are obvious. I also readily admit that there are other honourable members in this Chamber who have equal claims, and I intend no reflection on anyone when I say that I feel that because the goldfields provinces are wholly represented here by six Labor members it would be fit and proper if at least two such members were appointed to the committee.

I repeat: I have no intention whatsoever of reflecting on anyone, but this is a matter which, in the main, affects goldfields people, and it would be fitting if at least two of the three members appointed were members representing the goldfields.

The Hon. A. F. Griffith: This is a matter which affects the economy of Australia.

The Hon. E. M. HEENAN: I agree; but in the first instance it affects the people of the goldfields; and the goldfields members, it can be fairly claimed, are closer to this problem than are others, and because of their years on the goldfields and their experience they should possess some advantages over others in dealing with the problems which will concern the committee. The question of their party allegiance should, I feel, not enter into the subject at all.

One other point I want to make is this: I feel this is going to be a most important committee and one which will carry a heavy responsibility in its hands. I know that already considerable interest in it is being shown by all sections of the community on the goldfields. In a way this committee will be the hope of their side. It therefore should be representative, and have the fullest confidence and support, of those mainly concerned. I feel, therefore, that if a representative of the Chamber of Mines and one of the goldmining section of the A.W.U. were included, such inclusions would achieve a lot of good and would undoubtedly bring wide approval.

The Chamber of Mines, in the main, represents the goldmining industry, as such, together with those who are financially interested in the mines. On the other hand the A.W.U. represents the great majority of those who are employed in the industry and who are dependent on it for their livelihood.

If the committee included two such representatives, I believe their inclusion would add to the committee's stature and strength, and it could not be claimed by anyone that the interests represented by those bodies had been overlooked. I am afraid that if they were not included

such a view might be held. However, my main argument is that two such representatives would strengthen the committee and add to its standing. I repeat that this committee is going to carry a heavy responsibility, and it may well be that its deliberations will play a very important part in the future of this vital industry which, at the present time, is clouded in some uncertainty, due, I say, in the main, to circumstances entirely beyond its control.

#### *Amendment to Motion*

For these reasons I now move an amendment to the motion as follows:—

After the word "Assembly" in line 6 add the following words:—

but requests that after the word "Committee" in line 10 of the motion the following words be inserted:—

together with one representative from the Chamber of Mines of W.A. and one from the Goldmining Section of the A.W.U.

If the House sees fit to approve of my amendment, all we do is to request the Legislative Assembly to include in the committee a representative from the Chamber of Mines and a representative from the goldmining section of the A.W.U. Assuming this House agrees to my amendment and the Legislative Assembly agrees to the request sent forward from this House, there will be six members of the State Parliament on the Committee; one member from the Chamber of Mines; and one member from the goldmining section of the A.W.U., making a total of eight.

I submit that that would constitute a very strong committee. It would have the benefit, perhaps, of not being composed wholly of members of Parliament. It would have a leavening of men representing two very important sections of the people who are vitally involved in the future of the goldmining industry. I hope, therefore, that a sufficient number of honourable members will find sufficient merit in the amendment to justify its approval by this House.

**THE HON. R. H. C. STUBBS** (South-East [10.3 p.m.]: I desire to speak to the amendment only at this stage. I heartily agree that a representative of the Chamber of Mines and the A.W.U. should be on the proposed committee. I had in mind Mr. Elvey or Mr. Jennings. Mr. Elvey is an extremely capable mine manager. He lives with goldmining problems and its frustrations, and is acquainted with the industry from all angles. The advice that he could tender to the committee would be invaluable, because some of it could be highly technical. I have known Mr. Jennings, as a member of the Chamber of Mines, for many years, and he is a

very capable officer. I had the pleasure of working on the same mine with him at one stage. He has been an accountant on one of the mines for some years, and he has lived in a world of mining costs and figures for many years. Therefore I am sure we could not do better than obtain the assistance of either of those two gentlemen in acting as members of the committee.

I also think it is fitting that a member of the A.W.U. should be on the proposed committee. The A.W.U. is vitally interested in the problem of goldmining from many angles. To give the House an idea how interested this body is from its own point of view, I would point out that in Boulder there are 1,690 dwellings and a population of 5,750. Within the boundaries of the Kalgoorlie Town Council there are 2,814 dwellings and a population of 9,700. Within the jurisdiction of the Kalgoorlie Shire Council there are 2,124 dwellings and a population of 7,300. At Norseman there are 756 dwellings and a population of 3,000, and at Mt. Magnet there are 323 dwellings with the mines supporting a population of 1,150.

The A.W.U. virtually represents all those people. We also know that these population groups support various businesses and other establishments connected with the goldmining industry. I think members will agree, therefore, that there should be someone to represent the workers' point of view, because their place in the industry is just as important as that of the mining companies. Members of the various unions on the goldfields have co-operated in every possible way to keep the industry going and that co-operation alone should warrant a workers' representative on the committee. Their record of industrial peace is second to none. There has been no industrial trouble for years, and again that point should warrant the appointment of a representative of the A.W.U. on the committee.

The workers have their homes and their friends on the goldfields, and their children are being educated in the district. They are therefore vitally interested in the future of the industry. This interest is equally as great as that of the Chamber of Mines and it would be an ideal set-up if Mr. Elvey or Mr. Jennings were to be appointed as the representative of the Chamber of Mines, and a representative of the A.W.U. was also appointed to the committee. Some of the men in the A.W.U. are very well trained. They have attended courses at the School of Mines and hold various mining diplomas. They are vitally interested and concerned about the future of the industry.

Adverting to the Chamber of Mines, the development allowance has not gone as smoothly as was anticipated. I have here

a short extract taken from an article published in the *Kalgoorlie Miner* of Thursday, the 20th August, 1964. It reads as follows:—

Even the development allowance has not achieved its prime purpose and the industry needs a commission to investigate its basic difficulties.

My observation on this comment is that the Federal Government is being difficult in administering the bounty legislation for additional underground development. I believe the difficulty lies in the interpretation of the relevant section.

I have before me a copy of the Gold Mines Development Assistance Act, together with a copy of the Gold-Mining Industry Assistance Act. In addition I have a typewritten copy of the various sections of these Statutes. Section 11 of the Gold-Mining Industry Assistance Act deals with the extent of the assistance granted. The point I am making in reading these sections to the House is that this committee would be materially assisted by a representative from the Chamber of Mines. Mr. Jennings, one of the men I have suggested, is dealing in costs and figures relating to goldmining all the time and knows the industry backwards.

Some sections are difficult to interpret. The formula for determining the amount of subsidy payable to a large producer in a year for each ounce of fine gold produced is that no subsidy is payable unless the cost of production for each ounce of fine gold exceeds £13 10s.; and, of course, the amount of subsidy that may be paid by the Commonwealth Treasurer is £3 5s. per ounce. That is dealt with in section 9 of the Gold-Mining Industry Assistance Act.

Section 8 of the same Act, dealing with the restriction on the payment of subsidy, reads as follows:—

A person is not entitled to subsidy in respect of bullion produced in a year from minerals obtained by him, from a mining property unless the Treasurer is satisfied that the value of gold obtained or obtainable from minerals obtained by that person by mining at that mining property in that year exceeds the value of other substances obtained or obtainable from minerals so obtained.

Further, another controversial section which is difficult to interpret and which is hitting the goldmining companies fairly hard, is section 12 on page 7 of the Gold-Mining Industry Assistance Act. This section reads—

Where the net profit derived by a large producer from the production and sale of bullion produced by him in a year, after taking into account subsidy payable in respect of that bullion, would exceed profit at the rate of ten per centum per annum on the capital used by the producer in that production and sale, the subsidy

otherwise payable in respect of that bullion is reduced by the amount of the excess.

This section continues, on page 8, in the following terms:—

(3) For the purposes of this section, the Treasurer may—

(a) determine the amount of any capital or net profit required to be taken into account for those purposes.

Some goldmining companies are definitely at a disadvantage. One can imagine one company with a capital of £1,000,000 which is allowed only 10 per cent. profit. That may sound a lot, but from the point of view of the goldmining company developing a wasting asset, it is not very much. Comparing that company with one which has a capital of £4,000,000—and there is one on the goldfields—it would make a vastly different profit. Honourable members can realise that there are problems which need ironing out, and I am sure that a representative of the Chamber of Mines who is fully conversant with handling these problems from day to day could tender good advice to this proposed committee.

Whilst it may be considered that we have a good knowledge of the industry there are many little things in regard to which he could guide the committee. There are various other sections of these Acts which I will not read to the House now, but with your permission, Sir, I will read section 12 of the Gold Mines Development Assistance Act. It is as follows:—

Subject to this Act, the amount of development allowance payable in respect of the development of a mining property in a year is an amount equal to the amount (if any) by which the allowable expenditure on development of that property in that year exceeds the base expenditure.

The Hon. A. F. Griffith: I have been waiting for you to say something about the amendment.

The PRESIDENT (The Hon. L. C. Diver): Order, please! The honourable member is connecting his remarks with the amendment and when he strays from the subject of the amendment I will draw his attention to it when I see fit.

The Hon. R. H. C. STUBBS: I am pointing out how essential it is to have men on this committee who can tender good advice. After all is said and done, it is essential that we should obtain the best advice possible. This is the one chance we have of doing something for the industry. I repeat that I am trying to point out how essential it is to have a representative of the Chamber of Mines and a representative of the A.W.U. appointed to the committee to add weight to its arguments.

The Hon. D. P. Dellar: Someone with local knowledge.

The Hon. R. H. C. STUBBS: Yes. Section 12 of the Gold-Mining Industry Assistance Act states—

Where the net profit derived by a large producer from the production and sale of bullion produced by him in a year, after taking into account subsidy payable in respect of that bullion, would exceed profit at the rate of ten per centum per annum on the capital used by the producer in that production and sale, the subsidy otherwise payable in respect of that bullion is reduced by the amount of the excess.

Neither the allowance nor the developmental assistance is doing the job originally expected and hoped for.

To support my argument I say it is essential to have on this committee people who are vitally interested in the goldmining industry; and I can imagine none being more vitally interested than the Chamber of Mines and the A.W.U., because if the mining industry fails the towns will die.

There are now only three centres producing gold—Kalgoorlie, Norseman, and Mt. Magnet. How frightening would it be if they were to fail!

The Hon. G. C. MacKinnon: What about Boulder?

The Hon. R. H. C. STUBBS: When we refer to Kalgoorlie we include Boulder, because they are twin cities. If they were to fail it would be a terrible blow to decentralisation in Western Australia. It is the only true example of decentralisation here, and it occurred through nothing, other than the production of gold. If the price of gold were to rise tomorrow we would see a great lift in respect of decentralisation. I support the amendment.

THE HON. D. P. DELLAR (North-East) [10.17 p.m.]: I support the amendment, because the proposed committee would be strengthened greatly by the inclusion of a representative of the Chamber of Mines, and a representative of the A.W.U. acting on behalf of the goldmining workers. I realise that members of Parliament are looked upon as people of responsibility, but they should have the assistance of the representatives I have mentioned.

The goldmining industry is different from the other industries of this State. In the case of farming, many factors come into it; but a greater number of factors are involved in goldmining. That is the reason why the committee proposed to be set up in the motion should comprise members of Parliament, as well as others with a knowledge of the industry itself.

There are a number of mines operating in the industry, and each is worked differently. Different methods are employed to

break the dirt, and to remove it to the surface. There is the cut and fill system, the rill system, the bench-stope system, the underhand-stoping system, etc. They are methods used for breaking up the dirt. There are also different methods used to remove the dirt to various points in the mine before it is hauled to the surface. Each mine possesses different characteristics, and employs different methods of operation. For that reason a representative from the Chamber of Mines, and one from the union should be included in the committee.

As the Minister has said, the goldmining industry is vital to the economy of Australia. We are all aware of that, and for that reason I do not intend to go over all that has been said this year and last year in this House. The honourable Mr. Stubbs referred to the inclusion of Mr. Elvey and Mr. Jennings from the Chamber of Mines, but I would point out there are other men who are just as capable of representing the industry on the committee. I can name Mr. Bucket, Mr. Mitchell, and Mr. Cedro. They would be an asset to the committee. The same remarks apply to members of the A.W.U.

I feel I can speak with some authority on the working of the goldmines, because I hold certificates in the mining industry. There are many other people similarly qualified, and they are still working under the A.W.U. They would also be an asset to the proposed committee.

We cannot allow the goldmining industry to slip further. There are 5,001 workers at present engaged in it, and they have many dependants.

The PRESIDENT (The Hon. L. C. Diver): Will the honourable member please connect his remarks with the amendment.

The Hon. D. P. DELLAR: I am doing so by mentioning the number of men who are now engaged in the goldmining industry, and the many more who are dependent on them. I am pointing out how vitally interested are the members of the A.W.U. in the goldmining industry. The people to whom I have referred would be an asset to the committee proposed in the motion. With those remarks I support the amendment.

THE HON. J. J. GARRIGAN (South-East) [10.23 p.m.]: In speaking to the amendment moved by the honourable Mr. Heenan, I wish to comment on the remarks which were made by the honourable Mr. MacKinnon last week. He said a great deal, but condensed it means very little. He produced a mass of figures which did not indicate very much.

I worked in the goldmining industry for some 25 years on both sides of the fence; once as an administrator, and once under a boss. Any honourable member of this

House representing goldfields districts can speak with some authority on the goldmining industry, on the production of gold, and on the effect of the industry on the economy of Australia; in fact, it is our duty to do so.

There is no person more qualified to be appointed to the committee proposed in the motion than a representative of the Chamber of Mines, because that body is responsible for the administration of the industry in Western Australia. Were it not for the continued operation of the mines which come under the administration of the Chamber of Mines, perhaps there would not be a goldmining industry here today. The mines under the control of the Chamber of Mines use the most modern methods, but they have to work on a very small margin of profit. Without the Chamber of Mines and its excellent administrative methods, perhaps there would not be any industry today.

Similarly, I say that without the Australian Workers' Union there would not be a goldmining industry in Western Australia. Over the years both the Chamber of Mines and the union have worked in co-operation. Practically every miner who works in the depths of the earth, at a wage a little above the basic wage, supports the goldmining industry. I say without fear of contradiction that a representative of the Chamber of Mines should be included in the committee. I would not like to mention names, because there are very many capable men who could be selected. They would not be in the Chamber of Mines if they were not top administrators.

In the A.W.U. we find similar capable men who administer the affairs of the union and look after the affairs of the workers; they have given their lives to the goldmining industry and to the workers and their dependants. I support the amendment, and I leave it to this House to decide who is to represent the Chamber of Mines and who is to represent the A.W.U.

THE HON. J. D. TEAHAN (North-East) [10.27 p.m.]: I support the amendment. I can hardly conceive any goldmining committee or similar body not including a member of the Chamber of Mines. In this case I suggest the inclusion of the president, or his deputy.

The present President of the Chamber of Mines, as well as his predecessor, holds a particularly responsible position in the goldmining industry. Not only do such people manage the affairs of the mines very well and co-operate with the men engaged in the industry, but they also take a keen interest in the district. Hardly a function of any importance conducted by the local governing authority is held without a representative of the Chamber of Mines being invited. Generally the person

invited is the president; and seldom is a function held at which the president is not invited to speak.

Not only are these persons aware of the problems of the mines they manage, but also those affecting the local authority and the livelihood of the people living in the area. The predecessor of the present President of the Chamber of Mines was admired in every direction. Furthermore the Chamber of Mines also shows its interest in the district, by assisting charities, and the youth organisations, such as the Y.M.C.A. It takes a greater interest in these matters, than is taken by leaders of industry elsewhere in the State. I have often expressed appreciation of the interest taken by the executive of the Chamber of Mines.

I cannot conceive any committee affecting the goldmining industry which did not include a representative of the Chamber of Mines. I would point out that the present president, as well as other members of that body, were reared and educated in the district. They gained the equivalent of a university education, and they are familiar with the work underground, where the men dig, shovel, and labour; they are also familiar with the cost side of the industry. There would hardly be a problem existing in the industry of which they did not have a wide knowledge. For that reason I suggest that a member of the Chamber of Mines be included on the committee proposed to be set up by the motion.

As regards the A.W.U. that organisation also has an outstanding record in industrial matters. It is a source of pride and a source of wonderment that over the last 30 years there has not been the slightest industrial disturbance on the goldfields. With 5,000 men employed one would expect some turmoil, but that has not been the case. As I have said, there seems to be an understanding between management and men. The men are skilled and experienced; and, if only to acknowledge that record of which I have just spoken, when we appoint a committee to inquire into the goldmining industry we should say, "We will not overlook you and we will not overlook the union that represents you".

For that reason I am of the opinion that a representative of the men—which is the A.W.U.—should serve on this committee. In those few words I support the amendment.

**THE HON. J. DOLAN** (West) [10.31 p.m.]: I wish to make only one comment on the amendment. I feel that when a matter such as the goldmining industry is being discussed, the House should take particular notice of the honourable members who represent goldfields areas, because they are well equipped to put forward a practical suggestion to the House; and what they propose might be the very thing

to turn the scale towards getting the benefits we wish for the goldmining industry.

**THE HON. G. C. MacKINNON** (South-West) [10.32 p.m.]: It is with a great deal of trepidation I approach this particular amendment in the face of six goldfields members. I think there is a certain amount of wry humour in the honourable Mr. Dolan's comments that we should take notice of the honourable members from the goldfields. We have listened to all the honourable members representing the goldfields. One of those honourable members spoke about representation of those engaged in the goldmining industry. This has application in another context. It is one of those accidents of the division of the State into electorates that gives the goldfields six representatives in this House. I do not think there are any other people in this State as adequately represented as are the citizens of the goldfields. We have had over the years—I mentioned this before—the benefit of the advice of those honourable members who have elucidated the problems of those people at various opportunities.

Despite all that, I am going to ask the House to disagree with this amendment; and I will endeavour to supply some very good reasons why I think the motion, with this amendment, would be inadequately amended.

**The Hon. E. M. Heenan**: There is a small consequential amendment.

**The Hon. G. C. MacKINNON**: It is actually ahead of this; it is not consequential. The original motion says, "an all-Party parliamentary committee be appointed." Those it has been suggested be appointed to this committee would not be parliamentary members. That of course, as the honourable Mr. Heenan has pointed out, could be amended. Obviously, we would just delete the words "all-Party parliamentary" and leave the word "committee."

**The Hon. F. J. S. Wise**: I do not agree with your suggestion at all.

**The Hon. G. C. MacKINNON**: I remember that the honourable Mr. Heenan was on a committee some years ago. Indeed, I think he moved for the appointment of that committee to deal with licensing. I was on a committee dealing with builders' registration. The honourable Mr. Baxter was chairman of that committee; and he was also the chairman of a committee dealing with crayfishing. However on those committees there was no representation, respectively, of the licensees or the Barmaids or Barmen's Union; the fishermen; or the builders or architects.

**The Hon. A. F. Griffith**: They could not be.

The Hon. G. C. MacKINNON: That is right; and I do not think it would be wise that they should be. There is no doubt that the persons whose names have been mentioned tonight are all estimable people. I think all of us have heard those names before and respect the people; but, with due respect, how could these men serve a better purpose than as witnesses before the committee?

The Hon. D. P. Dellar: I think they could.

The Hon. G. C. MacKINNON: I am sorry to disagree with the honourable member. I have checked my notes very carefully, and no honourable member has said that as witnesses they could do this, and as a member of the committee they could do something else which would be better—and that, surely, is the crucial point.

The Hon. D. P. Dellar: They could give valuable technical advice.

The Hon. G. C. MacKINNON: Certainly they could; but as a member of the builders' registration committee I can assure honourable members we had architects, members of the Builders' Registration Board, Class "A" builders, and Class "B" builders, who, as witnesses, gave technical advice; and there would have been no advantage in having those people on the committee.

The Hon. H. C. Strickland: That was a Select Committee.

The Hon. G. C. MacKINNON: No advantage whatsoever.

The Hon. A. F. Griffith: The chamber would be put in the invidious position of giving evidence to itself.

The Hon. G. C. MacKINNON: I have not been in touch with the Chamber of Mines, and there is no point in my ringing either that organisation or the A.W.U. Obviously the Chamber of Mines would make regular representations to the Federal Government in regard to gold; and I have no doubt that the Minister will elaborate on that aspect. We must call qualified witnesses. It goes without saying that I am not at all sure that these people wish to be appointed to this committee. I do not deny that they have an intimate knowledge of the goldmining industry and all the problems that go with it.

The Hon. J. J. Garrigan: Better than anybody in this House.

The Hon. G. C. MacKINNON: Without the slightest shadow of doubt. From what I have heard of Mr. Elvey, there would be nobody in this State who knows as much as he does about the goldmining industry. Honourable members from the goldfields have told us about Mr. Elvey, and there is no doubt about what they have said.

The Hon. D. P. Dellar: There are dozens like Mr. Elvey on the goldfields.

The Hon. G. C. MacKINNON: That may be right; and this committee can call them all as witnesses—everyone of them. No-one denies the ability of any of the men mentioned. At a matter of fact, I have no doubt whatsoever that the Chamber of Mines and maybe even the goldmining section of the A.W.U. have made investigations similar to those proposed to be made by this committee.

The Hon. A. F. Griffith: The chamber certainly has.

The Hon. G. C. MacKINNON: I cannot see why they cannot jointly or separately make, with great effect, an investigation into the technical aspects of this industry, but I repeat: Up to date, no honourable member has said that as witnesses these men can do one thing, but as members of the committee they can do something else and therefore there is a marked advantage in having them as members. All the advantages mentioned by honourable members will accrue to the committee by calling these people as witnesses.

I am sure they will be most co-operative witnesses. We have only to listen to a description of these men to know they would be co-operative witnesses; but if this committee remains an all-parliamentary committee, it will have access to certain information on a surer basis than if it were to become a mixed committee consisting of some members of Parliament, with a representative of the Chamber of Mines and a representative of the goldmining section of the A.W.U.

The Hon. J. J. Garrigan: This amendment is only to add.

The Hon. G. C. MacKINNON: Yes; and I understand it very thoroughly. As I have said, I paid particular attention to honourable members stressing the advantage of these men being on the committee and I still maintain—I have checked my votes—that no-one actually did detail why they should be added and not called as witnesses.

The Hon. J. J. Garrigan: You think they would be of more advantage as witnesses than as members?

The Hon. G. C. MacKINNON: I think so. This amendment is very similar to one which was discussed in another place. I have read the debate that took place there; and the honourable Mr. Heenan will probably be disappointed if his request is refused, because honourable members in another place have already refused it once. There is no reason why this House should not agree to an amendment; we have done it before; it is our right to do it; and we can do it again. Nevertheless, I am asking that we do not do it on this occasion.

I maintain that these worthy gentlemen would serve a better purpose by being called as witnesses before this committee so as to be questioned and give information. If this committee is left as an all-party parliamentary committee it will have the advantage of access to information, files, and the like; and I close by requesting this House not to agree to this amendment.

**THE HON. F. J. S. WISE** (North—Leader of the Opposition) [10.43 p.m.]: I am quite unimpressed and unmoved with the remarks of the honourable Mr. MacKinnon. This committee is one to render, it is proposed, a very great service to an industry in itself. If the amendment is accepted, this committee will be as near an expert committee as Parliament can appropriately make it, comprising honourable members of Parliament, together with one representative of the Chamber of Mines and one from the goldmining section of the A.W.U.; and such words to be added in the appropriate place mentioned by the mover, are not inappropriately placed at all.

The Hon. R. F. Hutchison: No; they are not.

The Hon. F. J. S. WISE: This motion would read, "That an all-party parliamentary committee 'together with someone else'"; and it requires no alteration to the verbiage preceding the point at which this amendment proposes that the words be inserted. This committee would be materially aided in having someone to guide it in the search for all the arguments which could be brought out from the witnesses appearing before it.

The Hon. D. P. Dellar: I agree.

The Hon. F. J. S. WISE: It would be competent to believe that with the guidance of an authoritative person as a member in the search for all the things and all the arguments, there would be no chance, in the review made of the evidence produced and of the opinions of all of the witnesses, of any important point being overlooked.

I think it is not right. It is mere quibbling to say that other Select Committees have not added to their number outside persons connected with the particular industry to be inquired into. Of course they could not be appointed to Select Committees. But this is a very different matter, subject to Parliament and the decision of Parliament; and far from being afraid of what another place might do if this amendment is agreed to, if it is an indication of the view of this House that these words should be added I would be reluctant to believe that another House would not agree with them.

Do not let us run away from the issue on that fragile argument. I suggest we would be well advised to have on the bench, as well as in the witness box, the best authorities on the subject.

**THE HON. A. F. GRIFFITH** (Suburban—Minister for Mines) [10.46 p.m.]: My remarks on the subject will be relatively brief, because they will be limited entirely to the amendment. With the exception of the honourable Mr. Wise and the honourable Mr. MacKinnon, those members who have spoken to the amendment appear to have found it necessary to justify the argument that the President of the Chamber of Mines, or the secretary, or some other person from the chamber, as well as a member of the mining division of the A.W.U., should be appointed to this committee.

Let me say at the outset that there is no justification whatever for that. I am quite sure that the ability, and the knowledge, of those persons who have been mentioned, is without question and without doubt. There has been a continuous attempt by one goldfields member after another to put forward, as the most forceful point of his argument, the view that the President of the Chamber of Mines, or somebody in the A.W.U. is capable and would lend much to the proposed committee. That fact is not in doubt so far as I am concerned.

I agree with the honourable Mr. MacKinnon, who said that not one speaker had put forward any real reason why these persons should be on the committee.

The Hon. D. P. Dellar: I think I did.

The Hon. A. F. GRIFFITH: It might be that the Chamber of Mines would serve a useful purpose in both capacities; but if Select Committees of Parliament are to have the guidance of a person with great knowledge of a particular subject before they can report back to Parliament with recommendations, then their is no future in the appointment of such committees. In the period of time that I have been here it has been our function to inquire into a multiplicity of subjects. Many members of these committees are not authorities on the particular subject. Regarding the committee moved last year by the honourable Mr. Heenan, that was for a Select Committee to inquire into the prospecting industry.

The Hon. D. P. Dellar: And the revival of gold.

The Hon. A. F. GRIFFITH: Yes, but it made no reference to the price of gold. But that is now past. The thing that strikes me most—and I waited for it for quite a time; when the honourable Mr. Heenan did not do so, I thought another honourable member would—is that no-one had apparently talked to those people whom members have proposed should be appointed to the committee. No-one said that he had been to the mining division of the A.W.U. and asked whether it would like to have a member on the committee

and whether it could serve a useful purpose; or inquired whether it would be better if the mining division gave evidence before the all-party committee. No mention of that was forthcoming.

The Hon. R. H. C. Stubbs: I saw Mr. Jennings at the Chamber of Mines and I got certain information from him.

The Hon. A. F. GRIFFITH: Then it is a pity you did not tell us.

The Hon. G. C. MacKinnon: It would have been a help.

The Hon. E. M. Heenan: Would it have influenced you if he had said the chamber was willing to serve on the committee?

The Hon. A. F. GRIFFITH: It would have been a help. It would certainly have influenced my thinking upon the matter; but if the honourable member will be patient, I will tell him what I did in connection with it. I repeat that I did not hear anyone say that he had spoken to the mining division of the A.W.U. Did any honourable member talk to the mining division?

The Hon. R. H. C. Stubbs: I saw the secretary in Kalgoorlie.

The Hon. A. F. GRIFFITH: But there has been no conclusive evidence that anyone spoke to the mining division of the A.W.U. There has been no conclusive evidence that any approach was made. I did communicate with the Chamber of Mines and I asked Mr. Jennings to see the president and ascertain from him his view on the matter. The message I received from the president was that the chamber wanted to be in a position to supply information to the committee; that it did not want to be a member of it because it thought it might find itself in a difficult position. I asked for permission to convey the information to the House, and permission was given; otherwise, of course, I would not be conveying it.

The Hon. H. C. Strickland: Was that written permission?

The Hon. A. F. GRIFFITH: Is the honourable member not prepared to accept my word?

The Hon. H. C. Strickland: I am simply asking a question.

The Hon. A. F. GRIFFITH: It was in a telephone conversation.

The Hon. H. C. Strickland: You are challenging other honourable members.

The Hon. A. F. GRIFFITH: I am not challenging them; I merely asked whether they had gone to the mining division of the A.W.U., and I received a lot of inconclusive answers. The Chamber of Mines wants to be free to continue to make submissions to the Federal Government on all phases of the goldmining industry—not only on the price of gold, because

unfortunately the Federal Government has little say in the matter. It is an international affair.

The Hon. R. H. C. Stubbs: Would you be prepared to take these people along as advisers?

The Hon. A. F. GRIFFITH: Allow me to conclude. I will not take much longer to tell the honourable member what I think about the situation. I repeat that the Chamber of Mines wants to be free to make submissions to the Commonwealth Government. I want the chamber to be free to be backed up, as it always has been, by the State Government in its approach to the Commonwealth Government on the problems facing the industry.

The chamber is well aware of the situation. I hope and trust that the proposed committee will call evidence—or, more correctly, hold interviews with people in the industry who count; that it will interview persons who can give information and who can be of assistance—persons who can advise the committee on the form of the information it should submit and on the procedures which they think it should adopt.

I sincerely hope that the committee, if appointed, does not attempt to run off to Canberra and place a case for an increase in the price of gold unsupported by the Chamber of Mines and by the State Government. I hope the committee, when appointed, will place its recommendations before the State Government and that the State Government will act in conjunction with the Chamber of Mines, as it has done in the past with considerable success, but not with the complete success that I would like to see. It is essential that this sort of thing should be done.

I cannot give a more valid reason for not including the Chamber of Mines on this committee, other than that the president of the chamber thinks it should not be represented on the committee. If honourable members can get a more conclusive argument than that, then I do not know of one. As to the credibility of my statement, I assure members I do not make statements of this nature without their being creditable ones, and I invite any honourable member to check its credibility.

I cannot see any purpose in the amendment moved by the honourable Mr. Heenan. I am reliably informed that discussion has taken place on this matter in another place and that the move was defeated. I agree that that is no reason why it should not be reintroduced in another place, but I am unable to see that the conclusion would be any different.

The approach to the matter of the President of the Chamber of Mines is no doubt known in another place, and it would be quite fallacious to pursue the



matter along these lines. I am certain that the chamber, and the mining division of the A.W.U. will give every assistance possible in the committee's inquiries. The honourable Mr. MacKinnon has foreshadowed an addendum to the motion to put the matter in order, so that the form of the motion will be in line with that moved in another place.

I have confined my remarks to the amendment, and I will take the opportunity at a later date of having more to say on the motion itself.

**THE HON. H. C. STRICKLAND (North)** [10.59 p.m.]: As I interjected, I feel that that I should say something. My view is that the Minister put up a very good case why we should agree with the amendment. He mentioned that expert knowledge is required. Of course it is. We cannot get more expert knowledge than from those people directly concerned in the industry. The Minister gave us the opinion of the President of the Chamber of Mines, but he did not say that it was the opinion of the Chamber of Mines. They are two different things. With all due respect, Mr. President, you could express an opinion, but the members of the Legislative Council might not agree with it.

The President of the Chamber of Mines, while expressing his private opinion to the Minister, was not, as the Minister made it quite clear, expressing a decision of the Chamber of Mines as a whole. Therefore I would not place a lot of weight on that personal discussion which the Minister had with the President of the Chamber of Mines.

I think the president's opinion is not a good one, and I think it would be better if the chamber had a representative on the committee to help examine witnesses; because the original motion refers to the disabilities of the industry. I think the strength of the committee would be greatly increased with the addition of a representative of the Chamber of Mines and a representative from the Australian Workers Union. After all, those two concerns represent the population of the goldmining industry in Western Australia.

The Hon. J. J. Garrigan: They are the goldmining industry.

The Hon. H. C. STRICKLAND: Surely this committee would be greatly improved if it had on it representatives of those two organisations. The honourable Mr. Heenan has had some communication with certain members of the Chamber of Mines in connection with the motion, and he will tell the House about it. While the honourable Mr. MacKinnon did make certain submissions regarding his objections to the amendment he indicated that had he been in his place as Chairman of Committees, and a similar proposition been put forward, he would not have agreed to it; because in the first instance the amendment

was in the wrong place and, secondly, he could not see how such representatives could act on a committee as they were not permitted to become members of a Select Committee. But this committee will not be a Select Committee. It will be totally different. It will be a committee established as a result of the passing of a motion introduced by an honourable member in another place.

If we are genuine about our attempts to do something for the goldmining industry we should appoint the strongest committee possible to undertake the task set out in the motion; and there is not the slightest doubt that with the addition of a representative of the owners and a representative of the workers to promote the interest of those people and ask questions of witnesses, the strength of the committee will be increased. I support the amendment.

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

#### Ayes—11

Hon. D. P. Dellar	Hon. H. C. Strickland
Hon. J. Dolan	Hon. R. H. C. Stubbs
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. R. Thompson
Hon. F. R. H. Lavery	(Teller)

#### Noes—14

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. N. E. Baxter	Hon. H. R. Robinson
Hon. A. F. Griffith	Hon. S. T. J. Thompson
Hon. J. Heltman	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. R. C. Matliske
	(Teller)

#### Pairs

Ayes	Noes
Hon. G. Bennetts	Hon. A. L. Loton
Hon. W. F. Willesee	Hon. J. Murray

**Majority against—3.**

**Amendment thus negated.**

**Debate (on motion) adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).**

*House adjourned at 11.7 p.m.*

## Legislative Assembly

Tuesday, the 13th October, 1964

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