capita in Western Australia was $8.17. This is $8.17 in Western Australia against $14.36 in Victoria.

Mr. W. G. Young: Are you comparing the highest and the lowest States?

Mr. T. D. EVANS: It is my view—which I repeat—that the legislation will, in fact, benefit by far and large the majority of Western Australians.

Mr. W. G. Young: Are you comparing the highest and the lowest States?

Mr. T. D. EVANS: I commend the measure to the House and look forward to joining members in a discussion of the provisions in Committee.

Mr. W. G. Young: No answer was the stern reply!

Question put and passed.

Bill read a second time.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. T. D. EVANS (Kalgoorlie—Attorney-General) [10.46 p.m.]: I move—

> That the House at its rising adjourn until 4.30 p.m. on Tuesday, the 6th November.

Question put and passed.

QUESTIONS ON NOTICE

Closing Time

THE SPEAKER (Mr. Norton): I advise members that questions for Tuesday, the 6th November, will close at noon on Friday, the 2nd November.

House adjourned at 10.47 p.m.

Legislative Council

Thursday, the 1st November, 1973

The DEPUTY PRESIDENT (The Hon. N. E. Baxter) took the Chair at 2.30 p.m., and read prayers.

QUESTION WITHOUT NOTICE

TAIWANESE BOAT CAPTAINS

Release

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

> Is the Chief Secretary aware that, although the fines imposed upon the two Taiwanese captains have been waived, they are still in the East Perth lock-up, apparently awaiting deportation—or return—to Taiwan?
>
> I understand they are due to leave tomorrow morning. I also understand they will be taken from the East Perth lock-up tomorrow morning and put on an aircraft to be flown back to their own country.
>
> Since the fines have been waived, is there anything which the Chief Secretary can do to have these men released into the custody of some responsible person instead of leaving them in the East Perth lock-up until early tomorrow morning?

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

> I thank the Leader of the Opposition for telling me, a few minutes ago, that he intended to ask this question.
>
> I will answer the last part of his question first. To this very moment, no representations have been made to me by any interested party to take these two Taiwanese captains—

The Hon. A. F. Griffith: Is it necessary for somebody to ask to take them? The fines have been waived. Should not they be released?

The Hon. R. H. C. STUBBS: I think I should go through this step by step. If we were to release them, where would we send them? The only contact I have had has been with the gentleman in charge of Commonwealth Crown Law in Western Australia—in addition, of course, to our own Attorney-General.

> As far as we know now, these men will be picked up at six o'clock in the morning, will be looked after as regards food and so on, and will be taken to the airport for a nine o'clock take-off. My latest information is that representations have been made through the Commonwealth at Hong Kong and that the solicitor representing the Taiwanese captains is negotiating with Taiwan in order that they may then go from Hong Kong to Taiwan. I have instructed my department to pay the fares if there is any holdup at all and to obtain a recoup from the Commonwealth Government. No-one suggested he would take the captains—the solicitor did not contact me—but we think we can look after them better and organise all the necessary preliminaries before they catch the plane. I can assure the House we are looking after the interests of the Taiwanese captains as best we can.

QUESTIONS (6): ON NOTICE

1. CARNARVON DISTRICT HOSPITAL

Senior Medical Officer

The Hon. S. J. DELLAR, to the Leader of the House:

(1) When is it anticipated that a senior medical officer and surgeon will be appointed to fill the vacancy which now exists at the Carnarvon District Hospital?

(2) If an appointment is to be made, will it be temporary or permanent?

The Hon. J. DOLAN replied:

(1) and (2) A surgeon has been appointed to Carnarvon until the New Year. In the meantime, the Department has offered the position to a surgeon currently in the United Kingdom.

2. *This question was postponed.*

3. NATIONAL PARKS BOARD

Finance

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

(1) What funds have been made available to the National Parks Board by the Government for the financial years ended—

(a) the 30th June, 1971;

(b) the 30th June, 1972;

(c) the 30th June, 1973; and ending

(d) the 30th June, 1974?

(2) What was the total revenue received by the National Parks Board for the financial years ended—

(a) the 30th June, 1971;

(b) the 30th June, 1972; and

(c) the 30th June, 1973?

(3) What is the anticipated total revenue for the financial year ending the 30th June, 1974?

The Hon. J. DOLAN replied:

(1) (a) $317,000.

(b) $338,100.

(c) $400,000.

(d) $455,000.

(2) (a) $98,326.

(b) $102,949.

(c) $106,890.

(3) $109,525.

4. LIQUOR

Licenses: Applications

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

(1) Listed monthly, what number of all types of licenses was applied for under the Liquor Act for the months of January to October, 1973?

(2) In what manner were these applications disposed of—

(a) granted;

(b) refused;

(c) deferred; or

(d) pending?

The Hon. J. DOLAN replied:

(1) NUMBER OF ALL TYPES OF LICENCES APPLIED FOR UNDER THE LIQUOR ACT FROM JANUARY TO OCTOBER, 1973

Month	Hotel	Limited Hotel	Tavern	Store	Wine-house	Res-taurant	Club	Canteen	Whole-sale Spirit Merchant	Cabaret	Packet	Total
January	1			1	2		1	1	1	1		8
February	1						1					2
March					1	2		1				4
April	1		1	2	1			1				6
May			1	2	1		2		1	1		9
June			2									2
July				2		3	2		2		1	14
August		1	2	5		2						10
September				5						1		6
October				6	1	4			1			12
Total	3	1	10	23	6	11	6	4	5	3	1	73

(2) IN WHAT MANNER DISPOSED OF :—

Type of Licence	Granted	Refused	Withdrawn	Deferred	Pending	Total
Hotel	3					3
Limited Hotel				1		1
Tavern	8			1	1	10
Store	14				9	23
Winehouse	4		1		1	6
Restaurant	5				6	11
Club	4		2			6
Canteen	4					4
Wholesale Spirit Merchant	4				1	5
Cabaret	2				1	3
Packet	1					1
Total	49		3	2	19	73

It should be noted that these figures do not include applications for provisional certificates for licences only actual licences.

5. EDUCATION

Waroona: St. Joseph's Convent, and High School

The Hon. N. McNEILL, to the Leader of the House:

(1) Is it correct that the secondary section of the St. Joseph's Convent School, Waroona, will be phased out this year?

(2) If so—

(a) what are the anticipated additional numbers of children who will be enrolled at the Waroona District High School in 1974;

(b) what arrangements are being made to provide—

(i) additional accommodation; and

(ii) additional staff;

in order to cater for the increased enrolment?

The Hon. J. DOLAN replied:

(1) Yes.

(2) (a) An additional thirty-five secondary students could be expected to be enrolled at the Waroona District High School at the start of the 1974 school year.

(b) (i) The existing accommodation for secondary students at Waroona District High School should be able to accommodate the 1974 secondary enrolment. However, a demountable classroom would be provided if additional accommodation was needed.

(ii) Staffing requirements are at present being assessed for all secondary schools and Waroona will be adequately staffed to cater for secondary needs in 1974.

6. EAST CARNARVON PRIMARY SCHOOL

Extensions

The Hon. S. J. DELLAR, to the Leader of the House:

(1) What is the current accommodation position at the East Carnarvon Primary School?

(2) Are any additions planned for the school during the current financial year?

The Hon. J. DOLAN replied:

(1) There are 380 children accommodated in nine permanent rooms and one demountable classroom.

(2) No permanent additions are planned for the current financial year but two additional demountable classrooms will be provided to meet the anticipated enrolment increase at the start of the 1974 school year. It is planned to add permanent additions of the modern open area type in the 1974/75 financial year.

UNIVERSITY OF WESTERN AUSTRALIA ACT AMENDMENT BILL

Second Reading

Debate resumed from the 24th October.

THE HON. J. DOLAN (South-East Metropolitan—Leader of the House) [2.40 p.m.]: Mr. Williams spoke as though the Premier of Western Australia was the only Premier who had agreed to the Australian Government taking over full financial responsibility for tertiary education. In fact, the Premiers of all States accepted the Australian Government's offer to assume this responsibility and to abolish fees at tertiary institutions from the 1st January, 1974.

There was no dissenting voice among the Premiers, nor was the matter debated by them at the June, 1973, Premiers' Conference when the decision was taken. The fact that all States accepted the offer without demur is surely evidence that they were satisfied with the proposed arrangement which, from an administrative and accounting point of view, certainly has a lot to commend it.

The change in financing tertiary education is no more than a revised method of bookkeeping between the Commonwealth and the States.

At present, the Commonwealth contributes, in respect of recurrent expenditure, about 35 per cent. of a determined sum, and the balance of 65 per cent. comes from State grants and fees. I understand it is on the basis of $1 from the Commonwealth and $1.85 from the States.

Commonwealth grants for approved capital expenditures are provided on a $1 for $1 basis with grants made by the States for this purpose. These matching arrangements will cease as from the 1st January, 1974, when the Australian Government assumes full responsibility for financing tertiary education. Tuition fees will also be abolished from that date.

The present State contribution to help meet recurrent expenditure is met from the Consolidated Revenue Fund into which is paid the financial assistance grants received from the Commonwealth. These grants are for the purpose of assisting the States with their expenditure programmes which, of course, include their outlays on tertiary education.

In effect, the Commonwealth in the past has been reimbursing the States for these outlays, or put another way, it has been paying money over to the States for transmission to the tertiary institutions.

From the 1st January next, this indirect method of financing tertiary institutions is to cease when the Commonwealth takes over full financial responsibility for them and, accordingly, the financial assistance grants to the States are to be reduced by the amounts involved. The States will neither gain nor lose from the change in financing recurrent expenditure.

In the case of capital expenditure, the States will no longer have to raise loans for these purposes and will therefore in future be relieved of the debt charges on these raisings. In the course of time, there will be significant savings to the States on this account, and members will note that I have been using the plural as it applies to all States.

Mr. Williams claimed that what we are doing is to hand over the right of this State to administer tertiary education as it sees fit. He could think of nothing more damning for the future generations going through tertiary education than to have all decisions made by the Australian Universities Commission which sits in Melbourne and Sydney.

Let me remind the honourable member that the Australian Universities Commission was established in 1959 by the Menzies Government to inquire into and make recommendations on financial assistance for universities.

The commission, which incidentally has its offices in Canberra, sits in all States and takes submissions from all universities. It deals directly with the insitutions themselves which are given every opportunity to state their needs.

Perhaps the honourable member has overlooked the fact that universities are autonomous bodies administered by councils or senates and not by Governments. Governments have provided funds which in the main have been the sums recommended by the Australian Universities Commission.

A notable exception was in relation to the 1967-1969 triennium. On that occasion, after consultation with State Governments, the Commonwealth Government agreed to a reduction of approximately $56,000,000 in the total programme recommended by the commission.

This does not suggest that the universities would have been better off by dealing directly with Governments rather than through the Australian Universities Commission.

The commission is an expert body which has developed procedures for the assessment of the needs of the Australian universities and I am sure it can be relied on to continue to recommend adequate financial assistance for universities in the future.

The change in financial arrangements will not vary the existing and past role of the Australian Universities Commission or the role of the Australian Commission

on Advanced Education in their assessment of tertiary education needs in this State. To claim, as the honourable member has done, that the Premier is guilty of an illegal act in agreeing along with all the other Premiers to the change in financial arrangements and that by so doing he sold out the State, is absolute nonsense and reveals his disturbing lack of knowledge of the facts. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

PERTH MEDICAL CENTRE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 30th October.

THE HON. R. J. L. WILLIAMS (Metropolitan) [2.48 p.m.]: On the face of it, this is an innocuous Bill which is designed to do a little tidying up with regard to the Perth Medical Centre. I have no quarrel with the proposition contained in the measure—that the land described in part II of the schedule should have been included in part I of the schedule some time ago. This is purely an administrative error and it must be corrected.

However, I think we must look at the Perth Medical Centre as a whole and understand what is going on there. It was said a few moments ago that I was not sure of my facts regarding another matter; but in this case I am pretty sure of my facts because I represent the area.

When it is completed, the Perth Medical Centre will be the biggest medical centre complex in the southern hemisphere. There are those who say it should never be completed because additions will always be needed in the future; for example, I mention a diagnostic unit and back-up services which are planned for the Sir Charles Gairdner Hospital. Three months ago the cost to the State was somewhere in the region of $100,000,000. Perhaps by now that sum has risen to $140,000,000 as a result of escalating costs. However, I am sure that the whole complex is an excellent idea, and although many mistakes have been made this is natural with such large-scale planning.

I would be failing in my duty if I did not adequately represent some of the objections raised by people in my province. I think there has been circulated among all members a document which is, in fact, a petition dated the 14th October and which is addressed to all members of the Legislative Assembly and the Legislative Council. At the back of this document, on appendix three, there is an outline map. Having praised the authorities that be for the Perth Medical Centre as such, its concept, and what it proposes to do, one must look realistically at this map and appreciate that in regard to the plans for all such structures, human beings, especially the residents who live near such structures, do mean something.

In this day and age we hear a great deal, sometimes, from conservationists about preserving this and that, but in my opinion the role that conservation must play is to preserve man himself. However, at the Perth Medical Centre the human ecology of the region has been disturbed. To be fair to all parties concerned, I do not think one can point the finger at any Minister or Ministers; at any authority or authorities. This is just one of those things that has happened.

People who are familiar with the geography of the area will appreciate my saying that I shall not vote for the second reading until such time as the Minister in another place has given a written undertaking that he will study the traffic problems which now abound in that area to the annoyance of the residents, and make the necessary recommendations to bring about a solution of them. The Chief Secretary in this House is a man who has high on his list of priorities the prevention of noise pollution and he has no more ardent supporter than myself. However if we make inquiries to ascertain what the residents of Subiaco and Shenton Park have to put up with because of the lack of traffic planning in the area, it will be realised that noise pollution to them has risen—I would not like to quote a figure—to almost double what it was before the Perth Medical Centre was erected.

The entry to the Perth Medical Centre in the Subiaco-Shenton Park area is beginning to look like a race track. What was once a quiet and pleasant district to live in has now become—at least three times a day—a dreadful and horrifying place in which to live. Many of the local residents have bought their properties over a number of years. They have no objection whatsoever to the Perth Medical Centre, as such—that is, as a group of buildings—but they have strong objections to the pollution which has been brought about by the increased traffic in the area.

If one wished to select the easiest route in order to visit the Perth Medical Centre, it seems to me that to be able to do this some form of inner ring road should be constructed around the centre with access

points leading only to main roads or arterial roads. However at present the position is that if one wants to travel under the subway at Nicholson Road, the mandatory method of travel, one cannot turn right into Railway Road. The same position pertains at the Hay Street subway and the Axon Street crossing. Turning right is an impossibility; so, if a person wishes to go to Karrakatta or to that general area—

The Hon. J. Dolan: No-one really wants to go there.

The Hon. R. J. L. WILLIAMS: There is one thing we can all be sure of; and that is we will all go there one day.

The Hon. R. H. C. Stubbs: Not necessarily to Karrakatta.

The Hon. R. J. L. WILLIAMS: In the future it might be Pinnaroo, but by then the cost might be too great. If one wishes to proceed from the Perth Medical Centre to Karrakatta and down through to Fremantle, travelling in a southerly direction, one would arrive at the Nicholson Road subway, where one has to go straight across the road because no right turn is permitted. One would then go into Gray Street, and from there the traffic filters right through Shenton Park.

The idea was for one to turn right at Gray Street, and go along to Railway Road, but very few of the motorists take this route. If motorists do not turn right at Gray Street, then they would turn right at Herbert Road, past the little jewel of landscaping—the Shenton Park Lake—where one is able to see the "Don't speed because of the tortoises" sign. The traffic passes along in that direction, but the section is deteriorating very rapidly.

I think it is unfair of the authorities not to take full cognisance of the position. I do know that two of my colleagues who represent the electorates of Subiaco and Floreat have made personal representations and have been on deputations to the Minister to request that these subways be widened so that the traffic flow will then be able to turn right and avoid filtering through what is a very nice residential area. It would be wrong of me not to press this point, just as it would be wrong of me to vote for the second reading of the Bill before the Minister has given a written undertaking.

In no way am I reflecting on the present Minister's integrity by word of mouth. I trust the Minister to carry out exactly what he says he will carry out, but I should point out that there will be succeeding Ministers. The residents of that area wish to be assured in writing that in point of fact the present Minister will give an undertaking on paper—so that it will almost be binding on any Minister following him—to indicate that a definite promise in this respect has been given.

I do not think it will take a great deal of planning to achieve what I have outlined; and I do not think it will take a great deal of time to solve this particular problem. This is one reason why I cannot support the second reading of the Bill until after I have received such an undertaking.

I wish to take the Bill to task in another respect. In his second reading speech the Minister said that the functions of the trust are to undertake the development, the control, and the management of the reserve. By including that in his speech the Minister believes this will be the means of fully controlling the Perth Medical Centre area. However, that is not the case; it will not control the Perth Medical Centre. As such, there is no control of the centre whatsoever, because no group is responsible for its overall development. The development of that area presents a difficult problem, but eventually the Minister is the one who is responsible for this development. I believe the Minister has been misled by the draftsman, or perhaps he feels this does cover the situation.

In point of fact it does not do that at all, and, in case I am accused of speaking absolute nonsense, I quote as my authority Mr. Justice Burt who I do not think can be accused of speaking absolute nonsense. On the 17th March, 1970, a report was tabled in another place in accordance with section 15 of the Perth Medical Centre Act and under the heading "Trust Authority" we find the following in that report—

> The Trust, although by the Statute named the "Perth Medical Centre Trust" has not, in terms, been given any power or authority with respect to "Medical Centre" as distinct from "Reserve". The Trust thinks it proper to bring this to the attention of the Minister.

The Minister no doubt believes that the situation has been overcome; but this is not so. The Bill will control the reserve and not the centre itself, and I think the Minister should have another look at this aspect.

Many reasons exist for control to be exercised. The centre is a large one with five tenants. If we look in appendix 3 in the petition we will find the names of the tenants listed so I do not propose to waste the time of the House by quoting them.

I would like the Minister to give us an assurance concerning the houses which have been appropriated for ultimate use by the Perth Medical Centre. At the moment they are not being used for the purpose for which the land is zoned; that is, single residential. They are being used as animal laboratories, change rooms, and store rooms. I am not quarrelling with

their use because it is only a temporary arrangement. My concern involves the City of Nedlands which at all times has co-operated with the Perth Medical Centre. It has not raised any objection to the present situation, but, after all, it has the town planning rights to the area and it has indeed a plan for the area. Nevertheless, from time to time it has amended the plan to suit the centre.

I believe that when the Minister reconsiders the situation he will realise that, because of its expertise in particular fields, the local authority should be represented on one of the committees which are to be appointed. In this way the authority would have the advantage of gaining first-hand knowledge of what is occurring. Those in the area will, in turn, know that their local authority is keeping a watchful eye on the whole situation. I do not think this is asking too much because it is only fair to say that the Minister met with these people after the petition was presented and reassured them that at all times he will ensure they are consulted by members of the trust, and he indicated that the Administrator of Sir Charles Gairdner Hospital will be involved in this work. However, I would like the Minister to indicate to the residents of the area as a matter of goodwill that he will appoint at least one member of the City of Nedlands—I do not care whether it is a councillor or an officer—to one of the committees in order that the council might be in a position to inform the ratepayers of the area what is occurring.

At the moment people in the area are affected by noise pollution. It is a sad fact of life that when people get a little older, and perhaps a little more frail, they are not able to negotiate streets and roads at the same speed as a 25 or 28-year-old person. Traffic problems, alone, have created hazards in the backwaters of Shenton Park.

I would not oppose the Bill in its original form if it were not for the overriding factors I have mentioned. I am sure that the Minister, in his wisdom, will have a look at the situation I have outlined. I think he is a fair-minded man and I would like to see the Perth Medical Centre progress for the benefit of the inhabitants of this State, but not at the expense of those who live in the residential areas of Subiaco and Shenton Park. They tell me that this is what democracy is all about. Democracy is a protection of the rights of the minority, and while 600,000 people might benefit from the services provided by the Perth Medical Centre, the people living in that small residential area could well be disadvantaged unless the traffic problem, as such, is solved.

I am aware that we have traffic problems throughout the State. The Minister for Police and the Minister for Transport are both involved, up to their elbows, in traffic problems. However, I suggest that these traffic problems are not as bad as the one which exists in Subiaco and Shenton Park, and which is just a matter of traffic flow design.

If the Minister will give us a written assurance that this problem will be looked at, and acted upon with all expedition, and if I can show that written assurance to the residents of my electorate who are affected, I will then vote for the second reading of this Bill. Until that time I will try to persuade my colleagues to vote with me and oppose the second reading.

THE HON. G. C. MacKINNON (Lower West) [3.08 p.m.]: I am interested in this Bill, of course, because, as the then Minister for Health, I introduced the original measure which is now the Perth Medical Centre Act. Members may recall that because of an argument concerning the powers of this House—and which is yet to be determined—the Bill had to be withdrawn and introduced in another place. Be that as it may.

This present measure, in itself, is innocuous enough. Section 12 of the parent Act allows the trust to set up committees but, unfortunately, the wording of the definition provides for committees only of the members of the trust. Clause 2 of the Bill will amend section 12 of the Act to allow—as Mr. Williams has already mentioned—the appointment of committees comprising other persons. I agree with what Mr. Williams has had to say in this regard.

Proposed new section 13A will allow the trust to reserve other land, and this is a necessary addition. Another oversight in the parent Act is that the trust is able to use only the revenue derived from land, and not the land itself.

The trust can buy, sell, and dispose of land to make use of the revenue derived therefrom but it cannot use the land itself. This omission is catered for in the measure. It is not new that matters should be omitted from parent Acts and, consequently, the additions in the Bill are correct.

What worries me about the legislation is that it is not keeping pace with the developments of the Perth Medical Centre. Initially, of course, the Perth Medical Centre consisted of one hospital—the Sir Charles Gairdner Hospital—the Public Health Department Laboratory Services, which were housed mainly in transportable buildings, and the Institute of Radiotherapy.

The trust was managing the reserve except for that portion which had been excised in order to cope with the drainage problems. This portion is at the Subiaco end and it is still possible to see the sump there now. Endeavours were made to have that transferred onto other land and

at one time we hoped we may have been able to make an ornamental lake in King's Park with the idea of using it as a drainage sump. This proved impossible because of the terrain and, consequently, the sump had to remain on the reserve which, as I have said, has been excised from the management of the trust.

As it transpires, the trust has no authority over the actual complex of hospitals which now exists and, indeed, it has five tenants over whom it has no control. The time has certainly come to establish a co-ordinating body to manage, or control, the total area including the structures upon it —at least inasmuch as it affects outside areas.

I believe it ought to be possible to devise such a body but, at the same time, to leave the individual sections of the Perth Medical Centre with as great a degree of autonomy as is possible. This body ought to be able to cope, in a co-ordinated way, with the problems which are becoming apparent.

Somebody must have total control in the ultimate. This matter certainly cannot be left to five different tenants working quite independently on matters which affect the people who reside in the surrounding area; as Mr. Williams mentioned.

In recent years parking at many hospitals has become a considerable problem—one which has not yet been resolved in a number of places. Even in country areas this causes serious difficulties. For example, alterations had to be made at Albany to cope with the parking problem. To the best of my knowledge, this problem has still to be resolved at King Edward Memorial Hospital—another hospital which affects the residents in Subiaco. Members who travel down that way are accustomed to see cars parked in every side street near the hospital. This must be a great nuisance to the residents.

The problem was foreseen at the Perth Medical Centre and, indeed, adequate provisions were made for parking in the early stages. It was always envisaged that ultimately multi-storied car parks would need to be erected somewhere on the site of the Perth Medical Centre to cope with the ever-increasing number of cars which staff, visitors, and even patients wish to leave in the vicinity of the hospital.

At an extremely large establishment, such as the Perth Medical Centre, the problem becomes acute when the staff wish to disperse. New staff arrive and this creates a rush of traffic into the central area. Of course, the outgoing staff want to return to their homes. As happens so often today, in many cases there is only one person in each motor vehicle. This makes it even more difficult when all are trying to leave at once.

There seems to be little doubt that some interior sliproads—or circuit roads—within the hospital precincts will have to be considered. There is equally no doubt that some method of controlling traffic through the previously quiet residential streets of all the surrounding areas will have to be considered. Streets which were used purely as access ways to highways have, according to my information, become through roads for considerable numbers of motor vehicles. In many cases the people using these roads are anxious to get home or, perhaps when time is running short, are anxious to get to work.

The location of the Perth Medical Centre has always been considered to be good with regard to major access roads. Indeed, through collaboration with the Main Roads Department the major highway was changed, as members would be aware. It is possible to get within the area of the centre with comparative ease.

I believe the Minister in this House needs to make a far more definitive statement than has been made in relation to this measure. The problems associated with the Perth Medical Centre are reaching such proportions that the future welfare of the centre itself could be regarded as being in jeopardy.

It would be a sad day for this State if such an ambitious project were to excite the complete antagonism of all the people living around the centre to the point where such people started to "dislike" the centre. We should all be in the position of being able to be proud of this establishment when it is completed.

Up to date three Ministers have been closely associated with the Perth Medical Centre. Mr. Ross Hutchinson established the various committees which investigated the possibility of the centre. It was during my term as Minister for Health that we were able to have the work started. The conceptional plans had been drawn up and, indeed, one of the hospitals was opened while I was Minister. Mr. Ron Davies has carried on the work as it was planned.

At one stage the Perth Medical Centre was regarded as being something of a model for the world so far as hospital development is concerned. It may well prove to be the case that the use of motor vehicles in and around the hospital, and their dispersal, was not given the depth of consideration which the matter deserved. I believe that before the measure becomes law, these problems ought to be considered by the Minister. A clear and unequivocal statement ought to be made in this House on his behalf. Indeed, some degree of planning ought to be promised in order to alleviate the very real difficulties associated with the traffic problem.

It may be necessary to widen some of the subways. I appreciate that this may be considered to be a waste of money in view of the fact that the future of the railway from Perth to Fremantle is in doubt. However, I believe that wider subways are necessary and that this work ought to be carried out.

The joint planning committee was really not replaced when the trust was established. In fact, it has been working in a somewhat irregular form, I suppose, under the trust. With the passage of the Bill that committee will be able to be properly and statutorily reconstituted.

This is a problem which could perhaps be put rather high on the priority list. It would need the collaboration of the Main Roads Department, surrounding local authorities, town planners, and the like in order to ensure the problem is resolved as quickly as possible and with a minimum of disturbance to surrounding residents. It is in the hope that we will be given that reassurance from the Minister in due course that I give my qualified support to the Bill.

THE HON. R. F. CLAUGHTON (North Metropolitan) [3.21 p.m.]: In the two speeches we have heard we have been given a further hint of an attempt by the Opposition to dictate to the Government and a further manifestation of its attempt to govern by stealth. Nonetheless, there is a very familiar ring to what Mr. Williams, in particular, has said in relation to the traffic problems in Subiaco.

A lady who has lived in Subiaco for a considerable time—a Mrs. Walker—came to me shortly after I was elected to Parliament in order to express her concern about the traffic problems in Subiaco. The problems were related not only to the hospital complex—Sir Charles Gairdner Hospital in particular—but also to other business zoning within the Subiaco district which was being approved by the council. She had the greatest difficulty in getting a hearing with members of the Opposition who represent that district, and I, personally, had an unpleasant experience with the local member when trying to assist Mrs. Walker in connection with one of these problems. If the manner in which he spoke to me is any indication of the way in which he received Mrs. Walker, I can understand her despair. It is evident, however, that being in Opposition is good for the Liberal Party and its members because at long last they seem to have come to appreciate the problems of the people.

The disturbance of residents in the Subiaco district is not new. Traffic has been speeding up and down Herbert Street particularly—where Mrs. Walker lives—for a considerable number of years. It is a problem which is within the province of the local authority and, to a certain extent, the Main Roads Department.

The Hon. G. C. MacKinnon: How do you make out that the local authority could resolve this difficulty?

The Hon. R. F. CLAUGHTON: The local authority is responsible for the local roads; the Main Roads Department is responsible for the major roads. It is not the function of the Minister for Health or those in charge of the Perth Medical Centre to decide which roads will be upgraded or where money will be spent on roads. It is very much a matter for the local authority, in its road planning, to dictate which way traffic will flow through the district.

The Hon. G. C. MacKinnon: Do you think that applies even when the Government imposes something like this within a local government area after the local authority has done its planning?

The Hon. R. F. CLAUGHTON: I would expect discussions to take place between the people planning the hospital, the Metropolitan Region Planning Authority—

Mr. G. C. MacKinnon: They did.

The Hon. R. F. CLAUGHTON: —the Main Roads Department, and the local authority. All these bodies must become involved. Plans would naturally go to the local authority for comment and it would certainly be aware of the plans when preparing the district scheme which it has been working on for some time. So I repeat that the local authority has a very strong say in the way traffic will flow through its district.

I know for a fact that Mrs. Walker had a very difficult time in getting a hearing with the local authority. In saying that, I must acknowledge that the lady is not always an easy person to speak to, but that does not alter the fact that her views are realistic. They concern matters which are extremely important and matters which are working to the disadvantage of the people who live in the district. I think it is not to the credit of the people in authority that they have not paid more attention to her.

Mr. Williams mentioned the Shenton Park lake. A proposal was put forward to provide parking for a group of people who were training for sport in that area, and for that purpose part of the grassed area has been bitumenised. That is a completely unnecessary and unsocial way to treat the area. The people who train there use it for only a few hours a week and the local authority could quite easily have adopted the idea which was put into practice by the King's Park Board in its playground area, where logs are placed around the grassed area to a height of a foot or so above the ground, thus enabling people

to drive up as far as the log barrier. Treatment of that kind could have been given to the area surrounding the Shenton Park lake in order to retain more of the grass. The bitumen does not improve the environment at all. This is an instance where Mrs. Walker's representations were ignored.

I agree with Mr. Williams that there is a traffic problem which has existed for a considerable time. Acknowledgment of that problem is long overdue, and perhaps with his assistance and that of the local member it will be possible to move the local council to do more about the matter itself.

I also agree that the traffic going through the subway creates a problem because it is not possible to make a right turn. This not only causes difficulty for those who want to turn right but it also diverts the traffic into the residential areas. The local authority could have done something about that long before now by taking over some of the land south of the subway and making provision for a right-hand turn.

The Hon. R. J. L. Williams: That would be the responsibility of the Main Roads Department, would it not?

The Hon. R. F. CLAUGHTON: I am not sure whose responsibility it is. However, that does not absolve the local authority.

The Hon. R. J. L. Williams: Did not the Main Roads Department install the traffic lights?

The Hon. R. F. CLAUGHTON: Who else installs traffic lights?

The Hon. R. J. L. Williams: What I am saying is the installation of the traffic lights—

The Hon. R. F. CLAUGHTON: I imagine the lights were installed after discussions with the local authority which could have offered alternative plans if it had wanted to do something about it. This not only affects the people travelling through the area but it also affects the residents—the ratepayers. It is up to the local authority to do more. I do not know how Mr. Williams expects the Minister for Health to do something about it when it is not within his authority.

The Hon. R. J. L. Williams: I see him as a co-ordinator, in the position of being able to bring the various heads together.

THE HON. R. H. C. STUBBS (South-East—Minister for Local Government) [3.31 p.m.]: I am prepared to let the House vote now on the second reading of this Bill. I will then delay the Committee stage until I can seek an answer from the Minister. I thought he had given the assurance in another place when a member asked him the following question—

> I ask the Minister whether he will give us an assurance that he will examine this matter with his ministerial colleague as soon as possible. If these subways were widened to permit right-hand turns to be made into the main artery, I believe the traffic problem would be more than half solved.

And the Minister replied—

> I am quite happy to do that. If the member for Subiaco, the member for Floreat, and I were to get together, we might be able to induce the Minister for Works to press forward with this work. I will certainly give the undertaking that I will confer with him. As a matter of fact, I had already made a note to write to the department to check on the work that had been done on the traffic flow in the area. As far as the Town Planning Department is concerned, I will certainly see what it can recommend.
>
> Finally, I will ask the Hollywood centre to consider the construction of a new road to the east of Kingston Street which will cater for the whole of the traffic flow in the area. In view of the assurances I have given in regard to traffic matters, I hope the Committee will support the clause.

These are my sentiments also. I commend the second reading of the Bill to the House.

Question put and passed.

Bill read a second time.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 4)

Second Reading

Debate resumed from the 18th October.

THE HON. L. A. LOGAN (Upper West) [3.33 p.m.]: Before dealing with the Bill before us, I would like to make one or two observations about local government generally. I am somewhat perturbed at the difference of opinion being created in this field by persons and organisations, some of whom have had no experience in local government whatsoever. And yet, if we left it to these people, they would try to direct what local government ought to do and how it ought to function. They are putting forward opinions which are quite contrary to those of men who have many years' experience in local government. When we have a person of the calibre of Judge Else-Mitchell saying that local government has outlived its usefulness, I just wonder where we are going.

The Hon. R. F. Claughton: Who said that?

The Hon. L. A. LOGAN: Judge Else-Mitchell, and his remarks were reported in the Press. This is a shocking statement for a judge to make. Far from outliving its usefulness, it will be much more useful in the future, despite the fact it has been very useful in the past.

The Hon. R. F. Claughton: Are you sure you have the whole of his quote?

The Hon. L. A. LOGAN: I am repeating what I read. I am perturbed not only at the judge's remarks but also at other comments made—on television and in the Press—by people without any experience of local government.

I am perturbed at the attitude of the State Government towards local government. It has let down the local authorities in Western Australia—and let them down very badly. As a matter of fact, the Government has ignored them.

I asked a few questions the other day on this very subject. I asked—

> Is the Minister aware that an agreement was reached between Government, Opposition and Local Government delegates to the Australian Constitution Convention, the result of which was published in *The West Australian* of Saturday, the 5th May, 1973, to the effect that the States' approach would be that an attempt would be made to strengthen the financial position of the States, with Local Government remaining a purely State concern, and that the States would make grants to help Local Authorities?

This was an agreement reached at a series of meetings between representatives of all parties—the Government, the Opposition, and local government. And yet, on the 17th October, 1973, the Premier (The Hon. J. T. Tonkin) stated that he agreed in principle with the Federal Government's proposal to finance local authorities direct, bypassing State Governments. When I asked what circumstances had arisen to cause the Premier to repudiate the original agreement without consultation with local government, the reply was—

> The meeting to which the Hon. Member refers was a meeting of Premiers at which the Prime Minister made it clear that his Government's policy on this matter was firm.

Of whom are we to take notice? Because the Prime Minister says he will remain firm on this policy, why cannot our own Premier stand up and have a crack back for the benefit of Western Australia instead of sitting here calmly and just taking it? Surely he has better principles than to let himself be led so easily in a situation such as this. After coming to an agreement with the parties, he sits back calmly and accepts a different decision from the Prime Minister. He says, "Because the Prime Minister was firm in his statement, I accept it calmly without a fight". What an extraordinary situation our State is getting into when we have to accept statements like that.

When we look at statements the Prime Minister has made in regard to local and State government, it makes us wonder why we have seen so little action. The Prime Minister has stated unequivocally that as far as he is concerned he wants to get rid of State Governments and he will then recognise 12 cities and 40 or 50 regional areas throughout Australia. This is his stated policy, and yet the Premier of this State sits back and calmly accepts this because the Prime Minister said he was firm in his policy. If it is the policy of the Ministers of this House to see State government go by the board and 40 or 50 regional authorities set up in its place, it is certainly not mine; it should not be theirs either.

The Hon. A. F. Griffith: Your view is shared by many people.

The Hon. R. F. Claughton: We know what your policy is—to dictate to everybody.

The Hon. L. A. LOGAN: This is the Prime Minister's stated policy, which is calmly accepted by the Premier of this State. No wonder I say I am perturbed about where we are going. The attempt to bring local government into the Loan Council is only a means to an end, and that is for the Federal Government to dictate what local government will do. It cannot be otherwise. I stated at the convention it is not loan funds that local government wants. The indebtedness of local government now is too high.

Many local authorities are feeling the effects of too high loan raisings, bearing in mind that every time a loan is raised it must be repaid with interest and sinking fund, and it is a charge upon the ratepayer. So if the Federal Government makes money available to local authorities through the Loan Council those loans must still be repaid, and the repayments of interest and capital will still be a charge upon the ratepayer.

Very few local authorities in Western Australia require more than the allotted quota of $400,000 a year which they may raise at present. So this move is just a blind to get them into the clutches of the Federal Government so that it can dictate what will happen in respect of local government affairs. When the Federal Cabinet started talking about regions in respect of local government, not one of its members—not even the Prime Minister—knew what he was talking about. Now that Government finds it must have a policy to back up the statements it made originally; and the Premier of this State is blindly following the dictates of the Prime Minister.

When in this House I introduced an amendment to the Local Government Act in 1967 it brought the number of amendments made since the consolidation of the two Acts in 1961 to 200. Without counting

them, I presume the number of amendments which have been made would now be well over 300. I think that is proof that local government is keeping up with the times and is not outliving its usefulness. It is essential that the Act be amended as and when problems arise, and the number of amendments indicates that local government is keeping up to date with what is going on in the community.

I noticed in this morning's newspaper that a member of a certain organisation said he intended to try to institute a new system of raising revenue for local government by way of taxes.

The Hon. R. H. C. Stubbs: That gentleman was on my doorstep on the first day after I took office trying to convince me about that.

The Hon. L. A. LOGAN: I think the Minister for Local Government will agree that is an impossible proposition; we all know the Federal Government would not allow such a tax to be imposed because it would be unconstitutional. Such people found organisations and start hammering for these things, but if they only stopped to think they would realise they cannot be done.

The Bill contains some features with which I am quite happy, and some with which I am not happy. Clauses 3 to 6 deal with inserting into the Act reference to chief town planners of local authorities so that they will be covered in the same way as town clerks, shire clerks, engineers, health inspectors, and treasurers. Local authorities would have some safeguard in respect of chief town planners; at the present time they cannot be sacked without the local authority giving notice of suspension, which enables the person concerned to lodge an appeal and attend a hearing. I know the Local Government Association has not commented on this proposal, but I think we will all recall that within the last three years two local authorities in this State were forced to sack their town planners. I believe those local authorities had every justification for the action they took. Had those local authorities been able only to suspend the officers concerned, and had the officers lodged an appeal, the authorities might have had a much harder job to get rid of them because it might have been difficult to convince an outsider, who knew nothing about the circumstances, of the correctness of their actions. It is not easy to get one's story across when one knows very well that circumstances surrounding the action have been building up over a period of four or five years.

Sitting suspended from 3.45 to 4.01 p.m.

The Hon. L. A. LOGAN: Before the afternoon tea suspension I was dealing with clauses 3 to 6 of the Bill which seek to include the interpretation of "town planner" on the same terms and conditions as the officers I mentioned earlier. Those clauses also relate to the qualifications of a town planner. I would like to ask the Minister if he has given any consideration to the letter he received from Mr. Oliver representing the associates and graduates of the Western Australian Institute of Technology on this particular subject, because it seems to me that although the people concerned are qualified in Western Australia by taking 27 subjects through W.A.I.T. over a period of three years full time and five years part time, they cannot qualify, or become eligible to be classified, as a town planner, and, therefore, the qualifications they have gained cannot be put into practical effect.

It is a fact that the Royal Australian Planning Institute accepted men from this State who had gained qualifications after completing only 11 courses in this subject. Therefore it seems strange to me that associates and graduates from W.A.I.T., after having completed 27 courses over a period of three years full time and five years part time, are ineligible. As I have said, I hope the Minister will have a look at the position in order to give me some answer when he replies to the second reading debate, because I am not altogether satisfied that the qualifications required at the moment are the right qualifications.

Clause 7 deals only with those members who are present in the council chamber at the time of taking a vote. I agree with the department that if a member is present in the council chamber he should cast his vote and not shirk his responsibilities. The clause also seeks to clarify the situation so far as voting by voice or by the raising of hands is concerned. I see nothing wrong with that.

Clause 8 seeks to repeal section 174 of the Act and re-enact it with a proposed new section that is outlined. Section 174 deals with pecuniary interest. From my point of view, at any rate, I think the proposed new section contains words which give a clearer definition than the present section, and covers the situation fairly well. The only point I wish to raise about the proposed new section is the increase in the penalty from $200 to $400. I think this is the maximum penalty, but should anybody be charged under this particular section, it will give a lead to the courts that they can impose a penalty to a limit of $400, and yet, in some circumstances, the breach may be only a minor one, and if the court did not adopt the right attitude the penalty imposed could be too great. However I am open to conviction on that.

Proposed new section 174A refers to the application of section 174 and still deals with direct or indirect pecuniary interest,

but there seems to be conflict between paragraphs (a) and (b) of proposed new section 174A. Paragraph (a) reads as follows—

> (a) any contract, proposed contract, proposal, scheme, town or regional planning zoning or use, or other thing in relation to which the municipality is to supply or receive goods or services, or has a direct or indirect pecuniary interest, or in relation to which the council has the power of approval or refusal, shall be taken to be a matter in which a person may have an interest;

Whereas paragraph (b) states—

> (b) in relation to the adoption, modification or revocation of a town or regional planning scheme for any area comprised in the district of the municipality, or to the rezoning of a lot or lots, a person shall be regarded as not likely to be influenced by any interest other than—

The subparagraphs then go on to refer to an interest in a lot to be rezoned, and so on.

So one can have an interest in any contract, proposed contract, or proposed town planning scheme; but in paragraph (b) it states that a person shall be regarded as not likely to be influenced by any interest other than an interest in a lot to be rezoned. Therefore, if one is influenced it could mean a revocation of the scheme. There seems to be a conflict between the two paragraphs. If a man has a pecuniary interest in one proposal, I should have thought he would have a pecuniary interest in the other. I think a better dividing line than that should be drawn.

Clause 10 seeks to amend section 190 by providing that any local authority, when making regulations and by-laws, must give notice in writing, or by publication in a newspaper, that it intends to submit such by-laws and regulations for confirmation, so that any person so affected can have the right to object. I do not think we can take umbrage at that provision.

Section 217 is to be amended by clause 11 which seeks to prescribe the hours during which a hawker can sell his goods and wares. Instead of the hours prescribed in the clause, I think it would have been better if the clause had laid down the trading hours during which the ordinary retail stores operate, because I think there is a difference between a hawker and a door-to-door salesman. A hawker is one who, with his cart or other vehicle, travels around the streets selling his wares, and I would not place him in the same category as the door-to-door salesman, but in the category of the commercial or ordinary businessman. Therefore I think it would have been better to stipulate the same trading hours that are observed by business people; namely, from 8.30 a.m. to 5.30 p.m. However I am open to conviction on that, because my mind is quite open as to the attitude I adopt on the matter.

In speaking to clause 12, which deals with advertising, I would point out I was responsible for setting up a committee many years ago to deal with this matter. It has taken a long while to reach agreement on uniform standards for hoardings, signs, etc. While in Government we were responsible for granting a contract to a person to erect signs on railway property. I think anyone who would care to travel around with his eyes open and to look at the signs and hoardings on railway properties today would agree that there is a vast improvement in their appearance when compared with what they were years ago. Therefore I believe that if the Government seeks to introduce uniform by-laws relating to hoardings, signs, and other advertising matter, it should extend the provision in the Bill to include the Crown so that railway property, and other Government property is embraced to ensure uniformity of standards relating to hoardings and advertising signs. It is of no use trying to achieve uniformity in an area governed by a local authorty if Crown land adjacent to that area is not placed in the same classification. I therefore suggest to the Minister that, when the by-laws are being drafted, he should give some thought to achieving uniformity with hoardings and signs not only on areas that come under the jurisdiction of local authorities but also on properties that are owned by the Crown.

The provision in clause 14 deals with the deferment of rates and charges due by pensioners on properties occupied and owned by them. Such amounts owing to local authorities are increasing steadily, and this creates a financial problem to some local authorities. The amounts that are outstanding on some of these properties are so high that when they are realised eventually, there will be very little if anything left after the outstanding amounts have been paid.

I am aware that the Government has given an undertaking to pay the interest that is due on deferred rates and charges; but even so, a local authority, to which $5,000 in outstanding rates and charges is due, will have to obtain this amount as an overdraft from a bank. Although the Government will pay the interest on such overdraft, we should bear in mind that the $5,000 has to be repaid by the local authority; so, there will be an added charge on the ratepayers.

The Government has now agreed to make funds available to local authorities, and already $500,000 has been allocated by the Government for this purpose. In my view it would be preferable to have all the deferred rates and charges due by pensioners paid out of this cash contribution made by the Government to local authorities. If that is done then the ratepayers will not have to bear the cost of repaying the overdrafts to banks. This particular problem of deferred rates and charges imposes a heavy burden on some local authorities, and it would be much fairer to reimburse them from the moneys that are to be made available by the Government.

The Hon. T. O. Perry: This will become an ever-increasing problem.

The Hon. L. A. LOGAN: Yes, the amount is building up all the time. With the number of pensioners in all categories increasing year by year, so will the amount of deferred rates and charges increase year by year.

The Hon. J. Heitman: We will all be pensioners when the means test is abolished.

The Hon. L. A. LOGAN: That is the reason why I am saying the amount of deferred rates and charges will build up as time goes on. This is a matter of which we should take some cognizance. The present Federal Government promised at the hustings in the last election that within the life of this Parliament the means test would be abolished, if the Labor Party were elected to office. Taking this promise at its face value, when I retire from this Parliament in May next after the means test has been abolished, I will be eligible for the old age pension. In that event I will be permitted to seek a deferment of the rates and charges on the property which I occupy as owner. What a stupid situation will be reached when that happens.

The Hon. A. F. Griffith: That would be pretty silly, taking into account all the money you have!

The Hon. L. A. LOGAN: I did not say that I had plenty of money. That is only a guess on the part of the honourable member. I would not like to think that a pensioner, in the circumstances which I have just outlined, should be given the right to have the rates and charges on his property deferred.

The Hon. F. D. Willmott: Of course, the deferment of rates and charges is not compulsory.

The Hon. L. A. LOGAN: Clause 18 deals with the payment of attendance fees to shire councillors. The Minister has placed certain amendments on the notice paper to alter the context of the Bill. As the Bill is drafted, shire councillors are to be paid travelling allowances and attendance fees. I know when the legislation was first introduced that was not the way in which it was meant to operate. However, the amendments which the Minister has placed on the notice paper will alter the situation.

I am still of the opinion that we should not make it easier for shire councillors to be paid for rendering a service to local authorities. I am sure there are sufficient public-minded people in our community who are prepared to give their services to local government, without expecting any payment. There is no necessity for this particular provision to be in the Act, because I am sure there are many people who are prepared to give their services without reward, and they are prepared to do so for the benefit of the community in which they live. For that reason I shall not support clause 18.

I have no objection to the clause which confers the right on local authorities to chop down trees where they create a danger. However, this will bring about some problems. In my view this power does not extend far enough. Not only do overhanging trees create a danger to fences, but in the metropolitan area they are also a danger to septic and sewerage drains.

The Hon. R. H. C. Stubbs: You are right in saying that.

The Hon. L. A. LOGAN: Perhaps the damage that is caused by the roots of trees to septic and sewerage drains should be covered by the provisions of the Bill. I am aware of many instances where such problems have been created. When these drains are blocked it is pretty expensive to get a plumber to clear them.

In this respect I shall relate my own experience. On one occasion I engaged an expert to clear a drain which had been blocked. After he had done the work, the drain again became blocked at the end of three weeks. I then engaged another expert to clear out the blockage; but shortly after he had cleared the drain, it became blocked once more. On the third occasion I did the job myself.

The Hon. A. F. Griffith: Now tell us more about what you did!

The Hon. L. A. LOGAN: I was able to find the source of the trouble, but the other two experts were not able to find it. I discovered that the roots of the trees from an adjoining property had blocked the drain.

The Hon. R. H. C. Stubbs: The tiny roots penetrate the drain, and they grow within the drain and so block it.

The Hon. L. A. LOGAN: That was what happened in my case. Such problems impose a heavy cost on the occupier or

owner of a property. Clause 20 seeks to include a miners homestead lease in section 533 of the Act. If this clause is agreed to we will revert to the position that existed before the Act was last amended. This clause appears to be in order, and there is no need for further investigation into it.

The appointment of deputies for the chairman of the appeal court is very necessary because at times too much delay has been experienced in the hearing of appeals.

The last provision deals with the responsibility for parking which will now rest with the local authorities, although the responsibility for traffic has been taken from them. It seems to me as though the police want it both ways. They want to control traffic, but not parking.

I know that at the moment the provision is to apply only to the metropolitan area where the police have had control of traffic for a considerable time. However, some local authorities have control of parking and in my opinion the control should not be split. The provisions could quite easily be extended to country areas where the police have taken over the control of traffic and I think this would be rather ironical. The local authorities involved would not have the capacity to deal with parking because their traffic inspectors have been taken over by the police. I think that clause should be reconsidered before we contemplate accepting it.

With those comments I support the second reading and trust that some of the points I have raised will be clarified by other members.

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

ELECTORAL ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 24th October.

THE HON. R. F. CLAUGHTON (North Metropolitan) [4.22 p.m.]: I support the Bill. For some years now I have been involved in elections as an officer and subsequently as a candidate.

The Hon. S. J. Dellar: Very successfully, too.

The Hon. R. F. CLAUGHTON: During this time I have become aware of the difficulties created as a result of the manner in which candidates are denominated on the ballot paper. Long before the present proposal was considered within my party I believed that party designations should be included on the ballot paper because it would be of benefit to the voting public and particularly to those in remote areas. Absentee voters would benefit also because, being away from their electorates, they are unable to obtain the how-to-vote information distributed by the various parties. Consequently they would not be in a position to know for whom to vote in accordance with their political beliefs.

The placing of party designations on ballot papers would also benefit minor parties which would have great difficulty in obtaining the service of supporters to man the booths and distribute how-to-vote cards. For these reasons I consider the proposal in the Bill is sensible and necessary.

Not only will it advantage those classes of people to whom I have referred, but also the major political parties because obviously at times their election-day organisation must break down and they, too, would be unable to distribute how-to-vote cards in all areas.

The cost of providing how-to-vote cards is considerable and this would be of significance particularly to those candidates not supported by a large organisation; that is, independent and small party candidates. Such candidates have difficulty in raising the necessary funds and also in mustering a sufficient number of supporters to enable their how-to-vote cards to be distributed.

All these considerations must affect the effectiveness of the democratic process because some candidates are disadvantaged in comparison with others. Anyone who considers this aspect seriously and feels he has a responsibility to ensure that our democratic parliamentary system functions effectively will support the proposals in the Bill.

We can argue about how far a party supporter should be permitted from the entrance of a polling booth, but that is a mere detail and is certainly not of the same consequence as the general principle concerning the placing of party designations on the ballot paper.

It is realistic to provide that party designations should be registered if the system is adopted. Only in this way can the returning officer or the person who receives the nominations be sure he is doing the right thing by the candidate. He must be able to recognise the name of the political party and I cannot think of any other effective way for this to be achieved than by the amendment proposed. I do not think it would be a hardship for all parties, including my own, to ensure that these arrangements are made in the prescribed time. In addition it would help to prevent any last-minute, frivolous groups from nominating a candidate. Also I believe it is reasonable to expect that a candidate wanting to register a party name should provide proof he has some measure of support. He should not be able to dream up a name at the last moment to suit his particular purposes.

I think that is a reasonable provision, although we do get used to the practices we have deemed to be part of campaigning. All members in the Chamber would be well used to having how-to-vote cards printed and circulated, and most of us have taken part in this practice over a number of elections. Naturally, some of us have some doubts when it is suggested that the practice should not continue. However, we have been assured by the Minister that where such a change has already been made no obvious disadvantages have been created for persons casting their votes, and that is the important aspect with regard to this provision. When a voter is unable to obtain sufficient information in order to cast an intelligent vote, that is the time for us to become concerned. From observations made elsewhere, and from information obtained, that does not seem to be the case.

While there may be some reluctance to accept this new principle, my own view is that if the system renders a more effective and democratic process of electing people to Parliament—and that is the basis on whether or not we should accept this proposal—then the criterion will be met. However, the issue will still remain to be decided within our own State situation. Practices which apparently work successfully elsewhere need not work successfully in this State. The only way to find out is to put them to the test. Our judgment, at this time, can only be based on information gathered from those States where such a practice is followed.

The proposal that a ballot paper will not have to be initialled could help in the functioning of the polling booth on polling day, provided safeguards are incorporated to control and check the issuing of ballot papers. I do not think the Minister went into this matter sufficiently during his second reading speech and I would like him to develop it a little further and explain the provision more fully when he replies. I would like the Minister to explain how the issuing and checking of ballot papers will be controlled.

The provision for a central polling place where absentee voters may attend is an improvement on the present system, and should be of assistance to those who are away from their electorates on polling day. It is another provision which will help make our electoral process more democratic.

It is interesting to note that in South Australia it is proposed to introduce a new form of ballot paper with a single State electorate which shows groupings of parties under party designations, and which also provides for an optional preference form of voting. This system is to apply to Upper House elections in that State and, perhaps, a similar system could prove profitable if applied to elections for this Chamber. I believe such a system would effectively increase democracy for the people in all its reality.

Debate adjourned, on motion by The Hon. L. D. Elliott.

ALUMINA REFINERY (WORSLEY) AGREEMENT BILL

Second Reading

Debate resumed from the 17th October.

THE HON. N. McNEILL (Lower West) [4.37 p.m.]: Members will recollect that when the Minister introduced the Bill to provide for an agreement on behalf of the State with Alwest Pty. Limited and Dampier Mining Company Limited he referred to the fact that in one respect the measure now before us may well be regarded as an amending agreement to the extent that it reintroduces an agreement which was previously entered into in 1970 with Alwest Pty. Limited for the purposes for mining bauxite; for the establishment of a refinery in the Bunbury area; and for all the works associated therewith.

I use the words somewhat advisedly in respect of "an amending agreement" because, in fact, it is not really an amendment; it is an agreement in its own right. There are a considerable number of principles on which I intend to devote some little time, but I will not do that immediately.

I want to refer in more general terms to the agreement and at the outset express some pleasure that the opportunity is available for this venture, we hope, to go forward. Once again I use those words, "I hope" with some qualifications.

Even though the present agreement is before us, it is unsigned and it is conditional, in its implementation, upon a number of things. It is conditional on certain things which I consider need elaboration during this debate. I consider the agreement to be somewhat controversial, and one with which this House should be well and truly acquainted.

I refer, initially, in the overall examination to the fact that when the original agreement—and I am referring to the agreement of 1970 with Alwest Pty. Limited—was introduced into Parliament it caused a tremendous furore throughout the State—and even in this Parliament to an extent—in relation to many of its provisions.

The furore did not necessarily arise because of the significance of the project. The agreement involved the establishment of a refinery and associated works at an expenditure estimated to be in the vicinity of $200,000,000. However, that seemed to

be of lesser significance in view of the fact that so many other agreements had been presented to the Parliament and agreed to. In the light of the other enormous projects which had been commenced in the State, the project in question at that time appeared to be merely another one of these undertakings.

However, even in that respect, the significance has changed considerably since 1970. Unfortunately, we were faced with the situation of an economic downturn and with circumstances which, in themselves, prohibited the operation of the agreement. As a result of that economic downturn, we came to realise how great an impact projects of this nature can have on the entire economy of the State, if they can be implemented. Consequently, I repeat that if the situation is now such that the parties to the agreement—the joint venturers, in particular—are in the position to go ahead and implement the project, in the main this will be of great importance and value to Western Australia.

In the debates of 1970 the questions of environmental control and conservation were discussed at length. Great significance was placed on these aspects in relation to the legislation. I am sure members will recall the debates which took place in the Chamber on these subjects. Emphasis was placed particularly on the inroads which were being made into forest areas as a result of bauxite mining.

I am sure I do not need to remind members that the circumstances, politically, were a little different in those days in that those who now occupy the Government benches were in Opposition. These same members took full advantage of the opportunities available to them to discuss at great length the whole question of inroads being made into forest areas and the destruction of the environment. I recall that particular concern was expressed in connection with State forests, more particularly the Dryandra and Boyagin Rock reserves.

We find that the agreement which is before us today is virtually the same as that which was presented in 1970. Of course, it differs in some respects and, also, the Minister has a number of amendments on the notice paper relating to the definition of "Crown land". Presumably these will be moved at the Committee stage.

I do not intend to discuss in detail the amendments which are proposed but I think they will clarify the reserves and forest areas which may, or may not, be included within the terms of the agreement. This was highlighted in the debates which took place in another place when certain amendments were made. As a result of that debate, an undertaking was given that the matter would be clarified in this House.

I wish to refer to the debate of 1970. I hope members will bear with me for a moment or two because my comments are relevant to the question of the utilisation of forest areas. It has become generally recognised and accepted that if an alumina refinery industry is to be established and if we are to take full advantage of our natural resources there must be some effect upon other natural resources; namely, our timber areas.

In dealing with the debate which took place in 1970 I wish to refer to the provision in the agreement at that time relating to the powers of the Conservator of Forests. It was argued quite strenuously by people outside the Parliament, as well as by some in the Parliament, that the powers available to the Conservator of Forests in respect of the control of forest areas were insufficient to match the demands which could be made by great mining companies when exercising their rights in accordance with the provisions of the agreement.

I have referred particularly to that matter because I, personally, was not greatly impressed with the provision in the 1970 agreement. I felt the wording of the agreement could have been altered to provide the Conservator of Forests with the power to exercise a good deal more influence in connection with the utilisation of areas which carried valuable timber.

At the time I made a suggestion. It will be recalled that I could only make a suggestion, because the agreement before us in 1970 was a signed agreement. I expressed the hope that, in any future agreements of this nature, some attention would be given to this matter. I suggested certain wording which is to be found on page 2656 of *Hansard* of the 25th November, 1970. The wording is—

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

The wording in the agreement which is before us now is exactly the same as the wording in the initial Alwest agreement. I refer members to clause 16(2) on page 39 of the agreement. If members have not checked on the matter, they may accept my assurance that the wording is identical with that contained in the original agreement.

The argument may be advanced that there has been no need to alter the provision because of the investigations and work carried out by the Director of Environmental Protection. The information given by the director is contained in papers which were laid on the Table of the House

when the Minister moved the second reading. The papers have been available to members and I do not wish to refer to them further.

I accept that certain investigations have been undertaken and reported upon. Nevertheless, this agreement remains exactly the same as the 1970 agreement in this respect. I have highlighted this because, in 1970, this became a highly controversial issue, but today it has passed almost without comment except from myself.

I have mentioned that the original agreement was a signed agreement. The agreement before us now is unsigned. The Government will indicate, as it has done in the past, that this is in keeping with the policy it espoused when it became the Government; namely, it would present unsigned agreements to Parliament and thereby give members the opportunity to make amendments to those agreements.

The Hon. R. Thompson: Do you agree with that principle or not?

The Hon. N. McNEILL: Please allow me to carry on, because I intend to examine this proposition. The fact is that we have an unsigned agreement before us and the Government's idea is that further amendments may be made to an agreement which is unsigned. However, such amendments could involve the extensive use of the variation clause. I suppose, of necessity, it could be claimed that the variation clause must be worded in such a fashion that it can cover an extremely wide field.

That is one of my objections to the presentation to Parliament of unsigned agreements. The Parliament does not know at any particular time in what form the agreement has been entered into. Clause 3 on page 2 of the Bill says—

> 3. The execution by the Premier of the State of Western Australia acting for and on behalf of the State of an Agreement in or substantially in accordance with the form set out in the Schedule to this Act is authorized.

The wording is "in or substantially in accordance with". Therein lie some dangers. That may not necessarily be the right word to use, although there may well be some dangers. At any rate, there is some opportunity for making variations which do not have to come before Parliament for perusal and examination. This is the weakness in the presentation to Parliament of unsigned agreements.

The Hon. R. Thompson: That happens with signed agreements.

The Hon. N. McNEILL: Indeed it does. I am glad the Minister said that. However, during the period of the previous Government, when signed agreements of this nature were introduced the variation clauses were very tight indeed. Any variations of even the merest significance were required to be brought to Parliament for ratification. Even in my short period in Parliament I can remember this question being argued very forcibly by members of the Opposition at that time, and particularly by people of the capacity of Mr. Wise and Mr. Strickland. Perhaps there was some justification in the argument that if variations or amendments which could be regarded as significant were to be made they should be subject to examination by Parliament.

The Minister has asked me whether I am in favour of the presentation of unsigned agreements. On balance I would say no, I am not, for the reasons I have given. Perhaps an additional reason for agreements coming to Parliament in this form is that a Government may feel itself insecure in the negotiation of the agreements and may wish to rely upon the Parliament in the exercise of its right to effect certain amendments, so that the Government would then be able to say it was Parliament which made the alteration and not the Government. This is another weakness.

I think it is preferable for the Government to investigate, examine, come to firm decisions, and enter into an arrangement with joint venturers of this nature, and to limit the variations which may subsequently be made to that agreement.

The Hon. R. Thompson: We had a lot of signed agreements during the last Government's term and I disagreed with that practice on the ground that some of the agreements covered the areas I represent and people were forcibly taken from or dispossessed of their homes.

The Hon. G. C. MacKinnon: What do you mean by "forcibly"?

The Hon. R. Thompson: Marched off.

The Hon. G. C. MacKinnon: Forcibly? That is an over-statement.

The Hon. R. Thompson: They had to get out.

The Hon. N. McNEILL: I do not wish to enter into debate with the Minister in relation to his Government's grounds for presenting unsigned agreements to Parliament. He asked me whether I was in favour of this practice and I have given him my answer and my reasons for it. I do not wish to take the matter any further and having made my point I leave it at that.

There are a number of matters in relation to the agreement of which I would like the Minister to take some note with a view to giving us some information when

replying to the second reading debate. Perhaps I should give some background to my reasons for raising these points.

Papers relating to this agreement have been laid on the Table of the House. They include map or plan "X" which delineates the areas covered by the agreement, maps showing the future development of the Bunbury Harbour, and maps of the red mud lakes areas which will be established north of the proposed refinery site. To the best of my knowledge, those maps do not clearly indicate the chief site of mining operations, although we understand it will be in the Boddington area. More particularly, it is not indicated anywhere in the associated papers or the agreement where the railway line from the mine to the refinery will be constructed.

It must be borne in mind that, as plan "X" shows, the area to be covered by the agreement extends from the Helena River catchment area to the south of Collie and further eastwards than the Albany Highway. It is a very extensive piece of land. It may well involve some encroachment on areas covered by other existing agreements, and I refer particularly to Alcoa's bauxite refinery which is already in operation. Because there may well be some encroachment upon the areas already set aside for Alcoa, firstly by the railway, I believe this matter needs to be clarified for the benefit of the House, not only from the point of view of whether such construction, if it does encroach, will affect the future mining operations but also, if those mining operations are not affected, from the point of view of the possible effect on the cost of Alcoa's mining operations in those areas. This has not been made clear to us in the Minister's speech or in the associated papers.

I also refer to the map showing the proposed red mud lakes areas. I accept the statement that this proposal has been well and truly investigated and explored by the Environmental Protection Authority and is considered not to be a potential cause of pollution or contamination of the Wellington Dam catchment areas.

Here again it is my understanding of those plans that the red mud lakes themselves may also intrude upon areas previously covered in agreements entered into with Alcoa. I wonder, therefore, what discussions have taken place between the Government and Alcoa in respect of these matters. Perhaps discussions and negotiations have taken place, but if they have we have not been told about it. For the purpose of proper examination of this legislation, information of this type should be made known to the House.

There is a further matter which is of considerable consequence, and that is in relation to what has been described as the pioneer legislation concerning bauxite mining and alumina production operations in Western Australia—the Alcoa agreement. Members will recall that the initial agreement covered essentially Crown lands—State forests and the like. I am sure members are well aware of the areas covered in that agreement. The agreement contained no provision in relation to private land, or more particularly, private land on which the minerals were reserved to the Crown.

With the introduction of the Pacminex Muchea agreement we subsequently saw that private land was brought in. Once again at that time a good deal of debate took place, and members representing the areas covered in the agreement were very concerned about the duties and responsibilities of the mining companies in relation to work on this private land, the methods of compensation, the rights reserved to the owners of the private land, and, of course, the extent to which the company would have access to the minerals found on the land. The legislation was discussed at length in this House because here was a departure, and a very significant departure, from the conditions which had been entered into with Alcoa. However, the Pacminex Muchea agreement and the agreement before us have this in common: both agreements provide the opportunity to explore and to take advantage of the bauxite, the mineral, on private land where that mineral was reserved to the Crown.

The significance of this is that the provisions once again enable Pacminex, and in this instance, Alwest and Dampier, to make intrusions upon areas which were already covered by Alcoa, but I repeat, the Alcoa agreement did not give the company powers to extend its operations over such private land. In my opinion this can be regarded as somewhat discriminatory treatment and I draw attention to it because in fact the Bill before us provides for the intrusion of other companies into these areas. In the future, more operations of this nature may further encroach upon general areas which had been previously designated to a company, and in respect of which agreements had been entered into at a much earlier date.

Once again I believe we need some explanation about this, and I would like to know also what discussions have taken place with Alcoa in relation to this very question. I would like to make the point that in saying this I do not intend to hold a brief for Alcoa. I am simply stating that as the agreements had been entered into by the Government of the State at that time in respect of the operations of Alcoa, we need to be assured that the rights available to the company under those agreements will still be adequately protected.

On the presentation of the Bill to this House, the Minister gave us to understand that while the agreement is being entered into with joint venturers—namely, Alwest and Dampier Mining Company Limited—when originally it was with Alwest alone, it is intended in this instance that further companies will be involved. It was made clear to us by the Minister that approval of assignment to Reynolds Metals Company of the United States would be given to the joint venturers. He said—

> It is proposed that on authorisation the agreement will be executed and the State will give the joint venturers a letter indicating approval of assignment of a substantial interest in the joint venturers' rights and obligations under the agreement to Reynolds Metals Company of the United States.

The Minister referred to a side letter, and and I will also refer to it very shortly because in my opinion it is possibly of great consequence in the consideration of the entire agreement. In fact, I will go a little further and say that I found it difficult to determine whether the actual agreement was contained in the letter laid on the Table of this House with other documents, or the agreement itself that is before us for consideration. Members will see that I believe the letter is very important. In my view it provides, amongst other things, for a considerable number of departures from the statements made by the Minister in his second reading speech, as well as from the provisions of clauses in the agreement.

The Hon. A. F. Griffith: What I could not work out was why some of the points made in the letter were not put into the agreement.

The Hon. N. McNEILL: I will refer to the letter in a few minutes—it is a fairly lengthy one—and comment on the point raised by the Leader of the Opposition. I think I will be able to illustrate the very point he raised.

I want to draw attention to the fact that the Government has acknowledged there will be other parties to the arrangement and that these companies will be brought within the ambit of the agreement by certain covenants to be referred to also in the agreement, and likewise in the side letter. There is also a provision in relation to the Reynolds company, and the Minister said this—

> The joint venturers will seek Commonwealth Government approval of the assignment to Reynolds, upon which appropriate deeds will be executed.

The Minister also said—

> It is possible also that Reynolds will seek a partner to share its interests in the refinery and its products.

I ask members to reflect for a moment. If the Liberal Government had brought to the Parliament an agrement which made for such flexibility as this, we would have been roasted.

The Hon. A. F. Griffith: Bearing in mind that our variation clauses in agreements were roasted at the time, and subsequently found to stand up. That is why the Government had to bring the B.H.P. agreement back—just to make a simple little alteration.

The Hon. N. McNEILL: It may well be vital and necessary for the successful conclusion of this agreement that other companies will need to be brought in; and in the view of all of us that action may so strengthen the operation and make it so secure and stable that it will be of ideal benefit to the State. I simply draw attention to the fact that we are entering into an agreement between two companies—Alwest and Dampier—and yet the company with which we are really entering into the agreement is Reynolds; and that company may well bring in other partners which may have a considerable interest in the joint venture, to assist in the establishment of the refinery.

It is on that question of interest I would like to dwell for a moment. I do not think I need elaborate at great length on the question of the involvement of the Commonwealth Government in affairs of this nature, which has attracted such worldwide attention that it needs little elaboration. But, nevertheless, I must refer to it. I believe it is of great significance that the joint venturers will seek the approval of the Commonwealth Government of the assignment to Reynolds. Is not this a State Government?

The Hon. A. F. Griffith: Isn't this Western Australia? Don't the minerals belong to us?

The Hon. N. McNEILL: Is not this Parliament and Western Australia at this time sufficiently capable of looking after its own affairs of this type? Of course it is; we established that long before the Commonwealth Government and Commonwealth authorities knew anything whatever about the establishment of great industrial agreements.

The Hon. A. F. Griffith: It has slipped back over the last 2½ years.

The Hon. D. K. Dans: But you never exported anything until you got Commonwealth Government approval by way of license.

The Hon. G. C. MacKinnon: Who do you think is in charge of exports?

The Hon. D. K. Dans: You heard what I said.

The Hon. N. McNEILL: I am not referring to exports; I am simply referring to the need for the Commonwealth Government to approve the assignment to Reynolds in relation to an agreement which needs the approval of the State Parliament. I think it is highly inappropriate that this should happen; but what is of far greater importance and significance to us—and, I am sure, to the joint venturers and the Government—is the fact that this agreement will not proceed beyond this point unless the Commonwealth Government does two things in particular.

Firstly it must give the approval to which I have just referred; and, secondly, it must approve the use of certain funds which have been the subject of great public outcry and discussion. I refer, of course, to the compulsory holding in reserve of what was formerly 25 per cent. and is now 33⅓ per cent. of investment funds. What is the attitude of the Commonwealth Government to this? We know full well that one of the great and limiting factors connected with the establishment of large industries, relying as they do upon the help of gigantic concerns such as Reynolds —probably the second greatest alumina industry company in the world—is that the Commonwealth Government now insists upon 33⅓ per cent. of the funds being invested with it.

We rely on these big companies to assist in the development of these projects; even the present Government recognises that. Yet we have to wait to see whether the Commonwealth Government will give its approval to the assignment, and whether it will grant the joint venturers any concession in respect of the 33⅓ per cent. of the funds which must be held in reserve without earning interest.

I would like to refer to a letter which was written by the Federal Minister assisting the Treasurer (Mr. Frank Stewart) on behalf of the Prime Minister (Mr. Whitlam) and addressed to His Worship, the Mayor of Bunbury. The letter is dated the 16th October, 1973, and is as follows—

> I refer to your letter of 30 May, 1973 concerning the Alwest Alumina project at Worsley.
>
> As regards your reference to statutory deposits, the variable deposit requirement scheme was announced in the statement I made on 23 December 1972. The objective of the scheme is to raise the effective final cost of overseas borrowings and thereby reduce the rate of capital inflow which occurred in 1971 and 1972 which, as I said in my statement, had resulted in a build-up of domestic liquidity to a dangerously excessive level. By moderating the rate of increase in liquidity the measure is designed to permit the Government to manage Australia's affairs in the interest of Australians.

If the State Government is prepared to give its blessing to an agreement of this nature involving great overseas concerns as well as Australian companies, I just wonder whether it subscribes to the principle that what is happening is not in the interests of Australians.

The Hon. A. F. Griffith: Not forgetting the colossal amount of money and effort expended by the company to date in an effort to get the project off the ground.

The Hon. N. McNEILL: I continue to quote the letter—

> Within the defined scope of the scheme there is no provision for the giving of exemptions. A copy of the statement is attached.

I do not think I need to read any more. I emphasise the sentence, "Within the defined scope of the scheme there is no provision for the giving of exemptions."

So where are we to go? Will this be the matter which determines the ultimate fate of this enterprise? If, as the Federal Minister said on behalf of the Prime Minister, no exemptions are to be given, how can a company satisfactorily and economically create this great refinery and carry out the mining operations and all things necessary in association with them, and at the same time have around its neck this tremendous burden of having one-third of its funds tied up? Not only will that percentage of its funds be unusable, but the interest which would be available from its use must be gained from the remaining 66⅔ per cent., thereby virtually increasing the rate of interest by 50 per cent. overall.

We fully recognise that an enterprise of this nature relies so very heavily on market outlets and market opportunities, and its ability to compete economically with other similar enterprises throughout the world; so how on earth can a millstone like this in any way promote the economic structure of a company to a point where it can match that which is being undertaken elsewhere?

The Hon. A. F. Griffith: Not forgetting that the Commonwealth uses that 33⅓ per cent. of the funds.

The Hon. N. McNEILL: Indeed, that is a separate question.

The Hon. A. F. Griffith: For every $100,000,000 of funds invested the Commonwealth has the use of 33⅓ per cent.

The Hon. N. McNEILL: Yes, as the Leader of the Opposition has pointed out, the Commonwealth has that advantage. I come back to this point: How can we justify that sort of action when the highly competitive nature of this business brings the whole basis of negotiation on which

it will operate down to margins, fractions, or percentages; when the provisions in relation to the use of the company's funds can make or break the entire economic operation of the undertaking and in turn will change all those things which, in accordance with the terms of the Bill, will be of tremendous benefit not only to the south-west districts in particular but to Western Australia in general; when it appears that this Government is prepared to be offside with the company in regard to this policy and yet, on the other hand, it is prepared to say, "We need the industry"?

The Hon. G. C. MacKinnon: It is a case of two bob each way.

The Hon. N. McNEILL: The attitude adopted is totally inconsistent. Let me now pass to the terms of the agreement set out in the document and its relation to the agreement itself. I refer to a paper that was tabled in association with the maps and plans. It reads—

> ALUMINA REFINERY (WORSLEY) AGREEMENT BILL, 1973
>
> Draft letter to be signed by the Premier and sent to Alwest Pty. Limited, Dampier Mining Company Limited and Reynolds Metals Co.

That document is to be signed by the Premier.

I am sure it will become apparent to the members of this House that it will be difficult to determine—between this letter and the agreement itself—which constitutes the agreement. I will quote the first page of this document, bearing in mind that it is a letter written by the Premier. It reads as follows—

> I confirm that Reynolds will have the right without the consent of the Minister to assign its rights as assignee under the Agreement to any Company nominated by it which is either incorporated in Australia or registered in Western Australia as a foreign company provided:
>
> (a) any necessary approval of the Federal Government is first obtained;
>
> (b) the assignee executes in favour of the State a similar deed of covenant to that referred to in Clause 20 of the Agreement;
>
> (c) Reynolds is not released from any of its obligations under the deed of covenant executed by it and retains not less than 25% of its interest.

So, in fact, it could be only 25 per cent. There are companies unknown to us, with which agreements can be entered into, that, presumably, will have considerable interest in this undertaking, and the company which is understood to be the interested company—namely, Reynolds—may itself hold only a 25 per cent. interest. Therefore I want to quote from clause 20 of the agreement as follows—

> 20. (1) Subject to the provisions of this Clause the Joint Venturers or any of them may at any time—
>
> (a) assign mortagage charge sublet or dispose of to an associated company as of right and to any other company or person with the consent of the Minister the whole or any part of the rights of the Joint Venturers hereunder (including their rights to or as the holder of any lease licence easement grant or other title) and of the obligations of the Joint Venturers hereunder; and
>
> (b) appoint as of right an associated company or with the consent of the Minister any other company or person to exercise all or any of the powers functions and authorities which are or may be conferred on the Joint Venturers hereunder;

That clause continues on, but, as indicated here, the point is made that first of all we have parties unknown, and the fact that Reynolds, as assignee, would have the right, with the consent of the Minister, to assign its rights. I am sure the House will be concerned to know what will be the rights and obligations of the companies with which the State entered into agreement Reading from the fourth line of subclause (2) of clause 20 of the agreement, the following appears—

> . . . Joint Venturers shall at all times during the currency of this Agreement be and remain liable for the due and punctual performance and observance of all the covenants and agreements on their part contained herein

I will skip the next two lines and continue to quote from the last four lines of this subclause as follows—

> (1) PROVIDED THAT the Minister may agree to release the Joint Venturers or any of them from such liability where he considers such release will not be contrary to the interests of the State.

In agreements of this nature, these provisions, in themselves, are of considerable significance, and, once again, they require some further explanation by the Minister.

Let me now pass to the next item on page 2 of the side letter. It reads as follows—

> I confirm the following undertakings given to the parties to the Agreement and to Reynolds—
>
> (1) that the obligations of the Joint Venturers (as defined by the Agreement) under the

provisions of Clause 5 (2) (b) (ii) and 5 (2) (c) shall not exceed $3,521,000 provided that if the requests to be made under paragraph (b) (ii) and under paragraph (c) above are not made prior to the 1st January 1975 the above amount may be increased to cover the actual increase in direct costs due to any delay in giving such notice beyond the 1st January 1975 and provided further that if the Joint Venturers construct a refinery with a designed capacity of 2 million tons per annum the additional estimated cost of the works not exceeding $150,000 shall be paid to the State;

The first observation I want to make is that I am reading from the side letter and not from the agreement, and to me that seems to be an extremely important provision. In fact, it refers to the upgrading costs to be borne by the company. It imposes a limit—the obligations of the joint venturers shall not exceed $3,521,000—and then a proviso is mentioned. Let me now quote clause 5(2)(b)(ii) and 5(2)(c), as mentioned in paragraph (1) of the side letter I have just quoted to the House. Firstly, subclause (2)(b)(ii) of clause 5 reads—

(ii) upgrade the Commission's existing railway as may be necessary from the point of connection with the railway referred to in subparagraph (i) above to the port of Bunbury so as to make it adequate for the Joint Venturers' requirements as to the transport of alumina and other products and goods and materials required for the construction operation repair and maintenance of the refinery and ancillary facilities;

Subclause (2)(c) of clause 5 then states—

(c) shall request the Railways Commission at the expense of and in consultation with the Joint Venturers to upgrade the Commission's existing railway so as to make it adequate for the Joint Venturers' requirements as to the transport of coal from the point of connection referred to in paragraph (b) to an agreed point in the Collie coalfield;

I suggest there are some inconsistencies in the two statements I have quoted; one from the side letter and the other from the agreement itself.

In clause 5(2)(b)(ii) a limitation is placed upon the cost which the joint venturers may be required to bear. Here again I draw a comparison between this and previous agreements that were entered into between companies and the Government—and, more particularly, the Brand Government—in regard to matters of this nature where the infrastructure was to be provided by the companies concerned or by the joint venturers and would not necessarily become a charge on the revenue of the State.

So we have this opportunity, as provided by this side letter, for the Parliament to give approval to the agreement, and subsequently to the signing of the agreement. All I intend to convey from this comment is there may well be good and sound reason from an economic point of view, and for the best interests of the State and the establishment of the industry, to make a concession of this nature.

It seems grossly unfair that the State may have to bear such a concession, bearing in mind the limitations and restrictions which are placed on the use of finance by the Commonwealth Government.

I refer to paragraph (2) on page 2 of the side letter. It is as follows—

(2) that so long as the Agreement has not been determined the State will refund to the Joint Venturers the advance of $1,500,000 referred to in Clause 5(3)(a)(i) of the Agreement by 20 equal instalments of $75,000 each the first of which is to be made six months after the production date (as defined in the Agreement) and thereafter at six monthly intervals;

Clause 5(3)(a)(i) of the agreement to which that part of the side letter relates deals with the dredging of the Bunbury Harbour. It states—

(3) (a) (i) advance to the State a sum of one million five hundred thousand dollars ($1,500,000) towards the cost of the dredging in progress in the port of Bunbury for an access channel and turning basin, and for the dredging of a berth for the Joint Venturers in that port and also for the reclamation of adequate areas of land for the establishment of the stockpile area;

There is significance in the words "advance to the State" because the money has to be refunded. Overall, there might not be anything wrong with that provision in the agreement, but we should bear in mind that in the original Alcoa agreement tremendous development was contemplated. I refer to the agreement initiated by the Brand Government. The dredging

of the Bunbury Harbour was a very vital question which was dependent on the development of the Alcoa project.

The dredging of Bunbury Harbour is also dependent on the development of the wood chipping industry; and now it will be dependent on the Alwest agreement. However, I am not aware that in the Alcoa agreement there was a provision of this nature, but once again the provision in the agreement before us may well prove to be fully justified.

Bearing in mind the discussions which have taken place in this House, and the criticisms that have been levelled at the Brand Government on the way it entered into agreements to the extent that it was prepared to co-operate with the companies concerned—it was claimed by some that this was at the expense of the interests of the State—the provision in the clause in the side letter to which I have made reference is a curious one. The provision is not in the agreement, but appears only in the side letter.

I now refer to paragraph (3) appearing on page 2 of the side letter. It is as follows—

> (3) that subject to Clause 5 (7) (d) the obligations of the Joint Venturers under the provisions of Clause 5 (7) (b) and (c) in respect of a refinery with a designed capacity of not more than 700,000 tons per annum shall be limited to $550,000 provided that if the refinery has a designed capacity of 1.2 million tons per annum the contribution shall be increased by $60,000;

Clause 5 (7) of the agreement appearing on pages 18 and 19 of the Bill refers to housing, education, hospital, police, sewerage, water supply, main drains, etc., that will become necessary in the existing towns through the establishment of the refinery.

I am sure members recall the impression which was created by the explanation given by the Minister that the infrastructure costs for such additional works as will be necessary in the town, which will either be the location for the mine or for the employees associated with the industry —namely Collie—will be borne by the joint venturers. However, the side letter states that the amount shall be limited to $550,000, and subsequently increased by $60,000. Once again I suggest this is a very significant inconsistency.

Paragraph (4) of the side letter is as follows—

> (4) I confirm the basis upon which land is to be made available to the Joint Venturers at Collie as set out in the report of the State Housing Commission dated the 10th May, 1973;

I would like to comment on that paragraph, but I cannot do so because I cannot find from the papers which have been laid on the Table of the House the report of the State Housing Commission dated the 10th May, 1973. As it is a report by the commission I would ask the Minister whether it has been tabled; if not, is it available for use by members in the consideration of the agreement before us?

The next question I wish to raise is contained in paragraph (5) of the side letter which is as follows—

> (5) that the interpretation placed on Clause 5 (8) as set out in your letter of the 14th May, 1973, is acceptable to the State;

I do not know what that interpretation is, because likewise that letter is not amongst the papers that have been tabled. I would ask the Minister whether he, or the Minister for Development and Decentralisation, will make that letter available to members.

Paragraph 13 (2) of the agreement, on page 36 of the Bill, refers to the contribution by the joint venturers in respect of the provision of water supplies. After listening to the Minister's speech, and subsequently reading it, I came to the conclusion that funds for this purpose would be made available by the joint venturers to the required level, firstly, in respect of the refinery and, secondly, as a result of the establishment of the mining site in the Boddington area; and also for the infrastructure which would be consequent upon this.

However, paragraph (6) (a) of the side letter states—

> (6) (a) that the obligations of the Joint Venturers under the provisions of Clause 13 (2) of the Agreement shall not exceed $1.2M provided that if the commencement date is extended beyond the 30th June, 1974 this amount may be increased to cover the actual increase in direct costs (or a proportion thereof as the case may be) due to the extension beyond such date;

In other words, this is an inflationary provision.

Paragraph (6) (b) of the side letter provides for a refund of the $1,200,000 which is to be advanced. It was certainly my understanding in relation to previous agreements entered into by the Brand Government that infrastructure costs of this nature would be borne by the joint venturers. Once again, this is to be refunded by 20 instalments of $60,000 each.

The Hon. J. Heitman: Will the royalties cover those refunds?

The Hon. N. McNEILL: They may do, but that is a question which would best be answered by the Minister. In any case,

even if the royalties did cover the repayment of those amounts, in what way is the position comparable with other big mining ventures in regard to which agreements have been entered into?

I feel almost apologetic about making this examination, but I am making it very deliberately simply to illustrate that matters of such consequence concerning an agreement before the House are being dealt with in a side letter when, in fact, our usual understanding of side letters is that they are simply for the purpose of clarifying certain situations and circumstances. In this case it is evident that the side letter contains provisions which would have been far more properly included in the agreement itself. That is the important point I am emphasising. I am not necessarily disagreeing with the principles in the side letter, but I simply indicate that they should have been contained within the actual agreement.

Paragraph (7) of the side letter reads—

> (7) that the Joint Venturers:
>
> (a) may use coal obtained exclusively by open cut mining for a refinery with a designed capacity of not more than 350,000 tons per annum;
>
> (b) that 90% of the Joint Venturers' coal requirements for a refinery with a designed capacity of more than 350,000 tons per annum but not more than 700,000 tons per annum may be obtained from open cut mining;
>
> (c) that 80 per cent. of the Joint Venturers' coal requirements for a refinery with a designed capacity of more than 700,000 tons per annum but not more than 1.2 million tons per annum may be obtained from open cut mining;

I read all of that for two reasons. Firstly, I wish to draw attention to the fact that the joint venturers had accepted the proposition that they should use coal. They have apparently found that coal is available in such quantity and is of such a nature that it can be used economically within the operations. Secondly, I wish to draw attention to the fact that we have in the side letter an indication of the arrangements for the very extensive use of open-cut coal.

Once again I refer to discussions held a number of years ago when the question of the utilisation and mining of coal at Collie was of a controversial nature. I can recall the ire in Labor Party circles and in the Collie district particularly as a result of the requirement by the Government of the day that, in the interests of the State and the economics of the operations of State instrumentalities, greater use should be made of open-cut coal. Now, this Government is entering into an agreement in a side letter involving the use of high percentages of open-cut coal. Again, I do not argue with the provision because I believe it is reasonable and right in the interests of the economics of the industry. However, it does highlight the inconsistency of the Government in relation to things of this nature. In the past it has argued violently against propositions of the then Government, but now its attitude is entirely different.

Paragraph (7) continues—

> And that the above percentages would be regarded as equitable apportionments between open-cut and deep-mined coal within the meaning of Clause 14 of the Agreement;

Clearly the side letter is a considerable clarification of the agreement itself. Paragraph (8) states—

> (8) that in the event of the Joint Venturers requiring the State Electricity Commission to provide power to the mine site the obligations of the Joint Venturers to contribute to the capital costs thereof—

And I emphasise the next few words—

> —shall be assessed in accordance with correspondence between Alwest and the Commission concluding with the letter dated the 27th November, 1972.

Obviously these letters are of sufficient significance to be referred to in this side letter, but no such correspondence is to be found amongst the tabled papers. I wonder whether the Minister would inquire as to whether it could be tabled in this House for our consideration.

Similarly on page 5 of the side letter, paragraph 4 reads—

> 4. I refer to a letter written by Messrs. Stone James & Co. on behalf of Reynolds dated the 9th May, 1973, to the Minister for Development and Decentralisation and to a letter from that firm to the Minister for Mines dated the 12th May, 1973.

No letters of that nature are to be found amongst the tabled papers. If the letters are of such significance and are relevant to the agreement then I would like the Minister to make them available. My next reference is to a point to which I have already referred, but not at great length. On page 5 is the following—

> In respect of Clause 3 of the Agreement, I confirm that on the execution of the Agreement the temporary reserve referred to in subclause (2) will be created and rights of occupancy for bauxite granted in accordance with subclause (3) in the form of the

attached conditions. The temporary reserve will initially include the land the subject of any applications for prospecting areas, claims, leases or authorised holdings which are pending at the date of the creation of the temporary reserve. If any of such applications are subsequently granted and registered they will be excised from the temporary reserve.

That is not unreasonable. The letter then goes on to quote the annual fees which would be charged. What I wish to emphasise in the portion I just read is the following—

> The temporary reserve will initially include the land the subject of any applications for prospecting areas, claims, leases or authorised holdings which are pending at the date of the creation of the temporary reserve.

I am sure the significance of that will not be lost on those involved in such applications. It is certainly important and worthy of reference.

I recognise that the agreement is important and that the Government desires to proceed with it as promptly as is reasonable in order that the necessary steps might be taken, particularly in relation to negotiations and discussions which must be entered into with the Commonwealth Government. I know the Government desires the agreement to be approved of.

In the light of the information which is now available to us in the side letter, and in view of its reference to the actual agreement, I hope the Government will be prepared to take a little time and make further information available to the House. It is of some real consequence, not just from the mining point of view or the straightout financial point of view, but in relation to the development of the district.

The construction of the railway is important to the towns of Collie and Boddington, and will cause much disappointment to a great number of people and instrumentalities because the intention of the original agreement with Alwest Pty. Limited was that steps would be taken to explore the possibility of implementing a standard gauge railway. The construction of standard gauge railways has been the key to some major industrial undertakings, and I refer to the standard gauge line from Kalgoorlie to Kwinana. In that case a joint industrial agreement was entered into which provided the opportunity for the construction of the standard gauge line. This was a tremendous undertaking. It would have been impossible had it not been for the mining venture.

It will be a disappointment to the people in the area that although under the terms of this agreement the refinery site will be near Worsley, the existing 3 ft. 6 in. gauge line will be upgraded to a standard suitable for the requirements of the joint venturers. A letter from the Commissioner of Railways in relation to the costs which would have been associated with a standard gauge line has been tabled. The cost was thought to be exorbitant, or beyond the financial resources of the joint venturers and the State, but surely that has always been the situation. That was the situation in relation to the B.H.P. agreement, and it was also the case in the initial stages in the construction of the standard gauge line from Esperance to Kalgoorlie. However, in the long term it becomes good sense from an economical point of view.

We now have an opportunity to create an asset which could be integrated into future development. I refer to the ultimate construction of a standard gauge line from Perth to Bunbury. In my view a standard gauge line should be constructed at least from the connecting point at the proposed refinery to Bunbury itself. We all recognise that during the last two or three years there have been numerous overtures concerning the line from Perth to Bunbury. We presume that Western Australia will ultimately become a standard gauge State in terms of its railways.

The construction of the railway from the refinery to the Boddington site will be at the sole expense of the joint venturers. Of course, I am not necessarily saying that that section should be standard gauge. It will be a railway of a different nature and, perhaps, have no application in relation to standard gauge. However, I repeat that the line from the refinery site —the connecting point—to Bunbury should be further considered.

I feel that I have given this matter sufficient examination this afternoon. I believe I have provided the Minister with ample material on which he will be able to supply further information to the House. I hope the venture will get off the ground, and that the necessary approvals can be obtained from the Commonwealth Government. I also hope the Government will use every endeavour available to influence the Commonwealth Government, and harking back to the letter from Mr. Stewart to the Mayor of Bunbury, there could be need for further examination of the matter.

The Hon. A. F. Griffith: I hope the Commonwealth Government will change some of its policies.

The Hon. N. McNEILL: That certainly would be in the interests of the joint venturers, as well as the commercial sector in this State.

The Hon. A. F. Griffith: It will be in the interests of Australia.

The Hon. N. McNEILL: However, that may not take place.

I conclude with the wish that this agreement will prove to be of great advantage to the State, and that the company and the joint venturers will be able to

negotiate satisfactorily with the partners whom they may have in mind in order that the whole structure will be a viable business working for the benefit of Western Australia.

I agree that the venture will not benefit the areas of Collie and Boddington only but will be of material benefit to the whole of the State. I wish it well and, therefore, I am prepared to support the second reading.

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

House adjourned at 6.00 p.m.

Legislative Council

Tuesday, the 6th November, 1973

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

BILLS (10): ASSENT

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

1. Motor Vehicle (Third Party Insurance) Act Amendment Bill.
2. Official Prosecutions (Defendants' Costs) Bill.
3. Broken Hill Proprietary Company's Integrated Steel Works Agreement Act Amendment Bill.
4. Railway (Kalgoorlie-Parkeston) Discontinuance and Land Revestment Bill.
5. Adoption of Children Act Amendment Bill.
6. Iron Ore (Murchison) Agreement Authorization Bill.
7. Housing Loan Guarantee Act Amendment Bill.
8. Constitution Acts Amendment Bill.
9. Pay-roll Tax Act Amendment Bill.
10. Pay-roll Tax Assessment Act Amendment Bill.

QUESTIONS (2): ON NOTICE

1. POST OFFICES

Country Towns: Downgrading

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

(1) Is the Minister aware of an intention by the Postmaster General to downgrade 34 official post offices in Western Australia to unofficial post offices?

(2) (a) Has the Government had any consultation with the Commonwealth regarding the proposed downgradings;

(b) if not, does the Government intend having any consultation?

The Hon. J. DOLAN replied:

(1) Yes.

(2) (a) Yes. For the information of the Hon. Member, a copy of a report recently received from the Director of Posts and Telegraphs, Perth, is shown below. It will be noted that the action now proposed follows a survey made by the P.M.G's Department in 1970.

(b) Answered by (a).

REPORT

The situation is that because of the continuing financial losses incurred by the postal service of this Department, it has become necessary to review all phases of our operations where it might be possible to achieve economies without detracting from the standard of service. As a result of a recent survey conducted on a national basis the status of some 300 small official post offices is under review. Without exception, these offices are located in small centres where in recent years the volume of business has declined to the point where it no longer justifies retention of official postal staff.

In Western Australia there are some 38 small official post offices in this category and as opportunity offers the method of operation of each post office will be reviewed with the object of converting the offices to non-official conditions. There are, of course, a number of stipulations to be met before the conversion can take place; for example all the permanent staff concerned must be suitably placed elsewhere without disadvantage and we must be perfectly satisfied of the competence of the incoming Postmaster to conduct the office with full efficiency. Under the new conditions each office will offer the same range of postal and telecommunications facilities as at present and to the same standard.

In many cases the change will transfer the post office to new premises and the Non-Official Postmaster will conduct the office in conjunction with a new or existing business. In some cases, however, the post office will not be moved from the existing building and in a number of instances the