

Legislative Council

Wednesday, the 21st August, 1968

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

QUESTIONS (7): ON NOTICE PENSIONERS

Transport Concessions

1. The Hon. R. F. CLAUGHTON asked the Minister for Health:

Would the Minister investigate the possibility of concessions, such as the reduced fares on public transport, to be made available to social service pensioners when they are travelling interstate?

The Hon. G. C. MacKINNON replied:

This matter has been previously considered at a number of conferences of commissioners of all Australian railway systems.

The commissioners have consistently decided against the granting of such concessions.

SERVICE STATIONS

Water Rates

2. The Hon. C. E. GRIFFITHS asked the Minister for Mines:

- (1) On what basis are water rates assessed for service stations in the metropolitan area?
- (2) Is there any differentiation between premises situated in Albany Highway, Victoria Park, and those in the Carlisle and Lathlain districts?

The Hon. A. F. GRIFFITH replied:

- (1) Water rates for service stations are, like all other properties, based on the annual value of the property. The annual value is determined on the basis of a fair rent after taking into consideration all relevant factors affecting workshop area and service area.
- (2) No.

TRAFFIC COUNT

Canavan Crescent, Manning

3. The Hon. J. DOLAN asked the Minister for Mines:

Further to the reply to part (3) of my question on the 14th August, 1968, relating to traffic in Canavan Crescent, Manning—

- (a) what 10-minute period of what weekday was referred to; and

- (b) what significance is contained in the answer "over 1,500 vehicles and less than 5,000"?

The Hon. A. F. GRIFFITH replied:

- (a) The 10-minute sample count was taken as part of a road needs survey in order to classify streets into broad volume groupings of—
 - (i) under 1,500.
 - (ii) 1,500-5,000.
 - (iii) over 5,000 vehicles per day.

The sample count was taken in either the morning peak hour or evening peak hour, but the actual day and time of the count was not recorded.

- (b) These figures represented the broad volume classifications required by the Commonwealth Bureau of Roads in the road needs survey.

WORKERS' COMPENSATION COMMITTEE

Submission of Evidence

4. The Hon. R. H. C. STUBBS asked the Minister for Mines:

With reference to the committee appointed by the Minister for Labour to examine workers' compensation provisions in Western Australia, will the committee receive submissions from interested parties either verbally or in writing?

The Hon. A. F. GRIFFITH replied:

The committee referred to comprises—

- (i) Chairman—

Mr. N. W. Mews, Chairman, Workers' Compensation Board.

- (ii) Two nominees of the W.A. Trades and Labour Council—

Mr. R. Clohessy, member Workers' Compensation Board; and

Mr. K. N. Summers, Compensation Officer, Trades and Labour Council.

- (iii) Two nominees of the Western Australian Employers Federation (Incorporated)—

Mr. N. H. Hearn, a Vice-President of the Employers Federation; and

Mr. G. J. Martin, Deputy Director of the Employers Federation.

- (iv) One nominee of the Fire and Accident Underwriters' Association representing private insurers—

Mr. R. J. Trigg, Perth Manager of the Chamber of Manufactures Insurance Limited.

- (v) The General Manager, State Government Insurance Office, or his nominee.

It can be seen, therefore, that the committee is fully representative of all interested parties. There is nothing to debar representations being made by other interested parties through their appropriate representative on the committee or if desired in writing to the Secretary, c/o Workers' Compensation Board, Vapech House, Murray Street, Perth.

BUILDERS' REGISTRATION ACT

Honorary Royal Commission: Activities and Recommendations

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

With reference to the Honorary Royal Commission during 1960-61 on the Builders' Registration Act—

- (1) Where was the evidence taken?
- (2) Did the commission proceed anywhere into the country areas of the State to take evidence?
- (3) Of the 24 witnesses who appeared before the commission, how many—
 - (a) lived within the metropolitan-suburban area of the State;
 - (b) came from the country to give evidence: and what, if any, were their qualifications?
- (4) If evidence was received from any country witness, what reference did he or she make concerning the extension of the registration beyond the metropolitan area to—
 - (a) the country; and
 - (b) the whole State?
- (5) What were the recommendations of the Honorary Royal Commission to His Excellency the Lieutenant-Governor, as I understand are detailed on pages 6, 7, 8, and 9 of the report?

The Hon. A. F. GRIFFITH replied:

- (1) to (5) The report of the Honorary Royal Commission on the Builders' Registration

Act referred to by the honourable member, together with the evidence, was tabled in this House on the 22nd August, 1961, and I refer the honourable member to this report.

SCHOOL RESERVE IN WEMBLEY DOWNS

Availability for Recreation

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

- (1) Does the Education Department still require the school reserve bordering Castile Street in Wembley Downs?
- (2) If the answer to (1) is "No." would the site be available for recreation purposes?

The Hon. A. F. GRIFFITH replied:

- (1) Yes.
- (2) Answered by (1).

PARENTS AND CITIZENS' ASSOCIATIONS

Government Subsidy

7. The Hon C. E. GRIFFITHS asked the Minister for Mines:

- (1) Would the Minister advise what subsidy is paid to primary school parents and citizens' associations for—
 - (a) the sinking of bores or wells to obtain water for development of ovals;
 - (b) the reticulation of the grounds; and
 - (c) the clearing and planting of grass on the land?
- (2) Is any increase in any of these subsidies contemplated during this financial year; and, if so, what are the amounts?

The Hon. A. F. GRIFFITH replied:

- (1) Amendments to the subsidy regulations are at present in the course of gazettal and will provide for the following subsidies to operate from the 1st July, 1968:—
 - (a) Where economically sound, a dollar for dollar basis to a cost of \$3,000, the department paying in full all costs in excess of \$3,000.
 - (b) Reticulation—a dollar for dollar basis to a maximum subsidy of \$400.
 - (c) Clearing, levelling, grassing, and paving playing areas—dollar for dollar basis to a maximum subsidy of \$1,500.
- (2) No.

QUESTION WITHOUT NOTICE PENSIONERS

Transport Concessions

The Hon. R. F. CLAUGHTON: I am not sure of the correct procedure in the House as yet, but I wish to direct a question without notice to the Minister for Health following the answer he gave to question (1) on the notice paper. I feel he has misunderstood my question. It was not related to travelling from one State to another, but actually to when people arrive in this State and the benefits available to them in their State of residence—

The PRESIDENT: I suggest to the honourable member that instead of seeking the information he desires through a question without notice, he submit the question on notice, or use this occasion to make a personal explanation as distinct from asking a question without notice.

The Hon. G. C. MacKINNON: Might I also suggest, Mr. President, that the honourable member, when re-writing his question, should direct it to the Minister for Transport who actually handles this matter, and not to me as Minister for Health?

ADDRESS-IN-REPLY: TENTH DAY

Motion

Debate resumed, from the 20th August, on the following motion by The Hon. F. R. White:—

That the following Address be presented to His Excellency:—

May it please Your Excellency: We, the members of the Legislative Council of the Parliament of Western Australia, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the Speech you have been pleased to deliver to Parliament.

THE HON. C. R. ABBEY (West) [4.44 p.m.]: Mr. President, I take the opportunity, firstly, of joining with the Minister for Mines and all members who have conveyed to you their congratulations not only on your election as President, but also as a member of this House without opposition. I am sure this is most satisfactory to you, and I wish you good health during your current term of office. To all new members who have been elected to this House I join with other speakers in extending a welcome, and I hope their stay here will be interesting and useful.

The headline, "Russians Invade Czechoslovakia," on the front page of this evening's *Daily News*, is indeed disturbing.

It is a very stark announcement which we, as responsible members of our community, must deplore. I consider we should express to the Czechoslovakians our extreme concern but in their troubles they can be certain that in this country we are at least able to express the wish that at some time in the future they may achieve the freedom for which they have fought so hard. Further, my personal wish—which I am sure is shared by all members of this House—is that it will not be too long before good sense prevails in international politics, and Communist countries realise they do their cause terrific harm by actions such as that taken against Czechoslovakia.

At the moment it appears that the people of the invaded country are keeping their heads and there will not be as much bloodshed as there could have been in other circumstances. I hope that other people of the world, in maintaining their freedom, are not placed in a situation similar to that in which Czechoslovakia is now placed as a result of the terrible action by adjoining Communist countries.

The Australian people love their freedom above all else, and all of us must realise how terrible it is for the Czechoslovakians to experience the situation in which they are now placed. Nevertheless I feel justice must eventually prevail, and I hope that in their lifetime the situation of those people in countries adjoining the U.S.S.R. will again revert to one where they will be able to live in peace with their neighbours and will be permitted to govern themselves.

In covering briefly the few matters which are of great interest to me and to the State I convey, firstly, my congratulations to the Premier and his Government for what I call achieving full Statehood for Western Australia. By making this statement I am sure all members understand that I mean the State has gained independence from the Grants Commission. To my mind our future is not in doubt and this situation has been achieved by extremely hard work on the part of the Premier and all the members of his Government. Further, to those who have so solidly backed the Government's performance I also convey my congratulations. It is indeed a wonderful effort in the short span of 10 years.

Mr. President, you are a primary producer, and you must be well aware of some of the problems facing the farming community at present. Many members of the House have referred to them, and I support the thoughts they have advanced on the subject. The future of mutton and lamb in the next 12 months at least is very grim. Exporters are finding it difficult to obtain worth-while markets, and the great trouble is that the extremely large American market, as a result of pressure from its own local producers, is

becoming very doubtful as far as Australian producers are concerned. It is known that about 18 to 20 per cent. of mutton is now being rejected because of cysts in the carcasses.

Various methods have been tried in an attempt to solve the problem. I understand that one of the meatworks is going to the expense of installing X-ray machines for the purpose of inspecting the carcasses. The meat industry has been placed in the present difficult position through internal pressure within America, where the meat producers fear that their own production would be jeopardised if too great a quantity of meat imports was permitted. It is by this back-door method that the producers in that country are defeating the objectives of the American Government—by making it too difficult for America to import meat.

In Australia we have reached the situation where the local price of lamb and, in particular, mutton, has fallen very greatly. Only last week a young farmer whose property adjoins mine sent more than 300 wethers to the Midland Junction market, but the return was very poor. Mr. Syd Thompson told us yesterday that the producers in his area have also experienced very poor returns from the sales of their livestock. In the case of the young farmer I have mentioned, the return for his consignment of about 340 wethers was approximately \$1,000 gross, and out of that amount all the costs had to be deducted.

I would like the Leader of the House to take particular notice of this very serious situation in which the producers are placed. It is a problem on which the Government could give a lead. External promotion of sales is essential, not only through the Commonwealth Meat Board, which is doing a very good job, but also by our own efforts because of our peculiar situation. We have to seek other markets, and we have to promote the sales of these products.

It is interesting to note that the consumption of mutton, lamb, and beef in Australia has been falling. In the 1964-67 period there has been a drop in home consumption of 17 lb. of beef and 7 lb. of mutton per head of population. No doubt the people have replaced these items of food with other items, such as chicken, fish, etc. This points to the need for the meat industry to set its own house in order with the help of the Government, and to promote the sale of meat.

In the near future we should seek to establish a meat hall, or a similar facility, at the Midland Abattoir for the handling and sale of carcass meat to the butchering trade on behalf of the producers. Personally, I have gone to the trouble of selling consignments on the hoof at the Midland Abattoir, and I have also consigned

meat in quantity to a market at West Perth. I find that selling meat in carcass is a considerably better method than selling through the Midland Abattoir. The present facilities which are available for the sale of meat by auction are inadequate to cope with any large expansion in this type of sale. It would be more appropriate to expand the facilities at the Midland Abattoir by providing more freezer space, and a meat hall at which auctions of carcass meat could take place. Not only the trade, but everybody else could buy at such sales. Under this method of selling meat the returns to the producers would be greater.

As an industry we have had to face considerable increases in costs. The yard fees at the Midland Abattoir have gone up, and that is a matter of very great concern to producers, especially on a market which has been falling as has been the case in the past 12 months.

I make the point—not as some organisations wish—that no restrictions be placed on any point of sale. I think there must still be the free enterprise system in the sale of meat, and people who have already established facilities for the sale of carcass meat should be permitted to continue; but we should have a large set-up at Midland to offer competition. I am sure the implementation of my proposal would be very acceptable to the trade.

Another way in which meat marketing could be improved, to benefit all sections of the community, would be by the setting up of a meat industry authority. This could take place with the expansion of the Midland Abattoir, by the provision of a meat hall. At the present time an officer of the Department of Agriculture is the controller of abattoirs. I am sure this gentleman does as good a job as he is capable of, within the limits of his knowledge of the industry. In my proposal I visualise an authority with personnel possessing special skills, and, in particular, with representatives of the meat trade and of the producers. In this way when the Government seeks advice on any avenue of the meat trade it will receive advice from an authoritative and expert source.

The announcement by the Minister for Mines of the appointment of a Royal Commission to inquire into the activities of certain companies which handle wool—in particular, Wool Exporters—has been very well received by the agricultural community, and more particularly by the producers who have sustained losses. This situation requires immediate investigation, and now the matter will be fully inquired into through the decision of the Government. I do compliment the Minister for Mines and the Government for making that decision.

I wish to make a few more comments on wool. All who are interested in the production and sale of wool will be aware that the Australian Wool Industry Conference will request the setting up of a statutory body for the marketing of wool. This was a very wise decision by that conference; and the proposal was agreed to by about two-thirds of the 50 representatives on that body. This is a fairly large majority; but what disturbs me is a report which appeared in *The Countryman* last week, written by a special reporter who says in effect that, in his belief, the Federal Government is unlikely to legislate for the setting up of such a statutory body for the marketing of wool.

I am sure that if this is so, it will create a great deal of hostility within the industry. However, knowing a little about the way Governments operate, I wonder whether this is a kite-filer by the Minister in the Federal Government with the object of ascertaining the reaction of the industry. If this is true—and I believe it possibly could be—I hope the Minister will be made well aware of the great concern in the industry and that the industry expects the Federal Government will agree to implement the proposals put forward by a two-thirds majority vote at the Wool Industry Conference. If the proposals are undertaken they will create a great deal of stability in the wool industry. We have to be far-seeing in our approach to wool marketing problems, and I think it is for the Government to take strong steps now to create an authority to overcome some of the dissension that has occurred in the industry in the past.

The Government has the opportunity to set the industry on a path which will make it sound, and which will create for the future a sure income for Australia from exports of wool. I trust that my protest, along, I hope, with many others, will be registered and that the Commonwealth Government will be made aware of the fact that we do think legislation should be introduced regarding this matter, and that we will be most hostile to an adverse decision.

A matter of interest in the last couple of days was the meeting in Perth of the Australian Planning Congress. This morning I had occasion to speak with visiting members of the congress, and found they were very critical of the comments of some of our Western Australian planners who had spoken at the conference.

This is a situation which disturbs me greatly because it appears some very well-informed people are visiting this State, and they could give us, as a Government and a State, a good lead. If they feel our planners are too academic and that they have their heads in the clouds—and they were the comments I heard—then, indeed, the situation is serious.

The Hon. R. Thompson: I have been trying to tell you that for years.

The Hon. C. R. ABBEY: That could be so; but perhaps it was the manner in which the honourable member expressed his thoughts which was at fault. Perth is a rapidly growing city, and, as we all know, we have a wonderful opportunity, while there is still time, to set our house in order. Therefore I do hope that the situation will be studied closely and that our town planning organisation will attract people with a more down-to-earth and tougher approach to our problems.

I do not really believe we need a sophisticated design for our city—and this is one of the points raised by one planner. What we really require is a down-to-earth approach. Possibly one way by which we could overcome some of the difficulties facing the department would be to separate the planning section from the administrative section. One of the difficulties has been that administration is really a separate section and therefore if the department could be separated into two sections—planning and administration—I am sure it would run more smoothly.

The Hon. F. R. H. Lavery: I understand that has been the position for the last 12 months or more.

The Hon. C. R. ABBEY: It is supposed to be the position, but in effect it is not working that way.

I have much pleasure in supporting the motion.

THE HON. J. M. THOMSON (South) [5.5 p.m.]: It was not my intention to speak to this motion, but I do so because I was surprised at the reply I received to a question I asked the Minister today.

The Hon. A. F. Griffith: Why?

The Hon. J. M. THOMSON: I realise it is essential that we all maintain a sense of humour; and God forbid that I should be one of those without a sense of humour! However, when one directs a detailed question as I did, one deserves a detailed reply. If I had in any way attempted to ask the question in a facetious manner, I would have lowered the dignity of this House, and I would be the last person ever to attempt to do that. I have been here long enough to realise the responsibility of members to uphold the dignity of the House.

I asked this question for a specific purpose and the fact that it could be said I was aware of the answer which I might receive is beside the point. If I have transgressed in any way by making a reference to the Honorary Royal Commission, I will stand corrected and will humbly apologise. However, I presume that we are at least at liberty to make reference to a report of such a commission in the manner in which I have. However, be that as it may.

It has been stated from time to time that the Honorary Royal Commission recommended to the Lieutenant-Governor that in the interests of the industry and in the interests of the people as a whole, the provisions of the Builders' Registration Act, as applying to the metropolitan area, should be extended to country areas and, in fact, possibly to the whole State.

I can see much merit in such an extension. Nevertheless, we must clarify a statement which has been frequently made by speakers in this House and in another place, and which has appeared in Press reports, concerning this recommendation. It has been said that the commission's report contained such a recommendation. However, nowhere in the report or in the recommendations to be found on pages 6 to 9 is there such a recommendation.

It is amazing to realise that not one of the 24 witnesses who appeared before the commission was from the country. All of them lived within a distance, I would say, of 10 to 12 miles of the Perth Town Hall. Not one witness from the country appeared to speak in support of the extension of the provisions of the Act to country districts. This was the point I thought it necessary to bring before members.

I could, of course, have raised the matter again by a further question to the Minister, in which case I would possibly have received a reply which would again create a little amusement for members and in which I would have joined. However, I do believe that when a member directs a question to the Minister with the specific purpose of correcting a wrong impression which is abroad, then that question should be answered in the right spirit. However, so much for that matter.

As I have already said, I did not intend speaking to the motion before the Chair, but while I am on my feet—and I think I would be the last member to speak to the motion before the Minister replies and so concludes the debate—

The Hon. W. F. Willesee: This reply might not.

The Hon. J. M. THOMSON: It might not? Well, I stand corrected. Someone could move an amendment, but I am not—

The Hon. A. F. Griffith: You are the only one who could do that at this point.

The Hon. J. M. THOMSON: I can assure the Minister that although I may have sufficient reason, I have no intention of doing so.

The Hon. W. F. Willesee: The mover could reply.

The Hon. J. M. THOMSON: What I now wish to say concerns the Standing Orders Committee. The next opportunity members will have of speaking about any subject in which they are interested is on the Appropriation Bill which will not come before us until the end of the session.

The Hon. N. E. Baxter: There is another Supply Bill first.

The Hon. J. M. THOMSON: The indications are that this will not be so, because of the alterations which have been made. Usually we are presented with a second Supply Bill, but I do not think that will be the case this year.

I believe that members should, from time to time, have the opportunity to raise matters which are of importance to them. I can imagine that if a member attempted to do this when the Minister moved the adjournment of the House, he would be ruled out of order. However, such an opportunity is afforded members in the Federal House, and I think that in view of the changing times, we, as a Parliament, should be afforded a similar opportunity.

The Hon. R. Thompson: Members of the Legislative Assembly have been afforded that opportunity.

The Hon. J. M. THOMSON: I thank Mr. Ron Thompson for his interjection. I can visualise the value of such an opportunity, and we would be well advised to consider an amendment of our Standing Orders to include a similar provision.

It was with regret that I rose to speak on the first matter I raised. However, before concluding, I wish to join wholeheartedly with other members who have extended to you, Mr. President, their best wishes and congratulations on your re-election. To the new members I express the hope that their stay here will be one of great satisfaction to their constituents, their electorates, and themselves. I have much pleasure in supporting the motion.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [5.15 p.m.]: I think I extended to you, Mr. President, my congratulations upon your re-election to the position of President of this Chamber when I moved the motion that you should, in fact, occupy that high office. Now I wish to take the opportunity to congratulate the new members of the House—Mr. Berry, Mr. Cloughton, and Mr. Medcalf—and to tell those members that I was pleased to hear each of them make his maiden speech in the Legislative Council.

I believe I cannot let this opportunity pass without saying it is a regret to me personally, and I think a loss to the Legislative Council, that The Hon. H. R. Robinson was defeated at the last election; and similarly, that The Hon. E. M. Heenan was defeated. We cannot feel as sorry for Sir Keith Watson because, of his own free will and accord, he decided he would not stand for election again. However, as regards Mr. Robinson and Mr. Heenan, they both accept the fact, as was expressed on one occasion by the late Mr. Gilbert Fraser, that it was politician's luck, and we all have to encounter this sort of thing.

I feel that since I seem to have offended Mr. Jack Thomson I should perhaps commence my remarks this afternoon by replying to statements he has just made. Might I point out to the honourable member that it is not a question of my giving him an answer with which he is not satisfied. May's *Parliamentary Practice* lays it down that questions requiring information set forth in accessible documents, such as Statutes, treaties, etc., will not be answered other than in the form and manner in which I answered the question this afternoon.

Without in any way intending to offer offence, I sometimes wonder whether members realise, particularly when questions are asked on a Wednesday afternoon for reply at the 2.30 p.m. sitting on Thursday, what a great deal of trouble they cause and how much research has to be made to gain the information that members seek.

The other day Mr. Stubbs asked me a question concerning iron ore royalties, and the honourable member accepted the fact when I pointed out to him that the royalties were laid down in the agreements which have become parts of Acts of Parliament. I do not offer any offence to Mr. Jack Thomson, but I merely point out to him what is laid down; and weight was given to the argument I have used when the honourable member rose and proceeded to tell the House what was in the report. I can only conclude that what he wanted was the Minister to highlight, for his convenience, the answers to the questions.

The Hon. J. M. Thomson: Not for my convenience.

The Hon. A. F. GRIFFITH: Well, for somebody's convenience.

The Hon. J. M. Thomson: Not for my convenience.

The Hon. A. F. GRIFFITH: For somebody's convenience.

The Hon. J. M. Thomson: We can ask a question to get information.

The Hon. W. F. Willesee: Why did he ask the question?

The Hon. J. M. Thomson: Surely we are entitled to ask for information!

The Hon. A. F. GRIFFITH: The honourable member is entitled to ask a question but I would say, with the greatest respect, that he is only entitled to ask a question which you, Mr. President, consider to be fit and proper to be answered in this House. You, Sir, direct us in this respect in accordance with May's *Parliamentary Practice*. This document is accepted by us all.

That is all I intend to say on the matter and I am happy to know that the honourable member is aware of the answers to the questions he asked, because they are all laid down. Incidentally, the particular recommendations of the Royal Commission took up, I think, three foolscap pages which would have had to be put in

the form of an answer to the question asked. This document is already what is known as a public document, and at the time the report was received it was laid on the Table of the House. I offer no offence at all but I simply point out what May's *Parliamentary Practice* states in regard to matters of this nature.

The speech of the Lieutenant-Governor and Administrator, in addressing all those assembled in this House, when opening the first session of the Twenty-sixth Parliament, on Thursday, the 25th July last was, as has been said, of historic importance on two counts—its substance and its brevity.

The Lieutenant-Governor (The Hon. Sir Albert Asher Wolff, K.C.M.G.), after concluding his opening remarks, recounted the highlights of the current financial position and the development of the State, the proposal to hold divided sessions of the State Parliament and to deal with the legislative programme to be placed before members during this session.

At this point I have in mind, in retrospect, the attentive hearings given to the speeches of some of our senior members, whose knowledge and experience has enabled them to expound on the important subject of Commonwealth-State financial relations. If I rightly recall, one of the most far-reaching debates upon this subject reached its height on Wednesday, the 9th November, 1966, with one of our members, who is well versed in the history and ramifications of these financial agreements, stating—

I would go so far as to say that the Premiers of claimant States should be prepared to buck the Grants Commission if it interferes in State Government policy. Let the State go into deficit. If the State grant is reduced by millions of pounds, let a crisis arise . . .

At the time, I could not agree with that. I felt we were going ahead with our industrial projects and making progress in many ways. Nor did I think the people of this State would appreciate a Government which would allow a crisis to occur in order to highlight problems associated with Commonwealth-State finances.

Fortunately, the success which has since attended the State Government's efforts to develop this State as it should be developed, has vindicated the stand which I took on that occasion. The State's financial position, up to quite recently, has been a very difficult one and, indeed, a deficit of \$724,000 had been forecast for the past financial year. However, as His Excellency mentioned, that forecast, due to an increase in revenue, including mineral royalties—and even though this increase was offset to some extent by increases in expenditure to meet rising needs of rapid growth—was transformed into a surplus of \$829,000. This is a fitting basis, one might be prompted to forecast, for the

beginnings of this new era; this historic year of 1968, when the Government of the State of Western Australia can wisely choose to accept its own financial obligations and cease to be a claimant state, receiving aid through the Commonwealth Grants Commission, for the first time since Federation.

Consequently, Mr. President, I support Mr. White, who, speaking on behalf of all members assembled in this Chamber on opening day, responded to His Excellency's Speech with deep feelings, not only of pride but also humility, when suggesting, I believe, we exercise a little caution to ensure that the buoyancy now being enjoyed will continue. In supporting Mr. White in this manner, I support also other members who have spoken in similar terms, having the continued welfare of Western Australia foremost in their minds.

Mr. President, it is likely, I think, that you will recall my having remarked on previous similar occasions, upon the long-established custom which places a traditional responsibility on the Leader of the Government in this Chamber, when winding up the debate on the motion for the adoption of the Address-in-Reply, to endeavour to provide useful information in response to various points raised by members during the course of the debate.

This procedure has been going on for a great number of years, and even back to the earliest days when the Colonial Secretary (Mr. G. Shenton), in 1891, wound up the debate in a manner very similar to that attempted at the present time—though much more briefly, I must admit.

An interesting introduction was made by the Chief Secretary of the day (Mr. W. H. Kitson), as Leader in this House, in 1937. Mr. Kitson introduced his speech in this manner—

As usual Hon. Members have exercised their right to speak to the Motion before the House and, in doing so, they have touched on many points affecting in particular the electorates which the respective members represent. Some of those points have been informative but I am afraid that in quite a number of cases, the criticism which has been levelled at the Government can only be described as ill-informed. I do not think members will expect that I shall deal with every point that has been raised during debate, more particularly in view of the fact that almost every member of the House has exercised the right which is his to deal with every and any subject he thinks fit on a Motion of this kind. At the same time, I do feel that I should deal to the best of my ability with the more important questions which have been raised and in that category I would place the criticism of the financial policy of the Government, especially in regard to expenditure.

I think the same words fit the situation today and, on this occasion, every member in the Chamber has availed himself of the opportunity to speak on the Address-in-Reply debate.

It is interesting to note that Mr. Kitson commenced his speech at 4.36 p.m. and the next item of business, according to the records, could not be commenced until 9.03 p.m.

So it will be appreciated, I believe, Mr. President, if I try to restrict any comments which I have to make to those subjects which appeal to me as being of more importance on a State-wide basis than a number of others having less impact insofar as State Government policy is concerned.

I think it is fair comment when I say that the debate which is now drawing to a close has covered a full range of the activities and problems intrinsic in the development of the enormous and sparsely populated areas comprised in this third of the continent.

Speeches delivered by members have taken us through the spheres of parliamentary procedures and Executive decisions, the condition of the electoral rolls in Cockburn, and diverse views on the conduct of the Kimberley State election. I shall have some brief comments to make about that matter shortly.

No greater period of law reform has been known in the State's history and no greater period of social legislation has taken place. I appreciated this even more fully when listening to remarks made by Mr. Medcalf—a legal man—expressing the point of view of the legal fraternity, I believe, in this connection. On that occasion the honourable member was making his maiden speech.

Various matters having to do with the administration of justice and the equity of some penalties have been touched on. Some cultural aspects in the fields of education, the Parliamentary Library, native sociology, and the University course for epileptics were mentioned.

Problems affecting the economics of present-day pastoral and agricultural pursuits, those associated with marginal, pastoral-agricultural areas, the incidence of noxious weeds, and a suggestion that an animal nursing adjunct to veterinary science be examined, were covered by several speakers.

Problems associated with the land board, the allocations, financial difficulties in providing the farm house, and the obligations accepted by allottees, gave rise to alternative views on these matters being expressed.

Water supply and sewerage problems in the near city and country areas were touched on, and the overall housing position, as mainly affecting the greater metropolitan area, was dealt with during the course of the debate.

The question of the rights and obligations of reply in debate have been raised, Mr. President, so it is possibly incumbent upon me in respect of the leasehold proposals which have been made, to remark and express the view of the State Housing Commission that applicants prefer contract of sale conditions. As to land prices, the commission is not the vehicle through which land price control should be effected. This is, firstly, because it has not the land resources to be a significant factor in this regard; and, secondly, it needs its land for its own building operations.

This leads me to the point of replying to some adverse comment made regarding certain land sales by the commission, the implication being that the commission, by its action, had deprived the working man of the opportunity to procure valuable building sites.

In this connection I would say—and these views have been clearly expressed by the Minister concerned in another place—that quite often, because of development, land acquired by the commission many years ago to further its programme for the provision of houses reaches a value which makes it completely uneconomical for it to be used for its original purpose. The reason for this is that the rent charges for the accommodation which would be built on that land would be completely made up of charges on the land, and these charges are outside the control of the State Housing Commission.

Were the commission to erect working men's homes on such land, it would follow that the people eligible to occupy the houses would find the rent, which must be charged, in excess of that which they were able to pay. In such circumstances, the commission is obliged to dispose of the land and use the cash conversion to further its prime function of providing low cost houses on alternate sites. When I was Minister for Housing I did this, and I believe it has been the policy of the commission for some time.

When I speak of charges, I refer to local authority charges, sewerage rates, land tax, and so on, which are related to the present value of the land and not to its original cost.

On the question of housing, generally, I believe the Government has, through the various avenues of finance available, done a great deal more than some members are aware. Furthermore, the Government, by its more recent actions to further step up its house-building programme, has indicated a closeness to the people and their housing requirements which becomes more evident and more generally known as the several avenues of housing finance are more widely known. I mentioned this matter in greater detail when we were debating the Supply Bill.

It is quite evident from his speech that Mr. Clive Griffiths is pleased to refer to the Government proposals for the development of estates which contain an admixture of conventional houses, terraced houses, walk-up flats and some high rise buildings, as high density, and to relate these proposals to multi-storied flats built in other States as slum reclamation projects.

I cannot think that the honourable member can be convinced otherwise, so I shall make no further comment in that direction.

Mr. Lavery made a comment on this matter and I can only reiterate that the commission's estate development projects are classed as medium density and not high density. They have relatively few units of high rise and contain no proposals for 35-storey flat blocks. I should add here that, in Melbourne, and Sydney, where multi-storied flats are being built to rehouse slum dwellers, heights do not exceed 14 or 15 storeys.

I would conclude my remarks on this subject by suggesting that members who criticise should peruse the plans for medium density estate development prepared by the State Housing Commission. These will show conclusively very generous provisions for communal recreation and play areas, likely as not to a greater extent than in the traditional type of residential development.

The Hon. C. E. Griffiths: Everybody else should also peruse them.

The Hon. A. F. GRIFFITH: That idea has merit.

The PRESIDENT: Order!

The Hon. A. F. GRIFFITH: I do not mind, Mr. President, because I am being helped. I revert now to my original line of thought, which is the generality of topics presented through you, Sir, in this Address-in-Reply debate. Some suggestions were made of inadequacies becoming apparent in the strata titles legislation, and I agree that some difficulties have been emerging. It is hoped that these will be overcome at a conference which I am arranging between my colleague, the Minister for Local Government, his officers, the officers of the Titles Office, and myself. The remarks, which Mr. Dolan made in this connection, will be taken into consideration at that time.

If I recall rightly, at one stage I was commended for my part in the preservation of King's Park. However, on that occasion, I was acting on behalf of another Minister, and I think the honourable member concerned made some mention of this. The preservation of parklands does not come within the province of my portfolios, but I am sure all members in this Chamber share a concern for the maintenance of our open spaces.

Similarly, as regards the Narrows Bridge and its approaches, whatever our personal views regarding a temporary disfigurement of extensive areas in the name of progress may be, these will become dissipated through the passing of time. Perhaps the generations to come may praise the foresight of this era, in the same spirit in which we have praised the foresight of the early pioneers in setting aside the huge area of King's Park as an open space for all to enjoy.

As to the particular attack on this Government, in respect of the Narrows Bridge and approaches, I have not missed the point that when the complaint was made during the debate, the blame for initiating the scheme—if blame there should be—was directed to the right quarter, for reference to the pages of *The Sunday Times* will show a very comprehensive picture of the Narrows Bridge and its approaches drawn by the paper's staff artist from State Government official plans. That was under date the 17th March, 1957.

As a matter of fact, there was quite a lot of Press coverage in those days, with the papers full of the project and the plan of the approach roads being featured on the 23rd February, 1957, not long after the official announcement of the river crossing scheme. I suggest, that the Government is continuing this project in logical sequence and it would have been discredited had it closed down the project merely because it had been started by the previous Government.

Members speaking to the debate, raised some interesting facets on the industrial side; reference being made to the consequences of the wage procedure; the equipment at the Port of Fremantle, and industrial accidents at Kwinana. The sale of State ships was touched on. Transport and traffic matters were raised. Some aspects of these, I think, have been aired previously in this Chamber and it is not my intention to delay the House longer in pursuing them at this point.

Some of the matters, which have been brought forward, raise problems which may be resolved only through the passage of time. I believe members, for the most part, will agree that the bigger issues receive continuous attention by successive governments, no matter what their political complexion. It is not my intention, therefore, at this point to dwell on the marvellous advances which have been made in recent years in the fields of State-Commonwealth finances, the throwing open of vast areas of agricultural land for farming, the great expansion of the technical services of the Department of Agriculture, or our dramatic development in realising on the wealth of our

mineral riches, which in their turn, have entailed governmental commitments in far-flung places.

I feel that all members, more so perhaps than the average citizen, are well aware of the change for the better in our economics, and most members recognise the associated problems which such extensive development poses, in the drawing up of a public works programme and the far-reaching effects of its priorities. The latter is not an aspect on which I might enlighten members, as to certain categories, in the course of this debate, but rather I think it could more properly be done when appropriate legislation is brought before the House. Suffice it to say, that the allocation of priorities in public works demands constant care and revision to meet the extenuating circumstances which develop.

There is one point which I feel obliged to deal with and that is the functions of the parents and citizens' associations, references to which were made by Mr. Cloughton during his maiden speech. It struck me as being slightly provocative.

Having referred the honourable member's comment to the Minister for Education for examination, I received from the Minister a lengthy report which bears out my own thoughts, that surely the honourable member has been misled as to many important aspects of the favourable relationship which exists between the parents and citizens' associations and the Education Department. The report which has come to me is lengthy and unfavourable as to some of the presumed facts placed before members.

It is natural that I am reluctant to criticise the maiden speech of any member, so in an endeavour to be brief, I shall keep my remarks factual and try to correct the record on points of fact only.

I believe the honourable member expressed the view that the need for the parents and citizens' associations to raise funds for grounds improvements destroyed the real function of the organisations. This certainly is not so and, in this connection, I refer Mr. Cloughton to section 23 of the Education Act, where the functions of the associations are set out quite clearly. I shall not weary members by reading them.

The honourable member stated that the P. & C. would have to pay \$3,000 of the total cost of \$6,000 for the Karrinyup Primary School reticulation. This is not factual.

The association has been asked to find only \$1,500. This is for the reason that the department meets all cost in excess of \$3,000 and subsidises the first \$1,500 on a dollar for dollar basis; and the honourable member will recall I answered a question along those lines this afternoon.

The honourable member stated that a P. & C. association at a new school was confronted at the initial stage with a bare interior and the burden of providing all those things accepted as normal fell on the P. & C. association.

I am advised that, within the school, the department pays for the rental of telephones and for the cost of official calls; duplicating paper and stencils are supplied, as are record cards. Typewriters are supplied where the department employs clerical assistance. Such items as fertilisers, loam, and sand for general purposes are supplied on annual requisition. The provision of cricket pitches comes under ground improvements, which are subsidised in primary schools.

The honourable member would separate the school recreation grounds and pass them to the local shire council to be used by the general community. This is not favoured by the department, particularly in high schools where some form of physical education is taking place during almost every period of the week. It has been pointed out to me that in areas where schools have had to use recreation grounds belonging to local authorities, limitations have been placed on their use. On the other hand, it is not at all uncommon for school grounds to be made available for community use, especially for children's teams at weekends.

I feel that the honourable member will be pleased to learn that the traditional system of education is frequently under review. Developments in primary school methods and techniques in recent years have introduced new approaches and the present activities would be unfamiliar to those who were at school only a few years ago.

Secondary education is currently under review and major new developments can be expected in the future. A committee of inquiry set up by the Minister for Education is expected to make recommendations for secondary education in a modern technological age. P. & C. associations, amongst others, were invited to discuss this matter and submit their recommendations to the committee. Many, including the Federation of P. & C. Associations, did so.

I am further advised that schools are used out of school time much more frequently than Mr. Cloughton realises. Nearly every secondary school reopens at night as a technical centre and these centres provide a wide variety of courses for thousands of students of all ages. Departmental instructions provide for the use of school buildings free of charge for meetings, and social functions for such organisations as the P. & C., youth organisations, community organisations such as the Red Cross, St. John Ambulance, civil defence, adult education, etc., Sunday

schools, and church services. Other organisations may hire school buildings at a nominal charge if no other halls are available. In fact, the Education Department welcomes the use of school buildings by any responsible organisation for any worthwhile purpose.

I should think it is well known, that each year the Government attempts to take over a greater share in the provision of all needs for education, by extending the range of materials and equipment provided free, by increasing the assistance it gives by way of subsidy, and by trying to improve the quality of education through the introduction of new techniques.

I would conclude my remarks on that point by saying that the department is at all times grateful for the generous support it receives through the P. & C. associations. Most associations attempt to perform all of their functions, but those relating to material aspects of school life receive more notice than others because the results are more tangible and more obvious. I think every member in this Chamber has had ample experience of the value of the work that members of the parents and citizens' associations do throughout the length and breadth of the State.

The Hon. E. C. House: That is so very true.

The Hon. A. F. GRIFFITH: I turn now to the subject of research and investigation of the Gascoyne River, raised by Mr. Berry in his maiden speech. I am advised by the Minister for Water Supplies, who concurs with the honourable member's comments regarding difficulties during the drought seasons, that the department is active in the sphere of harnessing additional supplies of water from further up-river sources.

The investigations, with a view to damming the Gascoyne River at Rocky Pool, have been carried out, but this site is regarded as being far from satisfactory due to foundation problems. Also, apart from the physical problems of the site, a dam which is estimated to cost approximately \$5,000,000 would be of a capacity to satisfy the demands of the expanding Carnarvon district for a few years only, and so the proposal is unattractive.

A large scheme involving a major dam at the Kennedy Range site, estimated to cost between \$12,000,000 and \$15,000,000, is currently being studied. Meanwhile its investigations are current into the possibility of a small scheme to provide supplemental supplies to the existing developed area aimed at stabilising the present level of development by the provision of some stored water.

Mr. Strickland spoke of the operation and decisions of the Federal Conciliation and Arbitration Commission. This being

outside the province of State Government responsibility, I shall refrain from commenting.

However, Mr. Strickland made some references to wage fixation in this State, which I have raised with the Minister for Labour and which certainly deserve some comment. If I recall rightly, the honourable member said that, in 1966, this Government abolished the State basic wage and quarterly adjustment thereto. Of course the Government did not abolish the State basic wage—it still exists. It is correct that because the Federal commission opted for a total wage in lieu of the basic wage and margin that the State basic wage has not varied. But it is not correct to say that the Government knew prior to its being made what the decision of the Federal Commission would be in the matter—it is quite incorrect.

The Hon. H. C. Strickland: Oh no!

The Hon. A. F. GRIFFITH: I say, "No" and the honourable member says "Yes." I must leave it at that. Nevertheless, because of this decision, and now because of our not being a claimant State, the matter of future State wage fixation is under consideration.

I want to make only a brief reference to the Kimberley election. I think it is pretty close to being old hat; everybody has had a go at it. However, I think I should remind members that in 1962 Parliament dealt with a Bill which gave natives the right to vote. I have an extract here from two speeches made in Parliament at that time. The first reads as follows:—

I do not propose to enter into political partisanship on this measure. I have not approached it, at any time, from a party-political point of view. I know the charge has been laid to-night that this Bill is many years behind the times and should have been introduced 50 years ago. I am not concerned with whether or not it should have been introduced years ago, or whether it has been introduced too early. The fact is that the Bill is being introduced now, and in my view it is better to do it now than 12 months or 12 years hence.

This measure seeks to give natives the right to enrol, and subsequently to vote at State elections.

And so the speaker goes on with other matters. The other quotation from *Hansard* is as follows:—

I rise to support the Bill. This legislation has been a long time coming to fruition. It is a privilege which should have been granted to natives a great deal earlier. There are any number of natives who are just as educated and intelligent as the white man. We must, of course, expect anomalies when legislation such as this is introduced and placed on the Statute book. But

every effort should be made to cast aside prejudice, and to give all the help that it is possible to give in a merciful and democratic manner.

It is only right that these people should be granted the facility that is provided in this legislation. I hope we will all see that justice is done, and I am happy to support the Bill.

That was the attitude in 1962 in both the Legislative Assembly and the Legislative Council when an amendment to the Electoral Act was under consideration.

The present Government was accused of being 50 years late with the proposal contained in that Bill. From 1962 until early 1968 we have heard no criticism of the situation, but now we hear a great deal. I am not going to answer the points raised by Mr. Strickland as I think they have been adequately covered by other members. I was not anywhere near the area when the particular election was held. I know nothing whatsoever of the details, but I do know that the complaints that have been made were referred to the police for investigation. As a matter of fact some of the allegations are still being investigated by the police. Suffice it to say that the election in 1968 was held under conditions identical with those of the election in 1965, with the same sort of people voting, and the same people having a right to be enrolled and being obligated to vote after having become enrolled. However the result this time was different from the result last time. I will leave it at that and not say any more because I do not think it is necessary.

Nevertheless, I would remind Mr. Strickland of the time he and I handed out how-to-vote cards at a place called Yankee Town, in Carnarvon. Because of the eloquence of the honourable member he was able to speak to the people who came to vote, some being white and some being black.

The Hon. H. C. Strickland: They were all educated.

The Hon. A. F. GRIFFITH: Some voted Labor and some voted Liberal; but as far as I am concerned the eloquence of the honourable member left me for dead. He was able to converse with the people whether they were black or white, but I do not think some were persuaded by the honourable member.

The Hon. H. C. Strickland: Did you say you were not?

The Hon. A. F. GRIFFITH: I said some were not; and the result reflected trust in the parliamentary practice on that occasion.

The Hon. H. C. Strickland: You must have won.

The Hon. A. F. GRIFFITH: No; the candidate of the honourable member's party was returned to Parliament. Surely the

honourable member can recall that nice sunny day at Carnarvon. I well remember it. Many people were known to Mr. Strickland by their Christian names.

The Hon. H. C. Strickland: They can all read and write.

The Hon. A. F. GRIFFITH: Yes.

The Hon. H. C. Strickland: They were Kimberley supporters.

The Hon. A. F. GRIFFITH: Not all of them. Many of them voted for the Labor Party candidate and many for the Liberal Party candidate. However, at the recent election, more voted for the Liberal candidate than for the Labor candidate. I leave the matter at that.

As interest has been shown in proposed sewerage schemes at Point Peron and Kwinana New Town, I sought advice of the Minister concerned and can inform members as follows: The sewerage plant for Kwinana New Town, which includes Medina, is to be to the north of Medina and not to the east. The nearest point of the urban area of Kwinana New Town is $2\frac{1}{2}$ miles from the coast and most of the area is considerably further. On the other hand, the Rockingham urban area extends along the coast for six or seven miles. The relative locations of these areas to the coast does have an effect on the siting of the treatment works.

Many factors must be taken into account in selecting sites for treatment works. Among these are the size of the works to be established, the type of sewage to be treated, the nearness or remoteness of the source of sewage, the proximity of urban development, the contours, winds, etc. One of the most important factors is the means of disposal of the effluent and another is the availability and cost of suitable sites.

Sitting suspended from 6.1 to 7.30 p.m.

The Hon. A. F. GRIFFITH: Prior to the tea suspension I was talking about the selection of sites for sewage treatment works. I would like to continue with that theme for the moment.

At Kwinana a site of 20 acres is to be transferred to the Metropolitan Water Board for the establishment of the treatment works itself. A further 80 acres are to be made available on lease to the board. This will be adequate for the disposal of the effluent from Kwinana New Town for a number of years, and possibly until the land is required for other purposes. It is contemplated, however, that, in time, the effluent will be discharged elsewhere. One possibility is that the effluent will eventually be used by industry. Some discussions have already been held with industrialists with this long-term objective in mind. The reuse of effluent for industry has been accepted in other parts of the world with consequent significant

economies in the use of water. The decision to establish the disposal area on the site chosen was made largely because a large tract of Government-owned land was readily available for this temporary purpose.

The selection of the site at Point Peron, on the other hand, was made in conjunction with the long-term plans for the development of a large urban area in Rockingham, together with the establishment of railroad links to Garden Island, and wharves and other shipping facilities in the vicinity of Rockingham and on Garden Island. The board had no immediate plans for establishing a treatment plant on the site. The site chosen is adjacent to where the link will be made to Garden Island and the seabed and beach adjacent to the site will be reclaimed when this link is made. When this is done the land will lose much of its present character. The site is well located with regard to future urban development in the Rockingham area. It is the board's experience that public opinion is against the establishment of treatment works of any size or type in proximity to urban development.

On this ground, there is no cause for complaint regarding the siting of the works, and the siting has the further advantage that it is sufficiently close to the source of sewage that the sewage will arrive at the works in a fresh condition. This is a considerable advantage. A further advantage of the site is that, for the disposal of effluent into the sea, the outfall can be relatively short. In the marine disposal of sewage effluent it is desirable that the discharge be made at depth, because the less saline effluent tends to float to the surface but, in floating to the surface, mingles with the sea water and is diluted; hence the greater the depth of discharge, the greater the dilution.

Another topic mentioned in debate had reference to sewerage proposals for the Cannington-Armadale corridor. Throughout most of the areas proposed for urban development along the Armadale corridor, sewerage is virtually essential. The land is very suitable for urban development in most respects but does suffer from this disability.

To provide for development, the board has acquired three sites for treatment works and effluent disposal; namely west of Armadale; south-west of Gosnells; and in Canning Vale; and it has taken over a small treatment works in Kelmscott.

These sites will provide for the treatment of sewage and the disposal of the resulting effluent for many years to come. In the distant future, it may be expected that the effluent will be discharged to the main system as development makes this necessary and the board's main system is expanded.

Though the cost of sewerage adds substantially to developmental costs of the land, developers along this corridor recognise that, as sewerage is essential, the extra costs must be met. Agreement has been reached with developers in Lynwood, in Armadale, and in Kelmscott that they pay most of the cost of sewerage land which they propose to develop. Other prospective developers have also exhibited a willingness to pay for sewerage. It is relevant that acceptance of the costs of sewerage land by developers has been the pattern in the Eastern States for a number of years, and with the limit on board funds, the only way to get sewerage provided in these areas, where it is required to enable development to proceed, is by means of contributions from developers.

It seems that The Hon. J. Dolan wishes to provide for a straight-through movement from Kwinana Freeway southward direct into Canning Parade and a right-turning movement from Canning Bridge southward into Canning Parade. Although the honourable member was perhaps not entirely specific on this point, I felt he implied that Canning Parade should provide for one way movement southward. Superficially this looks an attractive and reasonably inexpensive solution, but examination of its implications shows that there would be severe loss of capacity. This is due firstly to the need for an additional phase in the traffic lights to provide for the right-turn movement off the bridge into Canning Parade; and secondly to the uncertainties of movements which would be introduced into the existing highly efficient junction treatment, whereby three lanes of traffic, because they have no uncertainties as to destination, can proceed from Kwinana Freeway and turn together across the bridge. This has been a uniquely successful traffic engineering installation providing very high capacity, and it has only been possible because all drivers have the same destination westward. To introduce another possible destination at this point would involve uncertainties and thereby increase the hazard and reduce efficient traffic flow. It is essential to maintain the high capacity of this movement, particularly at evening peak. Therefore, until plans for extending the Kwinana Freeway and providing grade separation at the intersection of the freeway with Canning Highway have been fully investigated, no temporary solution can be put forward which does not involve very great cost in the shifting of services and in land resumption or, if The Hon. J. Dolan's suggestion were adopted, a great loss in traffic capacity at the existing junction with Canning Highway. On these grounds the Main Roads Department has no alternative but to reject the suggestion.

The problem is one which has been of concern to the Main Roads Department for some years, but no suitable solution has

been found short of the expensive widening and reconstruction of Canning Highway east of the Kwinana Freeway junction, or the construction of the future grade separation. These two solutions are inter-related but both are expensive and the present traffic situation is not yet considered to be such as would warrant this treatment on an urgent basis.

I feel it is inappropriate at this point to enlarge further on the technical problems involved, but if The Hon. J. Dolan wishes more detailed information, he is invited to approach the Commissioner of Main Roads, who has undertaken to arrange for the technical difficulties of the problem to be explained to him in greater detail should he so desire.

I feel that, in respect of regulations controlling right-hand turns, The Hon. W. F. Willesee has drawn incorrect conclusions from the Press article which he quoted, for the honourable member apparently assumes that we have a different system for right turns at intersections as compared with other States.

On the advice of the Minister for Police, I would refer members to Regulation 802 (2) of the Road Traffic Code, which is the same, almost word for word, as the draft Regulation 802 (2) of the National Road Traffic Code, which all States and Territories are expected to follow. In effect, therefore, drivers turning right at intersections are required to keep to the right of the centre intersection and when two vehicles travelling in opposite directions carry out this movement, each turns on the inside of the other vehicle, so as not to block one another's progress. This is what is generally called a "diamond turn" and, to the knowledge of the Minister, is common to all States of Australia. Until a better rule for uncontrolled intersections is devised, it is not intended to make any change in this State.

In my own experience I have seen people making this type of turn and also other turns where they seem to turn about each other. I am quite sure everybody else has seen it, too.

The old story of what happens when four vehicles arrive at an intersection at the same time from different directions was also mentioned. When such situations arise, probably all four vehicles stop and sort themselves out. I see no harm likely to result from such a situation, provided they stop and sort themselves out.

It is the irresponsible driver, who flies across intersections at speed, without giving way to anyone, who causes accidents, and this is one of the reasons we have to erect so many "Stop" signs—to slow these people down.

On the matter of television instruction, I think it is agreed that television can be an educative medium for road safety instruction and driver improvement. It has been used regularly in this State during recent years.

Experts in the field of driver education have explained traffic regulations and demonstrated safe driving techniques during numerous interviews on national and commercial television here. The high cost of television advertising, however—\$165 per minute minimum, even with special discount to governmental bodies—prohibits extensive use of this means of publicity for financial reasons only. Nevertheless, the road safety division of the National Safety Council has been granted numerous opportunities to broadcast its educative and instructive message per medium of local television networks. This is a TV service to the Western Australian motoring public in particular, and to encourage correct attitudes among road users.

It has been estimated that more than \$16,000 worth of free viewing time has been extended by television stations to that division of the council during the past 18 months.

The film entitled "Defensive Driving" was screened recently by a commercial station in a high priority time slot in support of the current road safety campaign. Included was an introduction filmed at the Mt. Lawley Safety Instructional Centre under the guidance of qualified instructors. A notable contribution towards accident prevention here involved advertising time, which would have amounted to \$2,805.

A further 13 practical training and driver instructional films will shortly be available to safety organisations throughout Australia by arrangement with the Commonwealth and private enterprise. The production of these films, undertaken by experts in their fields, will increase the scope of safety education and should make a powerful contribution towards reducing the tragically high accident rate, particularly where it involves the under-20 age group. It is expected that the council will obtain free viewing of these films through generous co-operation of Western Australian TV stations.

It is apparent, therefore, that the safety division of the council has consistently advocated that informative publicity should have a positive educational value and be produced by specialists in driver education, as desired by The Hon. W. F. Willesee.

I am grateful to Mr. Lavery for having raised the subject of the replacement of towing vehicles—and I assume the honourable member was referring to forklifts—at the Port of Fremantle.

Up to some few years ago, the Fremantle Port Authority's funds were repaid to the Treasury and in due time formed part

of the overall funds for port purposes. It has only been during the past few years that the port authority has been able to retain its depreciation funds and use them for replacement of assets. Even so, funds provided from the depreciation of the old machines would not have been near sufficient to replace the machines at today's costs and would have had to be supplemented by other funds.

I am advised that, contrary to the opinion expressed by the honourable member, not any of these machines were ex-World War II army vehicles but were all purchased as new machines. Admittedly the majority of the machines are very old, and in the normal course many of them should have been replaced long since.

The Hon. F. R. H. Lavery: They were purchased as new, but they were made up by the Army.

The Hon. A. F. GRIFFITH: I can only repeat the advice given to me by the appropriate department.

However, by reason of other major commitments and the limited capital funds available, it was necessary to try to keep in service as many of these machines as possible. They are constantly subject to the most rigorous servicing and maintenance programme by highly qualified mechanics but, of course, exhaust fume problems are difficult to overcome even when machines are taken out of service for attention. Hence it has become necessary at times to cannibalise some machines—here I come to the point made by Mr. Lavery—in order to keep the remaining fleet in operation. Also some of the oldest machines have been sold and others have been scrapped.

There have been attempts to hire machines on a short term basis but few, if any, machines have become available. So it is that now, with the major developmental works, which could not have been postponed, nearing completion, a programme of replacement of forklift trucks has been commenced. Already some 25 new modern machines of a far greater capacity than the old ones are in service. A further 20 machines have been on order for some months and are now commencing to arrive. Tenders have been called for a further 16 machines, the delivery of which should commence in December.

The honourable member will be pleased to learn, therefore, that the eventual replacement of all old machines, by the number of new machines now required, will be undertaken progressively at the earliest possible date. A further alleviation will come about by the State Shipping Service providing four new machines for operation at Nos. 1 and 2 berths, North Quay.

While the comments of the honourable member regarding licensing are appreciated, the Inspector of Machinery is not

the authority to license this type of machine. They are correctly registered with the Traffic Branch. However, as the machines do not normally operate in traffic, some relaxation of the requirements of the Traffic Act have been allowed, yet the normal safety requirements, such as brakes and steering, are constantly being attended to. Owing to the type of a small number of the old machines, steering is somewhat difficult when compared with more modern and newer machines, but the safety aspects are never neglected.

Although it will still be necessary to keep some old machines in service for some time, most if not all of the "Lawton" machines, which have caused the recent trouble on the waterfront, will be withdrawn as soon as possible and, in the meantime, the port authority is continually seeking to hire machines and will obtain any suitable machines from these sources wherever possible to alleviate the position.

As to the surfacing of the wharf, it has to stand up to very heavy wear and maintenance is a continuing operation. A particular area which was the subject of recent complaint has received special priority for renovation but, generally speaking, the major area of the wharf surface is in repair.

I turn now, Mr. President, to the Civil Defence and Emergency Services Organisation, the good name of which was vilified in no uncertain manner by Mr. Ron Thompson. The criticism levelled at this organisation by Mr. Thompson apparently arose as a result of some families being rendered homeless on the 8th June last when a small revolving storm passed through the area known as Naval Base in the Cockburn Shire.

This blow caused extensive damage in the caravan-camp area, with the result that 15 to 20 houses on the other side of the road were damaged. About six were, in fact, almost completely demolished. These houses were mainly self-built and of rather flimsy construction. Many beach caravans were demolished, about five families were left homeless, and apparently Press and radio stations were informed by somebody that the Civil Defence and Emergency Services did not turn out and render assistance and, there was some criticism of the organisation on that count at the time.

If I recall rightly, some of these Press allegations were challenged by the organisation, and particularly in view of this, Mr. President, I contend that Mr. Thompson has done a mischief by renewing the charges of neglect against the Civil Defence and Emergency Services.

The Hon. R. Thompson: I challenge the civil defence organisation to come out in the open and to start telling the truth in-

stead of trying to whitewash itself for not being there to render service. I was present in the area every day for a week, and I know the true position.

The Hon. A. F. GRIFFITH: I think this is another way by which the honourable member is prepared to vilify this organisation—

The Hon. R. Thompson: Definitely.

The Hon. A. F. GRIFFITH:—despite the fact that I am trying to demonstrate—probably not to the satisfaction of the honourable member—that this organisation has been of considerable service to the community.

The Hon. R. Thompson: All those people affected were rendered homeless!

The Hon. A. F. GRIFFITH: Firstly, let us consider the merits of the organisation, which, following some years of planning and initial activity, continues to make progress in the development of a protective network of voluntary emergency services throughout the State of Western Australia.

These local V.E.S., as they are referred to, have been organised on a voluntary basis and present a local nucleus of volunteers ready to cope with the problems arising from a national disaster such as follows in the wake of cyclones, floods, or bushfires.

Operating under the control of State headquarters, the service in 1961 was responsible for the organisation and co-ordination of effort in a series of disasters. At Carnarvon, as a result of flooding, 3,000 persons were evacuated in stages to Geraldton without mishap. The Geraldton Voluntary Emergency Services, with assistance from many organisations, coped with problems of housing, feeding, and general welfare of this large influx of population. Bushfires at Dwellingup, Nanga Brook—at this point I would mention that I was personally present the day after the commencement of the fires—Karridale, and Gidgegannup, caused much loss of property. Again, the State Civil Defence and Emergency Services Organisation was involved in assistance and co-ordination of effort.

In 1963, the worst cyclone on record, with winds up to 150 miles per hour, struck Onslow causing heavy damage and flooding in the area. Women and children were evacuated by air to Geraldton, the movement being supervised by the State headquarters.

In 1964, heavy rains caused flooding in the south-west and the town of Harvey was evacuated. The population of 2,400 was accommodated for 2½ days in buildings on high ground, such as the high school and the golf club sites. At Nannup, watercraft despatched urgently from Perth were used to ferry dairy produce over rivers when roads became impassable.

From this, it is evident that many local voluntary emergency services have reached the stage where they are able to swing into action promptly in order to cope with a local emergency when their help is requested. Recent examples have been the provision of breakfast for the passengers on the Kaigoorlie express, which caught fire at Kellerberrin, and assistance in fighting bushfires at Pingelly, Albany, Denmark, and Mt. Barker. Then there was the establishment of a ship to shore radio link when the Norwegian freighter *Hafnia* ran aground in the Esperance Harbour.

It must be apparent, therefore, that the civil defence training includes the teaching of self-reliance both at the community and at the individual level, where it is suggested that a householder, amongst other things, should check his insurance policy to be certain that his home is covered for storm damage. The benefit of this was borne out on Sunday, the 11th June, 1967, when the State director and the senior training officer answered a call to the Scarborough, Doubleview, and Woodlands areas. Where they had not already been advised, householders were informed to telephone their insurance companies which quickly had builders in the area to commence emergency repairs.

In view of this record of activity which I have placed before members, it is inconceivable to me, Mr. President, that any member can bring himself to assert in this Chamber—

The Hon. R. Thompson: To tell the truth, you mean.

The Hon. A. F. GRIFFITH: —or in other circumstances for that matter, that this organisation exercises itself only in preparation for a nuclear attack, which Mr. Ron Thompson says, may never occur.

In returning to the basis of the honourable member's complaint that the organisation did not attend or make any offers of help, to his knowledge and to the knowledge of the several persons whom he named, I would point out to the honourable member that it is not the function of the emergency services to go into operation until the situation deteriorates beyond the capacity of local resources. In other words, I desire on behalf of this organisation—and of course this information has been given to me to pass on for the information of the House—to make it clear it is not the responsibility of the emergency services to assist in such local incidents unless the situation cannot be handled by local resources, and their services are then called upon.

I feel obliged, on behalf of this organisation, to state that it was not called out on this occasion. Indeed, the senior training officer was informed by the police civil defence liaison officer, after contacting the Fremantle district office, that the situation was under control and no outside

assistance was required. This occurred in the early afternoon of the 8th June, because the first advice which the State headquarters of the Civil Defence and Emergency Services received was from a member of the Melville Lions Club, who telephoned the civil defence service after hours' number inquiring if the organisation needed any help.

The organisation was further advised that the homeless had been temporarily accommodated by neighbours and dry clothing and other immediate requirements had been supplied by the Medina Red Cross.

The fact that the emergency services took any action at all was due firstly to the conscientiousness of its officers and, secondly, in the absence of the Premier and his deputy, to the interest of the Minister for Industrial Development on behalf of the Premier who wished to have an assurance that all families were adequately housed. I should add, in this latter regard, that the Acting Under Secretary of the Premier's Department—the department administering the civil defence service—personally arranged on Sunday, the 9th June, for accommodation to be made available at the Point Walter immigration hostel for anyone who needed it. No one availed themselves of this, the need being for permanent housing accommodation.

The Hon. R. Thompson: Evidently they were not concerned as to where those people slept on Saturday night.

The Hon. A. F. GRIFFITH: Apparently the trouble arose in the afternoon.

The Hon. R. Thompson: Between 7.30 and 8 a.m. on Saturday.

The Hon. A. F. GRIFFITH: Mr. Ron Thompson felt that even if civil defence officers had come to Naval Base, they had not made their presence known or felt. It is a fact, however, that civil defence officers called at the following key points and left the Government's offer of migrant hostel accommodation: Cockburn Shire Council; Kwinana Shire Council; State Housing Commission branch office, Medina; Police Station, Cockburn; Police Station, Fremantle; Naval Base general store.

For the interest of members, I can advise that it subsequently transpired that the five families in need were satisfactorily housed within a few days; some by the State Housing Commission and some by making private arrangements.

In reply to Mr. Ron Thompson's assertion that he knew of no one who knew of the presence of civil defence officers at the scene of damage at Naval Base, or of no offers of help by this organisation, I can say that I have examined a report submitted by the senior training officer who officially records his departure for the scene within a quarter of an hour of the

incidence of the storm being brought to his notice. That is recorded in his report on the file.

The Hon. R. Thompson: At what time did he fill out this report?

The Hon. A. F. GRIFFITH: I would not know. If the honourable member is not satisfied I will obtain a copy of the report and show it to him.

The Hon. R. Thompson: I would like to know.

The Hon. A. F. GRIFFITH: It would appear there is a lot of difference between what the honourable member has told the House and what is stated in the records.

The Hon. R. Thompson: I told the honest truth.

The Hon. A. F. GRIFFITH: I am not suggesting the honourable member did not tell the honest truth, but he might not have known all the facts.

The Hon. R. Thompson: I told every bit of the truth.

The Hon. A. F. GRIFFITH: It is pretty obvious the honourable member did not know the whole truth. He should give a little credit where credit is due.

The Hon. R. Thompson: I am giving credit where it is due.

The Hon. A. F. GRIFFITH: The honourable member gives those concerned nothing but criticism.

The Hon. R. Thompson: On this occasion that is so.

The Hon. A. F. GRIFFITH: The other evening he told us this was a hopeless organisation, and he would criticise it in the House or in public.

The Hon. R. Thompson: I would stand up and do the same again.

The Hon. A. F. GRIFFITH: It is very hard to satisfy the honourable member. I am telling him of what I have been informed took place. This report records that the homeless had been accommodated by neighbours and some people from Medina; namely, the former civil defence controller, Alf Lydon, and his wife of the Medina Red Cross, who had assisted with dry clothing and other immediate requirements. While the State head-quarter's officer was discussing the situation, his wife moved about the area asking the residents if any help was required. In all cases, she was told that everybody in the area had assisted those in trouble and no further help was required.

This officer again proceeded into Naval Base on the following day, Sunday, and upon inquiry there, confirmed that everybody was being looked after and there was no call for immediate accommodation. He had contacted the local store, after again discussing the matter with the Fremantle and Cockburn police, and had examined

the list of the homeless and what had been done in each case. At this point the availability of emergency accommodation was again noted and arrangements were made for contact to be made with the Fremantle police if anything else was required.

Again, on Monday, the director and the senior training officer visited the area and confirmed that the State Housing Commission had matters well in hand. Yet, once again, all possible people were advised of the availability of the emergency accommodation.

The Hon. R. Thompson: He does not say who contacted the State Housing Commission.

The Hon. A. F. GRIFFITH: Did the honourable member himself contact the State Housing Commission?

The Hon. R. Thompson: My word I did, on the Saturday afternoon.

The Hon. A. F. GRIFFITH: I do not deny that. Maybe there were two people who did that. I hope the honourable member is not saying this is a fabric of my imagination.

The Hon. R. Thompson: Definitely not.

The Hon. A. F. GRIFFITH: It is good to hear that. I have therefore been reliably informed.

The Hon. R. Thompson: Unreliably informed.

The Hon. A. F. GRIFFITH: I make no excuse, Mr. President, for placing on record these facts, for from whatever source the Press and radio obtained information detrimental to the activities of the Civil Defence and Emergency Services Organisation, it indeed was not factual; and to have had these allegations and assertions put before members in such manner as was done, by the honourable member, was I think hitting below the belt.

The Hon. R. Thompson: These complaints were made by people who had not been assisted by the civil defence organisation.

The Hon. A. F. GRIFFITH: I have often seen the honourable member stand up to make extravagant statements. When they are examined often they are without substance in some instances. On this occasion he should give those concerned the benefit of the doubt, in view of the explanation given.

The Hon. F. R. H. Lavery: Five days after the appeal was made I picked up things from Morley and other places to take to the people in need of assistance.

The Hon. A. F. GRIFFITH: That does not alter the facts which I have given.

The Hon. R. Thompson: They are not telling you the complete story.

The Hon. A. F. GRIFFITH: What the honourable member is saying is that this is a pack of lies?

The Hon. R. Thompson: Virtually, yes. That is the truth. My truthful opinion is that it is a pack of lies.

The Hon. A. F. GRIFFITH: I do not know where he goes from there, when he says the truth is a pack of lies. Now I have heard everything! I will certainly refer the last very condemning remarks of the honourable member to the people who give this service from time to time.

The Hon. R. Thompson: If Mr. Falconer likes to go down there I could take him to the people concerned. I would be only too pleased to do that, so that he could face the people.

The PRESIDENT: Order! I would ask the honourable member to desist from interjecting, because the Minister is making the speech.

The Hon. A. F. GRIFFITH: I am glad that you, Mr. President, reminded me of that. I leave the matter at that. I am sure every member in the Chamber will appreciate that a charge was made against the emergency services by Mr. Ron Thompson, and I have endeavoured to obtain some information relevant to that charge. I have told the House what happened.

The Hon. R. Thompson: I am not blaming you.

The Hon. A. F. GRIFFITH: However, the honourable member finds what I have been telling him is unacceptable. I now turn to some matters which were raised concerning my own portfolio of Justice. Mr. Ron Thompson indicated that he was not pleased with the condition of the State roll for Cockburn, but praised the Commonwealth canvassing activities.

I made some interjection when the honourable member was speaking on this subject. If I remember rightly, I endeavoured to publicise clearly last April in the local Press and in reply to some public criticism by the honourable member that the law provided that it was the responsibility of every elector to see he was properly enrolled. I pointed out that, to assist electors, they were notified before an election of the closing date for enrolment, and mentioned that the State electoral office used information obtained by enrolment canvassers paid by the Commonwealth.

I mentioned that the election just held had been held on new boundaries and that more than 116,000 electors, who had been transferred to new electorates, had been notified of the change by the Electoral Department.

These 116,000 electors represented one quarter of the total enrolments; and the postcards also contained advice regarding enrolment for electors who had altered their addresses.

I feel that electors have some responsibility in the matter. The publicity programme, which commenced well before the close of the rolls, included the distribution of posters to all courthouses, local authority offices, police stations, and post offices. Block and other advertisements were also inserted in newspapers, and the programme included a wide radio broadcasting coverage. In their general news coverage on the approaching election, TV stations mentioned frequently that enrolment and voting were compulsory.

In accordance with the general procedure, prior to the close of the rolls in January last, a circular was sent to each elector whose name appeared on the Commonwealth supplementary roll, printed as at the 18th October, 1967, and who had no corresponding State enrolment. It should be borne in mind that the Commonwealth invariably issues a supplementary roll, but the State does not. The State electoral office in Western Australia produced one single roll at a time which, in its and my opinion, was most propitious. The electors who had no corresponding State enrolments had notices sent out to them. The circular drew attention to the last mentioned enrolment and was accompanied by a State electoral claim card.

Furthermore, an approach was made recently to the Commonwealth electoral officer for Western Australia, with a proposal that the canvassers at present employed by the Commonwealth should also hand out State electoral claim cards and this proposal is still under consideration.

The Hon. R. Thompson: That is all I wanted to ask.

The Hon. A. F. GRIFFITH: I am pleased I have been able to satisfy the honourable member at last.

The Hon. R. Thompson: I was not critical. I was very nice when I raised this matter. I was hoping that something would be done.

The Hon. A. F. GRIFFITH: Something had been done even before the honourable member uttered his words. Perhaps it is not unreasonable to suggest that, if Mr. Ron Thompson knows of qualified people who are not enrolled, he might be willing to supply a list of their names to the State Electoral Department. This would assist in removing one source of his comments. Mr. Ron Thompson has done this in the interest of his own electors. I am sure that when he found someone was not on the roll he would get that person to fill out a card.

The Hon. R. Thompson: I did that regularly.

The Hon. A. F. GRIFFITH: I am telling the honourable member that was what he did. However, it must be realised that a special canvass of any new or particular

area alone could result in accusations of partisanship being levelled at the canvassing authority. I remember this was once done by the State. At the time the State electoral office, under instructions, paid canvassers to go out and enrol people for Council elections.

The Hon. H. C. Strickland: That was for new housing areas.

The Hon. A. F. GRIFFITH: Whether or not it was for new housing areas, there was no provision in the Electoral Act for that to be done. It was done at the time purely for convenience, when voting for the Legislative Council was voluntary.

A further point coming within my jurisdiction and raised by Mr. Ron Thompson has to do with deserted husbands. I wondered how Mrs. Hutchison was able to restrain herself that night. She was getting to the point where restraint was almost beyond her control.

The Hon. R. F. Hutchison: You must have a good imagination!

The Hon. A. F. GRIFFITH: The main point which appears to concern the honourable member is the fact that some men are obliged to pay maintenance to women who are living on a *de facto* basis with other men.

While it cannot be denied that there are instances of this situation existing, it would appear to me that the present provisions of the Married Persons (Summary Relief) Act provide sufficient protection against unfair treatment. Where wives are guilty of marital offences, the court cannot make orders for their maintenance and where the same position occurs after orders have been made, it is open for the husbands to apply for variations of the orders.

The court, at all times, regards the interests of the children as being paramount and they must be maintained according to the means of the parents. In determining the amount of maintenance to be paid, courts have regard for the means of both parties and the extent of the dependency of the children.

The other matter raised in regard to the purchase of a house in joint names should not present any problem, as either joint owner may apply to the Supreme Court for an order to sell the joint property. In these circumstances, the court would appoint a trustee for the sale and the net proceeds of such sale become subject to further order of the court.

Some mention was also made of the question of access to the children. Again this is a matter for determination by the court, which, at all times, must have regard for the welfare of the children.

Persons against whom orders have been made, either in the Summary Relief Court or the Supreme Court, in matters of divorce, have the right, when circumstances

so warrant, to apply for a variation order. At the present time, the Standing Committee of Attorneys-General is considering the matter of variation of divorce orders, with a view to minimising hardship and the costs of such applications.

The Hon. R. Thompson: The cost is prohibitive at present, is it not?

The Hon. A. F. GRIFFITH: I repeat that the committee is currently having a look at this question.

Another matter which comes within the province of the Justice portfolio is that in relation to the sale of stock by public auction.

Having noted the remarks by Mr. Baxter, I have sought some legal advice on the matter and am advised that the relevant Acts of this State are the Auctioneers Act, 1921-1948, the Sales by Auction Act, 1937, and the Government Stock Saleyards Act, 1941.

There is also, of course, the Criminal Code, in respect of which steps have been taken to amend to provide for increased penalties in the matter of stock stealing and perhaps greater security could be given under the Brands Act to stock-owners against stealing of their stock.

Incidentally, the Sales by Auction Act has not yet been proclaimed with regard to wool; that is, in respect of section 7.

The Auctioneers Act, of course, deals with auctioneers generally, not specifically with those engaged in the sale of cattle and farm produce.

It may be that from the legal point of view, there would be some logic in having all the provisions relating to auctions in the one Act, but it is doubtful if any real advantage would be gained, though there may be no objection to Mr. Baxter's proposals from the legal point of view. On the other hand, there may be administrative problems, some Acts being administered by the Minister for Agriculture, and some by myself.

The Hon. N. E. Baxter: I was referring to the Auctioneers Act and the Sales by Auction Act.

The Hon. A. F. GRIFFITH: I think at this point the best I can say about the submission is that I have had first looks at it and shall, at some later time, discuss the matter with Crown Law officers.

There are one or two points about which I have received advice from the Minister for Police. One of these has to do with the prospect of building a new police station and lockup at Carnarvon and it would seem that until the final allocation of funds to the department for the current financial year, a decision will need to be deferred.

The question of guard-controlled school crossings comes up at this time every year. I have received a fairly lengthy report on

this matter but shall endeavour to deal with the subject briefly. There are now 60 guard-controlled school crossings throughout the metropolitan area and, doubtless, as traffic and school attendances increase, more will be established.

But it would be useless putting down uncontrolled crossings for use by school children, yet not reasonable to expect some sort of crossing to be provided and left unguarded were only one motorcar a day to pass a school.

As regards the capability of the committee, I think I should just say that the committee takes into account the quantity of traffic, its pace, the environment and topography associated with the school, and the age of the children attending the school. A great deal has been achieved in the last two or three years and doubtless further improvements will be undertaken.

I must say that from a personal point of view I have found it agreeable to see these crossings controlled by elderly pensioners in their coats and caps. It reminds me that when I was on the other side of this Chamber I battled against great odds to get a Select Committee appointed to inquire into this very matter, but the Government of the day turned down my proposal. While in England I saw these guarded crossings, and although I do not want to take members on a trip around the world I would like to mention that I said at the time to my wife, "What a wonderful idea this is." I raised the matter in this House and incurred the wrath of the Parents and Citizens' Association which had me before it, almost putting me on the mat. Its members said I was going to introduce a state of unreliability in the minds of the children because one day the crossing would be guarded and on another day, when it was not guarded, the children would not be self-sufficient.

The Hon. R. Thompson: They have changed their tune now.

The Hon. A. F. GRIFFITH: It must do, surely, in the light of the service these elderly people are rendering. Nevertheless, although I was thwarted on that occasion I am pleased that the idea is now working so satisfactorily. It was not an original idea as far as I was concerned, but I thought it would be a good innovation for Western Australia.

In respect of traffic signs, also, there must be some standard on which to base a decision whether signs be erected or not.

Traffic signs are erected on a basis of accepted engineering warrants and the officers concerned in making these decisions are well qualified to decide on the form of control necessary.

I see little likelihood of traffic lights being installed in the immediate future at the junction of Collier, Walter, and

Wellington Roads, Morley, for the reason that the accident severity ratings assembled by the department show this intersection as 150 in the rating list, so there are obviously many more intersections with a higher priority. It has been suggested to me that it would be completely unreasonable to say that traffic lights and traffic signs should be installed haphazardly or at the whim of persons living near a particular intersection.

Turning now to a transport problem, Mr. Perry has pointed out that the reason for allowing country greengrocers to carry 10 hundredweight of fruit and vegetables is to enable them to visit the Metropolitan Markets to organise their purchases.

The Hon. V. J. Ferry: I would say that was Mr. Ferry.

The Hon. A. F. GRIFFITH: Was it Mr. Ferry, with an "F"?

The Hon. V. J. Ferry: Yes.

The Hon. A. F. GRIFFITH: Then I beg the pardon of both members. In those circumstances, I am addressing Mr. Ferry.

Upon referring this matter to appropriate authorities, I was advised that it is not necessary to use a vehicle any larger than a motorcar or perhaps a utility to transport themselves to and from the city.

The allowance of 10 hundredweight of goods on the return journey is an adequate load for such a vehicle.

The personal transport of the storekeeper is the basic reason for travelling and a vehicle larger than a utility is not warranted for this. If these circumstances do not exist, there would be no good reason why greengrocers like other retailers and tradesmen should not use normal transport facilities, even to the extent of the half-ton they are now permitted to cart by road.

I think I made some earlier mention of the question of Commonwealth scholarships as raised initially by Mr. Dolan.

I have received a report of considerable length from the Minister for Education in this matter and shall be pleased to make a copy of this report available to the honourable member if he would like to see it.

The Hon. J. Dolan: Thank you.

The Hon. A. F. GRIFFITH: One aspect, however—that of a disproportionate number of scholarships as between certain classes of schools—may be of interest to members generally. The question may be asked as to what are the proportions on which such pronouncements may be based. If it is the proportion gaining scholarships to all third year enrolments, the Government secondary schools do not perform very favourably. It is conceded that the non-Catholic, non-Government schools are able to maintain a policy of selective entry and have a far lower proportion of

non-academic pupils than the Government schools. Accordingly, the report suggests that on this criteria the independent schools would perform better and it is not the fault of the examinations, but of the distribution of talent.

Furthermore, if the basis is the proportion gaining scholarships to the number of candidates, much the same picture occurs for the same reasons as have just been given. In Government schools, a greater number of children of lower academic ability are permitted to sit for the examination. This large group, which does not exist in the independent schools, reduces the ratio of success. On the other hand, if the basis is the proportion gaining scholarships to intellectual ability, we would have a truer comparison.

However, I am advised by the Minister for Education that we have not gathered any research evidence on this and it is an area where some investigation is needed.

Contrary to the information given by Mr. Lavery, the *Dongara's* cargo will comprise 100 tons of oil and 100 tons of mud—presumably that is drilling mud—and general cargo, with no cement apparently listed for Barrow Island.

Reference to a "BP ship" is not understood by the Minister for the North-West and, indeed, research establishes that there is no BP ship currently on the coast which is of a type to carry cement cargo. Perhaps the honourable member intended to refer to a B.H.P. ship.

The Hon. F. R. H. Lavery: The B.H.P. ship does not go to Barrow Island.

The Hon. A. F. GRIFFITH: If it was a B.H.P. ship, I would comment that a B.H.P. Australian-registered and Australian-manned ship would be free to move anywhere on the Australian coast, as would a ship of the Australian National Line.

The information stated by Mr. Lavery is obviously not correct but if he would like to set out in letter form the exact nature of his complaint, I shall be only too pleased to have further inquiries made.

The Hon. F. R. H. Lavery: Thank you. I will do that.

The Hon. A. F. GRIFFITH: With reference to Mr. Lavery's comments when speaking about the freak accident at the Australian Iron and Steel Works, the honourable member appears to be well satisfied that the company is conscious of the need for safety and has taken measures satisfactory to him and to the medical authorities to avoid any repetition so far as it is humanly practicable.

A gas watcher is now employed and his duties require him to take measurements of the level of carbon monoxide in the vicinity of the furnace. Upon indications

that carbon monoxide concentration in the atmosphere is rising, the area affected is evacuated.

So some delays in the completion of the sinter plant and some additional costs through periods of unproductive wages have resulted.

The company is also taking positive action to research both here and abroad alternative solutions for the complete destruction of the gases by burning. It is well known that this company is safety conscious, both here and in all its Australian plants.

The Hon. F. R. H. Lavery: Dr. Letham seems to be very satisfied

The Hon. A. F. GRIFFITH: It is not correct that 150 tons of dust a day escape at Western Aluminium NL. Such an amount would represent 54,000 tons a year, or 13 per cent. of the company's present rated capacity of alumina. The economics of alumina production could not cope with such a high rate of wastage. Consequently, the company takes every precaution to keep the amount of alumina, which could become airborne, down to the absolute minimum.

Perhaps Mr. Lavery reached his conclusion that alumina dust was being continually released to the atmosphere by observing the white plume continually being emitted from the calciner stacks.

The Hon. F. R. H. Lavery: No. My 150 tons of dust came from a brochure of B.H.P. I am referring to B.H.P.

The Hon. A. F. GRIFFITH: I thought it was Alcoa.

The Hon. F. R. H. Lavery: I said that the alumina people had made every endeavour.

The Hon. A. F. GRIFFITH: The issue has been a little confused, in that case.

The Hon. F. R. H. Lavery: I think so.

The Hon. A. F. GRIFFITH: Definitely. However, referring again to the white plume one sees going into the atmosphere, that is water vapour. The purpose of calcining the product, hydrate of alumina, is to drive off the combined water and produce the marketable product—alumina.

There is a three stage dust elimination system installed in the calciners and these operate at better than 99 per cent. efficiency.

It is considered that only negligible quantities of alumina dust are contained in the emissions from the calciner stacks.

The Hon. F. R. H. Lavery: Unfortunately, it is the wrong company.

The Hon. A. F. GRIFFITH: I am sorry; there must have been something in the honourable member's remarks which led

my officers researching his speech to think that he was referring to Alcoa and not B.H.P.

The Hon. F. R. H. Lavery: I will give you the documents so that you can check it.

The Hon. A. F. GRIFFITH: The Shire of West Arthur advised the Lands Department on the 11th January, 1967, of inquiries received for residential sites at Darkan, and requested the throwing open of lots fronting the south side of Arthur Street in that town. Six lots were made available in June, 1967—I am sure I am right this time, Mr. Perry—

The Hon. T. O. Perry: That is so.

The Hon. A. F. GRIFFITH:—and auctioned at Collie but with a negative result. Subsequently, two adjoining lots have been sold as one unit.

In August, 1967, an application was received from J. H. Spencer for Lot 234 to be made available, and in November, 1967, The Hon. T. O. Perry also applied for this lot.

The Hon. T. O. Perry: It is in demand.

The Hon. A. F. GRIFFITH: As there was a doubt whether Arthur Street was properly constructed past Lot 234, the shire was asked, on the 31st January, 1968, if it would confirm this and also indicate an estimated cost of constructing the road if needed. A reply on the 20th March, 1968, indicated it was not properly constructed.

The Hon. T. O. Perry: But it has been used since 1916.

The Hon. A. F. GRIFFITH: But still probably not constructed. The Lands Department has since paid the estimated \$200 to the shire to complete the road works and obtained Executive Council approval to the sale of Lots 234 and 235 as one unit as desired by Mr. Perry.

The Hon. W. F. Willesee: Which he now possesses.

The Hon. A. F. GRIFFITH: Is it a fact that the owner is now in possession?

The Hon. T. O. Perry: No.

The Hon. A. F. GRIFFITH: Not yet. In view of the fact that two applications have been received for Lot 234, it is considered that the proposed auction should include further sites preferably from Lots 196 to 199 inclusive, 233 and 236 to 238 inclusive, all fronting the south side of Arthur Street, and also the balance of lots still available from the previous auction. This would require further Executive Council approval but not necessarily a delay in setting the date of the sale. Consideration could be given to holding the sale at Darkan if suitable facilities are available in the town.

Mr. Perry's reference to an applicant approaching the Lands Department in 1966 for a site could possibly only refer to Mr. J. H. Spencer, who applied for Lot

234 on the 3rd August, 1967, and requested information on progress on the 14th September, 1967.

Regarding forfeiture of conditional purchase leases, there are just over 10,000 of these in existence. The number forfeited for noncompliance with conditions is less than 1 per cent. annually, namely—

46 leases forfeited or 42 per cent. in 1966-67;

23 leases forfeited or 21 per cent. in 1967-68.

The Hon. J. Dolan: Did you say 23 out of 10,000?

The Hon. A. F. GRIFFITH: There are 10,000 in existence, but the number forfeited in the year 1966-67 was 42 per cent., presumably of the allocation.

The Hon. J. Dolan: The percentages do not seem right to me.

The Hon. A. F. GRIFFITH: Presumably it was of the allocation for that year. I think Mr. House mentioned some figures which were very similar to the ones I have just given. I would confirm an opinion expressed in this Chamber that the land board gives full consideration to the financial capabilities of applicants and is guided in this consideration by the local member of the board, who is generally the shire president and would possess local knowledge of the financial status of applicants.

Mr. President, I must admit I was a little surprised at the tone of Mr. Baxter's objections to the comments made by me to his remarks on the Supply Bill and concerning value for money in public buildings.

My mind is quite clear on the tenor of that debate. It was of a friendly nature with some humour seemingly enjoyed by the members present in the Chamber. Therefore to be taken to task at this point for the comment I then made was somewhat surprising. If there was anything said by me which hurt the honourable member's feelings, or your own, Mr. President, I regret it. Certainly there was no such intention.

This brings me back to reiterating that in the construction of public buildings we try to erect something of a good standard, and at the most reasonable price; and the standard, of course, is governed by the price. But perhaps I might add now that whether the architects would produce a better proposition on paper for a parliamentary public works standing committee than is presented to the Government is a moot point. I shall let it rest at that.

The Hon. F. R. H. Lavery: I do not think the doctor would agree with you. I would not.

The Hon. A. F. GRIFFITH: Mr. Syd Thompson mentioned last night the possibility of some higher charges being applicable to rental houses in the country,

as compared with some in the metropolitan area. I agree that some country town ratings are fairly high and a contributing factor is often the relatively high cost of a local sewerage scheme. Then, of course, in the lower bracket in the metropolitan area, we have the two bedroom duplex, which enables two houses to be built on the one block of land, and also as the maintenance is in direct relationship to the overall cost, there is a benefit in that direction.

It is not my intention, Mr. President, to endeavour to reply to the points raised by members in speeches which were delivered last evening. Time and opportunity have not been sufficient to enable me to procure the information necessary to do this. Members will realise that when comments are made by an honourable member they are directed to the departments concerned, and the information is sent back to us. We then put it up in the form I am now adopting.

I give the usual undertaking, nevertheless, to bring the points mentioned to the notice of the Ministers concerned, and if any information comes through I will be pleased to convey it to members in letter form at a later date.

Mr. Willesee, the Leader of the Opposition in this Chamber, remarked that "The Government has had a long time in office and although returned with a reduced majority, the victory nevertheless was one for which it should be congratulated." The honourable member extended his congratulations also to my colleagues and myself on re-election to the Ministry. May I express my sincere appreciation on behalf of Mr. Logan, Mr. MacKinnon, and myself to Mr. Willesee for his generous good wishes.

May I say in conclusion that the offer of co-operation made by the honourable member is heartily reciprocated; and I feel that the pleasant atmosphere, which usually prevails in this Chamber, is sure to continue—when I say "usually" I mean it does not always prevail. With those remarks I conclude my comments on the Address-in-Reply.

Question put and passed; the Address-in-Reply thus adopted.

Presentation to Lieutenant-Governor and Administrator

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [8.40 p.m.]: I move—

That the Address be presented to His Excellency the Lieutenant-Governor and Administrator by the President and such members as may desire to accompany him.

Question put and passed.

[Resolved: That motions be continued.]

LAND RESUMPTIONS

Inquiry by Royal Commission: Motion

THE HON. R. THOMPSON (South Metropolitan) [8.41 p.m.]: I move—

That this House requests the Government to appoint a Royal Commissioner to inquire into and report upon the question of compensation for land resumed since 1950 under the Public Works Act, the Metropolitan Region Town Planning Scheme Act (No. 2), 1965, and any other related Acts, and in particular—

- (a) whether there has been undue delay in the payment of compensation; and
- (b) whether and to what extent the compensation paid has been inadequate to enable those persons whose land has been resumed to re-establish themselves in new locations without personal hardship, loss of residential or business status, or financial disadvantage.

I think members who were in the House in 1966 would recall that due to the numerous complaints being received from my constituents regarding resumptions I moved that a Select Committee be appointed to investigate the position. However the House would not agree to the appointment of a Select Committee. At that stage the newspaper fully supported my move but, as I said, unfortunately the House did not agree to it. It was unfortunate that that happened because had the committee been appointed I do not think we would have found ourselves in the position where we are now receiving numerous complaints, from day to day and from all parts of the metropolitan area.

The motion is one that has been requested; I have been asked to move it in this Chamber and Mr. Taylor, M.L.A., the member for Cockburn, has been asked to move it in another place. The problem has been caused by the Department of Industrial Development, through the Minister for Local Government, using the Metropolitan Region Town Planning Scheme Act, threatening to resume land from some 22 landholders in the Kwinana area. It was considered that this action was contrary to the Act, and I will prove that this is so as I progress.

I shall put the record straight from the start so that I will not be accused of making outlandish statements. As is usual, everything I say tonight I will be able to substantiate.

Following a petition containing the names of some 90 ratepayers in the Kwinana Shire Council area, a special meeting of electors was convened and held in the Medina Hall on Monday, the 20th May. I

have with me the recommendations of that meeting and notes as to what took place.

On opening the meeting the president outlined the purpose of the meeting and quoted the petition. The minutes of the meeting then continue—

He then welcomed Parliamentarians and Departmental Heads and called on Mr. G. E. Godwin, Declarant to Petition received, to open discussion.

On advice from the Chair Mr. Godwin moved, seconded Mr. Salter, that Meeting permit other than electors to enter into discussion.

That was moved with the object of giving the departmental heads and members of Parliament freedom to enter into the discussion. This was carried and Mr. Godwin then asked why the Government had taken over the acquisition of the land for industry when a company such as the Western Mining Corporation could have done so.

The president then called on Mr. Lloyd, the Town Planning Commissioner, to answer this question and he stated—

that the Metropolitan Region Planning Authority were concerned with the planning of the region and was asked by the Government to handle the matter under the provisions of the M.R.P.A. Act. Private industry had no power to resume land; the only way it could be done was through the Government, the Government would resell the land to the Western Mining Corporation for its Nickel Refinery site.

Mr. Lloyd further stated that there was no question of the land being obtained cheaply. The Government would pay the market value.

Mr. McWhirter said he would not be selling his home for the market value plus 10 per cent. The minutes then continued—

Mr. Lloyd drew attention to the enormous value to the State and the employment benefit in the Kwinana area.

Mr. Lloyd asked Mr. Jarvis—Land Resumptions Officer of the Public Works Department, to comment on prices being paid for land in the area concerned.

Mr. Mercer stated that he was of the opinion that if a land owner under threat of resumption knew how to go about it he could do alright.

Mr. Lloyd stated he entirely disagreed with this comment—There was no foundation in saying such.

Councillor Mercer stated he could prove his remarks, and further that the purpose of this meeting was to see that people had a fair go.

Mr. Jarvis in discussing land prices said that he wished to confine his remarks to the present exercise. Wherever possible land was being procured by the Government by negotiated purchase; there was some unwilling sales but owners had accepted prices offered. Assessment of values was fixed on the market value and all land acquired to date had been by negotiation. In cases where compulsory acquisition was necessary; Department will make offer, owner does not have to accept but the final price arrived at must be on some basis arrived at by the Court.

Government tried to avoid resumptions and every effort was made to negotiate. Departmental Valuers do their best, however, they must value on actual sales in the area and purchases to date had been based on such. Owners under threat of resumption have recourse to independent valuers. It was no credit to Departmental Valuers to make bad settlements.

Mr. Bailey asked Mr. Jarvis, "Could it not be assumed that if three independent valuers made a valuation such would be reasonably close."

Mr. Jarvis stated "Yes—such could be the case."

Mr. Bailey then referred to 7.7 acres in the Melville area which was valued by 3 independent valuers and value varied between £22,000 to £47,000; this big difference left him perplexed.

Mr. Jarvis stated he was not obliged to answer this question.

Mr. Bailey referred to his own case. I will touch on this later. To continue—

Mr. Troode asked why the Nickel Refinery could not be established further south from where it was intended; this would save resumptions.

Mr. Cooper stated there were many factors involved; it was obvious the Company required its Refinery close to Port and Railway facilities; sea water was required for cooling.

Mr. McWhirter asked Mr. Jarvis that in arriving at resumption figures could not the price offered be consistent with values in say Rockingham-Safety Bay areas.

Mr. Jarvis stated it was quite true that values in the Rockingham-Safety Bay areas were higher. It was necessary, however, for valuers to draw the line somewhere, whatever was done it must

be in reason; he was aware that Kwinana Beach valuations were below Rockingham-Safety Bay.

An Elector voiced the opinion that people should get value for their property with some compensation for having to move. The Government should look after small people.

Mr. Jarvis stated that valuers could not accept sentimental values.

Mr. Ryan stated that he was speaking for an elector who had recently purchased a home in Rockingham for \$12,000 after accepting \$10,500 for his place in Kwinana Beach. This man was now in debt. Valuator did his best but was not enough to re-establish. He was a supporter of the Government, however, he felt that the Government was getting cheeky.

Mr. D. Miguel referred to land taken from him for the proposed C.A. Road and sought information relative. He had written the Department on this matter but had had no reply.

Mr. Jarvis stated unfortunately that owing to number of Miguels in Naval Base area letter had been put on wrong file, however, he had referred the matter to the Main Roads Department.

Mr. E. Price referred to his poultry farm in Naval Base where he had been established for 15 years. A valuer from the S.E.C. stated that his land was industrial; his house would be valued but sheds, etc., would not be included. He considered this most rugged.

Mr. Jarvis outlined valuation procedure in regard to industrial land.

Mr. J. Hilton stated that he was curious in regard to siting of the proposed Nickel Refinery. When BP Refinery came to the area it took a big area of land fronting the beach and now after 10 years it had handed quite a lot of this land back; why couldn't the Nickel Refinery be set back—it was difficult to find out reasons for the manner of planning.

Mr. Lloyd stated that the Western Mining Corporation desired its Refinery site to be near the Fertiliser plant and other nearby services from which materials would be drawn.

Mrs. Hilton stated that surely the price being paid for homes would equal that necessary for extra railway lines, etc.; she could not

see why the Refinery could not be wholly established south of Office Road.

Mr. Lloyd pointed out that to establish south of Office Road would take the Refinery further away from the Fertiliser Works and other services.

Mr. Lloyd then outlined what he felt would happen with most land in the Kwinana area which had been zoned for Industry. The Kwinana Beach Reserve had recently been declared "A" Class. He felt that ultimately the 200 homes established there would be surrounded on three sides by industry.

An Elector commented on the need for a boat to get out of the area.

Cr. Mercer stated that Mr. Cooper had said that the Western Mining Corporation wanted "this particular site."

Mr. Cooper stated he did not use those words.

Cr. Mercer stated Mr. Cooper was on a sticky wicket; the site was very valuable to people under threat of resumption most of whom were wage earners, the whole situation was wrong. This Meeting will not be a success unless the Government can be stopped taking private land at cheap prices. Big Firms should not be aided.

Mr. Cooper replied stating that industry must go into this area which was zoned for such and the speaker appeared to think people were not being paid fair prices.

Mr. Cooper further explained reasons why the particular area had been selected for the Refinery site which was on the advice of experts.

Mr. Lloyd in replying further to question asked by Mrs. Hilton as to why the Refinery could not have been established south of Office Road stated that he could only suggest that this was for technical reasons connected with the Refinery.

Mr. Lloyd stated that the present development had not been haphazard; he could assure electors that the area had been carefully planned for industrial use. He felt that the 200 homes existing in the Kwinana Beach area at present, would be unlikely to be taken for many years.

At this time Mr. Lloyd exhibited a plan of the Kwinana Beach area.

The minutes then record addresses made by Mr. Tonkin, myself, Mr. Rushton, and Mr. Lloyd. Mr. Bailey then outlined his case more fully and the minutes state—

Cr. Mercer then moved, seconded by Mr. D. Nelson, that the Minutes of this Meeting be forwarded to the Premier. Also informing the Premier that it is the desire of the Meeting that no further resumptions take place and that a select Committee be formed so that the whole matter be ventilated and the unfair and unjust treatment at present taking place be terminated. Carried.

Mr. Bailey moved, seconded Mr. Edwards, that the Public Works Act, 1902-66 be used solely for the purpose for which it was enacted; that is, the carrying out of Public Works. Carried.

The appointment of a subcommittee was proposed, but this was later withdrawn. The following motion was finally moved:—

That our Representatives for the District move, through Parliament, for the appointment of a Royal Commission to enquire into past and present resumptions and recommendations for the future. Carried.

It was further requested that the Premier be informed of the number of people who attended this meeting. It was attended by 200 people. From then on there was nothing of any importance discussed, but if members would like to see this document they are welcome to do so.

The values being offered at Kwinana are not in line with recent increases for the area. I will give some indication of this by quoting some revaluations which were made available to me recently showing that the land tax percentage increase in Rockingham Road, and First and Second Avenues, Kwinana, was 111 per cent. on one lot, 141 per cent. on another, and 177 per cent. on a third lot. In the industrial area we find a 1,700 per cent. increase, a 500 per cent. increase, a 2,733 per cent. increase, and a 2,355 per cent. increase. So you will see, Sir, that when carrying out its valuations the Public Works Department must assess the value on land which has recently been sold in that particular area. This is so in spite of what Mr. Jarvis outlined during the meeting.

We know that through industrial development the Government has deliberately depressed the prices of land in the area to which I refer. It has been a deliberate action on the part of the Government, and this will be illustrated later by a letter which I have from a sworn valuer.

Although the land tax on properties adjacent to some of those being resumed has risen by the amounts I have recently stated

we find that the valuations offered by negotiations at this stage are not comparable with the increases the land tax has brought about.

Following that meeting the shire council drew my attention to the motion on page 6 of the minutes requesting that we move for a Royal Commission to inquire into resumptions. That I am doing; and it will be done in another place. It was also pointed out to me in the letter I received that as the council had to accept the minutes of this special meeting, it had discussed them fully and agreed with them in their entirety.

So, for the first time, the Shire of Kwinana, its councillors, and ratepayers, are very dissatisfied with the action of the Government. Following the meeting Mr. Tonkin wrote to the shire council to seek further information. On the 23rd May he wrote as follows:—

I thank you for so promptly forwarding to me the Minutes of the special meeting of electors held in the Medina Hall on Monday evening, 20th instant, dealing with land resumptions in the area.

With regard to this question of the use by the Government of section 37A of the Metropolitan Region Planning Scheme Act, I desire to draw your attention to the following extracts from Hansard No. 3 of 1965:—
Page 2838:

“The authority must by the presentation of a detailed improvement plan convince the Minister and, through him, the Government that the proposal is sound in principle. The Minister must then receive and consider the interested parties’ representations and review in their light the precise effect that the improvement plan would have on individuals. Only after all these preliminaries will the plan reach the stage of final approval; and, if it is approved, the land allocations under it to the private sector will become public knowledge, obviating unnecessary and undesirable secrecy.”

The Minister for Local Government will quite readily recall using those words. Continuing—

Page 3026:

“The provisions of the legislation will be carried out in conjunction with local authorities”.

Mr. Tonkin goes on further to say—

The foregoing extracts are quotations from the speech by the Hon. Les Logan who introduced the amending Bill to Parliament.

I desire to know to what extent these assurances of the Minister were observed by the M.R.P.A. when the

plan was being contrived for the purpose of making a site available to Western Mining Co. for a nickel refinery.

I am aware that your Shire had been acquainted with the fact that it was proposed to re-plan the area but I am most anxious to know what consultations took place and whether it might be truly said that the re-planning was carried out in conjunction with your Shire.

Thanking you in anticipation of your being able to supply the information requested, and with kind regards,

The Shire Clerk of Kwinana replied to Mr. Tonkin on the 29th May, as follows:—

I acknowledge receipt of your letter dated 23rd instant.

With reference to your enquiry as to the extent my Council was consulted in regard to the formulation of No. 3 M.R.P.A. Improvement Plan, I can only advise the facts as follows:—

On or about the 18th January, 1968, Mr. T. Lewis of the Department of Industrial Development advised me by telephone that a Nickel Refinery was to be established within the Shire; Mr. Lewis generally outlined the location. This information was followed by the press announcement (see "West Australian" newspaper dated 20th January, 1968) and which printed a small map showing the location of the proposed Refinery.

On Thursday, 8th February, 1968, at the invitation of Mr. H. Morris, Planning Officer with the M.R.P.A., I attended an informal gathering at the M.R.P.A. Offices; present also was Mr. A. Keil, M.R.P.A., a Senior Design Officer of the W.A.G. Railways, an Officer from the Main Roads Department, and Mr. D. Cuthbertson, Rockingham Shire Clerk.

Mr. Morris indicated on a map proposals in regard to the establishment of the Nickel Refinery and adjoining facilities. General discussion on the proposals took place.

On Monday, 12th February, 1968, at the invitation of the Group "A" District Committee I attended a Meeting with Council representative Cr. A. R. Mercer and held in the Administrative Building, Fremantle City Council, Fremantle. Dr. David Carr, Chief Planner, M.R.P.A., outlined to the Meeting proposals in regard to the establishment of the Nickel Refinery and in general the information conveyed by Dr. Carr was similar to that imparted by Mr. Morris at discussion held on the 8th February, 1968.

The foregoing indicates to what extent this Council was consulted.

Members can see to what extent the council was consulted.

I recall the 24th November, 1965, quite vividly. That was the evening when we were holding our usual Christmas dinner. Most members had left to get changed or to pick up their wives, and at about 5.30 p.m. the Minister introduced this legislation and I took the adjournment. I then went home, as I was attending the dinner. However, I happened to have a closer look at the Bill and I decided against attending, because I could see some of the pitfalls in the legislation—and they were just as I prophesied at that time.

The next afternoon, when dealing with this matter, it can be seen on page 2887 of *Hansard*, Vol. 3, that I had the following to say:—

This is one of those Bills that I do not even like to read. It is dictatorial, vicious legislation, and it has been introduced, so far as I can ascertain, without reference to any of the groups A, B, C, or D; and, according to what I have been told, it has not been referred to the Local Government Association, although admittedly the Minister did not make any reference to this when he read his notes to the House last evening.

I have not had time to get in touch with any local authority, but since I have been in the House today no less than three local authorities have rung me to express their disgust at this measure; firstly, for there not having been time for it to be referred to them; and, secondly, for there not having been time to discuss it or even see it. I am speaking honestly and truthfully, because this is what has happened, and that is the information I have received.

When we have a close look at the Minister's speech we find this Bill will give more powers to a planning authority that has, in my estimation, far too many powers at present; because far too many people have been hurt by it, and they have no redress against it.

I do not wish to weary the House by reading all that is contained in *Hansard*, but I spoke at length on this matter and drew quite a lot of interjections from the Minister. It was one of those days when I was more or less accused of making outlandish and silly statements. I said at the time I considered the Minister should not have this power; and I questioned his right to bring legislation of this type before the House without reference to the local governing bodies concerned. He claimed there would be no abrogation of the rights of local authorities; and he further claimed that it would assist them. He said that any planning would be done in conjunction with the local authorities.

With the exception of Dr. Hislop, the House fell for this and accepted what he had to say. I say with the exception of Dr. Hislop, because when the vote was taken—and I will quote some portions of his speech—he left the House because he was not satisfied with the legislation.

It might be well for me to refer now to what Dr. Hislop said, because it was very pertinent. I quote from page 2914 of the same volume of *Hansard*, as follows:—

I do not think any of those who were on the Town Planning Select Committee ever dreamt that the powers of the authority would be widened as they have been over the years. One must feel increasingly concerned as to where some measures will finish. I am in total accord with the views of Mr. Watson: that when any area is taken over with the idea of altering the whole aspect by rehabilitation, improvements and so on, the individual whose property has been purchased should have the right to acquire it again.

He goes on further to say—

I am amazed to think that the town planning authority can decide to take over a large area, and then reconstruct and rehabilitate it. When such redevelopment becomes essential, private interests should take over, because private individuals can see the necessity for the alterations.

Further on he says—

We should leave this development to private enterprise; we should not permit the authority to purchase buildings and to alter them.

He then said—

Firstly we should have some idea as to the cost, and secondly as to the possibility of the former owner having the right to repurchase the property. A clause should be inserted in the Bill to provide that purchases of property covered by proposed section 37A (4) be brought before Parliament prior to finalisation. I realise this can be extremely difficult, because it may take a considerable time before some of the owners will accept the offers of the authority.

In general terms it is contemplated that the proposals for areas to be reconstructed should be placed before Parliament. If that is done no-one will tend to refuse what is a reasonable accomplishment by the authority. As the Bill stands there is no protection to the public, and this is something which should be provided in any town planning scheme.

I would ask the Minister to protect the individual to some degree, and to make it quite clear that Parliament has the right to sanction any overall scheme without going into the details planned by the authority.

I interjected as follows:—

Don't you think the local authority should have been advised of this?

Dr. Hislop continued—

Personally I think that the whole of the replanning of places should be advised by the board and the local authority should then take over.

I interjected further—

On this Bill particularly, don't you think they should have had some knowledge of it?

Dr. Hislop then said—

Yes, because this shuts them out altogether.

So members can see, Dr. Hislop was absolutely correct in what he said. During Mr. Watson's speech there were some interjections and quite a number of queries were raised by Mr. Watson on what should be done with this legislation. However, the Minister gave the assurance that under one of the clauses a person would have the right to repurchase a property.

Mr. Wise thought that subclause (4) would cover the situation, but Mr. Watson would not agree. So it can be seen that all the pertinent points were raised when the Bill came before Parliament. When the Bill was outlined by the Minister it brought forth a great deal of criticism. At the time the Minister did not like the criticism. However, it has been proved beyond any shadow of doubt—and this is unfortunate—in the light of what has taken place at Kwinana, that the Minister misled the House on that occasion. That is what happened.

The Minister said the Bill provided that the local authority would be brought into consultation. The Bill laid down the numerous things that could be done with the land. The authority could return, sell, lease, exchange, or otherwise dispose of the land. The word "return" was used all the time. I was told by Mr. Lloyd that the first plan was not put into operation because it fell flat.

The Hon. L. A. Logan: That is entirely wrong, of course.

The Hon. R. THOMPSON: I asked Mr. Lloyd that question at Kwinana and he told me that plan No. 1 was not put into effect, and that No. 2 plan was for the resumption of land for a bus depot. However, the alternative site was taken because of the hue and cry set up by an Italian family. I am going on what I was told by Mr. Lloyd.

The Hon. L. A. Logan: Mr. Lloyd would never have told you that No. 1 did not go on. He did not say that because I know he would not say it.

The Hon. R. THOMPSON: He said it at a public meeting.

The Hon. L. A. Logan: He did not because he is on the Kewdale authority.

The Hon. R. THOMPSON: I asked if this plan was to be used, and the answer was "Yes." Under the legislation it states that the Metropolitan Region Planning Authority shall draw up a redevelopment scheme for an area of land. That is covered by the Act. The Minister made play on this, but it will be found half a dozen times in the *Hansard* report that the Metropolitan Region Planning Authority was to be responsible.

But what happened in this case? The Department of Industrial Development drew up the plan, and the local authority was not brought into consultation. It was advised by a telephone call two days before the plan was published in the paper. Now, is that the spirit of the legislation? Is that according to what we were told in this House so that the legislation could be passed? Surely when members vote on something they like to be told the truth! We were told that the Metropolitan Region Planning Authority would be responsible for drawing up a plan. However, that was not the case. The Department of Industrial Development, with planners, drew up this plan in January.

We can look at the plan itself, and the introductory notes include the following:—

The site in the Kwinana industrial complex that has the necessary locational advantages is not under one ownership. Parts of it are owned by the Crown—some for a long time and others by the recent exercise of options—and the balance is in many separate ownerships. While it may be possible for the consolidation of the site under one ownership to be achieved by the Corporation by private negotiation with each of the individual owners, the likelihood is that there would be unconscionable delays in at least some of the acquisitions.

I will dwell on this for a minute. It can be seen that the resumptions were about to take place but at that stage no effort had been made to inform the people concerned. On the 5th March, 1968, the Government was prepared to write into the scheme that there was a likelihood there would be unconscionable delays. So it can be said that it was the firm intention to resume land for this wealthy, multi-million dollar company. The small landowner was to be pushed aside, completely contrary to the undertaking given to Parliament by the Minister.

No advice was given to the owners; and no advice was given to the shire council. It was a *fait accompli*, because two days afterwards the shire council was notified by telephone. The plans appeared in the Press, and this is in line with what the shire council said—that on the 18th January it was informed by telephone. In *The West Australian* of the 20th January, it was stated that a nickel refinery would be built at Kwinana. It was stated that

the refinery would be built on a 20-acre site, and outlined what the company would do.

The Hon. L. A. Logan: A 200-acre site.

The Hon. R. THOMPSON: That is right, —a 200-acre site. Twenty landowners were involved at this stage. The plan was presented but the local authority and the people knew nothing about it at that stage. However, on the 22nd January it was stated that the Government would seek land for the Western Mining Corporation. No attempt was made, at that stage, to see whether the properties could be purchased at a reasonable price. A few had been bought under option but, in the main, the small landowners and the people residing in houses in the area were to be pushed aside. The article which appeared in the Press read as follows:—

The State government would negotiate with about 20 small Kwinana landowners to buy land which was wanted for a nickel refinery, Western Mining Corporation's executive director in W.A., Mr. L. C. Brodie-Hall, said in Melbourne last night.

W.M.C. signed an agreement with the government on Friday to build the refinery on a 200-acre site.

The refinery and associated works will cost \$45 million.

About half the 200-acre site is crown land. The rest is owned by small landowners.

Mr. Brodie-Hall said it was the government's responsibility under the agreement to negotiate a price with the owners on behalf of the company.

The government could resume the land.

The company wanted 200 acres to cover any expansion. Under the agreement, the company had to build its plant within three years.

If expansion had not taken place or was not planned by the end of seven years, the government could resume the company's unwanted land.

About half the 200-acre site was required for the refinery. Some of this land was privately owned.

This caused quite a lot of controversy and we find that the Press took up the matter. The Press has been relentless in its attack on the actions of the Government, the Minister for Local Government, Mr. Court, and Cabinet in general, for allowing the resumptions to take place so that a multi-million dollar company could benefit.

On the 25th January, 1968, the following article appeared in *The West Australian*:—

Industrial Development Minister Court yesterday defended the Western Mining Corporation's arrangement with the government to acquire private land on the company's nickel refinery site.

He said W.M.C. could meet insurmountable obstacles if owners of private land on the company's Kwinana site refused to sell in a bid to hold the company to ransom.

Of course, at this stage no-one had even been approached, yet the outlandish statement was made that the company could not be held to ransom. It is now my turn to be able to use the term "outlandish." The article continues—

To safeguard the company against this, negotiation by the State government was necessary.

[Under an agreement signed with the company last Friday, the State government will seek to resume privately-owned land and sell it to the corporation at a negotiated price.]

The article goes on to say—

The only practical way was for the government to negotiate and coordinate the purchase of private land.

So it can be seen that the landowners were ridden over roughshod, and no consideration was given to them. An editorial appeared in *The West Australian*, on Monday, the 29th January, and it reads as follows:—

For all its protestations of concern for the public interest, the State government generally makes everything else subservient to industrial needs, which apparently are more important than democratic principles.

It is a very lengthy article, and goes on to state—

This is again revealed in the arrangements under which the Western Mining Corporation will establish a nickel refinery at Kwinana. They show the government to be prepared to use its land acquisition powers against small landowners on behalf of a big, wealthy company. About 20 private citizens who own about 100 of the 200 acres that the corporation says it needs are under threat of having their land resumed if government negotiations to acquire the land for the company break down.

In the final extremity compulsory acquisition might be warranted if one or two landholders stood out against the company and their refusal to sell jeopardised the future of the refinery. But there should be no intimidatory talk now of land resumptions.

It is deplorable that the government should have undertaken in advance to use its statutory powers to bully owners who would otherwise be entitled to the ordinary market rules in selling their land. Many local companies and some that have come here have been forced to pay high prices for land they needed. The government should have left Western Mining to do its own

negotiating instead of rushing the announcement that the refinery would be built.

The eagerness to help giant industries get land cheaply is in sorry contrast with the Brand government's failure so far to do as much for citizens who want to build a home. It would be different if the community interest were involved; wresting land from private citizens for a public purpose is sometimes justifiable. But the land seizures now planned would be for a multi-million dollar company.

Role of M.R.P.A.

What is especially disturbing about Mr. Court's explanation is his calm assumption that he can tell the town planning authority to implement a political decision by drawing up a contrived improvement plan making resumption possible ahead of ratification of the agreement by parliament. What the Minister said was highly derogatory of the M.R.P.A. which, by his implication, is a political tool rather than a professional advisory body.

This whole acquisition plan is completely foreign to free-enterprise principles; it is a piece of pure economic dictatorship and will make property-holders and democrats of all parties feel uneasy.

What I said on the 24th November, 1968—that the legislation was dictatorial—was printed in *The West Australian* of the 29th January, 1968. It has been proved that the legislation is dictatorial. Parliament was misled, and the owners have virtually no redress. I have here many articles, but I shall refer now to the editorial which appeared in *The West Australian* of the 24th May, 1968. It is headed "Resumption Troubles" and reads as follows:—

Town Planning Minister Logan may be technically right in defending the legality of the Metropolitan Region Planning Authority's role in the Kwinana resumptions.

But there can be no doubt that the way in which the authority became involved in the matter was contrary to the spirit of its legislation. The obvious purpose of the planning act is to give the authority power to ensure that its plans can be carried out. In this case the authority was called on to produce a plan to endorse resumptions that the government had already undertaken to make in its agreement with the Western Mining Corporation.

The facts that the W.M.C. nickel-refinery area was zoned as industrial land and that the M.R.P.A. would doubtless have produced an improvement plan in due course are beside the point. The government blundered in

offering its resumption powers for the purpose, in effect, of shielding a great company from land-market hazards that individuals and other businesses have to face.

Later on it says—

But it is not a legitimate function of government to resume land simply to prevent individuals from seeking the best prices they can hold out for. If W.M.C. had been obstructed by owners who would not sell at any price it would have been time for the government to act in the State's interest.

Further down it says—

When resumption is unavoidable, owners should be treated generously; valuations should be related to re-establishment costs and to the effect that the proposed work would have on the land market in the area.

In 1968, Western Australia is not so desperate for industry and ordered progress that it must ride roughshod over its little people.

How true that statement is. So much for newspaper cuttings of which I have several dozen. Let us now have a look at what the people think. A colleague in another place and I prepared a letter which we sent on the 30th July. From memory I think about 30 copies were despatched, but I do not know the exact number. However, the mailing list included those people whose properties had still not been purchased by the Government. We obtained the information from the shire council and sent the letters in which we advised of a motion which was carried at a meeting held at the Medina hall, and also advised what we intended to do in Parliament. We finished up by saying—and I quote word for word—

So that we may make ourselves fully aware of all resumption problems within the area, and thus be in a position to adequately deal with this matter on your behalf, we would appreciate your kindly completing the attached form and returning it to either of the undersigned, care of Parliament House, Perth, within the next 10 days.

I have received 13 replies which I can use. In fact, at the bottom of the statement we said, "Have we your permission to use the above information in Parliament if necessary? Strike out whichever of the following is not applicable." As I have said, I have received 13 letters which I can use and some which I cannot use, because the people concerned have asked me to keep them confidential. I could go through the Press cuttings—

The Hon. F. R. H. Lavery: They are frightened they will not get a price.

The Hon. R. THOMPSON:—because their names have already been mentioned in the Press. I wish to deal with a reply

which concerns Mr. H. Rose. As I have mentioned, the letters I will now deal with are those for which permission has been given by the writers to use their names. Firstly, I will mention H. Rose and Co., whose property is situated at the corner of Patterson Road and Ocean Street, Kwinana.

This company has six acres of land which it has had for two years. Mr. Rose has an aluminium casting works on the site. Up to date, no offer has been made to him for his land. He considered that the estimated replacement cost for the land and factory in the district of Kwinana would be in the vicinity of \$150,000. There is no other information on the sheet. At Mr. Rose's request, about last March—from memory—I went down to see him. He told me that in 1959 he had been granted a leasehold factory site in the vicinity of the standard gauge railway line where the bridge crosses the line at Kwinana. As I have said, he had it on a leasehold basis and had to provide electricity and everything else for the property.

He started in a small way with a partner and together they built up a very successful business. Two years ago when it was proposed to put the standard gauge railway line through his property he had to move. The Department of Industrial Development recommended that the man be given Lot 408, but of course he purchased it himself. His factory is two years old and he has a marvellous works established there. Probably not all the machinery that he would like is yet installed, but nevertheless the works are very satisfactory. At great expense he had to move and now his property is to be resumed again. He has received no offer for the property. In his own writing he states that no offers have been made to him.

I refer to Improvement Plan No. 3 Shires of Kwinana and Rockingham, which came out on the 5th March, this year, because this raises another point which is of particular concern. It refers to the factory at the corner of Patterson Road and Ocean Street and says that this industry was fairly recently re-established in the area after having been displaced elsewhere by State requirements. It is stated that careful attention will obviously have to be given to any problems that this industry may encounter and that the Department of Industrial Development has already given this undertaking.

The Department of Industrial Development has given no undertaking whatsoever. Members will judge how truthful is the plan which was presented to us, and also how truthful are some of the things which have been printed, because the Department of Industrial Development has not contacted the man at all. If he has to move he will have to pay out a great

deal of money. It cost him \$2,000 just to reline the furnaces, and every time a furnace is moved it is necessary to reline it. When he was pushed off his other piece of land he lost \$4,000 which he had paid for electrical installation. He had 10 men working for three weeks at \$80 per week each. They were working from 8 a.m. to 7 p.m. every day; yet he received no compensation whatsoever from the Department of Industrial Development when he was moved to the new site. It certainly does not look as if he is going to get very much compensation this time.

The next person who replied was Noelle Cynthia Hughes, Mandurah Road, East Rockingham, and the location of her property is Office Road, Kwinana, Lots 7 and 8, Location 244. The area involved is 2 roods 16 perches, and the lady has owned it for 22 years. In the letter we had asked the purpose for which the property was purchased and the reply was that it had been purchased to work as a poultry farm and market garden with a view to building a new home there later. The price offered by negotiation was \$3,520 and the price wanted was \$6,000. These are two building blocks, incidentally, and the estimated replacement cost in Rockingham was between \$7,000 and \$8,000.

This lady's property is close to the beach and if she wants a comparable block she will have to pay between \$7,000 and \$8,000 in the Rockingham area. Nevertheless the price offered is \$3,520 which includes the 10 per cent. takeover. She gives the following information:—

I was never approached by Western Mining for negotiation, the above amount being offered by the P.W.D. prior to resumption. Property has been valued by Peet & Co., their valuation being \$5,600. However, this valuation was given on the mistaken impression that there was no scheme water available. We gave up the idea of building a home on these blocks when it was zoned industrial. We also discouraged potential home builders who wished to purchase from us. The proceeds I receive will be used in our home which we are now ready to build.

The next letter is from Malcolm and Jennifer Hughes of 7 Birdwood Avenue, Cabramatta, New South Wales. It concerns Lot 68 which contains 1 rood and 1 6/10 perches. They have shown the improvements as "water to the block". They were asked for what purpose they had purchased the property and they replied that they had purchased it as a homesite upon the husband's retirement from the Navy. The information which is given is as follows:—

The Public Works letter informing us of resumption arrived only three days ago and have so far not been able to obtain for ourselves (a) Private

valuation; (b) Replacement cost of land of same area in a beach suburb. We are at a great disadvantage and were caught unawares by this action. What we want is either (a) Money to buy (b) above or (b) Replacement of land in area suitable for young growing family. Our home has been designed to fit a block of this size consequently anything smaller would incur changes in our home planning and as the cost of our projected home is approximately \$13,000 it is desirable that we obtain satisfactory compensation for the land without loss in either financial or residential status. As we have not been able to furnish you with all details at this time, we shall endeavour to do so as they become available.

Thanking you both, and the Shire council for your efforts. Hope you are successful,

Sincerely Yours,
M. & J. Hughes.

They are people in Cabramatta who would have received notice from the Public Works Department about the 30th July, I assume.

The next letter was from Mrs. Carolina Wilton of Bicton, who has five acres. She has owned the property for 14 months and purchased it for the purpose of developing it for a factory. The price offered by negotiation was \$29,020. Under the heading of "Price Required," the following appears:—

No intention of selling.—Forced resumption. Therefore price offered inadequate.

The writing that follows is most difficult to read.

The Hon. L. A. Logan: Take it as read.

The Hon. R. THOMPSON: This woman also gave the following information:—

Forced sale through W. H. S. Barton/Mair & Co., Real Estate agents for nominees which were undisclosed at time offer and acceptance offer was negotiated. Inference during negotiation "You had better accept this offer or resumption will certainly follow probably at a lower price." Rumour was that Western Mining who were eventually disclosed as the purchasers were reticent to deal with owners direct for fear of inflated purchase prices.

She has a final note:—

The complete negotiation was considered infringing on the very rights of democracy!

So it can be seen that that woman was not very happy about selling her property, because she wanted to retain the site for the establishment of a factory.

The next one concerns N. E. and E. M. Waters, the address being Box 15, Kununoppin. The location of the property was

19, 3rd Avenue, Kwinana, Lot Nos. 51 and 52. The improvements were a house; three small sheds; one bore with spear and pump; overhead tank; reticulation for lawns and gardens. Period of ownership was six years and the purpose for which the property had been purchased was for a holiday home and for retirement. The price required was \$12,500, and the estimated replacement cost in the district of Rockingham was \$14,000. Under the heading of, "Any Other Information You would like to Give" appears the following:—

We have only just received notice on resumption of Lot 51. No offers or valuations been made as yet.

During the six months the Government has been handling the negotiations for these properties no offer or valuations have been made, but it is prepared to put the resumption order into effect.

The next case is that of D. C. and R. J. McWhirter, of 27, Kwinana Road, Kwinana Beach. The improvements on this property consist of a house, garage, reticulation well, and scheme water. The people have owned the property for five years and they purchased the land for the purpose of erecting their residence on it. The initial price offered by negotiation was \$17,250, and the price required is \$22,000. The estimated cost of re-establishing a home for themselves in the Rockingham or Safety Bay area is \$22,000. The next offer made by the Public Works Department was \$19,750, and according to the information I have here negotiations are still in hand.

Another property the subject of land resumption is that owned by a person named Crook whose address is Box 18, Merredin. The location of the property which is the subject of resumption is on the corner of Bay Street and Pioneer Road, Kwinana. There are three lots involved: Nos. 49, 50, and 64, and the area is approximately three quarters of an acre. He has held this property for six years and he bought it for the purpose of building a beach house on it. The comment he had to make was—

Only information received to date is a notice from Department of Public Works, dated July 25th stating intention to resume at current market value, and requesting notification of my preparedness to negotiate.

I have several other cases of resumptions, but in regard to these the owners do not wish their names disclosed. One concerns a property of an area of 2 roods 11 perches. The improvements consist of a six-square brick cottage with carport, and the services include electricity, sewerage, and a well. The property has been owned for 14 years and it was initially purchased for industrial purposes. This

was denied by the shire and the owners then decided that they would use the land for the erection of a cottage for retirement.

The price required was \$10,000, and the cost of re-establishing this person in another home in the district of Rockingham is \$12,000. In the information given it is stated that an initial approach had been made by the Public Works Department by letter, but no offer had been made. Another property of an area of six acres which has been held by the owner for six years for retirement purposes is also under resumption, but the owner has no desire to sell. However, if he is forced to do so he will accept a minimum of \$72,000. The Public Works Department has offered him \$40,150. He concludes the form with the following:—

This information is given on the express understanding that it is confidential and will not be used for any purpose other than in connection with the proposed Royal Commission and will not be disclosed to any other person or Government department.

No names have been quoted. I was given permission to use the information submitted to me but not to mention the owner's name.

Another property which is the subject of resumption has an area of 12 acres, and the period of ownership is 48 years. The price offered by negotiation is \$74,400 and the estimated replacement cost is \$80,000.

The Hon. H. C. Strickland: What is the area of the property?

The Hon. R. THOMPSON: Twelve acres, and the owner has been offered \$74,000, but he claims it will cost \$80,000 to re-establish himself on another property.

The next case I have concerns two blocks of land situated on a corner position. The improvements consist of a house, two sheds, a well, spear, two new tanks, trees, and lawns. The period of ownership is approximately 10 or 11 years, and the owner, who is a woman, under the heading of, "For what purpose did you purchase property?" states—

To live after my husband retires from the Army, 24 years' service, and to holiday and rest in the meantime.

The price required is \$10,000, and the price that has been offered is \$7,450. The following information is also given—

I am sure I could not get two blocks at this price on a corner, that's without a house. It would cost about Fourteen Thousand or more, and as I'm a very sick woman with only one kidney and high blood pressure, and hoping for a transplant in the near future, the price they have offered

does not allow me to get another home by the seaside at this price. My husband and I have saved hard for many years for this. Hope you can understand this as I am nearly blind and I can't see very well.

That poor unfortunate woman has my sympathy, because she is to be dispossessed of her home and pushed around merely because the Government will not offer a price equivalent to the cost of a replacement home.

The next property that is subject to resumption is owned by Gilbert Edward Godwin, of 10 Churchill Avenue, Shoalwater Bay, Safety Bay, Western Australia, and late of 80 Office Road, Kwinana. The location of his property is Cockburn Sound 244, Lot Nos. 10 and 11. The improvements are as follows:—

4 bedroom tiled timber asbestos home, shed and two car ports. Reticulation by spear and electric pump. Garden, fruit trees, lawns, etc.

He states that he built his home 17 years ago to live in for the rest of his life. No price has been offered by negotiation and he has not mentioned the price he requires, because he is asking for a replacement without any cost to himself. He states that the estimated replacement cost in the district of Rockingham is between \$16,000 and \$18,000. The Public Works Department made him a written offer of \$12,500. The following information which he provides is most important:—

About one month ago a member of Public Works rang me and asked me to meet a representative of Western Mining and himself at a time suitable to myself. This was the first time Western Mining had been mentioned. The latter representative was all for me getting a fair deal and offered to build a new home to my liking on a block in the district of my choice, house my family, remove and store my furniture whilst the new house was built, in fact replacement at no cost to myself. This was resolved within 30 minutes of meeting, which I accepted. The Government up to this time had been trying to get my property with threats of resumption for approximately 4 months. Why then did not the Western Mining negotiate in the first place and why the sudden change in Government policy. I must say that Western Mining treated me as a Human Being with rights which they respected, even Public Works have co-operated in this. This kind of treatment is a must for all who are to lose their homes and property to resumption be it for Private Enterprise or State Project. G. E. Godwin.

That is the last of the letters or information I am permitted to quote. It can be seen, therefore, although the Government

hurriedly wrote into an agreement which as yet Parliament has not seen—

The Hon. A. F. Griffith: It has not had a chance to see it as yet.

The Hon. R. THOMPSON:—a condition that the Government will resume or behalf of the particular company concerned, when a person is prepared to stand up for his rights the company is prepared to negotiate on reasonable terms. I trust the company will conduct all negotiations in the future with the landowners who are affected, because I do not know any who are prepared to sell. If they are forced to sell they seek justice, and the idea of the motion is to obtain justice for them.

The position in regard to the Public Works Department and the valuers themselves is that a valuation can only be made of an area in accordance with the sales that have taken place in an adjacent area during the past few years. This is not good enough. People have been dispossessed of their land and their homes which they have purchased for specific purposes. Not one of the owners of the properties I have quoted could be termed a speculator. Some of the properties have been owned for many years; in one instance the land has been owned for 17 years. Therefore by no stretch of the imagination could one refer to these people as speculators.

In the circumstances why does the Government or the Minister for Industrial Development maintain it is necessary to insert this condition into the agreement which is purported to protect the company against speculators. There is no need for this condition, because the owners of the properties which are the subject of resumption are prepared to negotiate with the company, but are not prepared to accept the valuations that have been set by the Public Works Department. I do not blame them in the least for that, because I think they are quite justified in taking this stand.

This is not the only area in Kwinana that is faced with resumptions. Recently the State Electricity Commission has been negotiating and threatening to resume land for the purpose of erecting the proposed Kwinana power station. I have dealt with quite a few of the resumptions that have taken place in this area. The State Electricity Commission engaged Milner & Co to act as one of the valuers, and that company made valuations of properties in the area. These building blocks were situated on the old Rockingham Road facing the ocean, and before the earthworks commenced one had only to walk across the road to the ocean.

In the main these were simple dwellings; they were not lavish by any means but the people who owned them looked upon them as their homes. The price offered for one of these blocks, on which a

house was erected, was \$2,050. That was the offer made for a corner block, on which a house was built, right opposite the ocean.

Peet & Co. Ltd. then valued the property, and its valuation was exactly double. After some negotiation the State Electricity Commission agreed to pay the valuation placed on the property by Peet & Co. Ltd. I have here a long detailed letter written to the General Manager of the State Electricity Commission by Peet & Co. Ltd. on behalf of S. Maschowsky of Lot 334, Burlington Street, Naval Base.

This property was valued for the State Electricity Commission in the vicinity of \$2,000. It is a very simple dwelling on a three-quarter acre block, and it is one block back from the beach. The valuation made by Peet & Co. Ltd. was \$4,200, plus 10 per cent., plus rentals for part of the property which had been leased to the State Electricity Commission. The letter states—

Following receipt of the claim, a meeting was held in your office between Messrs. Salmon and Day, S.E.C., and Russell and Byatt, Peet and Company Ltd., representing the owner, to discuss the negotiation. However your Mr. Salmon refused to agree to pay the sum of \$4,670 and would only offer the sum of \$4,000 claiming that his Department had recently been successful in purchasing properties of about this size for less than the latter mentioned figure. If the Maschowsky's agreed to the offer of \$4,000 which incidentally Mr. Salmon refused to put in writing, the Commission would also require the resultant Transfer to be engrossed with the consideration of \$4,000 less 10%. We were given to understand that the reason for including a lower price on the Transfer than actually paid to the owner, was to attempt to control further price rises in the area. The meeting was concluded with Peet & Co. Ltd., to submit the counter offer back to the owner.

However, after due consideration, the owner decided that the Commission offer was insufficient and had a Transfer prepared for a consideration of the \$4,620 as arrived at by our firm in its assessment. This was confirmed in writing to your Department on the 14th November, 1967.

Further on the following appeared in that letter:—

In fact our own office sold two similar lots in nearby Frederick Street, for a sum of \$11,980, i.e. \$5,990 for each $\frac{1}{2}$ acre.

In the case of a property with a house on it, the owner was offered only \$4,000. This matter dragged on for a long time, and eventually I requested a meeting with

Mr. Salmon and the valuer. Mr. Salmon said he was not prepared to meet us, but 10 minutes later he rang to say that if we went to his office he would be prepared to settle. The initial offer was increased and the owner received \$4,700.

I now refer to the case of Mr. Bailey. We would be here till midnight if I were to deal with all the details, but I shall not. Mr. Bailey was a commander in the Navy, and after his discharge he bought an area of land comprising 47 acres, on some of which the B.H.P. steelworks are built. His land has been whittled away gradually until he has only three acres left.

This person had bought the land with his deferred pay, and he started to work the property. He was under capitalised and had to discontinue that work. In 1950 an area of 26 acres was resumed for the building of the refinery. Most of the resumed portion comprised arable land, and he was left with rocky land which was useless for farming. He took on a job because he could not use it. He has held this land since 1946, but he has received virtually nothing for it. It was first resumed for one purpose and then used for another.

The same thing happened to the school site which is adjacent to Mr. Bailey's property. About four years ago Mr. Lavery and I raised objections to the shifting of the Naval Base School from the site on which Cockburn Road is now built. The Government insisted the land was needed for main road purposes, but that school was eventually moved to Hope Valley. However, before the school was moved another block comprising about 10 acres in South Coogee had also been resumed, and the department paid dearly for this land.

The school which was to have been shifted from the Cockburn Road area to Wattleup Road, South Coogee, was eventually moved to Weston Street in Hope Valley. The block of land from which the school has been moved, and which has been left vacant, has not yet been used. The block of land in South Coogee which was resumed for the school site has been used for the standard gauge railway. This gets back to what Mr. Abbey said this evening: One cannot follow where the planners are going. In taking the land away from Mr. Bailey the departments concerned showed maladministration. I should point out that some land adjacent to Mr. Bailey's property was sold for about \$3,750 an acre. Up to date he cannot get any satisfaction from the department, and that is why it is necessary in the motion to go back for a period of years to ensure that justice is done to the people who have been illtreated as a result of land resumptions. I say "illtreated" because many people have been dispossessed not only of their home, but also of their living.

Two years ago I mentioned the names of Meakin, Aberle, Carbonne, Duncan, Munns, Ricci, Mackowsky, Van Welen, Oldfield, and Bacich. The case of Bacich is quite interesting. His market garden was resumed for the South Fremantle High School extensions. Probably he would have received fair compensation, had it been vacant land; but as it was not vacant land it was not fair compensation. He lost the use of the well on the property, and he was left with 1½ acres. Furthermore, his livelihood was taken away from him. This person was a very successful market gardener. On the 1½ acres he has left there are two dwellings and a large shed. He lets those dwellings, and that is his only source of income.

Today I received notification from the Public Works Department that his remaining land and houses will be resumed for the Noalimba slow learners' group, for the purposes of erecting a workshop on it. Not only can a person be dispossessed of his property, but also deprived of his living, without adequate compensation being paid. This person received about half the amount he claimed. To establish himself in a new area at his age would take every cent of the amount he has claimed, and the new area would not have the amenities of Annie Street, South Fremantle, where he now lives.

The same thing happened to Pesick, a neighbour of Bacich. He had twice the amount of land owned by his neighbour, but he is now virtually out of market gardening. In the case of Iucalano, the road frontage of his property was taken from him for the purpose of railway construction. Now he has no frontage at all. He has a little run-in about 12 feet wide, but the value of his property has been lowered considerably as a result of the resumption. I do not have to mention the details of this case again.

Whether or not members were in the Chamber when I mentioned the name of Caratti previously, does not matter; they would recall this case from the newspapers. Caratti had a property in Moylan Road, South Coogee. In his case one of the worst things which this, or any other Government in a democracy, could do was done. It proves that democracy does not exist in Western Australia. Caratti was a market gardener and had a large area of land, six acres of which comprised first-class soil. Initially the standard gauge railway line was to pass through a limestone ridge at the rear of his property. The line was surveyed, but let us see what happened subsequently. The land adjacent to this area was owned by the Swan Portland Cement Company, and on representations the company made to the Government—I have letters to prove this—the railway line was moved. About 10 acres of his property—in a strip on the face of his property and

off the market garden plot itself—were resumed. This left him with about one third of his arable land. Negotiations were entered into to arrive at a fair price. The first offer he received was \$15,000; then 19 days later it was increased to \$17,400. Further discussions took place and the offer was increased to \$20,000. Eventually it was increased to \$22,000. On the 11th July, 1966, some 14 months after the negotiations started, the offer was increased to \$23,000.

THE PRESIDENT: Will the honourable member please give the volume number and page number?

The Hon. R. THOMPSON: Certainly. It is Vol. No. 1 of *Hansard* for 1966, page 499. It will be realised that what people say about the valuers going to their properties is quite true. They use bluff. They say that a certain price is the valuation and the owner must accept it or else the property will be resumed. If Mr. Caratti had not had the wisdom to get in touch with someone who was prepared to handle these people, his property would probably have been resumed for \$15,000 instead of the \$23,000 he eventually received.

Members can see that these people must keep plugging and plugging and if they do not know how to go about these things, the Government wins and the individual loses. The following is found on page 5 of the development plan:—

In terms of an agreement between the Corporation and the State the funds for the acquisition of the refinery site and for the payment of service-relocation costs and ancillary expenses will be provided by the Corporation. About \$1,400,000 could be involved for land plus the payments for relocations and ancillary matters.

So although we have not seen the agreement, we know that the details were worked out before any offers were made.

The Hon. A. F. Griffith: How do you expect you can see the agreement when you know it must be ratified by Parliament?

The Hon. R. THOMPSON: I think we should have seen the agreement before people were threatened with resumption.

The Hon. A. F. Griffith: If we did that, the first complaint would be that Parliament is entitled to see it first and no-one else. You know that. We cannot win.

The Hon. F. R. H. Lavery: We cannot win on this side.

The Hon. R. THOMPSON: What *The West Australian* has repeatedly pointed out in its editorials is that only one person can win in this country, and that is the big businessman. The individual cannot.

The Hon. A. F. Griffith: The only reason I objected was because you keep saying, "We have not seen the agreement." I point out that it must be ratified by Parliament first.

The Hon. R. THOMPSON: We will be faced with a *fait accompli* by the time that occurs.

The Hon. A. F. Griffith: You cannot see it until the Address-in-Reply is completed. You now that.

The Hon. R. THOMPSON: The people will have lost their properties by then.

The Hon. A. F. Griffith: At least you ought to know it!

The Hon. R. THOMPSON: Earlier I was trying to indicate who had prepared the plans. I have now found the relevant quotation which is as follows:—

This Improvement Plan accompanies a Certificate given in terms of section 37A of the Metropolitan Region Town Planning Scheme Act, 1959-1966. The Improvement Plan was prepared for the Metropolitan Region Planning Authority by the Department of Industrial Development and the Town Planning Department. It has been endorsed by the MRPA for submission to the Hon. Minister for Town Planning.

That is the point on which I commenced. It is contrary to the intention of the Act, and it is contrary to what the Minister told Parliament when he was introducing the measure. The Act stipulates that the Metropolitan Region Planning Authority will draw any improvement plan; but here we realise that the Government is eager to assist big business. It has prepared the plan and has requested the planning authority to accept it, which it has done. The Minister has completely gone back on his word and the undertaking he gave to Parliament. He rubbished the local authority completely. There was no consultation whatever with the local authority. Parliament was completely misled. Members will therefore realise why the people are so concerned. I know the Minister will defend himself.

The Hon. L. A. Logan: You bet he will!

The Hon. R. THOMPSON: I have the right of reply, and, if necessary, I will quote the whole of the speeches. I hope he will check up on what he said.

The Hon. G. C. MacKinnon: Would that not be introducing new material?

The Hon. R. THOMPSON: No. I have been quoting them already. It will be no new matter. I have covered myself there.

The Hon. G. C. MacKinnon: I am delighted to hear it.

The Hon. R. THOMPSON: The Minister may have been absent at the time. However, I do not want to go on all night.

The Hon. G. C. MacKinnon: You are not making a bad effort!

The Hon. R. THOMPSON: A short time ago I was saying that the individual cannot win. He can be dispossessed of his

home and have everything done to him. On the other hand, companies can succeed and get all they want by getting in touch with the Minister for Industrial Development. This is factual. For one of the properties which was purchased by the State Electricity Commission, in Frederick Road, Naval Base, the compensation paid was \$8,600. The owner is an invalid pensioner and he has two school-age children. He repurchased the house for \$600, making a net return to him of \$8,000. He purchased a block of land in Brownell Crescent, Medina, from the State Housing Commission for \$900. In addition, he obtained a quote from a removalist who said he would remove his house in one piece for \$3,500.

It would mean that after the house was removed and re-erected he would have been compensated virtually for one block of land. However that man had three-quarters of an acre of land. What happened in this case? The Minister for Police flatly refused to allow the house to be transported three and a half miles on an open road. The removalist would not have passed another house at any stage on the four-lane highway and the total period of time he would have been on the road would have been three-quarters of an hour. It could have been done at any time of the day; in the early morning or at night, if necessary. However because of one of the secret regulations that came out, the Minister for Police would not allow the house to be removed. I say it is a secret regulation, because it has not been tabled yet and if it does reach the Table of the House I shall move for its disallowance.

The Hon. L. A. Logan: That will not do any good.

The Hon. R. THOMPSON: From memory the Minister brought in the regulation on the 16th October last year, and it puts an embargo on the movement of any dwelling or building of a greater width than 14 feet. The person concerned sold his 10-year-old house much too cheaply. However probably he was told that it was the final offer and what he had to accept. In any event, he was prepared to move to Medina. As I have said, he wished to move his house to Medina but the Minister for Police would not allow it to be moved in one piece.

After the State elections the Premier made a statement in the paper to the effect that he would have to re-examine some of the things that were going wrong. I wrote to the Premier asking him to re-examine this case; because a person who had contributed to the State's progress was being denied the right to move his house three and a half miles and that removal would not have interrupted any service or any person.

The Hon. F. R. H. Lavery: Not more than a big plant that goes down a road.

The Hon. R. THOMPSON: But the Premier said "No"; he would not upset the Minister's decision. I received the letter on the Friday. On the Sunday some machinery was brought from Midland to Kwinana. The machinery was 36 feet wide; the removal started on the Sunday and it reached Kwinana on the Monday morning. Every electric light cross-over on the route was taken down. It held up traffic; people were diverted everywhere; and teams of policemen were out on the roads. However that was something for industry but a pensioner could not move three and a half miles on an open road; even though the man was dispossessed of his home, and his property was resumed.

I wish to draw attention to another point. It has to do with resumption. Several days later large sections for the container terminal at North Fremantle were taken down Canning Highway and the sections took up all the highway, which was blocked for many many hours. Members will see that the rich grow richer and the poor grow poorer. That is a wise statement.

Before I finish, Mr. President, I must deal briefly with another Department of Industrial Development venture to provide—admittedly under the agreement—an area of land in Mandogalup for Alcoa. What is the position here? Since its establishment in Kwinana in 1964 the company has purchased properties for sludge disposal. It has been using Government property to date. They purchased some property, I know, which was owned by Morretti and Nella and also some other property which adjoins Hope Valley Road. The company held up an electricity extension in the area for four years. However, now this Government is going in and will resume 20 properties from people in order to provide sludge pits for the company.

The people concerned went out there without electricity, without amenities, and they had to walk many miles to a bus stop if they did not have transport and quite a few did not have it. They have battled about for a number of years, and they have contributed to an electric light scheme about which Mr. Lavery will tell the full story when he speaks on this matter. They have now been asked to negotiate with the department for the purchase of the land to be used by the company. When we look at the terms of the agreement we find that it says the Government will provide land, if possible, to the company for settling pits, but the company shall be responsible for the top soil to overlay this sludge and for consolidation purposes.

The owner of Lot 1190 rang me this evening. He has a property which has a 14-chain frontage to Johnson Road. The Department of Industrial Development wants to purchase the land, if possible; and under the agreement the company is

required to supply top soil for fill, because the department wants to contour the land by cutting a 20-foot strip off it to consolidate the company's area. On the land at the moment an 18-square home is under construction and it has reached plate high. Last week the owner was told not to proceed any further with the construction of the house. There is no offer of negotiation at this stage, but the threat of resumption is that he has been told not to proceed with the construction of his home any further, because he will not be paid any compensation for any further work when the property is resumed. So it can be seen that we have reached a very sorry state of affairs in Western Australia.

It can also be realised that the Kwinana Shire Council and the ratepayers were justified in requesting that some action be taken through Parliament to have these anomalies rectified, and it is for this reason that I have put the motion before the House.

Debate adjourned, on motion by The Hon. L. A. Logan, (Minister for Local Government).

COAL MINERS' WELFARE ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [10.33 p.m.]: I move—

That the Bill be now read a second time.

The intention of the Coal Miners' Welfare Act, 1947, was to institute a fund for the purpose of providing amenities for coal miners in this State. Owners of every coal mine are required to pay to the fund in the months of January, April, July, and October in every year, a sum equivalent to three half pence per ton on the output of all coal produced from every mine.

A board appointed by the Governor under the Act administers the fund and consists of three members, of which one is the President of the Combined Coal Mining Unions Committee and one is the President of the Coal Miners' Industrial Union of Workers of W.A., Collie. The third member is a member appointed by the Government and is the Senior Inspector of Mines (Coal).

Section 16 of the Act reads—

(1) Subject to this Act and to any directions of the Minister, the Board is hereby charged with the administration and application of the Fund for such purposes connected with the provision of amenities (other than anything required to be provided by the owner or manager of a coal mine by the Coal Mines Regulations Act, 1946), for coal miners and the improvement of the physical, cultural and social well-being of coal miners,

and the education, recreation and conditions of living of coal miners, as the Board may consider desirable.

(2) The Minister may give to the Board directions of a general character with respect to the exercise and performance of its functions, and the Board shall give effect to any such directions.

This, then, provides that the board, subject to any direction of the Minister, is charged with the administration and application of the fund for the purpose of providing amenities for coal miners and other things for their physical, cultural, and social well-being. No provision is made for these amenities, etc., to be for the use or well-being of anyone other than coal miners.

The purpose of the proposed amendment to section 16 of the principal Act is to enable the board, with the approval of the Minister, to apply money standing to the credit of the fund for, or towards the provision, in association with the Silver Chain Nursing Association (Inc.), of a home for aged persons to be erected at Collie; also for the provision of such other amenities, other than those to which subsection (1) refers, for persons, including persons who are not coal miners, as the board considers desirable.

As the Act stands at present, the board could not apply funds towards the proposed home for aged persons, as it will not be specifically for coal miners, although some retired coal miners may enter it. It is reasonable that it should be possible to apply money from the fund for this purpose, which will be an amenity available to aged coal miners or their dependants.

The second part of the amendment to section 16 is to allow the board to apply money from the fund to other amenities, which may be for the benefit of the community at large, such as towards playing fields, swimming pools, etc.

Section 22A is to be added to validate any such payments which have been made prior to the present amendments to section 16.

A number of payments have been made in the past from the funds towards amenities and cultural matters which are not strictly entirely for the benefit of coal miners, although they have benefited their families.

Such payments have been towards such items as projectors and other equipment in schools and for amenities at sports grounds and the swimming pool. Should there be any doubt as to the validity of making these contributions, the proposed section 22A will put this in order.

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

ILLICIT SALE OF LIQUOR ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Justice) [10.38 p.m.]: I move—

That the Bill be now read a second time.

This Bill to amend the Illicit Sale of Liquor Act, 1913-17, is introduced for the purpose of doubling the monetary penalties which are provided in section 3 of the Act.

The circumstances existing in this State when the parent Act became law in 1913 were presented to members in this Chamber by the late Hon. J. M. Drew, Colonial Secretary, on the 11th December of that year. There has been but one minor amendment since—that was in 1917.

In explaining the purposes of the Bill to members, the Colonial Secretary of the day spoke of the "sly grog evil" having at that time reached such proportions as to justify drastic measures being adopted for its eradication. He mentioned sly grogging in shanties and the injustice being done to the hotelkeeper, who had to pay big license fees, provide up-to-date accommodation for the public and subject himself to the supervision of Government inspectors. "But that was not the worst side of the evil," he pointed out, "for drink sold by many of the sly groggers was often of the vilest description, thus filling our hospitals for the insane and providing recruits for our gaols and being often a source of suicide and the cause of murder."

The Colonial Secretary spoke of the sale of wine to women and girls, sheltered by the fact that wine was sold in fruit and confectionery shops to an alarming degree and with a bad effect on the morals of the community.

Any member desiring to indulge in the reading of some of the colourful language of those days will find this interesting speech at page 3648 of volume 3 of the 1913 *Parliamentary Debates*. However, my interest in making reference to this introduction of the parent Act is to point out that the penalty then introduced for the offence of illicit sale of liquor, or for the holding of such liquor about premises for sale by an unlicensed person or his servant, was the equivalent of \$100 or imprisonment for three months or both for a first offence, and for any subsequent offence, the equivalent of \$400 or imprisonment with hard labour for 12 months or both.

Amongst other penalties provided in this legislation was a fine of the equivalent of \$20 for any person found on the premises at the time of police entry and seizure of such liquor. At that period in our history, money was worth at least five times today's value, so it is apparent that sly-grogging and its associated vices were becoming a serious evil.

Perhaps it may be concluded that the incidence of sly-grogging is less evident these days and that the penalties introduced so many years ago have proved effective. But I fear this is not so. Rather it appears that, in the changed circumstances of today, sly-grogging has become more evident in such establishments as night clubs.

The present position was brought to my notice by the Minister for Police last June when he informed me to this effect, and I quote—

During recent years, there have been established in the city and suburbs a number of premises trading as "night clubs." It is known that, in the majority of these premises, liquor is obtainable at high prices. The number of these premises is increasing weekly. There is little doubt that the main business conducted is the illicit sale of liquor, 24 convictions under the Act having been obtained against proprietors of night clubs from the 1st July, 1967."

The Minister further remarked that although substantial fines had been imposed in some cases the penalties have not acted as a deterrent. This is apparently for the reason that the profits derived from unlawful dealing have more than balanced the fines, so it seemed that the penalties should be increased.

The recommendation which followed was that the penalties should be doubled and in view of the undesirable circumstances which have been pointed out to me, I concur in this proposal, which is contained in this measure, and commend it to members.

Debate adjourned, on motion by The Hon. H. C. Strickland.

MOTOR VEHICLE (THIRD PARTY INSURANCE SURCHARGE) ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Upper West—Minister for Local Government) [10.43 p.m.]: I move—

That the Bill be now read a second time.

This Bill is a very small measure and is composed of only two clauses which are largely self-explanatory.

Clause 1 merely refers to the alteration to the title of the Act consequent upon this amendment. Clause 2 deals with subsection (2) of section 3 of the Act which contains a list of vehicles that are exempt from the payment of a surcharge in respect of the appropriate premium payable under the Motor Vehicle (Third Party Insurance) Act, 1943. These at present are—

- (a) vehicles that are used or intended to be used solely for interstate trade, commerce or intercourse;

- (b) a caravan (trailer type) as described in the second schedule to the Traffic Act, 1919;
- (c) a trailer as so described;
- (d) a tractor (other than a prime mover type) as so described; or
- (e) a motorised wheelchair designed for the use of or by incapacitated or crippled persons only.

The Bill proposes to add to these exemptions the following:—

- (f) a motor vehicle in respect of which a vehicle license issued under part IIA of the Traffic Act, 1919, is in force;
- (g) a motor vehicle in respect of which a vehicle license limited to private use issued under part II of the Traffic Act, 1919, to the Governor is in force;
- (h) a motor vehicle in respect of which a vehicle license issued under part II of the Traffic Act, 1919, to a person engaged in a full time capacity as an accredited diplomatic representative, consul, or consular officer of a country is in force; or
- (i) a motor vehicle that belongs to the Crown or a local authority in respect of which a vehicle license issued under subsection (3) of section 11 of the Traffic Act, 1919, is in force.

The proposal in paragraph (f) was submitted following representations by the Minister for Shipping and Transport, Canberra, and is made to conform with the provisions of the United Nations convention on the taxation of road vehicles for private use in international traffic, adopted at Geneva in 1956. It refers to vehicles licensed under part IIA of the Traffic Act which deals with overseas motor vehicles when temporarily in Australia.

The remaining paragraphs (g), (h), and (i) were suggested by the Commissioner of Police to legalise the existing practice in exempting vehicles registered by His Excellency the Governor, career consular representatives, local authorities, and the State.

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

CREMATION ACT AMENDMENT BILL

Second Reading

THE HON. G. C. MACKINNON (Lower West—Minister for Health) [10.47 p.m.]: I move—

That the Bill be now read a second time.

Mr. President, while copies of the Bill are being distributed, I trust you will give me the opportunity to congratulate you on

your appointment as President, and permit me to express the wish that you enjoy good health to continue your duties.

If I may be permitted, Sir, I would also like to congratulate those members who have been newly elected. I trust they will find their stay here one of great interest and profit to themselves and to their electors. It is a great pity that their good fortune should mean misfortune to those who were unfortunate enough not to be re-elected to this House.

The Hon. W. F. Willesee: I hope you can link this up with the Bill.

The Hon. G. C. MacKINNON: I trust members will bear with me. I would now like to congratulate Mr. White on his speech on opening day. Since the Bill has now been distributed and you have been kind enough, Sir, to provide me with this opportunity to offer my congratulations, I will now proceed to introduce the measure.

There are two laws relating to the disposal of dead bodies. The Cemeteries Act covers burials and is administered by the Department of Local Government. The Cemeteries Act defines a dead human body to mean "The body of a human being who was born alive and includes the body of an infant of not less than seven months' gestation that was stillborn." The effect of this definition is that the stillborn foetus of less than seven months' gestation need not be buried in a cemetery. Frequently such remains are disposed of in hospitals.

The Cremation Act has a somewhat similar framework, but does not contain a definition of a dead human body, nor does it draw a line below which it is lawful to dispose of the remains of a stillborn child, except in accordance with the Act and in line with the procedure which applies to a dead adult. Nevertheless, it has been the practice to follow the pattern of the Cemeteries Act.

There was no reason to suggest that this procedure was unsound legally, particularly as the Registration of Births, Deaths and Marriages Act does not require registration procedures in the case of a stillborn foetus of less than 28 weeks' gestation. Recently, the Registration of Births, Deaths and Marriages Act was amended so that registration is now required at the point of 20 weeks' gestation.

The position is therefore uncertain and it is recommended that the Cremation Act should be amended by inserting a definition similar to that contained in the Cemeteries Act. This would make the position abundantly clear and verify that the remains of a stillborn infant of less than 28 weeks' gestation need not be cremated in accordance with the Cremation Act.

It must be clearly understood that if for any reasons of personal belief or desire the family require to have a normal burial in

the circumstances I have outlined, they are at complete liberty to do so. This amendment in no way infringes the personal rights of the family for the retention of the body of an infant of not less than the prescribed period of gestation. It merely clarifies the legal situation. I commend the Bill to the House.

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

MENTAL HEALTH ACT AMENDMENT BILL

Second Reading

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [10.50 p.m.]: I move—

That the Bill be now read a second time.

In part IV of the Mental Health Act, section 27 lays down the method by which what are known as "informal admissions" may be made to a mental hospital. It states that a person who, in the opinion of the superintendent or other psychiatrist, is suffering from mental disorder may be admitted to a hospital. If that person is under the age of 18 years, he is admitted at the request in writing of his parent or guardian: if not less than 18 years of age, on his own request in writing.

It is recommended that this should be amended to delete the requirement in each case for the application to be made in writing. There are several reasons for this—

- (1) To make admission to mental health inpatient facilities as flexible and informal as possible, and to bring the procedure into line with outpatient clinics and general hospitals which require no formality for admission.

Members will recall that at the Health Ministers' conference held in Perth in 1967, a plan for the gradual development and handling of mental health patients was formulated. This plan was, in fact, an extension of what has been going on in this State for a number of years; that is, that sickness should be regarded as such whether it be physical or mental. Indeed, much progress has been made towards an acceptance of this fundamental principle.

These days there is adequate protection for patients entering any hospital and this distinction, it is felt, should go. Patients, when they are sick, are frequently confused and the requirement set out makes a distinction, between admission to a general hospital and to a mental hospital, that is cumbersome and unnecessary.

- (2) To enable visiting university lecturers and demonstrators to have patients admitted informally for teaching purposes and for special therapy.

It is necessary occasionally for lecturers and demonstrators to have a patient admitted purely on a temporary basis, and the present provisions of the Act now make this procedure extremely cumbersome and, at times, just too difficult.

- (3) To regularise what is being carried out at times in actual practice.

Because of the difficulties mentioned by me, it has proved to be essential that this section of the Act should be waived now and again. This places very conscientious medical practitioners and psychiatrists at some unnecessary risk, and it is firmly believed that this risk should be removed.

Section 51, subsection (1)(c), under division 7, dealing with discharge of patients, specifies that within 72 hours after the receipt by the superintendent of an application in writing the patient shall be discharged. This, of course, has safeguards specified for the protection of the patient.

In this case also it is felt that the need for the application to be made in writing should be deleted. The reason for this is similar to the above, to allow for a greater degree of flexibility in the handling of the patients. Indeed, the reasons are, of course, identical with those listed for admission.

This procedure is not necessary in a general hospital and should not be necessary in a mental hospital. In both cases, also, it sometimes does occur that the patient is overly suspicious and great difficulty is experienced in persuading him to sign his name to anything.

These amendments will not affect the procedure established for admission and discharge under divisions 2, 3, and 6 of the Mental Health Act, part IV. These divisions refer respectively to—

- (a) Admission by referral. That is where a patient may be received into an approved hospital on the production of a referral by a medical practitioner based on a personal examination.
- (b) Division 3—Admission following a reception order: This order being issued by a justice who, being satisfied that the person is suffering from a mental disorder and that it is in the person's interest that he be admitted makes such an order.
- (c) Division 6—This division has reference to a person who, being committed to stand trial for an offence and upon examination by two medical practitioners, is found to be suffering from a mental disorder to such an extent that he should not stand trial. In these circumstances, the person may be

ordered by the Chief Secretary to be detained and admitted as a patient to a mental hospital.

For these reasons, I now commend the Bill to the House.

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

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [10.55 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 27th August.

Question put and passed.

House adjourned at 10.56 p.m.

Legislative Assembly

Wednesday, the 21st August, 1968

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

QUESTIONS (37): ON NOTICE SWAN RIVER

Dredging at West Midland

1. Mr. BRADY asked the Minister for Works:

- (1) Is any consideration being given to dredging the Swan River in the vicinity of West Midland to reduce—
 - (a) flooding of an area generally north of the Governor Stirling High School, comprising grazing and local government bodies land-fill scheme;
 - (b) flooding of Governor Stirling High School's playing grounds?
- (2) Is any consideration being given to erecting levees on the area to reduce flooding?

Mr. ROSS HUTCHINSON replied:

- (1) (a) No. The section of the Swan River referred to is narrow and heavily wooded along both banks. On the plan accompanying the report "A Plan for the Swan and Canning Rivers," recently published by the Metropolitan Region Planning Authority, it is marked as "Preservation of Rural Character."
- Even if the riverbed were to be dredged without disturbance of the banks, the yield of material would be insignificant when related to the