I would like the Minister to examine this clause because the word "a" appears twice in line 1 of paragraph (c). I take it that the amendment refers to the word "a" where first appearing. Am I correct?

The Hon. A. F. Griffith: I do not know, but if you just make your point I will have a look at your remarks.

The Hon. R. THOMPSON: If the word "place" is inserted after the word "a" where first appearing, the provison will read—

a place, road or any part of a road . . .

If the word is to be inserted after "a" where second appearing, the provision would then read—

a road or any part of a place, road . . .

I am sure it should be after the word "a" where first appearing.

Other provisions in the Bill do not require a long discussion as I think most members would agree with them. I have studied this measure in conjunction with the parent Act and I cannot see anything wrong with it other than the clause which deals with visiting sporting clubs. I trust that others will examine this provision because, as I said, what affects one area might not affect another. However, I do not believe we should leave any loopholes at this time. We do not want to deny anyone who attends a club for the legitimate purpose of engaging in sport the right to be admitted. We certainly do not want him to sit out in the sun or rain because he is not permitted to enter the building. With those remarks I support the Bill.

THE HON. F. J. S. WISE (North) [5.54 p.m.]: I will not be more than a few moments. I have looked at this Bill with a one-eyed sort of view. I have endeavoured to ascertain in what way it might affect the very large area of the State I have the privilege to represent.

As will be recalled, I asked a question or two the other day with particular reference to the north and the tax being imposed on those there in comparison with the tax being imposed for the time being on those in the south, and I know the Minister is studying that matter.

With regard to this Bill, the only clause to which I wish to refer particularly is clause 9 which deals with section 69. I am very concerned with two aspects of this clause. The first is whether eight hours is long enough because although the duration of the actual playing may be confined to eight hours, there are certain convivialities which occur after matches or games are concluded, and it is not a case of "Time gentlemen, please" for those who have an honorary membership, surely.

The other angle is that I think this part of the Bill needs a second study to decide whether it will embrace the visitors to our State to be present officially at our first test match. Those people will not be actively engaged in the sport and will include the members of the Australian board of selectors and the Australian Board of Control.

The Hon. A. F. Griffith: Have you in mind on the ground or on the W.A.C.A. club premises?

The Hon. F. J. S. WISE: I am referring to the premises. I believe that this provision needs to be broadened to meet circumstances of this kind because it will involve a day-to-day process as the match will extend over several days. The Bill does not appear to specify—

The Hon. A. F. Griffith: Except that it refers to a period of eight hours from the time of posting.

The Hon. F. J. S. WISE: Yes, but three or four successive days will be involved for several people who will not be actively engaged in the sport.

The Hon. A. F. Griffith: I will have a look at that.

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

House adjourned at 5.58 p.m.

Legislative Assembly

Wednesday, the 11th November, 1970

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

CITY OF PERTH ENDOWMENT LANDS ACT AMENDMENT BILL (No. 2)

Introduction and First Reading

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

QUESTIONS (26): ON NOTICE

1. ROTTNEST ISLAND BOARD

By-laws, Regulations, or Rules

Mr. FLETCHER, to the Minister for Lands:

(1) What by-laws, regulations, or rules govern the meetings and general business of the Rottnest Island Board?

(2) Is the board required to make an annual report on its activities, proposed activities, finance, and budgeting?

(3) To whom, in what form, and under which by-laws or regulations are reports made?

(4) For which years has the report been made available to the public?

(5) Why did the practice of making the report public cease?

(6) Are developments, improvements, extensions, and additions subject to any by-laws, regulations, or rules, and under what authority are they carried out?

(7) Do board members receive any remuneration and/or expenses?

(8) Is there any retiring age for board members and, if so, what is that age?

Mr. BOVELL replied:

(1) to (3) Operations of the Rottnest Island Board are governed by the provisions of the Parks and Reserves Act.

(4) and (5) It has never been general practice for reports to be published. However, when a major development programme was instituted in 1961, Parliament was informed.

(6) Parks and Reserves Act.

(7) No.

(8) No.

2. ABORIGINAL TRANSITIONAL HOMES

Stoves

Mr. RIDGE, to the Minister for Native Welfare:

(1) Are wood stoves still being specified for installation in aboriginal transitional homes which are being constructed in the north?

(2) If "Yes" when is it proposed to effect a change to gas or electric stoves, and will consideration be given to conversion in houses already fitted with wood stoves?

Mr. LEWIS replied:

(1) Yes, with the exception of the type 64 housing at Kununurra.

(2) The department has no plans to effect a change to gas or electric stoves but in appropriate circumstances changes may be effected as wood stoves become due for replacement.

3. ABORIGINAL TRANSITIONAL HOMES

Halls Creek and Fitzroy Crossing

Mr. RIDGE, to the Minister for Native Welfare:

(1) How many transitional homes and/or other buildings are programmed for completion at—

(a) the Hall's Creek native reserve; and

(b) the Fitzroy Crossing native reserve,

during the current financial year?

(2) Is the Fitzroy Crossing reserve still being serviced by mobile water tankers?

(3) If "Yes" will he recommend that urgent attention be given to the matter of sinking and equipping a water bore?

Mr. LEWIS replied:

(1) (a) Hall's Creek Reserve 25445—Nil.

A further area of approximately ten acres is being sought for extension of the existing reserve. The Lands and Surveys Department has carried out a survey and on completion and approval of the drawing the area will be vested in the department.

Provision has been made in the current years estimates for a standard set of facilities and twenty cement camping pads to be erected.

(b) The State Housing Commission has prepared plans and specifications for erection of 12 type III dwellings and three sets of standard facilities. Calling of tenders is being withheld pending acquisition of the land for a reserve and sinking a bore to provide an adequate water supply. Gazettal of the reserve is nearing finalisation.

(2) Yes.

(3) Urgent attention is being given to the matter of sinking and equipping a water bore. A quote has been received from a local contractor and this has been referred to the Public Works Department to have the work carried out subject to the quote being satisfactory.

4. EDUCATION

Headmasters: Derby and Wyndham Schools

Mr. RIDGE, to the Minister for Education:

(1) Are there any reasons why an unusually high percentage of the headmasters who have been transferred to the Derby and Wyndham schools over recent years have elected to take advantage of their long service leave entitlement in the year of their appointment?

(2) Considering the high cost which must be associated with transfers to such remote centres, will he recommend that future appointees be selected from people who in normal circumstances would be able to complete at least one unbroken year at the schools?

Mr. LEWIS replied:

(1) Long service leave is a normal entitlement and is dependent on length of service. A teacher's promotion or placement is dependent entirely on vacancies. It is purely coincidental that some headmasters of Derby and Wyndham have become eligible for long service leave at the time of appointment to these schools.

(2) Promotional appointments are subject to defined procedures and are subject to appeal. It would not be possible to make such appointments on the basis as to whether a teacher is entitled to a grant of long service leave.

5. DISTRICT ALLOWANCE

Government Employees: North-West

Mr. RIDGE, to the Premier:

(1) What is the rate of the "district allowance" which is paid to—

(a) salaried officers;

(b) wages personnel,

who are employed by the State Government at—

(i) Carnarvon;

(ii) Port Hedland;

(iii) Broome;

(iv) Derby;

(v) Hall's Creek;

(vi) Wyndham;

(vii) Kununurra?

(2) By whom are the rates determined?

(3) At what intervals are they reviewed?

Sir DAVID BRAND replied:

(1) (a) Salaried Officers—

(i) $250 per annum.

(ii) $605 per annum.

(iii) $555 per annum.

(iv) $555 per annum.

(v) $730 per annum.

(vi) $680 per annum.

(vii) $680 per annum.

(b) Wages Personnel—

(i) $3 per week.

(ii) $6 per week.

(iii) $6 per week.

(iv) $6 per week.

(v) $6 per week.

(vi) $7 per week.

(vii) $7 per week.

Single salaried officers are paid half rates.

There is no differentiation between single and married wages personnel.

(2) Salaried Officers—The Public Service Arbitrator, under Public Service (District Allowances) Award No. 21 of 1968.

Wages Personnel—The Western Australian Industrial Commission under award provisions.

(3) Salaried Officers—Current award operates from the 19th July, 1968 with right to apply for amendment after the 18th July, 1969. No application to amend has been made.

Wages Personnel—Current rates fixed by the Arbitration Court on the 22nd December, 1958, on amendment of the Government Construction & Maintenance (A.W.U.) Award No. 35 of 1952.

No further application to amend has been made.

6. CARCASE MEAT

Imports

Mr. GAYFER, to the Minister for Agriculture:

(1) How much carcase meat has been imported into this State in each of the last five weeks?

(2) From where is the main source of supply?

Mr. NALDER replied:

(1) Apart from 90 bodies of beef imported from South Australia last week there does not appear to have been any other carcase meat imported from other States during the period referred to.

(2) Answered by (1).

7. WANDANA FLATS

Rents, Parking Space, and Net Profit

Mr. GRAHAM, to the Minister for Housing:

(1) What are the current weekly rentals for the various types of accommodation at Wandana?

(2) When were they last increased to the present figures, and by how much in each case?

(3) What were the reasons for the increases?

(4) Are any further increases proposed?

(5) If so, by how much?

(6) What are the reasons?

(7) What is the weekly rental charged for the parking of motor vehicles in the grounds at Wandana?

(8) How many parking places are available for tenants?

(9) Are there any proposals to provide additional parking in the near future?

(10) If so, what and when?

(11) What was the net profit at Wandana in the last financial year after taking into account all factors chargeable under the Commonwealth and State Housing Agreement?

Mr. O'NEIL replied:

(1) On tenancies existing prior to the 12th February, 1970—

One-bedroom flat—$9, $9.50 and $9.70 per week.

Two-bedroom flat—$9.70 per week.

On tenancies as from the 12th February, 1970—

One-bedroom flat—$12 per week.

Two-bedroom flat—$14 per week.

(2) See (1).

(3) To standardise the rents with those charged for other similar commission accommodation.

(4) Further increases are not envisaged at present.

(5) and (6) See (4).

(7) 50c per week.

(8) 43.

(9) and (10) The commission has endeavoured to purchase further parking space, but has been unable to do so at a reasonable figure. Request to the council to widen the roads to provide for angle parking was unsuccessful.

(11) $23,556.

8. BUILDERS' REGISTRATION BOARD

Santina Homes and Mr. and Mrs. P. Pasola

Mr. GRAHAM, to the Minister for Works:

(1) Have either of the following been registered as builders with the Builders' Registration Board—

(a) Santina Homes & Co.;

(b) Mr. and Mrs. P. Pasola?

(2) If so, during what periods?

(3) How many complaints were made against work performed by them?

(4) What action, if any, was taken by the board in each instance?

(5) Did any cases between them and owners go to arbitration for settlement?

(6) If so, what was the outcome in each such case?

Mr. ROSS HUTCHINSON replied:

(1) Santina Homes & Co. has been registered.

(2) Between the 29th January, 1965, and the 26th December, 1967.

(3) Three.

(4) Of these complaints the board directed the builder to carry out remedial work in two instances while the third resulted in a full board enquiry and subsequent cancellation of registration.

(5) Yes—the case which resulted in cancellation.

(6) In view of cancellation, no follow up was carried out by the board.

9. STAMP DUTY

Refunds

Mr. TONKIN, to the Treasurer:

(1) When does he propose to commence action in the direction of refunding receipts duty which has been paid when not legally exigible?

(2) If he intends to repay such moneys is it his intention to refund the duty paid prior to the 18th November, 1969, and also subsequent to the 30th September, 1970?

(3) If he does not intend to refund the receipts duty received in respect of both the periods mentioned, will he explain why?

Sir DAVID BRAND replied:

(1) Shortly.

(2) Consideration is now being given to the periods for which refunds will be made. I hope to make an announcement next week.

(3) Answered by (2).

I might add that I am awaiting the return of Treasury officers from a meeting in Sydney on Friday with Treasury officers of the Commonwealth and States.

10. BUS SERVICE

North Dianella

Mr. CASH, to the Minister for Transport:

(1) Regarding the proposal for the extension of M.T.T. bus route No. 53 into North Dianella, can he advise the date that the new service will come into operation?

(2) What are the details of the extensions particularly in regard to accessibility to shopping areas?

Mr. O'CONNOR replied:

(1) Proposed date is the 13th December, 1970.

(2) Proposed extension — Leonard Street, Rennington Street, The Strand, Alexander Drive, Light Street and Garden Road to a terminus near the corner of Light Street.

Between the hours of 9 a.m. and 5 p.m. it is proposed to deviate all buses to the Dianella Plaza.

11. *This question was postponed until Tuesday, the 17th November.*

12. BRIDGE

Canning River, Maddington

Mr. BATEMAN, to the Minister for Works:

(1) Has a definite decision been made for the building of a bridge to connect Maddington with Thornlie across the Canning River?

(2) If "Yes" what will be the bridge approach road used to connect the two suburbs?

(3) If "No" when will a decision be made?

Mr. ROSS HUTCHINSON replied:

(1) No.

(2) Answered by (1).

(3) This bridge has been given consideration at various times during recent years, but at present there are many other projects in the metropolitan area which have a higher priority. However, it is one of many projects being looked at on a long-term basis.

Some responsibility rests with the local authority, and at this stage it is not known when a decision will be made.

13. TOURISM

Meelup

Mr. BATEMAN, to the Minister for Tourists:

(1) Has the Tourist Development Authority granted any financial aid to the Busselton Shire Council for work at Meelup?

(2) If "Yes" when, and what was the amount?

(3) Is it a fact that Meelup will be closed to campers during the Christmas holidays?

(4) If "Yes" does he agree with this decision?

(5) If Meelup is closed for campers where does the Tourist Development Authority recommend as a site that can be used by those families who for years have spent their annual holidays camping at Meelup?

Sir DAVID BRAND replied:

(1) Yes.

(2) On the 7th May, 1970, a grant of $11,400 was approved as a two-thirds contribution towards the cost of day visitor facilities at Meelup.

(3) I am informed that the camping area at Meelup has been closed by the Shire of Busselton as the facilities for the use of occupants do not meet the minimum standards prescribed under the Health Act and the water supply was a hazard to health. This position is expected to continue over the Christmas period.

(4) Yes. The Government cannot agree that the minimum standards prescribed by the Health Act should be waived in order to permit camping to continue at Meelup.

(5) The Tourist Development Authority reports that there is a considerable number of caravan parks available to visitors to the Busselton area and that a new establishment at Smiths Beach on the Yallingup-Margaret River Road is expected to be open in time to cater for the Christmas holiday traffic.

14. PINE PLANTING

Water Catchment Reserves, Denmark

Mr. H. D. EVANS, to the Minister for Forests:

(1) Has the possibility of planting pine trees in the water catchment reserves of the Denmark district been examined?

(2) If so, what was the result of any such investigations in regard to practicability and desirability of planting pines in this area?

(3) Does tne Forests Department have any intentions in regard to pine planting in the area referred to and, if so, what are they?

Mr. BOVELL replied:

(1) Yes.

(2) A soil reconnaissance was carried out some years ago, but sites available for pine planting were not encouraging either from the soil, or economic aspects.

(3) No.

15. ROAD

Nannup-Busselton

Mr. H. D. EVANS, to the Minister for Works:

(1) When is it expected that construction work on the section of the Nannup-Busselton main road immediately west of Nannup will be completed?

(2) When is it expected that the sealing of this section will be undertaken?

Mr. ROSS HUTCHINSON replied:

(1) The reconstructed section will be primed next month.

(2) The sealing will be carried out in 1971-72.

16. SEED POTATOES

Exports to Ceylon

Mr. H. D. EVANS, to the Minister for Agriculture:

(1) What was the total quantity of seed potatoes exported from Western Australia to Ceylon in—
(a) 1968;
(b) 1969;
(c) the first three quarters of 1970?

(2) Is there any danger of this market for seed potatoes being lost by Western Australia to New Zealand?

(3) In view of Australia's recent gift of flour worth $701,000 to Ceylon, will he make representation to the appropriate Federal authority to explore the possibility of including seed potatoes as future aid to that country?

Mr. NALDER replied:

(1) (a) 500 tons.
(b) 2,100 tons.
(c) 1,900 tons.

(2) The Ceylon Government invites tenders for the supply of seed potatoes from many countries, including New Zealand. This market is competitive and Western Australian growers' interests are closely watched by the Western Australian Potato Marketing Board.

(3) Representation was made to the Commonwealth Minister for External Affairs in April, this year, supporting a request by the Ceylon Government for assistance under the Colombo Plan with the purchase of seed potato requirements.

17. RAILWAYS

Oil Freights: Esperance-Kalgoorlie

Mr. MAY, to the Minister for Railways:

(1) What revenue was obtained by the Railways Department for the transport of oil from Esperance to the Kalgoorlie areas and intermediate points for the years 1967-68, 1968-69, and 1969 to the present time?

(2) With a view to safeguarding this revenue, will the Railways Department be providing standard gauge tankers when this line is upgraded to standard gauge?

(3) If not, what alternative transport will be provided to ensure that this traffic remains with the Government railways?

Mr. O'CONNOR replied:

(1)

Year—	$
1967-68	649,046
1968-69	709,991
1969-70	740,140
1970-31/10/70	271,197

(2) No. At present the oil companies provide their own tanker fleet and their use depends upon the company requirements.

(3) Has not been examined in detail at this stage.

18. NICKEL SMELTER

Anticipated Rail Freights

Mr. MAY, to the Minister for Industrial Development:

In connection with the new nickel refinery agreement, and taking into consideration the new smelter being in full production, will he advise—

(1) What is the anticipated annual tonnage of nickel matte to be forwarded by rail between the new smelter and—
(a) Esperance;
(b) the metropolitan area?

(2) What is the anticipated annual tonnage of fuel oil for generating heat to be railed from Esperance and Kwinana to the new smelter?

(3) What is the anticipated tonnage of nickel concentrates to be railed between Kambalda and—
(a) Kwinana;
(b) Esperance?

(4) With regard to (1), (2) and (3), what is—
(a) the current gazetted rate in company wagons;
(b) the agreement rate?

Mr. COURT replied:

(1) (a) and (b) The projected production of the smelter to be built is 28,000 tons of matte, containing 20,000 tons of metal. As sales agreements for the disposal of the production have not yet been finalised, it is too early to indicate the port of export.

(2) At the designed capacity of 20,000 tons of metal a year, the smelter is expected to use 23,000 tons a year of fuel for heating purposes. Port of origin of the fuel will not be known until arrangements for the supply have been concluded.

(3) (a) 150,000 tons a year which could include some special grades of ore.

(b) 50,000 tons a year.

Note.—See provisions of agreement before Parliament for ratification in respect of minimum tonnages.

(4) (a) and (b) Freight rates are as follows:—

	Freight Rates per Ton	
	Gazetted in Company Wagons	Agreement
	$	$
Matte—		
Smelter to Esperance	16.29	4.14
Smelter to Kwinana	21.87	8.05
Oil—		
Esperance to Smelter	10.24	4.14
Kwinana to Smelter	12.39	8.05
Concentrates—		
Kambalda to Kwinana	13.28	8.42
Kambalda to Esperance	9.77	3.82

Note.—The agreement figures should be considered in conjunction with the capital contribution required of the company.

19. RAILWAYS

Standard Gauge: Kalgoorlie-Esperance and Boulder-Kamballie

Mr. MAY, to the Minister for Railways:

(1) In connection with the provision of standard gauge between West Kalgoorlie and Esperance via Kambalda, what is the total anticipated cost involved, including all sidings, spur lines, and wharf connections?

(2) Is it considered practicable to provide standard gauge access on the wharf at Esperance?

(3) If not, what method of transport will be provided to the ship's side for mineral products as defined in the new nickel refinery agreement?

(4) What is the anticipated cost of providing standard gauge facilities with regard to the Boulder-Kamballie area and from what source will the respective costs be met?

(5) What is the anticipated cost of additional standard gauge rolling stock, other than that required in connection with the new nickel refinery agreement?

(6) Who will be responsible for the cost of the additional rolling stock?

Mr. O'CONNOR replied:

(1) The total anticipated cost is $18,780,000. This includes departmental sidings, spur lines, additional rolling stock but does not include private sidings.

(2) Yes.

(3) Answered by (2).

(4) No investigation has been made in regard to standard gauge to the Boulder-Kamballie area.

(5) $3,144,000.

(6) Cost of the additional rolling stock will be included in a submission to the Commonwealth Government for provision of funds to meet costs of the whole project over and above that which would be provided by Western Mining Corporation and Norseman Gold Mines N.L.

20. POLICE OFFICERS

Resignations

Mr. HARMAN, to the Minister for Police:

(1) How many officers have resigned from the police force since the 1st January, 1968, who have completed—

(a) over 20 years service;

(b) between 15 years and 20 years;

(c) between 10 years and 15 years;

(d) between five years and 10 years;

(e) less than five years?

(2) Is he aware that in some other Australian States provision is made for ex-police officers to rejoin the police force following resignation?

(3) Is such a provision operating in Western Australia?

(4) Is it intended to introduce such a provision?

Mr. CRAIG replied:

(1) (a) 10

(b) 30

(c) 46

(d) 34

(e) 134

(2) Yes.

(3) No.

(4) No.

21. ABATTOIR

South Fremantle Area: Establishment

Mr. TAYLOR, to the Minister for Agriculture:

(1) Has he knowledge of a proposal to establish a new major abattoir in the South Fremantle area?

(2) If "Yes" will he advise details?

Mr. NALDER replied:

(1) and (2) No proposal has been submitted.

22. EDUCATION

School: Phoenix Road-Forrest Road Area

Mr. TAYLOR, to the Minister for Education:

Because of the suggested construction commencing July, 1971, of some 1,000 plus dwelling units in that area lying roughly between Phoenix and Forrest Roads, Hamilton Hill, will he advise—

(1) To what school will children from the area be directed?

(2) If the Education Department holds any land in the area and, if so, will he advise the site location and its area?

(3) If (2) is "Yes" when is it anticipated that construction of the school will commence?

Mr. LEWIS replied:

(1) At present the children will be able to attend either Hamilton or Spearwood primary schools.

(2) Yes. Cockburn Sound Location 401 in Phoenix Street, Hamilton Hill South. The area is approximately 10.5 acres.

(3) A definite date has not been determined, but the situation is under review.

23. HEIRISSON ISLAND

Control and Development: Plans

Mr. DAVIES, to the Minister for Lands:

What are current plans, if any, for future—

(a) control;

(b) development,

of Heirisson Island?

Mr. BOVELL replied:

(a) It is proposed to vest Heirisson Island in the City of Perth when development plans have been finalised.

(b) A committee comprising representatives of the Perth City Council, South Perth City Council, Swan River Conservation Board and Lands and Surveys, Main Roads, Public Works, Fisheries and Fauna and Town Planning Departments has been established to prepare a staged development plan for the foreshores of the Swan River abutting Perth Water, and including Heirisson Island.

Mr. Davies: The island will sink if they are all on it.

24. WESTERN AUSTRALIAN KINDERGARTEN UNION

Government Subsidy

Mr. HARMAN, to the Minister for Education:

(1) What is the amount of subsidy to be paid to the Western Australian Kindergarten Union during this financial year?

(2) Will this subsidy or other payments by the Government cause the fees to be paid by parents in 1971 to remain static?

(3) Is an estimate available as to how much extra per child per week will parents be expected to pay in 1971?

Mr. LEWIS replied:

(1) This is under consideration subsequent to an interdepartmental review.

(2) and (3) Fees paid by parents are decided by the Kindergarten Association.

25. FISHING

Scallop Potential: Cockburn Sound

Mr. RUSHTON, to the Minister representing the Minister for Fisheries and Fauna:

(1) Will he advise the House his department's estimates of the scallop potential in Cockburn Sound?

(2) For how long has it been known to the department there are large quantities of scallops in Cockburn Sound?

(3) Will he advise the House regarding the life cycle of the scallop and the value of this seafood product to the State?

Mr. ROSS HUTCHINSON replied:

(1) The catch of scallops to date from Cockburn Sound is of the order of 4,000,000 lb. weight. The abundance will have been reduced by at least one half. The catch from these grounds in future years is unlikely to reach 3,000,000 lb.

(2) The presence of scallops in Cockburn Sound has been known since at least 1957. A survey of the total abundance had not been undertaken.

(3) (a) The animals breed between two and three years of age. The larvae are free swimming for a short period of time. They then attach to the grass and rocks for two to three months, and then settle on the bottom as a free living animal. This species does not migrate to any extent.

(b) The value to the fishermen of the 4,000,000 lb. taken this year was about $120,000.

26. M.M.G. INSURANCE COMPANY

Collapse: Investigation of V.I.P. Insurance Company

Mr. BURKE, to the Minister representing the Minister for Justice:

As the managing director of Motor Marine and General Insurance Company seems to have anticipated the collapse of his company in that he secured cover for his own vehicle with a large Western Australian company earlier this year, would he, in view of this fact, and in the public interest, investigate the company (V.I.P. Insurance N.S.W.) to which M.M.G. policy holders are being referred to assure these people against any further loss through the failure of car insurers?

Mr. COURT replied:

The company to which the honourable member refers—V.I.P. Insurances Pty. Limited—is a company incorporated under the laws of New South Wales. This company is not registered as a foreign company in Western Australia and no advice has been received by the Registrar of Companies that the company is presently carrying on business within the State.

Little is known concerning the standing of V.I.P. which was incorporated on the 14th October, 1969.

The Registrar of Companies today received from M.M.G.'s solicitors a copy of deed between M.M.G. and V.I.P. dated the 7th November, 1970. This document has been perused by Crown Law Department. I am advised that the document purports to make V.I.P. liable for all claims by current M.M.G. policy holders resident in New South Wales in respect of a period of fourteen days from noon on the 7th November, 1970 until noon on the 21st November, 1970.

The document also purports to give M.M.G. policy holders resident in New South Wales the right, subject to the proposal being acceptable to V.I.P., during the period of fourteen days to take out a new insurance policy with V.I.P. In such a case the amount of the M.M.G. premium relating to the unexpired term of the M.M.G. policy would be credited towards the premium calculated by V.I.P. at its usual rates. No reference is made in the document to any credit being allowed for "no claim bonus rights" as was stated in the Press release issued by M.M.G. on the 8th November 1970.

It must be made clear that the arrangements I have referred to have no application to M.M.G. policy holders in Western Australia. To date Government has not been notified of any similar arrangements concluded between M.M.G. and V.I.P. in respect of policy holders resident in Western Australia.

Policy holders should for their own protection take out insurance with reputable companies.

QUESTIONS (3): WITHOUT NOTICE

1. POLICE OFFICERS

Resignations

Mr. HARMAN, to the Minister for Police:

My question relates, in particular, to the answer the Minister gave today to question 20(2). The Minister replied that he is aware that provision exists in other States for police officers who have resigned to rejoin the Police Force of those States.

(1) Is the Minister aware that a number of police officers in this State who perhaps resigned to seek greener pastures now wish to re-enter the Police Force?

(2) Is the Minister aware that some police officers, who have resigned from the Police Force in South Australia, have been recruited to the Police Force in Western Australia?

(3) Could the Minister explain the reasons for drawing a difference between a police officer in this State who has resigned compared with one in South Australia?

Mr. CRAIG replied:

(1) to (3) I am aware that a number of ex-members of the Police Force have sought re-engagement in the department, but this has not been acceptable. The policy which has been followed over the years is not to re-engage those who have resigned. I am aware that some ex-members of the South Australian Police Force are now engaged by the West Australian Police Force. I might add that some ex-members of the British Police Force are also engaged in the West Australian Police Force. Other police forces are separate entities entirely. We are not bound by policies which exist in South Australia or in any other State in the Commonwealth. The policy in Western Australia, to

the present at any rate, is that we do not re-engage members who have resigned.

2. CLOSE OF SESSION

Legislative Programme and Target Date

Mr. BICKERTON, to the Premier:

(1) Is the Premier in a position to give an indication to the House of the amount of additional legislation likely to be brought forward in this current session of Parliament?

(2) If he is in that position, would he please do so?

(3) Could he give any indication of the particulars of legislation that is likely to be brought down?

(4) Can he give any indication of the $65 question; namely, when he considers the present session will finish?

Sir DAVID BRAND replied:

(1) to (4) Putting first things first, I had hoped—as I am sure others had hoped—that we might adjourn on the 20th November, but this appears to be almost impossible. I have to take the blame for this. More legislation has turned up than I expected and we have had difficulty in getting Treasury Bills completed to bring to the House. Apart from Bills in the Upper House and those on the notice paper, I should say that, including probate and receipt duty legislation which I hope to introduce tomorrow, there should be another six Bills. This is apart from the Loan Bill, which is a formal Bill.

Mr. Bickerton: Are the six Bills important?

Sir DAVID BRAND: All Bills are important.

Mr. Bickerton: Can the Premier give any indication of their contents?

Sir DAVID BRAND: I can only say that I am as anxious to get out of the place as the member for Pilbara.

Mr. Bickerton: That may not be right.

3. SCHOOL TEACHERS

Drugs for Students: Recommendation

Mr. McPHARLIN, to the Minister for Education:

Following the question I asked yesterday with reference to a report in *The Sunday Times* of certain school masters advising students to obtain a certain type of drug, is the Minister in a position to give further information on this?

Mr. LEWIS replied:

Yes. Subsequent to the question without notice yesterday I made some inquiries as promised. I have been reminded that the article in *The Sunday Times* last Sunday mentioned two Perth suburban high schools. It did not say whether they were Government or non-Government high schools and therefore, it has been difficult to identify the schools.

The relieving Director-General of Education (Mr. Barton) has invited parents concerned to supply particulars if they have any factual information on the schools and, preferably, on the teachers concerned so that the matter can be further investigated. Without this information, it is exceedingly difficult to identify the schools and determine whether there is any truth in the allegation in *The Sunday Times*.

PUBLIC ACCOUNTS COMMITTEE: ESTABLISHMENT

Amendments to Standing Orders: Motion

SIR DAVID BRAND (Greenough—Premier) [4.58 p.m.]: I move—

That Standing Orders be amended to make provision for the establishment of a Public Accounts Committee by the following addition to Standing Orders—

CHAPTER 30A.

Public Accounts Committee.

406A. A Public Accounts Committee, to consist of five Members to be chosen as the House may direct, shall be appointed at the commencement of each Session with power to act during the recess. Unless otherwise ordered the quorum of the Committee shall be three.

406B. The duties of the Public Accounts Committee shall be as follows—

(a) To make such examination as the Committee deems necessary of the accounts showing the appropriation of sums from the Consolidated Revenue Fund and the General Loan Fund granted by Parliament to meet public expenditure.

(b) To report to the House upon any items in the accounts referred to in paragraph (a) or any circumstances connected with them to which the Committee thinks the attention of the House should be directed.

(c) To inquire into and report to the House upon any question in connection with the said

accounts which is referred to the committee by resolution of the House.

406C. Upon motion in the usual manner made by any Member of the House any matter concerning the accounts of the Consolidated Revenue Fund and the General Loan Fund may be referred to the Committee. The Committee shall deal with the matter so referred to it as soon as may be practicable and report to the House thereon.

406D. The Public Accounts Committee shall have power to send for persons, papers and records.

406E. The provisions of Standing Orders Nos. 352, 355 to 357 inclusive, 360, 362 to 366 inclusive, 368 to 380 inclusive, shall apply *mutatis mutandis* to the Public Accounts Committee as if set out *in extenso* in this Chapter and as if each of such Standing Orders referred to the Public Accounts Committee instead of a Select Committee or Select Committees.

406F. The Public Accounts Committee shall be deemed a Committee of the House within the meaning of Chapter 29 and the provisions thereof shall be applicable to witnesses desired by or appearing before the Committee.

In moving this motion, I would say that we are preparing for the establishment of a public accounts committee as part of our Standing Orders. Over a long time mention has been made in this House regarding the setting up of such a committee. By and large, we are following the example of Victoria. As I think I explained previously, the Tasmanian, Victorian, and Commonwealth Governments are the only Governments which have appointed public accounts committees. Neither New South Wales nor Queensland —nor ourselves—at that time had a public accounts committee.

I have often wondered whether such a committee is necessary, particularly in view of the changing scene as between the State and Commonwealth Governments, and the many changes which could occur in respect of existing financial matters and financial agreements between the Commonwealth and the State. It has been indicated by the Prime Minister that even though we in this State have been freed from the bonds which bound us to the Grants Commission, and the conditions under which that commission sat in judgment on our accounts and on the size of the grants made, he might well establish a system under which the Grants Commission will make inspections and examinations of all State Government accounts. The Prime Minister has indicated that the States might be interested in this move because none of them has been very happy in the past regarding the allocation of money.

I would remind members that following representations made by the Premier of South Australia the Grants Commission examined the accounts of that State and, as a result, some $5,000,000 was granted to it. I think that was most unexpected as far as South Australia was concerned. So there may possibly be some changes—although I am not saying there will be—in respect of our own accounts. For those reasons I wondered whether a public accounts committee would be as valuable as some people thought.

However, we are now committed, and I ask members to appreciate that Parliament will be prorogued in the near future and that the appointment of the committee can be made only at the beginning of a new session. After the election, whoever sits in this seat will have the right to name the committee which will examine the accounts as from the beginning of next financial year.

I do not think there is anything more I can add. I believe it is fair to say that experience may show that alterations can be usefully made to the Standing Orders under which the committee is appointed. It may become clear to members of the committee, as a result of their experience in matters of public accounts, what alterations can be usefully made.

Debate adjourned, on motion by Mr. Bickerton.

Statement by Speaker

THE SPEAKER (Mr. Guthrie): I would like to make a short announcement before we proceed with the next item. As members know, we have an established procedure when dealing with amendments to Standing Orders. In the past we have always dealt with the amendments separately. However, the motion before us should be taken as a whole because the whole proposition really hangs together. But that will not prevent members from moving amendments to the motion if they so desire.

If any member has a desire to move an amendment I would ask him to refer it to me before the matter comes up again for debate so that I may consider the procedure to be adopted. Members will appreciate that the debate on the motion before the House will in effect be a Committee debate held in the House.

NICKEL REFINERY (WESTERN MINING CORPORATION LIMITED) AGREEMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 5th November.

MR. MOIR (Boulder-Dundas) [5.08 p.m.]: This Bill is to ratify an agreement which provides for a nickel refinery to be established on the eastern goldfields, and

it is most welcome in some respects. It will fulfil the hopes of people in Kalgoorlie and Boulder who, ever since the mining of nickel on a large scale at Kambalda commenced, have envisaged the ultimate establishment of a nickel refinery somewhere in this State. Of course, they hoped it would be established in or adjacent to Kalgoorlie.

Let me hasten to add that people with some knowledge of smelters hoped that it would be established some distance away from inhabited areas. This is to be the case under the Bill, but the smelter will not be established as far away as I and some other people would like. The establishment of the refinery comes at a time when there are mixed feelings amongst the people of Kalgoorlie. The events that have taken place there over the past few years have caused much apprehension and much jubilation. The upsurge which has been experienced in that area for some time now is an upsurge that people did not imagine could happen, or did not envisage happening on the present scale.

It is true that the establishment of the smelter will not counterbalance the waning of the goldmining industry; but it will at least help. At the present time—and for some time past—Kalgoorlie is enjoying a period of prosperity as a result of the tremendous amount of search and exploration for nickel and other associated minerals being carried out in the surrounding districts. It is hard to forecast how long that situation will last. The exploration is causing a tremendous amount of money to be spent in those areas within a few hundred miles of Kalgoorlie, and it is resulting in a large amount of work. A large work force is engaged by the multitude of companies and syndicates which are carrying out exploration work—every one of them, of course, hoping to find the magic metal, nickel.

Some knowledgeable people assume and expect that it will take many years of exploration before some areas are discarded as not having nickel potential. One of the tantalising things about nickel is that it seems it may be found almost anywhere, and the indications of it are widespread. Of course, where there are indications exploration will take place.

As I said, the exploration has proved to be most beneficial not only to Kalgoorlie but also to some of the outlying centres which were struggling for existence before the advent of nickel. The goldmining industry is waning and the Federal Government is apparently reluctant to come to the aid of the industry in a substantial manner. I interpolate here to say that we all know, of course, that a subsidy of $8 per ounce, with certain conditions attached, has been paid for some considerable years to those mining companies which qualified. However, for a considerable time approaches have been made to the Commonwealth Government to increase that subsidy to at least $12 an ounce in order to enable the goldmining industry to carry on.

This State owes much to the goldmining industry; indeed, the Commonwealth owes a lot to the goldmining industry as a result of what the industry has done for the State and the Commonwealth in years gone by. It is a matter of regret that the Commonwealth seems to be so reluctant to give something substantial to this industry to enable it to carry on. Everybody who is conversant with the goldmining industry knows that it has been battling for many long years against increasing costs and a fixed price for its product. It is only a matter of time, of course, before the inevitable happens and costs catch up with profitability making it impossible for the industry to carry on.

On the profit motive alone the companies can no longer carry on. The reserves of gold-bearing ore are not exhausted although they are not as great as they were some years ago. To me this seems to be a national disaster, and many people agree with me; that is, due to a lack of sympathetic treatment by the Commonwealth Government, a large industry, like a clock that has not been wound, is running down and will eventually come to a halt with gold-bearing ore still remaining in the ground to be mined. In my opinion, once the goldmines close they will not open again even if the price of gold is double the existing price.

So it is indeed heartening to see an upsurge in the mining of another type of mineral; and, with the major discoveries that have been made at Kambalda and in the vicinity of that centre, one can look forward to many long years of nickel mining on a large scale in that area. Indeed, the position is such that it is very difficult to assess the life of this mineral field because, as exploration continues, more and more deposits of this metal are found and indications of further deposits are being given, all of which adds up to many large deposits of nickel that will be mined in the future.

It is known that even miles away from Kambalda—at St. Ives—large deposits of nickel are unexplored and their extent is unknown. These deposits are part of the Western Mining Corporation complex, so it is with complete confidence that the corporation has decided to establish this nickel smelter in the vicinity of Boulder and Kalgoorlie. I interpolate here to point out that the Minister for Industrial Development is a little out with his electoral geography. In his remarks I notice he said that the smelter site was within the boundaries of the Kalgoorlie electorate. That is not so, because actually it comes within the boundaries of the electorate of Boulder-Dundas.

This brings me to a matter that has caused some concern on the eastern goldfields. Although the Minister stated that the site of the smelter was situated some 9½ miles from the Kalgoorlie Post Office, and it may be considered by some people that this is a reasonable distance for the smelter to be erected away from habitation, it must be realised that the southern extremity of South Boulder is 3½ miles from the Kalgoorlie Post Office.

This means that the site of the smelter works will be six miles from habitation at Boulder. When we bear in mind that in the evening during the summertime the prevailing winds are from a southerly direction, it will be realised that the fumes from the stacks of the smelter would most certainly reach the southern outskirts of Boulder, even if they did not reach Kalgoorlie. However, I will have more to say about that later in my remarks.

Although the smelter is to be erected in the Kalgoorlie area, it has to be borne in mind that the Kwinana nickel refinery will continue to refine concentrates of the order of 15,000 tons a year, and the Minister has informed us that, with the addition of matte nickel, this rate of production could be considerably increased and, indeed, could reach 20,000 tons a year.

At this point I offer my congratulations to those people who represented the Western Mining Corporation during the negotiations, because I consider they performed a wonderful job on behalf of the corporation. Reading through the agreement one cannot help but be struck by the fact that the corporation has gained some excellent concessions. I am not critical of that, because it is only to be expected that a large concern, risking the money it has, and entering this project on the scale it has, would naturally want to obtain the best bargain it could possibly get. On the other hand, we have to remember that the people who are the Government are charged with the responsibility of obtaining as good a bargain as is possible for them to obtain on behalf of the State.

I know many benefits will flow to the State from the agreement, but I cannot help but think that possibly the State could have obtained better terms than it has. Nevertheless, I do not wish it to be thought that I am critical of the efforts of the corporation. I have always had great admiration for the Western Mining Corporation and on several occasions over the years I have spoken very favourably in this House about its activities in this State.

In conjunction with the smelter, or as part of the agreement, 246 square miles of laterites situated at Ora Banda will be made available to the corporation. The deposits contain very low-grade ore, but the corporation will be greatly assisted, in treating the richer ore, with the addition of this low-grade ore.

I am not well enough versed in the technique of smelting to say whether the low-grade ore can be smelted with the richer ore, or whether it must be smelted in a separate process.

We have been told that the corporation's first choice of a site for the smelter was Port Pirie, the second choice was Kwinana, and the third Kalgoorlie. I can well imagine that the Government would have a sound bargaining point in insisting that the site of the smelter should be in Kalgoorlie, because it will have a fairly large say in what royalties shall be paid by the corporation for the mining of this mineral. I could not imagine any wide-awake Government permitting the smelter to be erected out of the State at Port Pirie. From the point of view of economics, the Minister did not give us any alternative figures on what it would cost to establish the smelter works at Kalgoorlie or at Kwinana, so we are not in a position to judge which was the best site. I take it that the corporation was quite satisfied it could carry on its operations on the Kalgoorlie site profitably.

I mentioned previously that the smelter is to be sited 9½ miles from Kalgoorlie, and at first glance this would seem to be a fair distance from habitation. However, it is only six miles from the southern extremity of Boulder, and if one bears in mind how Kalgoorlie is expanding at present, a large area of South Boulder could be the site for the erection of further homes in the future, which would mean that habitation would be brought closer to the smelter.

The problem associated with the smelter is that SO_2, or sulphur dioxide, fumes will emanate from it. I did solicit some information from the Minister when I asked some questions of him during the introduction of the Bill. He pointed out that very rigid tests were to be made as to the sulphur dioxide fumes that will come from the smelter. He said that the clear air authority, together with the Government and the corporation, had decided that not more than 20 parts of sulphur dioxide per 100,000,000 would be allowed to escape into the air. Unless strict supervision is kept over the emission of fumes the figure could be much higher than that.

I want to take issue with the Minister for Industrial Development on what he said when introducing the Bill. He stated that, over the years, the people at Kalgoorlie had become used to the fumes of sulphur that were discharged from the mines on the Golden Mile. I hasten to assure him that that is not so. It is a problem that has caused a great deal of trouble at Kalgoorlie, and members of Parliament have made many representations to the Health Department and Ministers of other departments over the years, but we always seem to come up against a brick

wall. For the Minister to say that the fumes have not done any harm in Kalgoorlie is completely wrong, because I can inform him they have done harm and have been the cause of quite a few people leaving the goldfields.

There is emission of fumes with a fairly high sulphur content from the mines on the Golden Mile, where the ore is subjected to a roasting process. In this process the fumes are emitted into the air. This has become a serious problem to the Eastern Goldfields High School, and many complaints have been received. From time to time officers of the Public Health Department have made checks in that locality, but each time they have reported that the fumes being emitted were not detrimental to health.

Along with other members of Parliament representing the goldfields, I have made inquiries over the years as a result of complaints received. On several occasions we visited the Eastern Goldfields High School and discussed the problem with the different headmasters. From our discussions we learnt that the sulphur fumes were nothing more than an inconvenience to the normal healthy person; but to anyone with lung trouble of any type these fumes had a severe effect. We were told that children who had complaints like asthma could not continue studying when the wind blew the sulphur fumes over the school area, and they had to be sent home. They were affected so severely by the fumes that they could not continue with their school work.

At one time a number of complaints were received from the teachers at that high school, particularly the female teachers. They claimed that their nylon clothing was affected by the sulphur content of the fumes; that the fumes caused holes to form in the nylon.

I remember the occasion some years ago when a tree-planting programme was being carried out at the Eastern Goldfields High School. I noticed that the gum trees and other varieties of trees were badly scorched by the sulphur fumes; so these fumes are not entirely innocuous.

I live in an area where the fumes are brought in by the easterly winds, or when certain weather conditions prevail. Quite a lot of the plant life in my garden becomes scorched when the fumes settle on it. I cannot, therefore, agree that anyone breathing in air containing these fumes will not be harmed. In these days we hear many warnings about the damage that is caused to the lungs by inhaling tobacco smoke and nicotine; so I cannot imagine that breathing in air containing sulphur fumes and other fumes is beneficial to health.

One provision in the agreement rather intrigues me: the one which provides that a chimney stack 500 feet high is to be constructed at the smelter. I want it to be understood that I am not criticising the Government for including this requirement in the agreement, because in my view it is a good one. However, I am a little amazed to know that the company is to be permitted to erect a chimney stack of that height, in view of the refusal of the Department of Civil Aviation to permit chimney stacks of that height to be built.

When the problem of the emission of sulphur fumes from the mines was raised on previous occasions, proposals were put forward for the height of the chimney stacks to be increased so that the fumes would be carried away from the settled areas and thereby reduce the nuisance. Invariably we came up against the opposition of the Department of Civil Aviation, which has laid down that no chimney stack in that area is to be higher than 212 feet. As a matter of fact one of the stacks on the Golden Mile exceeded that height by 8 inches, but on no account would the department permit it to remain at that height.

A former colleague of mine, the late Mr. Emil Nulsen, tried very hard, when he was Minister for Health, to have something done about this question of the height of chimney stacks, but he was constantly up against the D.C.A., which would not permit the height of chimney stacks to be increased. It therefore intrigues me to know that in respect of the smelter, the corporation is to be allowed to erect a chimney stack of 500 feet.

Mr. Burt: The Golden Mile is much closer to the airport than will be the smelter.

Mr. MOIR: Yes. This chimney stack will be about seven miles away from the airport; but to aircraft which travel at high speeds this distance is insignificant. I would like to be assured by the Minister for Industrial Development that the requirement of building a chimney stack of 500 feet has not been included in the agreement with no likelihood of its being fulfilled. It should not be included in the agreement with the company, only to discover later on that the company is not allowed to build a chimney stack of that height.

I sincerely hope that the provisions in the agreement will be adhered to, particularly in respect of the emission of fumes. I trust that this matter will be effectively policed. I hope the Minister will not be carried away by the comments of some people: that the residents of Kalgoorlie are quite used to sulphur fumes. I can assure him they are not, and that any addition to the fumes which are being emitted will not please those people.

The Minister pointed out that in the course of time—I think the period allowed is five years—the company will have to make investigations into the possibility of

processing the ore at the smelter to produce the by-product of sulphur, from which sulphuric acid can be manufactured. I am pleased to see this condition included in the agreement, because the question of the nuisance created by the sulphur fumes has often been raised in the goldmining industry. Many people have asked why the sulphur fumes are allowed to belch up the chimney stack instead of being turned into a by-product which could be produced profitably. Invariably we are assured that it is a question of economics.

I remember that some years ago I suggested that pyrites from Norseman should be processed at Norseman, so that sulphuric acid could be manufactured there. I was told—and I accepted the statement—that the transport of sulphuric acid was a very hazardous undertaking and was a problem which at that time had not been solved; therefore the establishment of such an industry at Norseman was ruled out.

On this occasion the Minister seems to be quite certain that sulphuric acid can be manufactured at the smelter site. If it is, then the sulphuric acid will have to be transported from there. I am wondering whether the Government has investigated the feasibility of transporting the sulphuric acid, and whether the transport of this product still constitutes a danger to the railways.

In introducing the second reading of the Bill the Minister for Industrial Development stated that the nickel matte to be processed at the smelter will be in the order of 70 per cent. nickel. He did not say whether all the production will be treated at Kwinana. I think he mentioned that ore with a lower content of nickel will be treated at Kwinana, and that the nickel matte that is produced there will be in the order of 99 per cent. nickel. I am pleased to know that.

I refer to one aspect, and this has not been mentioned by the Minister directly although he mentioned it indirectly. He talked about the processing of other minerals associated with nickel at the smelter. In his reply to the second reading debate I would ask him to tell us what is to be the position in relation to the copper content of the ore. Some of us know that when the ore is treated in the concentrating plant at Kambalda the copper concentrates are deposited on one side and the nickel concentrates on the other.

I would also like the Minister, if possible, to give us some information as to whether platinum will be extracted from the ore. I understand that the Kambalda ores contain a certain amount of platinum, and I have been told by people who are connected with the industry that ultimately the platinum that is extracted will pay for the cost of mining the nickel. I have no substantial grounds for saying that, except to point out what I have been told by technical men who are closely connected with the industry. Nevertheless, it is interesting to note what they have said.

The Minister told us that after the construction stage about 250 persons will be employed at the smelter, and this is welcome news. I have heard some people compare the employment that will be provided at the smelter with the employment that has been provided by the goldmines; and they seem to have the idea that the employment which will be available at the smelter will balance the unemployment situation in the goldmining industry. That will not be so. In years gone by some shafts on the Golden Mile employed close to 250 men. As a matter of fact, for many years the Lake View and Star employed around 800 men on its mining operations, and the Great Boulder mine employed 750 men on its operations. So we can see that the figure of 250 men who will be employed at the smelter is not a very high one, compared with the employment that was available on the goldmines. However, this new avenue of employment will be welcome.

One matter which the Minister mentioned will, no doubt, be applauded; that is, the agreement with the company provides that no houses are to be built at the smelter or the smelter site. I think everybody is happy with that provision because, unfortunately, in the past houses have been built on mining leases and on mining properties. Those houses have caused no end of trouble and heartache to people in later years. I, and other goldfields members, have had some problems to sift out where people had built on what were mining leases at the time of building. They had no right or title to the property but in subsequent years the property changed hands until a purchaser, who had probably resided in the house for many years, discovered he did not own it and did not have a title to it at all.

Mr. Bovell: I took unprecedented action to grant freehold titles to many people. That action had never been taken before.

Mr. MOIR: I know. We had to go to tremendous lengths, and one case which comes to my mind concerns a house which was built on a mining lease. The house was sold by an agent, and the purchasers lived in it for 29 years. The purchasers naturally concluded that they owned the property. However, somebody made an application to the Lands Department to have the area of land subdivided and opened up, and another person purchased the block on which the house was built. I think it took 12 months to straighten out the tangle, and get a title for the person who originally bought the property.

In the first place the blocks had been surveyed, but not sold. However, people had built on those blocks and that is where

the problem originated. An additional problem arose when it was discovered that four houses had been built on the boundaries of blocks. That necessitated a resurvey by the Lands Department and finally everyone concerned got a title to his land.

I am not suggesting that could happen under present circumstances, but I do suggest that, because of the health hazard and other problems involved, houses should not be built on mining leases. As the member for Murchison-Eyre has said, a mistake was made, unwittingly, at Kambalda. A sizeable portion of the town has been built over nickel deposits. The corporation did not intend that that should happen but it was subsequently discovered that a sizeable deposit of nickel existed in the area where the houses had been built. When companies start to build in mining areas they do not know what will be forthcoming.

I notice the capacity of the refinery, initially, will be 125,000 tons of ore per annum which will result in 20,000 tons of matte containing up to 70 per cent. nickel. The Minister also said that the capacity of the refinery might be doubled, and I have no doubt that if the economics of nickel mining continue we can confidently look forward to the capacity of the smelter being doubled. Because of the potential of the area, and of nearby areas, there will be a great demand made by other companies on the smelter.

Here let me say there is no doubt that the Western Mining Corporation is in the box seat as far as the treatment of nickel is concerned. The Minister expressed the opinion that other smelters would be constructed at Kalgoorlie, but I doubt very much whether that will take place. The Western Mining Corporation is in on the ground floor, and it will establish all the facilities. With the concessions granted by the Government the corporation will have a big advantage over any other company that wishes to set up a smelter in the area.

I do not begrudge the corporation being in that position because I think the initiative it has displayed should be rewarded. However, I think there should be a balance between the advantages of the Western Mining Corporation and the disadvantages which other companies may face in the future. For instance, the Minister mentioned that the corporation could purchase ore from mining companies or it could treat the ore on a toll basis, but there was no mention of the price to be charged. I suppose if there is more profit involved in another company treating its own ore and shipping it overseas to Canada or Japan then that other company will do so.

The Western Mining Corporation has an advantage inasmuch as it can charge what it likes; it is not tied to any particular price. The price might be incorporated in the Bill before us, but I cannot see that there is any limit on what will be charged. However, the Bill takes quite a lot of understanding.

I have already mentioned the large area of land at Ora Banda which is reserved to the corporation. The area is 246 square miles, and it is reserved until 1975 on the basis that the area will be reduced by one-quarter each five years. During that time the corporation will explore the reserve, and it has a further three-year period during which the land can be changed to a mining lease. It is logical to assume that if an area shows any potential it will be turned into a mineral lease.

I notice that in addition to that large area of land the corporation will have preference over other areas. The agreement is silent about those areas, and I do not know whether or not the Minister for Mines will reserve even further areas.

The Minister directed our attention to clause 10 of the agreement which lays down certain provisions. It is a lengthy clause and I do not propose to read it to members, but it sets out that the corporation is to have prior rights to the large area of land at Ora Banda. If the reserves are turned into leases the corporation will hold them for 21 years with the right of renewal for a further 21 years. There is provision for a further renewal at the discretion of the Minister. I do not think there could be any quarrel with those provisions.

The corporation will be operating, as the Minister stated, when most people in this Parliament have long passed away, and it is only right that it should have large reserves on which to work. I must qualify that statement by saying that in ensuring a long life for the smelter project we should not allow a very large area to be tied up for too many years. We have to remember that a mineral can be in demand at a certain time, but as the years go by the mineral could be superseded. It is quite possible—perhaps not very probable—for the value of nickel to decline but the nickel bearing areas would still be tied up.

The agreement contains provisions relating to railways, but I do not propose to deal with that subject as I think other speakers will have something to say in regard to it.

I am a little concerned with the rate of royalty which is to be paid by the corporation. The royalty will be the same as that formerly set out in the original agreement with the Western Mining Corporation. We know that the nickel industry is very lucrative and it is possible for a higher rate of royalty to be paid. The agreement also sets out that there will be no discrimination against Western Mining Corporation as far as royalties are concerned.

As I said, I am a little concerned about that provision because another nickel mining project might run into economic difficulties, and the Government would be able to assist that project by lowering the rate of royalty which it was paying. In this manner the richer companies would subsidise the poorer relations.

I know that for many years the Labor Government granted a lower rate of royalty during the initial stages of the beach sands project at Bunbury. In fact, I think we waived the royalty altogether when I was Minister for Mines. Also, royalty concessions were given to the pyrites industry at Norseman. Of course, that does not mean it would be right and proper to allow concessions in the way of royalties to an industry which was flourishing. However, it appears to me that could happen under the present agreement. It probably would not happen—the Government would not agree to a decrease in the rate of royalty—but I am pointing out that the present provision will prevent the Government from giving well-merited assistance to some sections of the industry which may run into difficulties and suffer hard times. If the rate of royalty is lowered for any company operating in the nickel field, then the Western Mining Corporation can rightly claim that there is a discrimination against that company, or any other company, because of the type of agreement with the Government.

As there will be other speakers I do not think I need to say more except to mention a matter associated with mining over which I am extremely concerned; namely, the question of industrial diseases. We already know that nickel mining has brought new hazards to the worker as far as industrial diseases are concerned. Some people contract a type of dermatitis and some have contracted it in such a form that they have had to leave the industry; they were unable to continue working in it.

Many people were apprehensive over asbestos mining when it first commenced and inquiries were made about the health hazards attached to it. We were assured by officials of the Department of Health at the time that the hazards at Wittenoom Gorge would be no greater than those at mines operating in the goldmining industry. It was subsequently found that this was completely erroneous, because the hazards at Wittenoom Gorge were extremely bad. It was found that asbestos mining could cause lung cancer. This should have been known to the medical people concerned in this State, because it was certainly known to medical people in countries like Germany and Britain.

It has proved only too true that many people who worked at the asbestos mine at Wittenoom were first disabled by the disease of asbestosis, as it is called, and finally lost their lives through the complaint developing into cancer of the lung.

It is known that certain problems are associated with nickel smelters. A member in another place has been overseas and he carried out investigations at Sudbury in Canada. He has quite a deal of information on this subject, and I do not doubt he will discuss this aspect in another place.

We know that some nickel deposits carry a fair amount of arsenic, which is a great hazard to human health. We have had the experience over many years of the arsenic extraction plant at Wiluna and we know that industry caused a great deal of ill-health. I do not know of anyone who ultimately died from complaints contracted there, but I do know of many people who suffered severe ill-health from working on the Wiluna project. A great deal of time was lost through the effects of arsenic poisoning on the human body. It burnt membranes, and the division of the nostrils, and it affected the eyes and other tender parts of the body. As a matter of fact, it was so difficult to cope with that a condition of employment was to work in slow motion. The workers were gowned from head to foot and looked like Arabs because of the hoods over their heads. Everybody moved as slowly as possible so that the arsenic dust would not be raised.

It is known that some nickel ore deposits contain arsenic, which is detrimental to health. Doubtless it will be proved as time goes on that other elements detrimental to health are present in nickel ore bodies.

The Department of Health has doctors who apply themselves to industrial matters. I only hope they will undertake thorough research into what has taken place elsewhere. The Government should enable some officers to travel overseas to countries where nickel refineries and smelters are operating. In this way we could take advantage of the experience of others and we would be in a position to take steps to obviate problems. If a person starts to become ill and finds he is allergic to certain things he should be advised to get out of the industry before too much harm is done to his health.

I would be very pleased if at some time in the near future the Government took the step of sending some of its medical officers overseas, perhaps to Sudbury, Canada, or New Caledonia, where there is a wealth of experience, over many years, in relation to the problems that can arise.

While I join with many other people in welcoming the establishment of an industry away from the metropolitan area, I have very mixed feelings about it when I take into consideration the effects that such an industry can have on the health

of those who work in it and those who come into close contact with it. I support the second reading of the Bill.

MR. BURT (Murchison-Eyre) [6.08 p.m.]: This Bill asks Parliament to ratify once again an agreement between the Government and the Western Mining Corporation. In view of the number of such agreements with that company which we have had before us during the life of this Government, I think a few words concerning the Western Mining Corporation would not be out of place.

When I first went to the goldfields in the 1930s, the Western Mining Corporation, although in its early days, was even then a considerable force in the goldmining exploration industry in the area of the goldfields stretching from Norseman, where the corporation had established the Central Norseman Gold Mine, through the Golden Mile, where Gold Mines of Kalgoorlie was founded in about 1934, through the Murchison, where Triton Gold Mines was one of the corporation's active operations at that time, and right up to Laverton, where Cox's Find was a quite small but rich mine in an area some 20-odd miles from where Poseidon is now operating a nickel mine. So in the post-World War I period, the Western Mining Corporation played a very important part in the history of the goldfields, and in the last few years its operations and status have been ever increasing.

In fact, the corporation has diversified into practically all the known minerals which exist in Western Australia. Apart from gold, it has iron ore mining operations at Koolanooka; it plays a very important part in the Alcoa alumina operations; and it has now set the ball rolling in Western Australia with its tremendous nickel find at Kambalda, which commenced in 1966. I think it is very fitting, therefore, that the first agreement affecting the main town in the mining industry—Kalgoorlie—should have as its chief participant the Western Mining Corporation Ltd.

We are told that the smelter which is to be established south of Kalgoorlie will not only treat low grades of concentrates from Kambalda but will also treat a type of lateritic ore which it is hoped will be produced at Ora Banda; and, more importantly, that it will still be available for the treatment of customers' ore and ore that can be purchased from other mining companies which we hope will continue to flourish throughout the mineral areas of Western Australia for many decades to come.

The establishment of this smelter definitely means a break-through in the treatment of lower-grade nickel ores, and I think these will play a very important part in Western Australia's mineral history. Despite the glamour associated with the search for minerals, not many mines have yet been established. Those companies that have established mines will no doubt make great use of this smelter, either by initially treating ore at their own locations or by railing ore to Kalgoorlie, perhaps for treatment in one of the existing goldmining mills. However, most assuredly the product will finish up in the smelter which is to be erected in this area.

The statement that the Western Mining Corporation has reached a stage at Ora Banda—which is roughly 30 miles north of Kalgoorlie—at which it can bring this ore into this agreement is most interesting. We are told the corporation has been granted an area of 246 square miles, which is not a tremendously large area when it comes to exploring for minerals, but apparently the corporation has investigated the situation. The lateritic ore which has been found at Ora Banda, and which we hope will be found in a number of other centres north and south of Kalgoorlie, is very difficult to treat, compared with the sulphide ore. The corporation has been given a concession which I do not think is unreasonable, considering the amount of money which must have already been spent at Ora Banda and which must be spent before this type of ore is finally brought to the smelter.

Lateritic ore exists at Wingellina—in the eastern part of this State—in fairly large quantities with reasonably high values, but not sufficiently high to cause International Nickel to regard this as a viable proposition, and for the time being it has been shelved.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. BURT: Before the tea suspension I was speaking of the difficulty in treating lateritic ores and I instanced the large deposit at Wingellina on the South Australian border which is considered to be uneconomical at the present time by a company as prominent as International Nickel. In addition, the huge Greenvale deposit in Queensland has been in the news lately. Apparently work on that deposit has been got under way by Metals Exploration but only after a great deal of difficulty.

I mention these facts because of the difficulties which face the Western Mining Corporation in the treatment of ore at Ora Banda and I feel that the concessions which have been granted to the corporation by the Government under the agreement are the least that can be done. I take it that there is a certain amount of criticism by members of the Opposition of the rail freights that are to be charged on ores and products to and from this smelter. I do not think the rates are at all unreasonable when we consider that the corportion is being called upon to spend $9,000,000 on servicing railway lines, the

provision of rolling stock, and the like; not forgotting the fact that the Western Mining Corporation contributed something like $7,000,000 to the upgrading of the goldfields water pipeline during the last year or two.

In Western Australia, because of the tremendous distances involved and the paucity of our population—despite its record growth in recent years—it is necessary for any industry or any mining company that comes here to find money like that. The Government certainly cannot afford to provide the money, and so we are faced, not only in regard to mining but also in regard to other industries, with the fact that the companies we encourage to come to this State must spend large sums of money. Over the last few years they have brought capital totalling many thousands of millions of dollars into this State to provide most of what is now known as the infrastructure for their projects. So as far as industries are concerned, this Government cannot follow the examples of the Governments of South Australia, Victoria, and New South Wales which say, "Come to us with your industries and we will provide you with housing, railways, and water."

Therefore I feel that any concessions made to the Western Mining Corporation under this agreement are more than justified. I hope that when agreements of this type are negotiated in the future—and I feel sure there will be more—similar treatment will be accorded to the companies concerned.

With regard to the siting of the smelter, the previous speaker mentioned the possibility of the fumes from the smelter affecting the people of Kalgoorlie and Boulder. Whilst that is a possibility, I do feel it must have been taken into account in the selection of the site. Those of us who have lived on the goldfields realise that the prevailing winds are either from the south-west or from the south-east. From looking at the plan, I feel that when the wind blows from either of those directions the fumes from the stack will be taken either to the east or the west of the twin towns of Kalgoorlie and Boulder.

There was a rumour—and I think it was a general feeling—that if the smelter did come to Kalgoorlie it would be sited somewhere to the west of Seven Mile Hill. This new site was chosen for reasons probably related to the nickel deposit at Ora Banda and to its proximity to Kambalda. However, I would like consideration to be given to one feature. On the plan that was tabled last week I noticed that the proposed standard gauge railway will leave the West Kalgoorlie marshalling yards and proceed direct to the smelter and then on to Kambalda and Lake Lefroy. I am wondering whether it would be possible for the line to include the Golden Mile.

At present the mills, power houses, etc., on the Golden Mile have all their products brought to them by road from the standard gauge terminus—that is, the oil and other goods which come from Perth. All the merchandise and stores have to be unloaded at West Kalgoorlie onto road trucks and taken to the Golden Mile. We know that one goldmining mill—the Great Boulder—is already treating nickel ore from Scotia and from what we read there is every posibility that the Lake View and Star treatment plant will be treating ore from Poseidon. That being the case, surely it would not be an unusual procedure to deviate from the railway line which will travel from West Kalgoorlie to Kambalda through the smelter site, and on to Esperance so that it will include the siding at Kamballie and other points along the Golden Mile.

In the event of goldmining once again coming into its own—as I hope it will one day—that railway line would be an added asset to the industry. I trust that consideration will be given to this aspect so that the line will not bypass the Golden Mile, as seems to be the case when looking at the plan.

I mentioned the fact that the provision of the smelter will be of great benefit to mines which might be created in the north country—the country in my electorate—and, of course, Poseidon is already a going concern. A number of other centres in the Leonora district are getting to the stage where the developers must consider the possibility of viable operations. We are told there is a possibility that the standard gauge railway line which will go as far as Ora Banda will continue further north. I sincerely hope that will be the case, and I am quite certain it will, provided sufficient use for it is created by mineral developments in the north where the existence of fairly large sulphide ore bodies have been proved—albeit low grade.

Of course, one of the greatest factors affecting any mining operation is the availability of water. Whilst operations in the Kalgoorlie - Boulder - Ora Banda - Kambalda district which are served by the Mundaring pipeline are fairly safe in that regard, there are at present no known quantities of water which would enable the mineral mines in the north country to come into operation. When one considers that it takes roughly a ton of water to treat a ton of ore—that is, to concentrate ore—plus the water that is necessary for housing townships, cooling water for power houses, etc., one must realise that the quantity of water needed by the Western Australian mineral industry is a tremendous factor and it is, of course, just as important as the availability of ore.

I would like to make the comment that despite the underground water systems which we know exist to a certain extent in the Wiluna district and in the area to

the north and north-east of Leonora, I think they have a limited capacity and the day is not far distant when use will be made of the huge catchment areas in the Kimberley. It may sound completely fantastic to suggest we are capable of bringing water from the dam on the Ord River to the mining areas of Western Australia. However, it is not completely fantastic when we think that at the beginning of the century the Government of the day courageously decided to construct a pipeline over a distance of 350 miles from Mundaring to the goldfields. Furthermore, at the time it was placed under ground with the use of horses and scoops.

So it is not impossible today to consider that, with our advanced knowledge of engineering, a pipeline from the Kimberley to the mineralised areas on the goldfields, and even down to the metropolitan area, must be a distinct possibility within the next quarter of a century. Looking at the map it can be seen it is about 900 miles from the Fitzroy River to the Leonora area so, when comparing this distance with the distance covered by the Mundaring-goldfields pipeline which was erected 70 years ago, I think that the construction of a pipeline from the Kimberley will eventually have to be put in train, because we know that the catchment areas around the coastal districts are limited, and the pipeline from the Mundaring Weir, without taking into account the many farmlands that are served by the comprehensive water scheme, is probably not really sufficient to serve the mineral areas around Kalgoorlie-Boulder and Norseman.

Also we have to bear in mind the fact that if this pipeline from the Kimberley is constructed, the rich soils of the country through which it will run could be made, through irrigation, to grow the lush products that would abound there. Time will tell, however, but this is a proposition that requires some thought.

This is the last of the great agreements I shall witness being introduced into this Parliament. I think the first of them was the Broken Hill Proprietary standard gauge line agreement, followed then by the great iron ore agreements that have transformed the north-west, and so on to the Kwinana alumina refinery agreement, the agreement for the construction of a refinery at Mitchell Plateau by Amax and, as I said earlier, a number of agreements which involve the Western Mining Corporation, concluding with the nickel smelter agreement, the Bill for which we heard being introduced last week and which is now being debated.

All these agreements, covering billions of dollars, have transformed Western Australia into a place that is now known throughout the world; and they will provide security for the people of this State for many years to come. I feel that, perhaps, sufficient notice of the results of these agreements is not taken by the people of Western Australia, who do not realise that today, they are in a more secure position, economically, than they have ever been.

Whilst the Minister for Industrial Development made mention of Sir Lindesay Clark—and I fully endorse all he had to say about that gentleman being the brains and the energy behind the Western Mining Corporation—I think it is only fair to say that the man responsible for all these agreements, and who is responsible for lifting the economic position of Western Australia to the level it has reached today, is the Minister himself. I only hope that the name of Charles Court will live through the history of this State as a man responsible for raising Western Australia to such a high level of prosperity as it enjoys today. I support the Bill.

MR. T. D. EVANS (Kalgoorlie) [7.45 p.m.]: During the 14 years I have been in Parliament I cannot recall having had the opportunity, or indeed the privilege, to speak to a Bill which I regard as being more important than this one. I indicate that I support the measure.

The Bill seeks to amend an Act containing an agreement which authorised the establishment of the Western Mining Corporation refinery now functioning at Kwinana. In the original legislation the establishment of a smelter was contemplated. This Bill is to fulfil the intention of the original agreement and I think it can be said it is in four sections: the title, the preamble, clause 4 dealing with the schedule, and the schedule containing the agreement that Parliament is now being asked to ratify.

It is fitting that the Western Mining Corporation should be the first to establish in Australia a refinery, and also the first to establish a smelter for the production of nickel matte. The corporation was established in Victoria in the mid-1930s. Since that time it has been extremely active in the mining world. It may be said that the Western Mining Corporation became wedded to the eastern goldfields of this State and it may also be said that it was fortunate to be in the path of the magic wand waved not by the fairy queen but by the nickel queen.

Some people have said that the Western Mining Corporation has been lucky. I cannot agree fully with this sentiment if it is expressed in any sense as being "sour grapes". It would seem to me that luck, as a concept, is what really happens when one is able to meet opportunity with preparation. In this regard, the Western Mining Corporation, which has been active in this State, and which is a giant in the mining world, can certainly be said to have been fully prepared to meet any situation giving rise to mineral exploration in Western Australia.

I believe that not only is it fitting that the corporation should be the first to be blessed with the opportunity to establish a refinery, and now the first to erect a smelter, but also it is indeed fortunate that the smelter should be established in the eastern goldfields of this State.

The purpose of the Bill is to ratify the agreement which has resulted from negotiations made between the parties to the agreement: the Western Mining Corporation and the Government of Western Australia. The agreement was entered into a week ago today. Pursuant to the terms of the agreement, the corporation will be required to establish, on a site some 9½ to 10 miles south of Kalgoorlie, a plant for the treatment of nickel matte. The quantity of ore to be processed will be some 125,000 tons a year, and from this tonnage it can be said that the capacity of the smelter works will be sufficient to produce 20,000 tons of matte which is said to contain some 70 per cent. of nickel.

When introducing the Bill the Minister referred in his notes to "the first stage of the operations." It is those words which make me wonder whether there is any significance in the remark that "at the completion of the first stage some 250 men could be directly employed." I ask the Minister whether this means the harnessing of the sulphur-dioxide fumes for the production of sulphuric acid or elemental sulphur; or does it contemplate some other stage?

We find that the Bill also sets aside an area to include the smelter site and the slag site. This will comprise approximately 2,835 acres which at present is Crown land and, under the agreement, the State will set this area aside for a nickel smelter site.

Of this area the corporation can acquire by purchase from the State an estate in fee simple of 1,500 acres; and this purchase will, of course, be subject, I understand, to the usual reservations made in connection with Crown grants. Clause 5 (2) of the agreement states—

> The State will as soon as practicable after being required by the Corporation so to do sell to it and the Corporation will purchase from the State an estate in fee simple (free from all encumbrances but subject to the usual reservations contained in Crown Grants) in that part of the smelter site (containing one thousand five hundred (1,500) acres or thereabouts and situate at a location within the boundaries of the smelter site as the parties mutually agree) as the Corporation may require whereon to erect and construct the smelter in compliance with the provisions of Clause 6 of this Agreement.

I notice that in this subclause of the agreement no time is specified during which the corporation is obliged to purchase the 1,500 acres. The agreement contemplates that the State will set aside this large area exceeding some 2,800 acres; and of this large area the corporation will be obliged to purchase and obtain an estate in fee simple of 1,500 acres. No time, however, is specified during which the corporation shall be required to do this. The agreement continues that the State will not sell or otherwise dispose of the land, being the smelter site, other than to the corporation, or any part of this land during a period of 10 years from the commencement date of the agreement without giving the corporation notice of an intended sale.

As I see the position, there will be no compulsion on the corporation to purchase any land at all until the Government shall serve notice on the corporation that it intends to sell the land to somebody else. At that stage the corporation can exercise its rights under the agreement and purchase the estate in fee simple of this area up to 1,500 acres. The larger area to which I referred is an area in excess of 2,800 acres.

The smelter site—the site to be the subject of this estate in fee simple to be obtained by the corporation—comprises an area of 1,500 acres, and the balance of the area is to be held by the State with the corporation having the right to acquire all or part of it in the future if it can demonstrate to the State that it has a reasonable need therefor.

I would ask the Minister if, when he is replying to the debate, he will make some comment on the absence from the agreement of any specified time during which the corporation can exercise its right to purchase the 1,500 acres to which I have referred.

The agreement requires the corporation to commence construction of the smelter by the 30th June next year, and to have it available for operation by the 31st December, 1973. Provision is made with regard to what might well be called a nickel lateritic zone adjacent to Ora Banda, north-east of Kalgoorlie. In this regard clause 8 of the Bill provides that subject to the corporation surrendering to the State any right, title, or interest that it now has in mineral claims, either approved by the Minister, recommended for registration by the appropriate warden, or those in which there is some immature type of right—in other words, claims which have been lodged by the corporation, but which have not yet come before the warden—and also any right of occupancy, the subject of temporary reserves, the Government in consideration of the corporation so surrendering this right to such land will grant to the corporation a large temporary reserve of some 246 square miles. This large area will be vested in the corporation and it will have the right to occupy it until the 30th June, 1978.

There is a proviso which states that at the end of the financial year of 1975, and in each successive year thereafter until the 30th June, 1978, when the rights of occupancy come to an end, the corporation will be required to surrender to the State one-quarter of the original area granted—that is one-quarter of the 246 square miles.

At any time during this right to occupy this large tract of land the corporation will have the right to apply for and be granted mineral leases within the area. I would mention that the regulations made pursuant to the Mining Act provide that a yearly rental of 50c an acre be levied in respect of a mineral lease.

Whilst the corporation has the right to occupy this large area of land and before it applies for and has converted part of it to mineral leases, it will pay a rental of $8 per annum per square mile; or the agreement provides it will pay the appropriate rate payable for the time being under the Mining Act in respect of such rights of occupancy. This is to be found in clause 8 (1) (c) of the agreement, on page 11 of the Bill.

I have a query which I want to direct to the Minister. Reference is made in the clause to an alternative rental of $8 per annum per square mile or "other the appropriate rate payable for the time being under the Mining Act." I would like to know what the words "other the appropriate rate payable for the time being under the Mining Act" are meant to convey, because in respect of a temporary reserve one looks to the only statutory provision which appears in the Mining Act for any reference to this rate. It can be found in sections 276 and 277 of that Act. Nowhere else in the Mining Act or in any of the regulations will one find a reference to temporary reserves, and nowhere in these provisions is any reference made to the rate or rental to be charged.

Section 276 of the Mining Act provides that the Minister and, in certain circumstances, the warden may create a reserve, but it is only the Governor-in-Council who has the right to alienate a reserve and to grant to some person the right to occupy it; in other words, to create a temporary reserve. The Governor-in-Council may create a temporary reserve by granting a right of occupancy to any person on such terms as the Minister sees fit. This is the only provision under which a rate can be levied, and this is a rate which is levied at the discretion of the Minister. So a Minister today can, in his discretion, fix a certain rate or rent to be paid, but a Minister of the future may adopt a completely different rate. I find the words "or other the appropriate rate payable for the time being under the Mining Act" to be strange reading.

It will be recalled that in speaking of this large lateritic nickel zone—the huge reserve of some 246 square miles—I mentioned that as from the 30th June, 1975, the corporation will be required to surrender to the State one-quarter of the large area it holds in each succeeding year until 1978. The agreement further provides that as from the date when the surrender of one-quarter of the area commences—on the 30th June, 1975—the rental payable for the land that is retained will be the same as the rental applying to a mineral lease; that is, 50c per acre. So there will be a substantial and an almost gigantic reduction in the rental payable.

Let us say that initially the rental will be $8 per annum per square mile, but as from the 30th June, 1975, this will be reduced to 50c per annum per acre.

Mr. Court: It will be increased and not reduced. I think you have it the other way round. Whilst the area is a temporary reserve the rental is $8 per annum per square mile, but as from the 30th June, 1975, it is to be increased to 50c per annum per acre.

Mr. T. D. EVANS: Provision is made in the agreement for exemptions from labour conditions to apply. The labour conditions and the exemptions applying thereto are to be found in clause 5 of the original agreement with the Western Mining Corporation; and under the terms of the Bill before us it is provided that those labour conditions and exemptions are to apply to the present agreement.

However, the exemptions are to cease on the 30th June, 1978, or a later date as the Minister for Mines may in his discretion determine, unless the corporation has by the 30th June, 1978, or such later date brought the mining area into production at a rate in the vicinity of 1,000,000 tons of laterite nickel ore per year.

I do not know whether I am particularly happy with the exemptions from the labour conditions in the case where the corporation exercises its right during the period which expires on the 30th June, 1978, to convert part or the whole of the area into mineral leases. I am quite happy to see the exemptions from labour conditions, prescribed by the regulations made under the Mining Act, apply while the corporation holds the right to occupy this large area as a temporary reserve. But when the corporation elects to select, and to obtain tenure in, a mineral lease which gives it a period of at least 21 years, with the right of renewal, then I feel that at that stage it should be required to observe the labour conditions which are prescribed under the Mining Act, and which are also required to be observed by anyone operating a mine or any other holder of a mineral lease.

Whilst in the past the labour conditions have been honoured more in the breach than in the observance, it is hoped and felt that more realistic labour conditions will be prescribed, and when prescribed will be enforced.

The member for Boulder-Dundas touched upon and considered very carefully the effects which the nickel smelter could have on the pollution of the atmosphere surrounding Kalgoorlie and Boulder. He joined issue with the Minister for Industrial Development who, when introducing the second reading of the Bill, said that Kalgoorlie people had learnt to live with sulphur and sulphur dioxide. I, too, would like to emphasise that the Kalgoorlie people have unfortunately learnt to tolerate this nuisance. They have not accepted pollution, but they have had to tolerate it.

In 1952 the then Government of the State appointed a committee to examine and to report upon the feasibility of setting up on the goldfields equipment which would harness and capture sulphur that was being emitted from the chimney stacks on the Golden Mile. This committee obtained evidence from the United States of America, from Canada, and from other sources. It brought out a most comprehensive report. The net effect of the report was that if a plant on the Golden Mile could be converted to using what was called Edwards roasters it would be possible to harness the sulphur effectively and, without interfering with the precipitation process for the production of gold, prevent its emission into the atmosphere.

However, by the time the committee's report was available, probably towards the end of 1953, economic depression in the goldmining industry was becoming most obvious. It was, of course, as a result of the fixed price and rising costs associated with the production of gold. Therefore, nothing was done to give effect to the recommendations of the committee and so the sulphur continued to be pumped into the atmosphere from the Golden Mile. However, this does not by any stretch of the imagination mean that the Kalgoorlie people accepted the sulphur or learnt to live with it. I suppose they had to put up with it, but it certainly could not be said that they willingly accepted it.

In his introductory speech the Minister said that the location of the site had been the subject of considerable study by various departments. Both the member for Boulder-Dundas and the member for Murchison-Eyre indicated that the site appears to be right in the direct path of the prevailing wind which is familiarly called the Esperance doctor. During the hot summer months this wind brings healthy relief to the sweltering goldfields during the evening. As the member for Murchison-Eyre indicated, during the greater part of the year the prevailing wind in the goldfields comes from the south-west or the south-east.

The agreement makes it quite clear that the provisions of the Clean Air Act are to apply to the agreement and that the corporation will be obliged to comply with its provisions. The processing of nickel ore and, indeed, of its concentrates, as we all know, causes the emission of sulphur dioxide and unless adequate provisions are made to curb this emission, then the deleterious effect on people and environment could be serious indeed.

While the residents of Kalgoorlie are, I might say, thrilled that this Bill is before Parliament, they do give serious thought to the possibility that some of them may be inconvenienced by the pollution of the atmosphere. I am glad to see written into the agreement a provision under which the corporation will be required within five years to install—unless it can show as a result of a feasibility study that it would not be practicable—a plant for the production of sulphuric acid or elemental sulphur, or for the utilisation of the sulphur dioxide gas in some other process. In other words, there will be an onus on the corporation to utilise the gas so it will not pollute the atmosphere. It may, in fact, prove an advantage by providing an alternative by-product; that is, another industry.

The onus will be on the corporation to take this action unless it can show, as a result of its investigation, that such a course would not be practicable or commercial. I believe this is a very good provision in the measure.

The Bill deals with two most important aspects concerning transport. It provides the way for a standard gauge railway to be built from West Kalgoorlie to, ultimately, the Port of Esperance. I would join with the member for Murchison-Eyre in appealing to the Minister to ensure that he and his advisers give every consideration to routing this standard gauge railway line through the area serving the Golden Mile. I agree with the honourable member that although the goldmining industry at the present time has declined, it will never completely disappear.

The Golden Mile will, I am sure, for many years to come be the centre of industrial activity, even if it is only involved in the treatment of nickel. At present the Great Boulder plant is treating the nickel ores from the Scotia and Carr Boyd areas. As the member for Murchison-Eyre mentioned, it is most likely that the Lake View and Star plant will also in a short time be involved in the treatment of this mineral.

I do not intend to touch upon the freight concessions granted to the corporation in consideration of the corporation being required to provide a capital

contribution of $9,000,000 towards the cost of the standard gauge line, and also in consideration of its being required and obligated to provide its own rolling stock. I feel that another member on this side of the House, who has had more experience in railway matters than I have, will be able to deal with this matter more adequately than I could hope to do.

The Bill also contemplates the establishment of another standard gauge line from Kalgoorlie to serve the north-eastern districts. Western Mining Corporation is authorised to construct a line from Kalgoorlie extending northwards, obviously to the lateritic nickel zone of Ora Banda. It is hoped that if this line is constructed it will be extended even further north.

Provision is made whereby if the line does become a reality the State can if it so desires acquire it from the corporation; and I think it is the last clause which sets out the guidelines whereby this acquisition by the State may be effected.

I do not wish to dwell any longer on the Bill. I have endeavoured to analyse its provisions and have indicated my support of it. Indeed, it is most welcome and, on behalf of the people of Kalgoorlie, I would like to extend to the Western Mining Corporation their great sense of pleasure in having this corporation, which is so well known and so well loved generally by the people of the goldfields, again establish itself in the goldfields with its smelter. In my opinion this Bill is not only one for the Statute book, but also one for the history book.

MR. STEWART (Merredin-Yilgarn) [8.19 p.m.]: In supporting this agreement to establish a smelter at Kalgoorlie, I do not wish to reiterate any points already made. I see its establishment as quite an exciting step in regional development inland, which is the significant point. It must contribute to the stability, wealth, and prosperity of the area, and to the overall development of the State.

A tribute should be paid to the corporation for its decision to establish the smelter at Kalgoorlie because, from the company's point of view, we know it is not the most favourable site. However, from Western Australia's point of view it is, and we are all very delighted the decision has been made, because it shows the confidence the corporation has in Western Australia. It has already shown its *bona fides* and its confidence by building the town of Kambalda. The standard of employee accommodation is most impressing. The appearance of the town and the whole conception of the area indicate that it will be there for at least 100 years.

The advantage of a smelter of this size is that it will possibly process ore from other producers. I might add, I hope there will be plenty of other producers supplying ore for treatment, and I also hope that the smelter will eventually prove to be too small for the job ahead.

The refinery will lead to the establishment of other industries in the district, and I am particularly interested in such development. A by-product of the Kwinana refinery is nitrogen and it has had quite an effect on the agricultural industry. The smelter at Kalgoorlie will eventually produce sulphur, or sulphuric acid, which will make a mighty important contribution to the fertiliser industry in the breaking down of rock into soluble form.

The corporation will also make a contribution towards the construction of the standard gauge railway, and that railway must contribute to the wealth of the Port of Esperance. The railway will facilitate shipment of goods from the area between Kalgoorlie and Esperance, and it will benefit both centres. As the Port of Esperance increases in size and importance it will be necessary to construct abattoirs and a freezing works. Esperance is an important producing area, and it will eventually take its place in Western Australia as an important beef and lamb producing district. The better the port facilities the better will be the service provided for all concerned.

Finally, I pay tribute to the Minister for Industrial Development for negotiating the agreement which is now before us. The finalisation of the agreement must contribute wealth and stability to our State of Western Australia. I support the measure.

MR. MAY (Clontarf) [8.23 p.m.]: I would like to join with other members who have spoken this evening in congratulating the Western Mining Corporation on its intention to establish a smelter at Kalgoorlie at a cost of approximately $30,000,000. The smelter is the first part of a $75,000,000 project for the area, and it will have a big impact on the economy of the State generally.

Those who have spoken have dealt with a number of aspects of the Bill, and it is not my intention to reiterate what has been said in regard to those matters tonight. My concern is in connection with the freight rates set out in the agreement. Whilst I support the measure, I do so with reservations, particularly in regard to the rail freight concessions included in the agreement.

Some time ago, prior to entering Parliament, I had the privilege of working with the Western Australian Government Railways as a freighting officer. When the Bill was introduced by the Minister for Industrial Development the first thing that I noticed was the charge of 1.8c per ton for the railage of concentrates and other products. It is my intention, tonight, to

show that whilst the Western Mining Corporation intends to make a contribution of $9,000,000 towards the construction of the railway and other facilities, over $1,000,000 a year in freight concessions is being given to the corporation. The figures to back up my argument have been supplied to this House both in the agreement which is before us, and by way of replies to questions received from the Minister for Railways and the Minister for Industrial Development.

It is my intention to develop this point. I have some figures which I will quote, and I would like members to take particular note of the comparisons between the normal gazetted rates which apply on the Western Australian Government Railways and the rates to be charged to the Western Mining Corporation for the transport of nickel concentrate, matte, and other products.

Mr. O'Connor: Have you taken into consideration that the corporation is making a contribution of $9,000,000?

Mr. MAY: Yes, and as I proceed I will endeavour to indicate that consideration has not been given to the Railways Department in the negotiating of the agreement.

Mr. Bertram: What are the terms of the contract?

Mr. MAY: Whenever I speak on railway matters I always mention the fact that the railways are like a cow which everybody wants to milk, but nobody wants to feed. I will continue to stress that point as long as I am in this Chamber. I asked the Minister for Industrial Development for a comparison between the gazetted freight rate, and the agreement freight rate for matte which, I think everybody appreciates, is about 70 per cent. nickel after the smelter process. The cost of transporting matte from the smelter to Esperance in company wagons, at the current rate, would be $16.29 per ton. The agreement rate of 1.8c per ton mile, when converted to a tonnage rate, would be $4.14.

It will be appreciated, from those figures, that there is a difference of $12.15. That is a considerable concession. Going further, the present normal rate from the smelter to Kwinana is $21.87, and the agreement rate, at 1.8c per ton mile would be $8.05.

The cost of transporting oil, for generating heat, from Esperance to the smelter is $10.24. That is the gazetted rate, and the concession rate is $4.14. The gazetted rate for transporting from Kwinana to the smelter is $12.39 and the agreement rate is $8.05.

We now come to concentrates, which I will deal with primarily, and the current rate from Kambalda to Kwinana is $13.28. The agreement rate is $8.42. From Kambalda to Esperance the rate is $9.77, and the concession rate is $3.82. Let us examine the figures to see what they mean.

Mr. Burt: The industry could not become established if ordinary rates were charged.

Mr. MAY: I am in agreement with the industry being established at Kalgoorlie. I am pointing out the negotiations made in connection with Railways Department freights, and I would like to develop the matter further in connection with the Minister's suggestion that Port Pirie was the first priority. This is something I would like to develop and I think that by the time I have finished members will agree that I have a pretty good case.

It is estimated that the monthly tonnage of nickel concentrate from Kambalda to Esperance will be at least 50,000 tons for the first year. At the gazetted rate 50,000 tons would provide $475,000 by way of freight charges in 12 months. At the concession rate of approximately $4 a ton, the income from freight will amount to $200,000. The difference in income is $275.000.

This is in connection with nickel concentrates from Kambalda to Esperance. Let us look at the figures from Kalgoorlie to Kwinana. At least 150,000 tons a year is mentioned in the contract. At the gazetted rate of $12.38 this quantity would mean $1,857,000. These figures are approximate. I have the figures given by the Minister which are slightly different but, in the overall, it is only a matter of a few hundred dollars. If we consider the rate of 1.8c per ton mile on a tonnage basis it would amount to $7.20 a ton which would give a freight of $1,050,000. The difference is $807,000. If we add the two figures for concentrates from Kambalda to Esperance and from Kalgoorlie to Kwinana together the amount is well over $1,000,000 which is to be given as a freight concession to the corporation.

I asked the Minister a question in relation to fuel oil for generating heat. My question was: What is the anticipated tonnage? The Minister replied that the anticipated tonnage is 23,000 tons. The gazetted rate from Esperance to the smelter is $13 and on 23,000 tons this would amount to $299,000. The rate mentioned in the agreement is $4 and on the same quantity this would amount to $92,000. The difference is $207,000.

The gazetted freight rate from Kwinana to the smelter is approximately $17.50. This would amount to $400,000, whereas the special rate of $8 will amount to $184,000. The difference is $216,000.

Those two figures alone amount to approximately $420,000 which will be given as a concession in addition, of course, to

the amount in excess of $1,000,000 as the concession on concentrates. I think this is quite a sizeable concession.

The Minister for Railways said by way of interjection that the corporation will provide $9,000,000 for upgrading and facilities connected with standard gauge transport. Even with a contribution of $9,000,000, I still think it will not be many years before the corporation finishes with a handsome profit.

I should like to mention one other matter.

Mr. O'Connor: Before you leave that subject, you must realise that if the rail is standardised we will get additional benefits at Kalgoorlie as far as transfer facilities are concerned.

Mr. MAY: We know that if the Esperance line is standardised, we will also lose a great deal of freight. Oil is currently transported to Boulder and Kamballie on the 3ft. 6in. line. I learnt from an answer to a question I asked today that we will possibly lose the freight on oil for the Kamballie and Boulder areas because the corporation will supply its own tankers.

Something which annoys me very much is that no provision has been made for standard gauge facilities in and around the Kalgoorlie area. It is a shocking indictment on those responsible when a contract as big as this is before the Parliament to hear, in answer to a question, that the Government has not given any thought to the establishment of standard gauge facilities in and around the Kalgoorlie area. I wonder what the mining companies will have to say when they read the agreement. I should like to take the time to refer to the amount of oil which is sent to Kalgoorlie. I asked the question—

> (1) What revenue was obtained by the Railway Department for the transport of oil from Esperance to the Kalgoorlie areas and intermediate points for the years 1967-68, 1968-69, and 1969 to the present time?

The answer was—

		$
(1) Year	1967-1968	649,046
	1968-1969	709,991
	1969-1970	740,140
	1970-31/10/70	271,197

Who will cart the oil from Esperance to Kalgoorlie and the surrounding areas? In an endeaveur to find this out, I also asked—

> (2) With a view to safeguarding this revenue, will the Railways Department be providing standard gauge tankers when this line is upgraded to standard gauge?

The answer was—

> (2) No—At present the oil companies provide their own tanker fleet and their use depends upon the Company requirements.

I also asked—

> (3) If not, what alternative transport will be provided to ensure that this traffic remains with the Government Railways?

The answer was—

> (3) Has not been examined in detail at this stage.

Mr. O'Connor: We will have control of this.

Mr. Court: How do you think they will cart oil from Kwinana to Esperance and Kalgoorlie if they do not use the railway? They will certainly not fly it there.

Mr. MAY: A Bill is presented to Parliament which we have the opportunity to read. All we have before us is the information in the agreement or the Bill and in the second reading speech of the Minister.

Mr. Court: I will tell you when I reply how stupid your comments are.

Mr. MAY: We should know what facilities will be provided when the standard gauge is used for the transport of nickel concentrate.

Mr. Court: I am amazed at you as an ex-railwayman saying that.

Mr. MAY: This information should be made available to the House so that everyone knows exactly what will happen. If this were done we would be much happier. I mentioned earlier that I have no axe to grind. The nickel smelter will be a wonderful development for the country, but I still feel we are taking money from the Government railways. The Minister himself admitted in his second reading speech that this is one of the most valuable industries to come to Australia. This being so, we should not take money from the railways. There is something wrong when the Railways Department is not safeguarded in some way.

I would be extremely surprised if the Commissioner of Railways in Western Australia was in accord with granting a concessional rate of 1.8c per ton mile. This is the only industry I know of to which this type of concession has been granted. From memory at least 500,000 tons a year would have to be guaranteed before even entertaining the idea of giving a concession of this magnitude.

Mr. O'Connor: It is the only industry that has offered this kind of money for the standard gauge line.

Mr. MAY: The Minister feels that a contribution of $9,000,000 is quite reasonable. We must remember that, conversely, the corporation will receive over $1,000,000 a year in concessional freight rates.

Mr. O'Connor: There are other things to be taken into consideration which you have not done.

Mr. MAY: The corporation will make a contribution of $9,000,000 but in the first year of production it will receive nearly $1,500,000 back.

Mr. Court: You will, when I reply, get a surprise at just how irresponsible your comments are. Obviously you have not studied the matter at depth.

Mr. MAY: If my comments are irresponsible at least they will enable the position to be clarified when the Minister replies.

I wish to deal with a few other matters which should be brought up. By way of interjection the Minister for Railways mentioned that we are fortunate in receiving a contribution of $9,000,000 from the Western Mining Corporation. Earlier today I asked the Minister the following question:—

> (1) In connection with the provision of standard gauge between West Kalgoorlie and Esperance via Kambalda, what is the total anticipated cost involved, including all sidings, spur lines, and wharf connections?

The answer was—

> (1) The total anticipated cost is $18.78 million. This includes departmental sidings, spurlines, additional rollingstock but does not include private sidings.

The total anticipated cost is $18,000,000 and Western Mining Corporation is to make a contribution of $9,000,000. Lefroy Salt is to make contribution, too, but there is no mention in the agreement or in the Minister's second reading speech of the amount that will be directed to the Government by Lefroy Salt. This is merely another point which I wish to mention. The amount may be substantial but at the present time we do not know what it is. In accordance with the figures I have at the moment the Government will receive a contribution of $9,000,000 but it will pay over $18,000,000 for the cost of the standard gauge railway and facilities.

The Minister said, when introducing the Bill, that Port Pirie had first priority followed by Kwinana and Kalgoorlie. The reason given by the Minister was that considerable backloading would be available for the Commonwealth Railways, and also other benefits could accrue if the smelter were located at Port Pirie. I would like to point out that, as far as traffic is concerned, at the present time the Railways Department is taxed in both directions. We have the situation with the refinery at Kwinana where it is necessary for concentrates to be railed to Kwinana in pneumatic discharge trucks.

There is no possible way in which these wagons can be backloaded with goods to Kalgoorlie. I imagine the same situation would apply from Kalgoorlie to Port Pirie. These concentrates must have special wagons. When we were fortunate enough to visit the industrial area at Kwinana recently, we saw the wagons in operation. They are a pneumatic discharge type of wagon. There would obviously be no possible chance of backloading into the wagons.

Another point that I think is pertinent is the fact that there is an additional 1,108 miles between Kalgoorlie and Port Pirie. The Minister mentioned in his speech that the concentrate contained between 6 per cent. and 15 per cent. nickel. Therefore, over a distance of 1,108 miles there would be quite a considerable amount of dead weight.

Another matter that should be taken into consideration is that shipping freights would be slightly higher than if the ore were shipped from Fremantle to overseas markets. All these matters should be taken into consideration when we talk in terms of the No. 1 priority being Port Pirie. I think Kalgoorlie was the right choice. The people of Kalgoorlie are very pleased that the smelter, and its subsequent additions, will be established 9½ miles from Kalgoorlie, and members have previously indicated their approval of this measure.

I would like to touch briefly on the possibility of approval being given for the construction of a standard gauge railway north of Kalgoorlie to cater for Ora Banda and various other places in that area. We have had a good deal of experience in connection with private railway lines, and in particular the Midland Railway Company. We had a private company which was not able to carry on, and it was subsequently taken over by the Western Australian Government Railways.

A number of difficulties are associated with the operation of a private railway line. As has been pointed out on many occasions by the Leader of the Opposition, in regard to contracts in the north-west, there is a tendency towards company lines and company towns, and, in effect, a whole area becomes bound up in one particular company.

This may be all right, but I can imagine what would happen at Kalgoorlie if an engine driver on a line from Ora Banda to Kalgoorlie were to be paid so much by way of an overaward payment for driving a locomotive, while the engine driver at Kalgoorlie, to whom he handed over the locomotive, was paid a far lower wage. The same applies to guards and anybody else associated with the Railways Department. I feel sure there would be some unrest if that situation developed. It may not develop, but this is the time and the place to find out about such things.

Another situation could arise if there were a duplication of freight. This was one of the main factors which caused concern

in connection with the Midland Railway Company. Every time the railway employees had to arrange for goods to be freighted they had to make out several types of waybills for the different rates. The Midland Railway Company charged one rate per mile, and the Western Australian Government Railways charged another rate per mile. The same situation could develop if a private line were constructed north of Kalgoorlie.

Mr. Brady: Do not forget the exchange of rolling stock.

Mr. MAY: There would be no problem with the rolling stock because the Government has indicated that it is endeavouring to obtain additional finance for the rolling stock from the Commonwealth Government. The Minister has indicated that the cost of additional rolling stock—apart from the rolling stock that would be used by the company—would be in the vicinity of $3,000,000, and that approaches had been made to the Commonwealth Government for assistance in this regard. What is the situation? On quite a number of previous occasions when approaches have been made to the Commonwealth Government, we have been flatly refused assistance. If we do not get the $3,000,000, the Western Australian Government Railways or the Government will have to stand the cost. All these matters point to the fact that the $9,000,000 contribution by the Western Mining Corporation is only a drop in the ocean compared with what the corporation will ultimately get out of the agreement.

The agreement mentions that the Western Mining Corporation will refine or smelt the products of other companies. The corporation will be debited 1.8c per ton for the cost of railing either to Esperance or to Kwinana. But what amount will the Western Mining Corporation charge to the other associated companies which will be mining in and around the Kalgoorlie area? That has not been mentioned in the Bill. We have heard it said so often that the corporation is a reputable one, that we should leave it to the corporation, and that it will arrange for an equitable freight rate to be passed on to the other companies. But a situation could develop where a company becomes the one and only company in an area because of the fact that it can charge additional freight and itself be charged only 1.8c per ton mile by the Western Australian Government Railways. I hope the Minister will clarify these points when he replies to this debate.

I would like to touch briefly on the matter of housing. No definite assurances seem to have been given by the Government as regards the provision of housing in the area. The Government has said it will do everything possible to assist the corporation in connection with land and finance for the building of homes for workers who will be employed at the smelter. I think some clarification is required as to exactly what is the intention of the Government in connection with assistance to the corporation for the provision of housing.

I think it is about time Country Party members looked into the freight rates charged by the Western Australian Government Railways, because it is quite obvious at the present time that there is some thought of increasing railway freights. I spoke on this matter during the debate on the Railways Discontinuance and Land Revestment Bill. The loss made by the Railways Department is so great that something will shortly have to be done to ensure a better return for the quantity of goods that are carried.

Mr. O'Connor: These operations are profitable.

Mr. MAY: They are profitable as long as we get long distance hauls. They are not profitable with short hauls. Assistance is given by the Railways Department by way of telescopic rates between the metropolitan area and Kalgoorlie, and when the goods go north from Kalgoorlie freights can be charged on a mileage basis. I am speaking of such things as groceries for country towns. When the goods go north the corporation can charge whatever rate it likes, and it is passed on to the consumers. That must be guarded against. During the debate on the Railways Discontinuance and Land Revestment Bill I pointed out that primary producers and country people are being penalised, and nothing is being said about it. There is another case in point where we are giving away $1,500,000 a year and nobody is saying anything about it. Obviously, this has to be passed off somewhere.

Mr. O'Connor: Your comments are quite unfair. I think that can be proved.

Mr. MAY: I hope so, because every time a measure which affects railway operations is brought before us, an inroad is always made into railway revenue. We had an assurance earlier in the year from the Minister that railway freights would not be increased. I am quite sure they will not be increased within a few months; but I am quite sure there will be an increase within seven or eight months.

Mr. Gayfer: That is, if you are the Government.

Mr. MAY: If we are the Government, we will increase the rates if needs be and if we think it is necessary. However, I am quite sure we would look at the overall situation of the State, generally, and not merely grant concessions to one particular part of the community. We would look at the community as a whole. I think that would be our job. I do not see why

one section of the community should receive preferential treatment as compared with other sections.

Mr. Burt: That is why no new industries came to Western Australia between 1953 and 1959.

Mr. MAY: We can always look back. We have been told many times in this Chamber what happened between 1953 and 1959. Then we are told to look ahead. Surely to goodness we must look ahead if we are to attract large companies to Western Australia; but just as surely the people should receive some benefit.

Mr. Burt: They are.

Mr. MAY: Which people are?

Mr. Burt: The people in Kalgoorlie.

Mr. Gayfer interjected.

Mr. MAY: That is the honourable member's pet theory about C.B.H.

Mr. Gayfer: You want to penalise the farmers by putting up the rates.

Mr. MAY: I am not saying that. I am saying that is what could happen.

Mr. Gayfer: You are hinting that is what will happen.

Mr. MAY: I am hinting that is what will happen under the present Government.

Mr. O'Connor: If you want to take the position of the railways as it is, you must also take into account the wages increase of about $4,000,000.

Mr. MAY: That is always happening. However, Mr. Speaker, my time is almost up. I hope the Minister will let us know exactly what is the situation. I sincerely trust that when he resumes his seat we will have a fair idea and a clear picture in connection with the freight concessions that have been granted to the corporation. I support the measure.

MR. COURT (Nedlands—Minister for Industrial Development) [8.52 p.m.]: I intended to thank members for their support of the measure. However, after the utterances of the last speaker one could hardly do that on an unqualified basis. Perhaps I should deal with the comments of the member for Clontarf first because they gave such an erroneous impression to the House that I am not only amazed but also disappointed for his sake, because he is an ex-railwayman. He apparently does not realise that there has been a mighty change in thinking since he was last there.

Mr. Brady: The railway balance sheet does not show that.

Mr. COURT: We are attempting to run the railways as a business. The honourable member might say there is a large deficit at the moment. However, had we not had the problems caused by wheat over the last year or two, and the problems caused by wage increases which have absorbed about $4,000,000 to $5,000,000 a year, the railways would be in a very healthy position.

However, let us deal with the honourable member's attitude to the Bill, which I regard as mean and miserable. This is a tremendous industry so far as the goldfields are concerned. That area has been looking forward to this industry for years and years. The honourable member knows as well as I do that the goldfields area had a most difficult future ahead of it as a result of the world trend in respect of gold. As a result of the fortuitous advent of nickel—and, let us face it, Western Mining Corporation was the spearhead—the future of Kalgoorlie, Boulder, and the eastern goldfields is completely transformed.

Irrespective of whether it is merely fortuitous or whether it is the result of good management on the part of the corporation concerned, the fact is that we can now look forward to a transformation of the goldfields. During the transitional period, as one industry is inclined to decline, the other will ascend. I predict that the future of Kalgoorlie and the goldfields generally, will be much stronger and for much longer as a result of the advent of this industry.

The most charitable thing I can say about the attitude of the honourable member is that it is unrealistic and outmoded. This operation will be profitable to the railways. The Treasury officers will not allow the Minister for railways, or myself if I happen to be negotiating Minister, to agree to a freight rate unless they are convinced that it will show a profit and will amply service the funds involved.

Mr. May: Did the Commissioner of Railways agree to this?

Mr. COURT: Of course he did. If the honourable member does not believe it he can ask the commissioner. The commissioner was in on all the consultations, and he was not browbeaten in this matter. This was a commercial negotiation and there will be a profit in it for the railways. I will go further and say that the agreement contains an escalation clause agreed to by the railways, the corporation, and the Government. We have gone further than that; we have provided for a complete review of the freighting system in 15 years, not because we feel any apprehension about escalation, but as an added precaution.

The honourable member will find that guidelines are provided for this freight rate to be reviewed at the end of 15 years. If, because of an imbalance in the escalation of the cost of wages, steel, and fuel, the escalation formula proves to be inadequate, the freight rates will have to be reviewed to ensure that the railways return

to a profitable operation. There are not many commercial operations that are as good as that.

Just imagine anyone running a business on the basis of knowing that under the contract at the end of a 15-year period he could sit down and rethink the matter within guidelines that ensured that his operation would be restored to a profitable one if it turned out that the established escalation clause was inadequate! I think the honourable member should congratulate the Minister for Railways on what he has done, instead of decrying him.

The member for Clontarf spoke about the existing freight rates. Of course, everyone in this Chamber knows that if one has a special commodity one can make special arrangements with the Commissioner of Railways for the haulage of that commodity. One can negotiate a special arrangement; but it is unfair to pluck out of the air freight rates related to particular commodities on the basis of turning up with only a truckload. In this operation the corporation has to produce at least 1,500 tons per train and, what is more, it has to provide its own rolling stock, locomotives, and buildings. In addition, it has to contribute $9,000,000 towards the standard gauge line.

Mr. May: We also have to provide additional rolling stock, and we have no assurance that we will be paid for it.

Mr. COURT: I just do not know what possesses the honourable member. Of course, nothing pleases the railways more than buying more rolling stock because that enables it to take on more business, and it will get more business because this corporation will make that possible. I just do not know what possesses the honourable member to make such a song and dance about something that is making it possible for this industry to be established.

Let me come back to the whole crux of the situation. Whatever the honourable member might think about it, the simple fact is that a written quotation—an opening quotation, mind you—was given by the Commonwealth Railways of $8 a ton to take this material from Kalgoorlie to Port Pirie. It does not matter whether the honourable member argues this until he is blue in the face; that was the opening quotation. Those people also said, "If you would like to discuss it further, come back and see us," or words to that effect. This meant no contribution to upgrading, no purchase of rolling stock, and no purchase of locomotives. It did not end there. Do not forget it is a haul over 1,104 miles for the same price as we are hauling the product to Kwinana.

Mr. Bertram: That was their opening bid.

Mr. COURT: The corporation could have done better. I explained that we were not interested in having a smelter at Port Pirie. That was not the end of the story because if the corporation went to Port Pirie it would not have to supply houses or make any contribution to the infrastructure in respect of power, water, etc. All those facilities would have been turned on; and there was another great advantage.

The corporation would have been able to go straight into an old-established smelting town and those who understand industry know that it is a great advantage for any company to be able to hitch itself onto a town which has natural expertise in relation to a particular industry.

Mr. Bickerton: The Minister is making the directors of Western Mining Corporation look a lot of fools.

Mr. COURT: If the honourable member wants to put it that way, all right! But as I explained before, the corporation agreed with us that we should all concern ourselves with the ways and means of establishing the industry at Kalgoorlie, because the Government was not in favour of the smelter works being established at Port Pirie, and I do not think we would have agreed to it. However, it is up to me to outline the facts. The corporation would not have had to provide houses; it would not have had to provide funds for water and power, pay for rolling stock and locomotives, and for the upgrading of the railway.

If the honourable member can justify his criticism of the freight rates that we have struck in the face of all those facts, I just give up; because the fact is that, so far as the railways are concerned, it is a profitable and long-term approach. Further, it gives to Kalgoorlie an industry it badly needs. Might I add another factor? I might say that I am amazed that the member for Kalgoorlie has not spoken to his colleague about this. On two separate occasions when I was Minister for Railways the member for Kalgoorlie made approaches to me—and rightly so—as the member for the district on behalf of the mining industry to try to obtain a special rate for the transport of fuel oil to Kalgoorlie. The argument advanced was that the people at that centre were isolated and were not tied to the grid system of the State Electricity Commission that provided light and power, and it was considered that the people at Kalgoorlie should obtain some assistance by way of a special freight rate on the transport of fuel oil to Kalgoorlie.

A great deal of work was performed with a view to achieving this objective, and had it not been for the fact that it was creating a precedent to do something which the railways could not manage to live with at the time, I think it might have been agreed to.

Mr. Bickerton: I have never seen the Minister so upset.

Mr. COURT: I am not upset at all. I am merely trying to do what the honourable member asked me to do: to tell him some of the facts about the agreement.

Mr. Bickerton: I do not think he touched you on the raw.

Mr. COURT: No, I merely wish to be fair to my colleague, the Minister for Railways, who took part in the negotiations in regard to this matter. Also, I want to be fair to the Commissioner of Railways and the people who were working on the agreement to my certain knowledge, because I was in on the negotiations, and had knowledge of the work that had been done.

The honourable member also said, "How do we know that Western Mining Corporation will not put other companies over a barrel if they use the smelter and the material is tolled?" The corporation cannot put other companies over a barrel, because these rates are publicly known, and if the honourable member knew anything about tolling systems he would realise it is a very competitive business, and the Western Mining Corporation would not get away with charging an excessive toll rate. We were very careful, in writing the agreement, to avoid a situation whereby other producers would be put over a barrel by the corporation because other companies are not under any compulsion to use the smelter, and, in any case, we would not have agreed to the agreement had we thought that the corporation would have placed other companies in an unfair position.

The honourable member asked a question relating to what he regarded as my loose statement about housing. In my second reading speech I explained that the Government could not be expected to be committed for housing, and so the provision of homes is in the lap of the corporation. We will do our best to assist it with the provision of land, and in negotiations for the provision of houses as we do with anybody, but we cannot enter into a commitment to provide money or houses. I think the member for Merredin-Yilgarn made the point about the high quality houses and the facilities the corporation has provided at Kambalda. I have no doubt it will provide the same type of high quality accommodation in an area which is within a reasonable distance of the smelter works.

So far as the freighting of other commodities is concerned, and the freighting of oil in wagons apart from the corporation's own wagons which it will supply to the W.A.G.R., as the honourable member knows there is provision in the freight schedule for an allowance to be made for the supply of wagons by customers to transport bulk fuels.

Mr. May: They cannot convey it to Boulder because there is no standard gauge line there.

Mr. COURT: The honourable member is not *au fait* with the negotiations which took place with the many industries when the standardisation of rail gauge was first mooted. An understanding was reached with the railways at the time and certain commitments were entered into for the transport of fuel, bearing in mind, of course, that the transport of fuel oil is the easiest of rail problems to solve, if large tonnages are involved.

Returning now to some of the comments of other members who supported the Bill, I appreciate the approach made to the measure, because the member for Boulder-Dundas, the member for Kalgoorlie, and the member for Murchison-Eyre are all men who have had great experience of goldmining and the mining industry generally. They know some of the idiosyncrasies of the industry and some of the travail it has had in recent years.

I do not want it bruited abroad that when I introduced the second reading of the Bill I said that any quantity of SO_2 can be pumped all over Kalgoorlie. I did not say that the people of Kalgoorlie were indifferent to SO_2. What I did say was that they were more used to it than the people who live close to industries that do not emit large quantities of SO_2. A great deal of work was done by the officials responsible for the administration of the Clean Air Act, and by others, to ensure that into this agreement were written conditions which gave the Government of the day control over the emission of SO_2. The officials estimated that a large quantity of SO_2 is emitted as a result of the operations of certain industries—industries that currently emit SO_2—and while some of this would decline there would be a simultaneous increase in the amount of SO_2 that could possibly come from this industry.

In the light of all that information, certain levels were worked out and accepted by both the clean air administration and the corporation. One reason why they were satisfied was the assurance that the corporation would have to abide by the provisions of the Clean Air Act, and this is expressly stated in the agreement. Also, the corporation felt it was necessary that it should know what was involved so that it would be aware of what its expenditure was likely to be, in view of the fact that this is not an exact science at this stage. I think the scientists would probably be horrified if they heard me say this, but in my experience, when scientists use their slide rules for the erection of smoke stacks anything is likely to happen. In the initial estimates that were made, a stack 1,474 feet high was mentioned. Members should not take that seriously, of course, because,

firstly, a stack that high could not be built as men would not go up that high, and certainly it would not be economically possible.

However, the whole matter has been assessed in the light of all the known statistical factors and it was decided that a stack not less than 500 feet high should be built. It has been assessed that such a stack will not adversely affect the Kalgoorie and Boulder townships. I know the member for Boulder-Dundas, because of his experience in the area, was a little concerned about the location of the stack. However, I have had this rechecked by the officials concerned and they tell me that the location took into account the prevailing winds, and I think the member for Murchison-Eyre also made the point that, so far as he could understand the position, the location of the stack meant that whichever prevailing winds were blowing at the time, the final emission of the fumes, when carried by the air currents of the day, would miss most, if not all, of the two towns.

I have here a great deal of material on the question of pollution. I do not want to weary the House by reading it now, so I think it might be desirable if, at the appropriate time, I put this into an abridged form and have it tabled so that members can see the careful study that was made by the corporation in its submissions to the clean air authority and to the Government to establish, first of all, that it cared about the problem. That was the first thing to establish; that the corporation did, in fact, care about the pollution factor. The second point was that it was prepared to assist in a scientific way to achieve what would be an acceptable level of pollution.

I think the most telling point in the agreement is the fact that if the tests being undertaken in the Kalgoorlie-Boulder area demonstrate that the level of SO_2 in Kalgoorlie-Boulder has got beyond the permitted level, the corporation will have to cut back its operations. This is the most salutary penalty that can be imposed on a company of this type, because the success of its operations depends on the scale of its output.

The member for Boulder-Dundas raised the question of industrial disease. In view of his wide experience in this field and the fact that he has acted on behalf of so many people, I can well appreciate his concern. To the best of my knowledge, however, there is no potentially serious industrial disease problem with this industry, as is the case with some other industries; because the particular type of process that will be used and the types of ore that will be processed do not, so far as I am able to ascertain, bring with them any special problems.

I would, however, hasten to add that we have a company which is traditionally a mining company and thus very sensitive to problems of industrial disease in the goldmining industry, particularly in the eastern goldfields. Accordingly, I would be amazed if it did not, as a matter of routine, and in consultations with the unions, install right at the start the appropriate facilities to have the necessary checks made both before the people come into the industry and during their term in it.

Most members on the other side who are familiar with the activities of the Western Mining Corporation and those who know the eastern goldfields will be aware that there are sensitive problems associated with goldmining and that the corporation will have the medical facilities to deal with these problems.

Quite apart from that aspect, the refinery operation at Kwinana is a closed operation and therefore there is not the same potential for industrial disease as there is in an open type operation; because it is a very modern operation, as members will have seen when they visited the refinery.

So far as the smelter is concerned, the Outokumpu refining process will be installed. It is a process designed to avoid the materials used being touched by humans wherever practicable. As I said, this is a modern trend in industry and a very desirable one, particularly with these bulk type of industries where large volumes are being handled on a highly mechanised basis. Above all, it should help minimise the dust factor which is, I suppose, the main condition in the creation of industrial disease in these areas.

I will not labour the point about the reasons for Kalgoorlie having the lowest economic priority, but we evenutally did a deal for the corporation to go to Kalgoorlie. I have made my point on this before, and I think most members will accept that the logic of it is reasonbly sound.

The question of D.C.A. and the 500-foot smoke stack was, I understand, cleared with the company in the negotiations relating to clean air and other matters concerning the location of the smelter. It was obvious that a 500-foot stack nearer to an airport would be a menace even if it were effectively lighted. I note what was said about a 200-foot stack, because it concerned D.C.A. at the time it was put in.

The member for Boulder-Dundas asked me about the production of sulphur from pyrites at Norseman and referred to the experience he had in relation to the adverse transport economics of sulphuric acid. Unless it is produced on a large scale the transport economics of sulphuric acid are bad because in practical fact we

would be transporting two-thirds water, and we certainly would not like to pay freight on that.

The agreement has left the option open. It can be done in three ways; the first of which would be to produce sulphuric acid; then to produce elemental sulphur, and the third is to use the sulphur for the metallurgical process. It is easier to transport elemental sulphur and it is better if it can be produced in the elemental form instead of as sulphuric acid.

This, however, can be left to the Government, particularly as we have made it a condition that the corporation must convince us that it is uneconomic for the sulphuric acid, elemental sulphur, or the metallurgical process to be used.

On the question of royalty I would make the point that it is true the corporation pays the same royalty for 10 years, as was the case in the original refining agreement, but after that the royalty is that stated in the Mining Act with the one exception that it must not be a discriminatory royalty.

I think this is fair, particularly in the case of a company which has pioneered in this field and established itself. It would not be reasonable to have a situation where a group could come along later, reap the benefits of the experience gained by this corporation, and then get a lower rate of royalty in comparable circumstances. The fact is that the Government of the day has a complete right to fix the royalty under the Mining Act.

It was suggested by one honourable member that having this no-discrimination clause could prevent the Government of the day giving assistance to a struggling nickel company through lower royalties. I respectfully suggest that this would be no deterrent. While it could not give a discriminatory royalty there are other ways —through rentals and the like—by which the Government of the day could assist a struggling company. There is no ban placed on this aspect; it only refers to the royalty itself and to no other form of assistance.

While the member for Murchison-Eyre took a realistic view of the position—and he certainly has a great deal of experience in these matters—I would like to touch on his reference to the nickel strike at Wingellina. This was a low grade lateritic deposit but the economics were so bad that the company concerned had to walk away from it because it could not make its sums fit at that time; and unless it was fortuitous enough to make a nearby gas strike it could not go on with the job.

The honourable member also referred to the question of water. It is not quite as fantastic as would appear to bring water from the Kimberley down to the goldfields; though of course, it might be necessary to have armed guards in the Pilbara to protect the pipes that went through that area —unless, of course, we could ensure that the local member got his fair share for the area.

Mr. Bickerton: It is all downhill if you hang the map on the wall.

Mr. COURT: Fair enough; the point is well made. The member for Kalgoorlie was concerned about the rental clause. He said there was no provision in the mining legislation for varying forms of rental in respect of temporary reserves or of leases. If the honourable member rereads the agreement he will appreciate that this provision was included to ensure that if the declared rate in the Act was changed, the company would automatically have to pay a higher rate.

The $8 per annum per square mile may be changed to, say, $16 or $20 per annum per square mile. I am not foreshadowing that will be the rate, but it could be. Rather than leave the rate fixed for the whole term, it was felt that the corporation should pay a changed rate when there was an increase in the department's costs, and the like.

The same remarks apply to the lease rental. It is shown in the agreement as being the rental which applies from time to time. If after a number of years the Mining Act is amended or regulations are promulgated to provide for a higher rate then such higher rate will automatically project itself into the agreement. There is not to be a fixed figure for all time. I hope I have made the position clear.

The member for Kalgoorlie also raised a query about the timing of the sale of the land. If he reads the clause setting out the timetable for the construction of the smelter and the clause containing the definition of the smelter site, as set out in the agreement, he will see that the time during which the company must either conform with the agreement and buy the 1,500 acres or lose its rights under the agreement is fixed automatically. The definition of "smelter site" appears on page 4 of the Bill. If we follow the procedures through their logical progression, we find they automatically fix the time when the company has to purchase the smelter site or alternatively it defaults under the terms of the agreement.

I think I have covered the main points raised by members. I thank them for their support of the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Court (Minister for Industrial Development) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Addition of section 3A—

The CHAIRMAN: Under this clause which approves of the agreement I would point out there are two printing errors in the schedule. I have sighted the agreement, and the two errors have been corrected. The first appears on page 14 of the Bill in clause 11 (2) of the agreement. In line 5 of clause 11 (2) the word "plants" should read "plans." I have deleted the letter "t" from the word. On page 23 in clause 20 (2) of the agreement the word "seveny-five" in line 6 should be "seventy-five." I have made the correction. This is to advise the Committee that the two alterations have been made.

Clause put and passed.

Clause 4 put and passed.

Clause 5: Addition of Second Schedule—

The CHAIRMAN: I would point out that clause 5 includes the schedule which follows.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

MR. COURT (Nedlands—Minister for Industrial Development) [9.25 p.m.]: I move—

That the Bill be now read a third time.

I apologise to the member for Boulder-Dundas for not referring to the extraction of copper. He asked me specifically about this matter. Provision is made for the royalties to be paid on copper to be the same as those applicable under the Mining Act. The great advantage of the smelter is that metals like copper, cobalt, and platinum are to be recovered. It is a fact that it is part of the economics of the smelter operations to recover these metals, and we are anxious to see the establishment of an industry which would retrieve these metals from the ore so that they are not lost.

The other point which I omitted to mention was the one raised by the member for Murchison-Eyre and the member for Kalgoorlie relating to the route of the railway line. I will take this matter up with my colleague, the Minister for Railways. I remember that when I was Minister for Railways I was told there was a technical reason why the line has to go along the route that is shown on the map. However, I shall discuss this matter with the Minister for Railways.

Question put and passed.

Bill read a third time and transmitted to the Council.

BILLS (2): RECEIPT AND FIRST READING

1. Legal Practitioners Act Amendment Bill.
2. Presbyterian Church of Australia Bill.

Bills received from the Council; and, on motions by Mr. Court (Minister for Industrial Development), read a first time.

BILLS (2): RETURNED

1. Public Service Act Amendment Bill.
2. Public Service Arbitration Act Amendment Bill.

Bills returned from the Council without amendment.

CHIROPRACTORS ACT AMENDMENT BILL

In Committee

Resumed from the 21st October. The Deputy Chairman of Committees (Mr. Mitchell) in the Chair; Mr. Bertram in charge of the Bill.

Progress was reported after clause 1 had been agreed to.

Clauses 2 and 3 put and passed.

Clause 4: Section 20 amended—

Mr. ROSS HUTCHINSON: I oppose this clause and I trust the Committee in its wisdom will agree that it should not be included. I can go along with clause 5, as I virtually intimated in my second reading speech, but I do not like clause 5 much in association with clause 4.

Members will recall that a study of the chiropractors profession took place some years ago. This Chamber appointed a Select Committee to inquire into the profession and as a result of the committee's findings the Government decided to introduce legislation which is now on our Statute book.

The very first thing which must be done when compiling legislation designed to register a profession is to define that profession, and the definition of the chiropractic profession is found in section 4 of the Act. Any change which is made should be made to that definition. However, the amendment in this clause would result in an entirely different definition. The member for Mt. Hawthorn is trying to introduce what he calls a grandfather clause under which the definition is virtually twisted and subordinated.

Proposed new subsection (4) opens a completely new door to people who are not chiropractors. If any member had tried to include this provision in the legislation when it was first being debated in this Chamber, Parliament would not have had a bar of it. Under such a provision naturopaths, osteopaths, and any other "paths" who are not chiropractors could

be registered. I therefore trust that the Committee will be sensible in its approach to this matter and oppose this clause.

Section 20 (2) stipulates who shall be entitled to be registered, and subsection (3) of the same section provides a time limit. Those subsections were passed by this Chamber and we cannot make complete fools of ourselves now by passing this clause. Many members in this Committee will agree with me. I notice that the member for Fremantle is not present, but I wonder whether he can support this clause.

Mr. Graham: I should think so.

Mr. ROSS HUTCHINSON: I do not believe he could knowing how he feels about these matters.

Mr. Graham: There is no new principle in this.

Mr. ROSS HUTCHINSON: There is a completely new principle.

Mr. Graham: It is in scores of other Statutes, and the Minister knows it.

Mr. ROSS HUTCHINSON: It is obvious to me, if not to the Deputy Leader of the Opposition, that this is not the way to do it.

Mr. Graham: You agree with the principle, but not with the way it is done?

Mr. ROSS HUTCHINSON: I did not say that for one moment. If we agree to this clause, there is nothing to stop many other definitions being dealt with in the same way merely because someone is left out in the cold, although he has acted in good faith, and so on. Such a provision prostitutes the profession as a whole. Members who have studied the Press reports which appeared following the earlier debate which took place on this Bill in this Chamber will know the board objected very strongly to this method of redefinition.

Mr. Bertram: The board objected to the appeal provision.

Mr. ROSS HUTCHINSON: I have already indicated that I have no objection to that provision; but let us not have a bar of this redefinition in this manner because we will make fools of ourselves if we do. I oppose the clause.

Mr. BERTRAM: As members are aware, the purpose of this clause, which extends the existing grandfather provision in the Act, is to allow for the registration of one particular person. The whole profession cannot by any stretch of the imagination be said to be prostituted under this clause.

The Minister said that the provision opens a completely new door for people who are not chiropractors. That possibility, already expressed, has caused me concern because, as has always been said—and it is correct—the Bill is designed to assist one particular person. There is precedent for helping one particular person so there is no need to argue about the merit of or justification for that fact. During his second reading speech the Minister said that the Bill would let three or four others in.

Mr. Ross Hutchinson: At least.

Mr. BERTRAM: At least. At any rate, that was enough to put me on my mettle —that and other comments and representations made to me—and I now seek to amend the clause. I move an amendment—

> Page 2, line 4—Insert after the word "that" the words "he is a person of good character and that in Western Australia".

That amendment will effectively lock out anybody who fortuitously or otherwise may find himself coming within the extended grandfather provision. If anyone else wants to come in under this particular provision he would have to show that he had practised chiropractic in the manner indicated, and that for five years prior to the introduction of the parent Act he practised chiropractic in Western Australia, and nowhere else. To keep faith with the Committee, there is the proviso that the person who seeks to come in under the proposed grandfather clause will be a person of good character.

If members need any further assurance or guarantee of the certainty of confining this provision to one person, then I foreshadow an amendment to proposed subsection (5).

To digress for a moment, I am pleased to notice that the earlier provisions contained in the Bill are now being accepted. I must confess that I could see no reason for those provisions being opposed.

There are people, perhaps, who are practising something which some members of the public regard as chiropractic but who, by reason of the present definition of "chiropractic," are not regarded as chiropractors. They are certainly not registered as chiropractors and they are outside of any supervision or control whatsoever. I doubt very much whether this is a good thing, now that the Act has been in operation since 1964 and is, no doubt, a permanent Statute on our book.

Unless one is registered under the Medical Act one would be in trouble if one operated on a person. According to what the Minister has told us, a person can practise chiropractic but unless he is registered he must not call himself a chiropractor. I think this is an unsatisfactory state of affairs. There may have been some justification for this state of affairs when the Act was in its infancy, and a certain amount of caution had to be exercised. However, I think that perhaps the time has been reached when everybody who practises chiropractic should come under the board and be registered.

They should not be in a no-man's land where no-one has jurisdiction or authority over them any more than unregistered medical practitioners should be allowed to operate legally. They certainly cannot, and I do not see why chiropractors should be able to do so. This is the kind of thing which would bring far more discredit upon chiropractors than the comparatively minor amendment which I am asking the Committee to pass. It has been expressly stated on many occasions that the amendment would affect one person only. I refer to a person who has been admitted, within this Chamber and outside of it, to be a particularly skilled operator in his practice which he says, and so many other people allege, is chiropractic.

I can understand the Minister being concerned about more people than intended being let in under the grandfather clause, but I believe that when he looks at the amendment and considers its purpose in conjunction with the rest of clause 4 he will support it.

Mr. ROSS HUTCHINSON: I see no value in inserting these words in the clause which, in itself, is inherently wrong. One good phrase in a clause bad in principle is worth nothing at all. I ask the Committee to discharge the clause completely.

Enough was said at the second reading stage for members to appreciate how I feel and how the Government, generally, feels. I simply want to point out that the parent Act does not prevent anyone from earning his livelihood by practising what he feels is chiropractic. However, if we are to have an Act at all, it properly stops him from being called a chiropractor. I oppose the amendment and the clause.

Dr. HENN: I would like to say a few words on this clause. The Minister, who is opposed to it, has said a few words about the importance of the definition of a chiropractor. I agree with his concern over the definition. However, it exists in the Act despite the alternatives which were suggested and discussed during the second reading of the measure in 1964.

I am sure the Minister would much prefer to be talking about some other Bill and not on the subject of chiropractic, because he has absolutely no case to present in opposition to the amending Bill.

Mr. Ross Hutchinson: Do you like the redefinition?

Dr. HENN: I will explain to the Minister if he will give me time. I know I have taken some time to come to the point. I am talking about the definition in the Act, which is only one definition of chiropractic but it happens to be the one on our Statute book. Different definitions exist in the United States of America and other countries. I do not think there is any need for the Minister to get worked up over the definition, because others exist; this is not the only one.

I feel sorry for chiropractors for whom this Government has done so much. Western Australia is the only State that has properly registered them and now we are endeavouring to improve the legislation by this amendment. Parliament must take the blame for the position but, also, chiropractors, who advised the Minister in 1964 when he was formulating the measure, must also take some blame.

Mr. Ross Hutchinson: The Select Committee advised us.

Dr. HENN: The Select Committee did not give any advice on a definition, but kept very clear of that. Our excellent chairman, the present Speaker, made quite sure that he was not so unwise as to do that. The chiropractic profession at the time suggested the definition just before the measure was brought to Parliament. I consider they are in a spot because of that definition.

I will tell the Committee something which will completely refute what the Minister has just said. Only a couple of weeks ago. I was speaking to a gentleman who holds a high position in the chiropractic profession. I asked him whether chiropractors who are registered at present are able to stick within the definition. He said that of the 28 who are registered only two do. I think this proves my point; namely, the definition in the Act is not good. We are not here to alter that definition now but we should realise its limitations which have severely hurt one man.

Mr. Ross Hutchinson: How has it severely hurt him? I cannot understand this.

Dr. HENN: I will explain it to the Minister because he has said this before and he will not get away with the interjection without an answer.

Mr. Ross Hutchinson: I want an answer.

Dr. HENN: The Minister for Works would not like to have his titles taken away from him at any stage of his career and be shown up. The Minister knows this full well.

Mr. Ross Hutchinson: I do not know what you are talking about.

Dr. HENN: The Minister has tried to get away with the statement that the person concerned can perform the treatment he has performed in the past but cannot call himself a chiropractor. The Minister does not care tuppence for this man, although only two of the 28 registered chiropractors are practising according to the Act of Parliament.

Mr. Ross Hutchinson: It does not affect his livelihood one jot.

Dr. HENN: I think the Minister has been asked to oppose the Bill regardless of any argument put up. Is it not reasonable for someone to try to amend the Act when only two of the 28 registered chiropractors are practising within the definition of chiropractic?

Mr. Ross Hutchinson: Yes, to amend the definition.

Dr. HENN: That can be done but it is not for us to do. It is for the chiropractors to go to the Government and ask for an amendment.

Mr. Ross Hutchinson: It is for Parliament to do.

Dr. HENN: The man concerned has not done anything improper, but 26 of the 28 are acting improperly. They should be struck off by the board according to my information, yet the Minister is opposing it on party lines without giving a skerrick of attention to the matter before the Committee.

Mr. W. A. MANNING: I am entirely against the clause, and the amendment moved by the member for Mt. Hawthorn has no bearing on it whatsoever. The purpose of clause 4 is to vary the definition of "chiropractor." The fact that the man in question is a person of good repute and has lived in Western Australia has nothing whatever to do with it.

Let us look at the definition of "chiropractic" in the Act, which says—

> "chiropractic" means a system of palpating and adjusting the articulations of the human spinal column by hand only, for the purpose of determining and correcting, without the use of drugs or operative surgery, interference with normal nerve transmission and expression.

I am surprised at the lack of logic displayed by the member for Wembley. For a man to be registered as a chiropractor he must be qualified to practise chiropractic. There is nothing to say that he cannot perform what is practised by osteopaths and naturopaths if he so desires. These people are not registered. It would not be possible to deny a man registered as a chiropractor the right to operate in the way some who do not have to be registered at all are operating. I could go out tonight, put up a plate, and call myself an osteopath or a naturopath, although I do not know how many patients would come to me. I could still call myself that. That is the very reason why registration of chiropractors was introduced.

Mr. Ross Hutchinson: Otherwise there is no need to have an Act.

Mr. W. A. MANNING: That is right. People were calling themselves chiropractors when they were not chiropractors, so there had to be some definition. The Royal Commission recommended that chiropractors be registered. That was accepted by the House, and that is why we now have the registration of chiropractors. It seems to me that there is no justification whatever for widening the field of the chiropractor to say that he has treated members of the public in good faith, using methods designed to promote normal nerve transmission. I could have good faith but not be a chiropractor.

Members of this Committee must surely see that by widening the scope we are defeating the whole purpose of the registration of chiropractors, because unless a man practises chiropractic he cannot be called a chiropractor. I have already pointed out that the member for Wembley's logic is faulty. He does not say that certain people are not practising chiropractic. He says they are practising chiropractic plus osteopathy, and that they are using other methods besides chiropractic. The thing is that they are chiropractors. There is nothing to prevent them practising the other things. Osteopaths and naturopaths practise without any registration. How can we prevent a man who is registered as a chiropractor from practising these other things, when any Tom, Dick, or Harry around the city can practise them? It does not make any sense whatsoever.

The member for Wembley was a member of the Royal Commission. I thought he had some sense of logic but I am afraid it has departed from him tonight. I oppose this amendment.

Mr. BERTRAM: The member for Narrogin will forgive me if I am unable to attach a great deal of weight to what he said. He, too, was a member of the Royal Commission in about 1963.

Mr. W. A. Manning: We did a good job, too.

Mr. BERTRAM: He recommended that there should be an appeal provision. Only a few days ago he denied that there should be one, and now he intends to suggest that there should be one: on again, off again. Which way do we take heed of him? In the interests of caution—which we are so often asked to exercise—I elect not to take very much notice of what the member for Narrogin has said.

For example, the honourable member asked what good repute and good character had to do with it. They have everything to do with it. Should any man be able to practise a profession if he has not a good character? Has anybody ever suggested this before? I have never heard it before and I trust I shall never hear it again. That disposes of the character angle.

The honourable member asked what Western Australia had to do with it. I will repeat it, so that the Committee will understand. There are those who believe that the idea of this clause is to let in a person who has practised during the five years immediately preceding the present

time. That is not so. The Bill is designed to let in a person—I emphasise, a person—who practised for five years prior to the commencement of the principal Act, which was 1964, I think. As I have already sought to intimate, my concern was that somebody might say, "I was practising in Fitzroy from 1953 to 1964, and I avail myself of this provision." That was never intended. The reason we inserted "in Western Australia" was that a person must have practised in the State of Western Australia for at least five years prior to 1964.

The Minister has asked why we did not amend the definition of "chiropractic." I suggest that he ask the Parliamentary Draftsman, among other people. I was guided by the Parliamentary Draftsman. Chiropractic is the fundamental hinge of the whole Bill.

I do not want to upset the whole provision. I want to let one man in—a man who is practising, who has treated doctors, to whom doctors have referred patients, and who has quite an impressive list of references from people of considerable standing in this community. That explains the various matters that have been raised. As I have said, I was not happy with the clause after certain things were pointed out to me by people who are interested in this matter. I believe that, as far as one reasonably can, I have explained what is sought to be achieved by the amendment that is now before the Chamber. I have explained that we are aiming to assist one man, and I do not think we can do any more than that.

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

Ayes—22	
Mr. Bateman	Dr. Henn
Mr. Bertram	Mr. Jamieson
Mr. Bickerton	Mr. Jones
Mr. Brady	Mr. Lapham
Mr. Burke	Mr. May
Mr. Cook	Mr. Moir
Mr. H. D. Evans	Mr. Norton
Mr. T. D. Evans	Mr. Sewell
Mr. Fletcher	Mr. Taylor
Mr. Grayden	Mr. Tonkin
Mr. Harman	Mr. Davies
	(Teller)

Noes—21	
Mr. Bovell	Mr. McPharlin
Sir David Brand	Mr. Mensaros
Mr. Burt	Mr. Nalder
Mr. Cash	Mr. O'Neil
Mr. Court	Mr. Runciman
Mr. Craig	Mr. Rushton
Mr. Gayfer	Mr. Stewart
Mr. Hutchinson	Mr. Williams
Mr. Kitney	Mr. Young
Mr. Lewis	Mr. I. W. Manning
Mr. W. A. Manning	*(Teller)*

Pairs	
Ayes	Noes
Mr. McIver	Mr. O'Connor
Mr. Toms	Mr. Dunn
Mr. Graham	Mr. Ridge

Amendment thus passed.

Mr. ROSS HUTCHINSON: I can perhaps understand the Committee supporting the amendment. However, I trust that the Committee will oppose the clause and defeat it.

Clause, as amended, put and a division taken with the following result:—

Ayes—22	
Mr. Bateman	Dr. Henn
Mr. Bertram	Mr. Jamieson
Mr. Bickerton	Mr. Jones
Mr. Brady	Mr. Lapham
Mr. Burke	Mr. May
Mr. Cook	Mr. Moir
Mr. H. D. Evans	Mr. Norton
Mr. T. D. Evans	Mr. Sewell
Mr. Fletcher	Mr. Taylor
Mr. Grayden	Mr. Tonkin
Mr. Harman	Mr. Davies
	(Teller)

Noes—23	
Mr. Bovell	Mr. McPharlin
Sir David Brand	Mr. Mensaros
Mr. Burt	Mr. Nalder
Mr. Cash	Mr. O'Neil
Mr. Court	Mr. Ridge
Mr. Craig	Mr. Runciman
Mr. Gayfer	Mr. Rushton
Mr. Guthrie	Mr. Stewart
Mr. Hutchinson	Mr. Williams
Mr. Kitney	Mr. Young
Mr. Lewis	Mr. I. W. Manning
Mr. W. A. Manning	*(Teller)*

Pairs	
Ayes	Noes
Mr. McIver	Mr. O'Connor
Mr. Toms	Mr. Dunn

Clause thus negatived.

Clause 5 put and passed.

Title put and passed.

Report

Bill reported, with an amendment, and the report adopted.

As to Third Reading

MR. BERTRAM (Mt. Hawthorn) [10.16 p.m.]: I move—

> That the third reading of the Bill be made an order of the day for the next sitting of the House.

DR. HENN (Wembley) [10.17 p.m.]: I would like to ask the Minister in charge of the opposition to this Bill—

The DEPUTY SPEAKER: Order; the honourable member cannot speak on this motion, which is that the third reading be made an order of the day for the next sitting of the House.

Dr. HENN: Thank you, Mr. Deputy Speaker.

Question put and passed.

JUDGES' SALARIES AND PENSIONS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 10th November.

MR. TONKIN (Melville—Leader of the Opposition) [10.18 p.m.]: Although I propose to support this Bill, I have little enthusiasm for it and I give it my support with mixed feelings for reasons I shall explain. I appreciate that we cannot allow ourselves to get out of step with the other

States in the fixation of judges' salaries. Judges occupy a most important position in this State, and in administration.

It is most desirable—as a matter of fact in my view it is absolutely essential—that those who are appointed to this high office should be fully qualified and experienced. Well qualified and good men can earn most substantial rewards in the practice of law, and it cannot be expected that they will forsake private practice in order to suit the convenience of Governments if they are not suitably rewarded for the work they are called upon to perform and the responsibility they have to assume. We cannot afford to allow judges who are appointed to learn at the expense of litigants, and that is what would happen if incompetent judges were appointed.

So to ensure that only competent and experienced men are appointed, the inducement has to be sufficient to warrant their forsaking private practice. That goes without saying, and that is why judges' salaries, in comparison with other salaries, are high. But I think we reach the stage where, by rewarding people with salaries, the extra money they receive is not necessary. After all, if a man is being well paid so that he is receiving sufficient to enable him, on a very good standard of living, to enjoy his leisure and so on, there is no necessity for him to amass large sums of money which he will leave behind and from which the Government will take its cut in probate duty. Therefore, I think when we reach a certain stage we should look at the additions we propose to make.

There is a further angle. Because of the taxation scale, after a certain figure is reached a larger proportion of any increase in salary goes in taxation. Let us examine what is likely to happen in this instance. We propose to give to the Chief Justice an additional $3.600. Three-fifths of that increase at least he will lose in taxation; or, to put the situation in dollars, of the increase of $3,600, perhaps the Chief Justice will get for himself only $1,440, and that is allowing him a very substantial deduction from gross income for expenses and statutory deductions which may be available to him. He will receive $1,440 and the Commonwealth will receive $2,160 through the Taxation Department.

The proposed increase for the Senior Puisne Judge is $3,300, of which only $1,320 will go to the judge and $1,980 to the Taxation Department. Another aspect of this matter is that on the 1st January last year the salary of the Chief Justice was raised by $2,600. The salary of the Senior Puisne Judge was raised by $2,500 and that of the other judges by $2,400.

I now return to what I said originally: I agree the emolument has to be sufficient to attract good men to accept judgeships and we cannot allow our State to fall behind the other States in regard to the salaries they pay their judges.

It has been the practice here to keep our judges' salaries in line, more or less, with the salaries paid to judges in South Australia and Queensland. However, we cannot, on the one hand, continue to increase salaries in this way and then, on the other hand, have Governments entering an industrial arbitration court to oppose strongly any attempt on the part of workers on very low wages to increase their remuneration, having regard to the fact that the Government takes no steps whatsoever to control prices. The Government opposes cost-of-living adjustments which would maintain the equity of the workers' wages. So how can we reconcile the two attitudes if it is right and proper that we should increase the salaries of judges—and I say it is for the reasons I have given—when, at the same time, the Government uses its powers to prevent the great body of workers from receiving any increase in the wages they receive?

By the strangest possible coincidence in this morning's newspaper there is a report of the Minister's second reading speech on these Bills where he is advocating and proposing an increase in judges' salaries, and in the same newspaper we find the following:—

> Slow down wage rises, says Govt.
>
> Melbourne, Tuesday.—The Federal Government believes that there will be no chance of checking inflation unless there is a slow-down in wage rises.
>
> Its counsel in the national wage case, Mr. J. A. Keely, Q.C., told the full bench of the Arbitration Commission that the Government was concerned about inflationary pressures.
>
> It asked the commission not to accentuate these pressures.
>
> "It is the Commonwealth's hope and expectation that inflationary pressures in 1970-71 will be held in check," Mr. Keely said.
>
> "But that hope and expectation could, of course, not be realised if there was no slowing in the excessively rising rate of increase in wage costs."

Yet the small amount which is being sought by the great body of workers cannot be compared to the increases we are proposing to pay to judges in this instance. Is it any wonder that industrial unrest is fomented? How can one satisfactorily explain this to the great body of workers, whose claims are resisted not only by the Commonwealth Government but also by this Government; because this Government had an advocate in the court opposing a request by the workers for an increase

in wages or for a quarterly adjustment to keep pace with rising prices? In this instance how can we, as representatives of the people, expect to prevent the agitation for increases in wages when we are prepared to increase the salaries of judges, and those who are compelled to make ends meet on low wages realise nothing is being done to control prices and their request for increased wages is being opposed?

Then, too, we have the situation of old-age pensioners. They receive a mere 50c increase and are told that the Commonwealth Government cannot afford to give them a larger increase because of the inflationary pressures on the economy. You would appreciate, Mr. Deputy Speaker, how extremely difficult it is to be able, satisfactorily, to explain why we should not have any regard to inflationary pressure when we are fixing, say, judges' salaries or the salaries of members of Parliament for that matter, and at the same time refuse the request of workers for increases in quarterly adjustments to wages; because this opposition on the part of the Commonwealth was not limited to an increase in the total wage; the opposition was also against any reintroduction of quarterly adjustments in the cost of living. If a stand is taken to oppose adjustments in the cost of living which are justified because of rising costs, surely we must find it extremely difficult to approve of increases in salaries elsewhere at the time steps are being taken to curb inflationary pressures.

Ordinarily, we have found little difficulty in agreeing to these increases which are proposed from time to time, but in the existing situation, where we are experiencing so much agitation for increased wages and where this is being resisted so strongly by Governments, the situation is, as a result, a very different one indeed.

If we take the proposed increases separately—those for the Chief Justice, the Senior Puisne Judge, and the other judges —the amounts are comparable to those which have been awarded elsewhere; and they would keep us in line with the practice that has been followed for a very long time.

Be that as it may, we cannot get over the situation that this will not appeal to many thousands of people who are struggling to exist on a low wage and whose struggle is intensifying because of increasing costs. Those people will look at the substantial increase and immediately wonder what is going on.

Where is the fairness in the situation? This is the aspect of the matter which seriously worries me. I feel that we cannot, any one of us, justify saying on the one hand to the great mass of the workers, "To give you an increase in wages will contribute to the inflationary pressures and will be bad for the country"; and on the other hand shut our eyes to any possible effect.

It is true in fact that the total amount involved in the payment of these increased wages is not very great; but it is the principle of the thing, and the effect it will have in the community generally that must be considered. Surely that is an aspect of which we should be bound to take notice.

This is the way that these salaries have been fixed year after year. We bring the matter here and get the opinion of Parliament; but the Government does not seek the opinion of Parliament before it goes to the Industrial Commission to oppose applications for wage increases. The Government does that as an executive act; it does not seek the opinion of Parliament as to whether it should oppose an application by the workers for an increase in wages. The Government decides that for itself.

Surely the same principle should apply all round. This is a matter which could ultimately—if some other method is not adopted—lead to very serious trouble, not only in the State but in the nation; particularly if we have increases provided for men who are already on high salaries and the Government consistently denies increases in wages to men and women who are in receipt of the lowest wages. If this continues I am afraid that we will, ultimately, have very real trouble on our hands; because what is necessary in all these activities is that it should appear that justice is being done all round.

I will admit quite freely that the same considerations do not apply with regard to the fixing of wages for unskilled or semi-skilled people, because it is not necessary to hold out inducements to secure their services; with this exception—and of course exceptions prove the rule—that at any time labour is in short supply —particularly skilled labour—employers do not hesitate to provide remuneration in excess of the wage scale declared by the commission. Employers will give over-award payments and continue to give over-award payments, because it suits them to get the best men—the highly skilled men —for the particular trades for which they are required.

The same applies, I suppose, with judges —though to a greater extent in the case of judges—because we must have very good, competent, experienced, and skilled men, and we cannot expect to get them unless we can give them adequate remuneration for their services.

Although I have no enthusiasm at all for this legislation I acknowledge that we cannot allow ourselves to fall behind the other States; nor can we permit ourselves to reach the situation where the inducement is insufficient to enable us to secure the services of fully qualified men for the job. Because of that I am prepared to support the Bill.

MR. JAMIESON (Belmont) [10.37 p.m.]: I would like to make a few comments on this legislation. I took out some comparative figures in relation to both parliamentary salaries and salaries for the judiciary as they stood in the year 1953—when I first entered Parliament—and as they stand at the present time.

I found that in 1953 there was a difference of about $4,000 between the salary of the Chief Justice and that of a member of Parliament. In 1970, however, the difference between the salary of the Chief Justice and a member of Parliament is something like $14,100.

What my leader has said about giving the best payment for the best brains to secure the services of people for particular jobs, must apply equally to other vocations. I do not suggest there is a true analogy between members of Parliament and judges of the Supreme Court, because I appreciate that judges are not subjected to elections every three years.

I do feel, however, that in all these highly paid positions the Government should adopt the same attitude and pay the highest possible salary in other walks of life where it is necessary to secure the best men for the job.

In 1953, judges were given 50 per cent. of their salary rate as a maximum pension, but today we find that after six years' service they are entitled to 30 per cent. of their salary as a pension; and this could go up to a maximum of 50 per cent. at the end of 11 years' service. This pension scheme is, of course, non-contributory.

It is probably very necessary to apply this principle of payment to the top echelon of our Public Service, but the Government should make every effort to ensure that a similar lift is given to those on the lower scale.

I suggest that the wives of the judges do not have to go out to work, like the wives of some of the workers in the community have to do. I also imagine that the increases that are proposed on this occasion will not mean very much in actual money to the judges; because at their rate of salary about three-fifths of any increase goes to the Commonwealth in one form of taxation or another. It seems to indicate that what we are doing in granting increases in salaries to officers in the top echelon of the Government is to enhance the coffers of the Commonwealth Government. Some way has to be found to overcome this anomaly. While we choose to pay them the highest amount possible in salaries, we must realise that three-fifths of any increase goes to the Commonwealth.

I suggest that over the years the Government has not been fair in its attitude in opposing the claims of the working class for increased salaries; but it seems to be prepared to bring before Parliament as often as is required amendments to the Judges' Salaries and Pensions Act in order to increase the salaries of the judges.

Mr. Davies: Do you think the judges would be better off if they were granted a few fringe benefits rather than a rise in salary?

Mr. JAMIESON: If the Government is as generous in handing out fringe benefits to judges as it is in handing them out to members of Parliament the judges will be better off with getting an increase in salary.

Since 1953 there has been a dramatic increase in salaries; and at the same time we have seen an increase in the number of judges of the Supreme Court from four to seven. We have also seen the establishment of a circuit court, which has taken some of the load off the Supreme Court, and these judges are paid at salaries commensurate with those of the judges of the Supreme Court. At the same time we have seen the population of Western Australia increase by one-third since 1953.

All in all, there should not be such a great difference between our outlook towards the judiciary and our outlook towards people who generate the wealth of the community—a matter about which the Minister for Industrial Development is always talking. If it were not for the working class generating the wealth, then the officers in the top echelon of Government would not be receiving higher salaries.

All sections of the community are interrelated, and it is high time the Government realised this when it formulates a policy in relation to the salaries and wages that are to be paid to the workers, arising from requests that are put forward from time to time for increases. The Government should not give increases freely to one section of the community, while it makes other sections of the community fight all the way.

Before members of Parliament are granted any increase in salaries they have to establish a case before a tribunal to show that members in the Eastern States are receiving higher salaries. However, this principle does not apply to the judiciary. They are able to wave a magic wand; and when they make a request for an increase because their counterparts in the east have received an increase, the request is granted.

Once the salary payable to an office reaches a high bracket, it does not seem to be possible to attract a better class of officer by increasing the salary. Most of those who have been appointed judges of the Supreme Court were well established before their appointment, and they reaped the benefits from their investments

after they were appointed. These investments would provide a considerable income. It seems to me that we are pandering to them to too great an extent. We are inclined to provide for the greedy, and not for the needy.

I agree with my leader that whilst the judges in Western Australia have a case for a higher salary, because the judges in the Eastern States have received an increase in their salary envelopes, I hope the Government will bear this in mind when it adopts an attitude to the claims of other classes of workers in the community for wage and salary increases.

MR. COURT (Nedlands—Minister for Industrial Development) [10.46 p.m.]: I thank the two members who have spoken in this debate for their support of the legislation. Their comments have been noted, but I am afraid I cannot agree with them in their entirety. The day we start to mix judges up with people who are working under industrial awards we will get our values and perspectives also mixed up.

Judges have no other way of getting salary adjustments except through Parliament, and they are in a very special position in the community. They comprise one of the last remaining groups that have to come before Parliament for salary adjustments; and if the Parliament—which means the Government of the day—did not initiate something they would remain at an unrealistic level of emolument.

I know that one can readily put forward arguments in respect of the salaries paid to the top executives and judges in order to demonstrate that the amount of money they actually receive from any increase is not worth having. One can almost make out a case for saying the judges would be paying so much in additional taxation that they might as well skip the balance of the increase that they would actually receive. If one tried to do that with the top executives, and I imagine with the judges, they would say that they want the increase for prestige reasons, for relativity with their counterparts, or for a host of other reasons. They would say that they want a salary which is regarded as comparable with their particular job, when measured against the remuneration received by others doing the same job.

Mr. Davies: In this instance who initiated the move?

Mr. COURT: It is the responsibility of the Government of the day to keep these matters under review, just as the previous Labor Government had to come before Parliament from time to time and ask for the statutory salaries to be adjusted.

Mr. Davies: Was there any approach from the judiciary on this occasion?

Mr. COURT: Frankly I would not know how this proposal was initiated. I can hardly imagine the judges remaining silent forever and a day without mentioning to the Premier or the responsible Minister that it was high time they had a review of emoluments, because they are only human beings after all. If their salaries fall too far behind it is fair to say that they would raise the matter with the Government of the day for the granting of an increase. We should keep the question of the salaries payable to the judges in its true perspective.

If those who hold positions as the Chief Justice, the Senior Puisne Judge, and the puisne judges—I will not deal with the District Court judges at this stage—are as good as they need to be in order to become judges and to meet the requirements of judges under our system, then I suggest they are able to earn much more in private practice than they earn as judges.

When a person gets to a certain stage of seniority and has demonstrated his ability in the legal field, he is often prepared to spend some years of his life acting as a judge because there is some prestige attached to the position. I would point out there is also a community service associated with the position. I would say that if any of our judges today could not earn three times as much in private practice as they receive in salary they should not be holding the positions of judges. I think that is how we should gauge the situation when we decide what salary they should be paid; because when we deal with the profession as it is today we find it is an entirely different situation from what it was 20, 30, or 40 years ago. I am thinking in terms of international standards of the profession, and this aspect cannot be divorced from the question. When approaching the question of the salaries that are to be paid to the judges my main test is not to take into account the amount they are receiving, but the contribution they are making to the community in the giving of their talent, training, and experience as judges.

The member for Belmont said that the present judges would have accumulated some wealth before they were appointed as judges. I hope they did. If they had not been able to accumulate some wealth we would not want them as judges, because wealth is a sign of their stability and stature. They do not have to be rich, but at least we expect them to be prudent.

Mr. Jamieson: Whether we like it or not, many of these appointments were political. Persons appointed by one political body would not suit another.

Mr. COURT: I do not think that has applied in this State very much, has it? There may have been the odd case. I can think of only two—I will not mention names—who could be classed as political appointments. However, in the main, it has been a question of taking Q.C.'s who have demonstrated the standard of their

performance and have been outstanding and are prepared to accept the appointment. We must bear in mind that everyone is not prepared to be a judge because in most cases it represents a sacrifice.

I would like to think we have men of performance and the capacity to earn much more in private practice who are prepared to give some years of their lives to this work. This is one of the reasons the pension scheme is rather unusual. We accept the fact that those who come into the judgeships are of a fairly mature age so that they could not start in any normal superannuation type of pension.

Reference has been made to the Industrial Arbitration Commission and what has been done for award workers. I can think of no other way of dealing equitably with a mass of people; and even if the Government on occasions does make representations to state some of the economic facts of life, we must realise that in that case it is not the Government or Parliament which makes the decision. It is an independent body—a completely independent body—in the form of the Industrial Arbitration Commission.

I do not suggest we should throw money around with careless abandon. I can recall the then Premier (Mr. Hawke), when introducing a Bill related to judges' salaries, saying that he only wished he could find a different system. At that time he was thinking we might be able to establish a system under which judges' salaries were fixed on an interstate basis so that we would not have this problem of having to decide the matter in Parliament every time, because it is not a very edifying spectacle. However, no-one has found a better way.

Mr. Davies: Do they buy their own garments and wigs?

Mr. COURT: I would not know. To be more precise on this point, one of the reasons the judges would not always need to earn quite as much as they would require in private practice is because there is no need for them to provide a lot of the necessities of life or for their practices. Also, the pension scheme does give some security which they do not have if they are in private practice when they must make arrangements out of their own estates.

In view of the fact that so much of their salaries is returned in income tax, I wish we had a law under which the extra tax they pay could come back to the State instead of to the Commonwealth.

Mr. Davies: It would be good if we did.

Mr. COURT: 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 Mr. Court (Minister for Industrial Development), and transmitted to the Council.

DISTRICT COURT OF WESTERN AUSTRALIA ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 10th November.

MR. TONKIN (Melville—Leader of the Opposition) [10.55 p.m.]: This Bill is for a similar purpose to that of the previous one, and although the District Court judges were appointed only in March of this year, I agree that it is desirable the fixation of salaries should be done at the same time so that when the occasion arises in future for a further fixation of salaries, either up or down according to circumstances, it will be done uniformly and the District Court judges will be affected the same as the others.

So, in principle, one cannot disagree with what is being done under this Bill. It is the practice elsewhere to fix the salaries of District Court judges at the same time as those of Supreme Court judges and I can see no reason why we should depart from that general practice. If we are out of line this time, we are likely to remain out of line, so I approve of the idea of the fixing of the District Court judges' salaries at the same time as those of the Supreme Court judges.

Nevertheless, the basic arguments which I advanced in connection with the former Bill I apply to this one, and I think the arguments are the same from the point of view which I expressed. I could not disagree with a good deal that the Minister for Industrial Development said, although some of his utterances were not in accordance with my own thinking. However, generally I believe that with judges particularly we must ensure that the remuneration is a sufficient inducement to enable the right man to be available for appointment. Men who cannot earn a high remuneration in private practice would not generally be very satisfactory as judges.

It is those who are outstanding in the profession, who have demonstrated their ability, and who as a result earn high remuneration to whom the State would look to fill these positions; and the State would have little opportunity to get them if it offered a salary substantially below what they were able to earn in private practice. We might get the odd man who

would be an altruist and who would be inclined to regard the service he could render the community as being paramount to his monetary remuneration; but such people are rare, and if we depended upon that source it is certain we would not recruit sufficient of them to fill the vacancies which occur from time to time.

So there is no necessity for me to delay the passage of the Bill. I propose to support it because, having regard to the previous one which increases Supreme Court judges' salaries, we must ensure the salaries of the District Court judges are brought into line, and that all salaries are fixed at the same time.

Mr. Court: Thank you.

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 Mr. Court (Minister for Industrial Development), and transmitted to the Council.

ABATTOIRS ACT AMENDMENT BILL

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [11.02 p.m.]: I move—

That the Bill be now read a second time.

An amendment to section 6 (c1) of the Abattoirs Act, 1909-1964, is considered desirable to enable some form of control to be imposed when issuing a license authorising the slaughter of stock. Currently section 6(c) of the Act prohibits the slaughter in any district of all or any kind of stock except at an abattoir, or place within the district, licensed by the Minister.

However, there is no provision for any control over the number of stock that may be slaughtered for local consumption or the quantity of meat which can be disposed of in a district. Licenses may, therefore, be issued to slaughter stock for rendering down for tallow or meatmeal after the skins have been removed, but the companies are not legally bound to comply with this requirement. The Bill seeks to include a provision whereby the Minister may impose necessary conditions in respect of licenses issued in certain circumstances.

At this point I think I should elaborate on the provisions which I have outlined. This situation was brought about last year when a large number of stock were being brought into the Midland saleyards, and quite a number could not be sold at any price. The auctioneer offered the stock for sale but there were no bidders and he could not obtain even a takeaway figure.

The authorities were left in a rather embarrassing position and it was necessary for them to call in a business man who had a rendering plant not very far from the abattoir. That person took the stock, killed them, and rendered them down. It has been found there is no opportunity for the person concerned to be licensed and the health authorities are of the opinion that the proposed situation should prevail. To cover this aspect it was necessary to introduce this amending Bill.

If it is necessary, in the future, to license a company which might be interested in preparing and processing animal meal, such as cat meat or dog meat for a prepared food line, the provisions contained in this Bill will make that possible. In those circumstances the Government felt it should take this necessary action. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Brady.

MARKETING OF EGGS ACT AMENDMENT BILL

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [11.07 p.m.]: I move—

That the Bill be now read a second time.

As a result of proposals submitted by the Poultry Farmers' Association of Western Australia earlier this year, a referendum of eligible poultry growers was recommended to obtain agreement to the establishment of a licensing authority to regulate the production of eggs in Western Australia. Subsequently, a State-wide referendum of eligible commercial egg producers held on the 4th September, 1970, resulted in an 83 per cent. "Yes" vote for the establishment of such an authority.

This Bill is designed to incorporate the various proposals which were detailed to producers at the time of conducting the referendum. A meeting of representatives of the Poultry Farmers' Association, the Egg Marketing Board, and the Department of Agriculture was also held to formulate the requirements of draft legislation.

The Government decided that the licensing authority requested by producers should be the existing Western Australian Egg Marketing Board. This has been considered desirable as the Egg Marketing Board has the responsibility for marketing and must be the source of supply of all information required to establish which farms shall be licensed and at which level of production. Once initial licenses and levels of production have been set there should be little additional work involved and a separate authority would be of little value. It is therefore proposed

that the Marketing of Eggs Act, 1945-1969, be amended by the addition of several new sections.

The first six amendments involve necessary actions to amend the title of the Act, the inclusion of a new part IVA in the Act, interpretation, and commencement date, and require no further comment at this stage.

One of the main requirements of the Bill is the inviting of applications for licenses, the basis of principles on which licenses are to be determined, and the actual determination of applications. It is recognised that, initially, this portion of the Bill will be involved considerably, and all aspects have been closely examined. It is therefore proposed that the basis for licensing be worked out by the board after consultation with the industry, and that the scheme developed receive the approval of the Minister before being implemented.

For the first licensing year adequate provision has been made for persons who qualify by being in the egg producing business at any time during the period of 12 months ended on the 31st March, 1970. Provision has also been made so that others who consider they are entitled to a license may make application.

At this point I might mention in a little more detail that when it was agreed that a referendum would be held to assess the views of the Poultry Growers' Association an announcement was made indicating that the licensing, if agreed to by Parliament, would date back to the 31st March, 1970. I made an announcement in the Press at that time because it was felt that unless a decision was made in that regard there would be people who would probably endeavour to increase the numbers of their poultry with perhaps some disadvantage to the industry generally. Others might consider it an advantage to start poultry growing for egg production. Consequently the Bill is designed to allow the board to operate as from the 31st March, 1970. Of course there may be people who have genuinely attempted to carry out the normal function of egg production and who may not have heard about the announcement. Consequently, there must be some right of appeal.

The right of appeal against any board decision in refusing to grant a license will be allowed. The appeal section also covers any board decision against the number of fowls endorsed on the license. Provision is also made for the issue of supplementary licenses and the transfer of licenses. Penalties have been included for offences involving the keeping of more than 20 fowls for the purpose of producing eggs for sale without a license, or for keeping a greater number of fowls than the license permits.

Breeding fowls kept for the purpose of producing hatching eggs will not require licensing, although the Bill sets out certain conditions which must be observed by persons in this category.

Generally, the Bill covers the purpose for which it has been designed at the instigation of the poultry growers in this State. The terms of reference have been observed and that is to regulate the number of hens in poultry flocks in Western Australia so that while ensuring orderly production of an adequate supply of first grade eggs for consumption, excessive oversupply shall be avoided. The Bill meets this requirement. I might also add that the move in this State is the first of its kind in Australia.

It is well to say that the Poultry Growers' Association of Western Australia and some of the associations in other States have been pressing for legislation of this kind. Over the last few years the Australian Agricultural Council has discussed this matter at its many meetings and agreement on an Australia-wide basis was desired. Much discussion and debate took place in the hope that the eventual outcome might be agreement between the various States. However, this has not been accomplished and the discussions on the recommendations that had been made broke down. On that basis the Poultry Growers' Association in Western Australia requested the Government to allow a referendum to be held in this State.

I think we can appreciate the difficulties that accrue in the Eastern States as there are no demarcation lines to stop a person from producing eggs on one side of the border and selling them on the other. Growers in one State only have to drive across the border and they are then allowed to sell their eggs, without license, in the other State. This is brought about by the Constitution. It is not likely that Western Australia will be affected in this way because of our isolation from the other States. As I see it, that has some advantages. However, the board will have the responsibility to see that there are sufficient licensed poultry growers and sufficient hens to supply a sufficient quantity of eggs in Western Australia during the year. That will be the board's responsibility.

I expect that with the information available and with the experience that the Egg Marketing Board has had over the years it will be equipped to assess requirements, make allowances for problems associated with the industry, and make available to the public on a 12-month basis eggs required for local consumption. I therefore commend the Bill to the House. I trust the debate will cover all aspects of the measure, and that, of course, it will be passed.

Debate adjourned, on motion by Mr. Jamieson.

RESERVES BILL

Second Reading

MR. BOVELL (Vasse—Minister for Lands) [11.18 p.m.]: I move—

That the Bill be now read a second time.

Clause 2 refers to the cancellation of trust over Lot 2 of Lot 187 at Albany. Lot 2 of Albany town Lot 187 is held in trust by the Town of Albany for the purpose of a mechanics institute.

The whole of Lot 187 was originally granted in trust in Crown grant enrolled No. 2797 in 1853. In 1916, Lot 187 was transferred to the Town of Albany by Memorial Book 18, No. 488, in consideration of an undertaking and agreement by the town council to carry out the objects and purposes of the trust.

By the authority of Act No. 29 of 1936 (Reserves Act), portion of Lot 187, being Lot 1 on Office of Titles diagram No. 10297, was transferred by the town council to the Western Australian Fire Brigades Board, and was freed from the trust.

To enable the expansion of fire-fighting services in the Town of Albany, the W.A. Fire Brigades Board now seeks to purchase Lot 2 of Albany Lot 187 from the Town of Albany, but the sale cannot be negotiated until the trust is removed. This clause seeks parliamentary approval to the cancellation of the trust over Lot 2 of Albany Town Lot 187, for the land to be sold and transferred by the Town of Albany to the W.A. Fire Brigades Board, and when so transferred the land shall be held freed and discharged from the trust.

Clause 3 refers to excision from "A"-class Reserve No. 24258 near Albany. This reserve, situated near Albany, comprises Plantagenet Locations 6111 and 6112 and contains about 8,911 acres. The reserve is set apart for the purpose of "National Park and Recreation" and is vested in the National Parks Board of Western Australia.

The provision of a road to serve the prison severed and rendered useless a valuable swamp used for potato growing by John Peter Manoni and Ernest Albert Manoni. To offset this loss Messrs J. P. and E. A. Manoni applied for and were allotted Plantagenet Location 6678, under the impression that a swamp was situated on this location. A subsequent inspection of the area revealed that Location 6678 consists mainly of steep sand dune country, entirely unsuitable for agricultural usage. The applicants had cleared and drained a swamp located in the adjoining "A"-class Reserve No. 24258, under the mistaken impression that it was situated on Location 6678.

The National Parks Board of Western Australia has agreed to an excision from "A"-class Reserve No. 24258 of approximately 30 acres, and to receive in exchange the area at present set apart as Plantagenet Location 6678.

This clause seeks parliamentary approval to the excision of 30 acres from "A"-class Reserve No. 24258, to be surveyed as Plantagenet Location 6678, and to authorise the Governor to grant a conditional purchase lease of the excised land to John Peter Manoni and Ernest Albert Manoni, both of Albany, under the provisions of section 53 of the Land Act, 1933.

Clause 4 refers to the cancellation of Reserve No. 17803 at Balingup. Reserve No. 17803, situated at Balingup, comprises Nelson Location 8147 and Balingup Lot 244, contains 4 acres 2 roods 15 perches, is set apart for the purpose of "Rifle Range (Balingup Rifle Club)", and the Crown grant in trust is held by John Lytton Rose, Edmund Moore, and William Morgan Jenkins as trustees for the Balingup Rifle Club, in Certificate of Tile Volume 951 Folio 188.

The Shire of Balingup has advised that the rifle range has not been used for over 15 years, and it considers that the club will not be formed again. The trustees of the rifle club are all deceased. The owner of the adjoining land has requested purchase of portion of this land, as the reserve runs through his property, and it is necessary for him to maintain fences on both sides to control the spread of blackberries and to poison the vermin.

The intention is to make Nelson Location 8147 available for selection by adjoining holders only, and to retain Balingup Lot 44 as vacant Crown land. This clause seeks parliamentary approval to the cancellation of Reserve No. 17803, and for the land to be revested in Her Majesty as of Her former estate and removed from the operation of the Transfer of Land Act, 1893. The land is to be disposed of in accordance with the provisions of the Land Act, 1933.

Clause 5 refers to the cancellation of "A"-class Reserve No. 10402 at Bayswater. Reserve No. 10402 at Bayswater comprises Lots 23 and 24 of Subdivisional Lot 32 of Swan Location U, contains 1 rood 1-6/10ths perches, is set apart for the purpose of an "Observatory Site," and is classified Class "A".

The site was used for making astronomical observations in 1908 but has not since been used. The building and observation pillar which then existed have since disappeared and there are no reference marks remaining. The Shire of Bayswater desires to clean up the area and develop it as a children's playground. This clause seeks parliamentary approval to the cancellation of "A"-class Reserve No. 10402, and for the area to be reserved again for the purpose of a "Children's Playground."

Clause 6 refers to the cancellation of "A"-class Reserve No. 27678 at Dinninup. This reserve, comprising Nelson Location 2532, contains 34 acres 2 roods 10 perches, and is set apart for "Camping." The Shire of Boyup Brook considers that Reserve No. 27678 is unsuitable for the purpose of camping, and that an area with a river frontage in the north-west corner of freehold Nelson Location 1602, owned by E. and M. O. McLaughlin, should be acquired in its stead. The proposals are for an exchange of Location 2532 for an area of approximately 15 acres of Location 1602 with a frontage to the Blackwood River. The owners have expressed agreement to the exchange.

This clause seeks parliamentary approval to the cancellation of "A"-class Reserve No. 27678, and for the area to be exchanged for approximately 15 acres in the north-west corner of Nelson Location 1602, which will then be set apart as a new camping reserve.

Clause 7 refers to excision from "A"-class Reserve No. 24653 at Flinders Bay. This reserve situated at Flinders Bay, comprising Augusta Lots 38 and 405, and set apart for the purpose of "Recreation and Camping," is vested in the Augusta-Margaret River Shire Council and contains 14 acres 3 roods 18 perches.

The Augusta-Margaret River Shire Council desires to upgrade the small caravan park at present in existence in the reserve, and for this purpose desires to lease an area of five acres to a private operator who is prepared to develop a caravan park to a high standard. The vesting order does not give the shire council power to lease this reserve, nor is the purpose of the reserve appropriate. It is therefore necessary to establish the caravan park by excising the area from the reserve and creating a separate reserve for a caravan park, which would be vested in the shire with power to lease.

This clause seeks parliamentary approval to the excision from "A"- class Reserve No. 24653 of an area of five acres, and for the excised area to be reserved as a "Caravan Park" and vested in the Augusta-Margaret River Shire Council, with power to lease for 21 years.

Clause 8 refers to the lease of portion of Reserve No. 6066 at Fremantle. The land comprising the Fremantle Cemetery Reserve No. 6066 is held in fee simple in trust for the purpose by the Trustees of the Fremantle Cemetery Board.

The trustees have received an application from a monumental mason for a lease of an unused portion of the reserve. The trustees consider that a monumental masonry works would be an adjunct to the cemetery and would provide a service to the people, as well as providing revenue for the upkeep of the cemetery. The land will not be required for burial purposes for many years to come. The trustees desire to grant a lease for the purpose and to have adjoining land available for leasing for a similar purpose, if required; each lease to contain one acre.

This clause seeks parliamentary approval for the leasing of portion of Reserve No. 6066, to a maximum of five acres, by the Trustees of the Fremantle Cemetery Board for a period of 25 years, commencing on the 1st January, 1971.

Clause 9 refers to the cancellation of "A"-class Reserve No. 7403 at North Fremantle. Reserve No. 7403 comprises North Fremantle Lot 224, contains 1 acre 2 roods, is set apart for the purpose of "Recreation," and is not vested. The Main Roads Department proposes to locate a second traffic bridge over the river at Fremantle to form an integral part of the Fremantle eastern by-pass project. A major portion of "A"-class Reserve No. 7403 is required for "Road Purposes" in connection with this by-pass road. The reserve is in the boundaries of the City of Fremantle, and the council is in agreement that the land be made available for "Road Purposes."

This clause seeks parliamentary approval of the cancellation of Class "A" Reserve No. 7403 and for portion of the area to be made available for "Road Purposes" in connection with the construction of the Fremantle eastern by-pass road. The balance of the land will be reserved for Government requirements.

Clause 10 of the Bill refers to a change of purpose of Class "A" Reserve No. 12590 near Gnowangerup, which comprises Plantagenet Location 6087. It contains about 126 acres and is set apart for the purpose of "Resting Place and Protection of Flora" and is not vested. The reserve has been used over the years for indiscriminate camping by working parties, and for the removal of gravel. Resulting from this, much of the natural bush has been ruined by excavations, and a number of trees have been destroyed.

The Conservator of Forests considers the reserve should be retained as it contains many varieties of flora; but the area is remote from any Forests Department establishment. The Western Australian Wild Life Authority is prepared to assume control of the reserve to protect the flora and fauna. To enable this to be done, it is necessary that the purpose of the reserve be changed to "Conservation of Flora and Fauna." This clause seeks parliamentary approval to the change of purpose of Class "A" Reserve No. 12590 from "Resting Place and Protection of Flora" to "Conservation of Flora and Fauna."

Clause 11 provides for the cancellation of "A"-class Reserves Nos. 7659 and 10863 at Hopetoun. Reserve No. 7659, comprising Hopetoun Lot 117, contains 8 acres 34 perches classified as Class "A" and is set

apart for the purpose of "Recreation." Reserve No. 10863, comprising Hopetoun Lot 120, contains 9 acres 2 roods 16 perches, is classified as Class "A" and is set apart for the purpose of "Recreation." Both reserves are situated within the Hopetoun townsite and are held in trust by Charles John Efford and Francis Hawthorne Stenike.

To make provision for further residential lots in the town a redesign of an old subdivision, which included Reserves Nos. 7659 and 10863, became necessary. The new design requires the cancellation of Reserves Nos. 7659 and 10863 to consolidate the area in a proposed new recreation reserve after making provision for a future road. The new reserve to be provided will contain 22 acres 1 rood 22 perches.

This clause seeks parliamentary approval to the cancellation of Class "A" Reserves Nos. 7659 and 10863, and to cancellation of the trust with the intention that the area be consolidated into a new recreation reserve after making provision for a future road.

Clause 12 refers to the change of purpose of Class "A" Reserve No. 16804 at Korijekup Estate near Harvey. This reserve, comprising Korijekup Estate Lot 198, contains 9 acres 1 perch and is set apart for the purpose of "Public Utility" and is not vested. The Shire of Harvey has requested that the reserve be vested in the council for the purpose of "Picnic Area and Stopping Place" so that it may be developed to cater for motorists travelling along the South Western Highway. This clause seeks parliamentary approval to the change of purpose of Class "A" Reserve No. 16804 from "Public Utility" to "Picnic Area and Stopping Place."

Mr. Graham: What difference would be made by changing the title?

Mr. BOVELL: An "A"-class reserve cannot be used for any other purpose without parliamentary approval.

Mr. Graham: What is the difference between "Public Utility" and "Picnic Area and Stopping Place"? The term "Public Utility" could cover that as well as many other things.

Mr. BOVELL: Mr. Speaker may be able to clarify the position from a legal point of view. The legal advisers consider that there may be some legal point taken in regard to any vesting order that is not completely clear.

Mr. Graham: I think the Minister had better check the point as to what "Public Utility" actually means.

Mr. BOVELL: It obviously does not mean what the intention of the legislation requires.

Clause 13 is to effect the cancellation of "A"-class Reserve No. 998 at Lake Clifton. This reserve, comprising Wellington Location 4630, contains 55 acres 3 roods 29 perches, is set apart for "Camping and Recreation," and is vested under section 33 in the National Parks Board of Western Australia.

The National Parks Board of Western Australia has requested that "A"-class Reserve No. 998 be included in the Yalgorup National Park Reserve No. 11710, which is "A"-class, and again vested in the National Parks Board for the purpose of "National Park." To implement the wishes of the National Parks Board it is necessary to cancel Reserve No. 998.

This clause seeks parliamentary approval to the cancellation of Reserve No. 998, to enable this area to be incorporated with "A"-class Reserve No. 11710, and form part of Yalgorup National Park.

Clause 14 provides for an excision from Class "A" Reserve No. 4486 at Mundijong. This reserve comprises Mundijong Lots 57, 166, and 167 and contains 16 acres 3 roods. It is set apart for the purpose of "Recreation" and is vested in the Shire of Serpentine-Jarrahdale.

The Shire of Serpentine-Jarrahdale has resolved to build new administration buildings and a new public hall. The existing office and hall is on Reserve No. 4330 adjoining "A"-class Reserve No. 4486. The existing hall will be dismantled, but the existing offices and toilets will be retained on Reserve No. 4330. The new buildings cannot be accommodated on Reserve No. 4330 and the council requests that Lot 167, portion of Reserve No. 4486, be vested in the council for the purpose of "Hall Site and Municipal Buildings."

This clause seeks parliamentary approval to excision from Class "A" Reserve No. 4486 of an area of about 3 acres surveyed as Mundijong Lot 167 and for the excised area to be reserved as a "Hall Site and Municipal Buildings" and vested in the Shire of Serpentine-Jarrahdale.

Clause 15 will effect an excision from Class "A" Reserve No. 10523. This reserve, situated at Narrogin, comprises Narrogin Lot 264, contains 5 acres 23 perches, is set apart for the purpose of "Civic Centre Site"; and is not vested.

Reserve No. 10523 was formerly reserved for "Park Lands." By Act No. 102 of 1964 (Reserves Act, 1964) the purpose was amended to "Civic Centre Site" to the intent that the land be used for municipal offices, public library, and civic buildings. Lot 46, on which the public library is situated, is held in fee simple by the Town of Narrogin. It contains 1 rood 8 perches, and the intention is that this area be included in Reserve No. 10523.

The Town of Narrogin has requested that 1 rood 32.4 perches of this reserve be excised and granted in fee simple to

the council by way of exchange for the transfer and surrender by the council to the Crown of Narrogin Lot 46, which abuts this reserve, in order that an office block for commercial purposes may be erected. The town council proposes to sponsor the erection on the excised area of an office complex mainly for professional use. It has particular value for this purpose because of its proximity to the council offices, the Post Office, State Government offices, the courthouse, and the major banks.

This clause seeks parliamentary approval to the excision from Class "A" Reserve No. 10523 of an area of land surveyed as Narrogin Lot 1579, together with abutting roads and rights-of-way, and for the area excised to be granted in fee simple to the Town of Narrogin by way of exchange for Narrogin Lot 46.

Clause 16 refers to the cancellation of Reserve No. 8909 at Yalup Brook near Harvey. This reserve is set apart for the purpose of the "Methodist Church of Australia," is leased for 999 years to the Western Australian Conference of the Methodist Church of Australasia in trust, as Lease No. 365/42, and contains 1 rood 15 perches.

The lot has no buildings erected thereon, and the church had agreed to the cancellation of the reserve in order that the land may be sold to the adjoining landholder. The trustees are deceased and it is therefore not possible to obtain a transfer of the lease to the Crown.

This clause seeks parliamentary approval to the cancellation of Reserve No. 8909, with the intention that the Governor may dispose of the land in accordance with the provisions of the Land Act, 1933, and for the cancellation of Lease No. 365/42.

The next provision, in clause 17, concerns the cancellation of "A"-class Reserve No. 20745 at Yanchep. This reserve, comprising Swan Locations 3306 and 3307, contains 139 acres 2 roods 4 perches, is set apart for "Park and Recreation," and is vested in the National Parks Board of Western Australia.

The National Parks Board of Western Australia has requested that "A"-class Reserve No. 20745 be included in the Yanchep National Park, Reserve No. 9868, which is "A"-class, and vested in the National Parks Board for the purpose of "Protection and Preservation of Caves and Flora and for Health and Pleasure Resort." To implement the wishes of the National Parks Board it would be necessary to cancel Reserve No. 20745. This clause seeks parliamentary approval to the cancellation of Reserve No. 20745, and for this area to be incorporated with "A"-class Reserve No. 9868, to form part of Yanchep National Park.

Clause 18 concerns an excision from "A"-class Reserve No. 4561 at Bedfordale. This reserve contains about 1,135 acres, is set apart for "Parklands," and is vested in the Shire of Armadale-Kelmscott.

Adjoining the reserve is a freehold property owned by Guiseppe Antonio Raschella and Nicola Vincenzo Raschella. Messrs. G. A. and N. V. Raschella desired to partition their freehold property, which necessitated survey. During the survey the surveyor determined that portion of Class "A" Reserve No. 4561 had been developed as part of the orchard property; that improvements, consisting of fruit trees and a water tank were on the reserve, and that a house was partly on the reserve and partly on the freehold land.

It has been ascertained that the development on the reserve had been effected prior to the purchase of the propertly by Messrs. Raschella, and that it is of considerable value. Messrs. G. A. and N. V. Raschella have applied to purchase the portion of the reserve on which the improvements are situated, and their application is supported by the Armadale-Kelmscott Shire Council.

This clause seeks parliamentary approval to excise the area of 4 acres 1 rood 34 perches from Reserve No. 4561, in order that the portion so excised may be sold to Messrs. Guiseppe Antonio Raschella and Nicola Vincenzo Raschella at the unimproved market value.

The next clause, clause 19, refers to cancellation of Reserves No. 17214 and 17215 at Latham. Reserve 17214 comprising Latham Lot 37 contains 2 roods, is set apart for the purpose of a "Hall-site," and is held in trust in a certificate of title by the Latham Agricultural Society Incorporated.

Reserve 17215 comprising Latham Lots 34 and 35 contains 30 acres, and is set apart for the purpose of an "Agricultural Show Ground" and is also held in trust in a certificate of title by the Latham Agricultural Society Incorporated.

The former trustees of the agricultural society are deceased, and the society is no longer operative. There is no person now capable of dealing legally with the land. The Perenjori Shire Council desires to use the land for the purpose of recreation. The Royal Agricultural Society has no objection.

The clause seeks parliamentary approval to the revestment of Latham Lots 34, 35, and 37 in the Crown, and to the cancellation of the existing reserves, in order that the land may be set apart as a reserve for "Recreation" and vested in the Shire of Perenjori.

Clause 20 deals with the change of purpose of Class "A" Reserve No. 27581 at Mandurah. This reserve, comprising

Murray Locations 1561 and 1562, and containing 17 acres 1 rood 29 perches, is set apart for the purpose of "Recreation and Camping" and is vested in the Shire of Mandurah. It is situated on the Western foreshore of the entrance to Peel Inlet, adjacent to the traffic bridge. It has been developed by the planting of trees and grasses, and the establishment of recreational facilities.

The area is centrally situated within the Town of Mandurah, is open and exposed, and the shire council desires to retain the area for recreational purposes only. Facilities for campers are being established elsewhere in the shire.

This clause seeks parliamentary approval to the change of purpose of Class "A" Reserve No. 27581 from "Recreation and Camping" to "Recreation."

The provision in clause 21 refers to a change of purpose of Class "A" Reserve No. 24482 at William Bay, near Denmark.

Class "A" Reserve No. 24482 is a coastal reserve at William Bay and Perry Inlet, west of Denmark, containing about 4644 acres, and is set apart for the purpose of "Recreation and Camping." Several islands are included in the reserve.

Following negotiations between the National Parks Board of Western Australia and the Denmark Shire Council, it was agreed that the reserve, which contains outstanding examples of coastal scenery, was most suitable for a national park. The Denmark Shire Council has therefore relinquished control of the area.

This clause seeks parliamentary approval to the change of purpose of Class "A" Reserve No. 24482 from "Recreation and Camping" to "National Park."

Clause 22 refers to the cancellation of "A"-class Reserve No. 11375 at Boulder. Reserve No. 11375, bounded by Coronation, Violet, and McLaren Streets, and an unnamed street at Boulder, is set apart for educational endowment and is held in fee simple by the trustees of the Public Education Endowment. The area is four acres.

The State Housing Commission has commenced the planning and development of an area of 330 acres in the South Kalgoorlie-Boulder locality, which surrounds Reserve No. 11375. As part of the development, roads, drainage, and sewerage will be provided, which will require the closure and relocation of the existing roads.

The trustees of the Public Education Endowment do not desire to participate in the development, and have agreed that the land within Reserve No. 11375 be made available to the State Housing Commission, provided that an equivalent area of Crown land is set apart as a reserve for "Educational Endowment."

Section 37A of the Land Act empowers a trustee holding land in trust for a public purpose to surrender that land, and to receive a grant of other land by way of exchange, to be held in trust for the same public purpose.

This clause seeks parliamentary approval to the cancellation of Class "A" Reserve No. 11375, in order that the land contained in the reserve may, after surrender of the certificate of title by the trustees of the Public Education Endowment by way of exchange for other land, be granted in fee simple free of trusts to the State Housing Commission.

Clause 23 refers to an excision from class "A" Reserve No. 30071—Chichester Range National Park. This reserve, which is situated in the Chichester Range south of Roebourne, contains approximately 372,483 acres. It is set apart for the purpose of a national park, and is vested in the National Parks Board.

The Iron Ore (Cleveland Cliffs) Agreement Act authorises the construction of a railway and service road from the mine workings at Mount Enid on the Robe River to a port to be established at Cape Lambert. The Chichester Range lies between these two localities.

Engineering requirements make it necessary for the route of the railway and the accompanying service road to pass through the Chichester Range National Park.

This clause seeks parliamentary approval to the excision from Class "A" Reserve No. 30071 of two strips of land, in part contiguous, to be surveyed as De Witt locations 61 and 62, containing a total of approximately 320 acres, and for the areas excised to be leased to Cliffs Western Australia Mining Company Proprietary Limited, Mitsui Iron Ore Development Proprietary Limited, Robe River Limited, and Mount Enid Mining Proprietary Limited as tenants in common, pursuant to the provisions of the Iron Ore (Cleveland Cliffs) Agreement Act.

I would like to thank members for their tolerance and patience at this late hour. I have, perhaps, dealt at some length with the Reserves Bill this year mainly because of the increasing interest by people generally in this question. It has been my desire to convey to Parliament such information as is possible, and if I have delayed the House it has been in an endeavour to keep members informed of all the details concerning amendments and excisions from "A"-class reserves. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Graham (Deputy Leader of the Opposition).

House adjourned at 11.53 p.m.