

RESERVES BILL*Receipt and First Reading*

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

**INDUSTRIAL ARBITRATION ACT
AMENDMENT BILL (No. 2)***Second Reading*

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [5.32 p.m.]: I move—

That the Bill be now read a second time.

Although message No. 84 from the Legislative Assembly came in between this Bill and the other three preceding it, I want, for the convenience of members, to keep them all together. This Bill contains amendments which are complementary within the group of Bills introduced as affecting the fixation of salaries and appeal rights in the State Public Service.

This Bill has, as its main purposes, the repeal of part X of the Act; the transfer of Government officers currently covered by part X to the jurisdiction of the Public Service arbitrator; the registration of the Civil Service Association as an industrial union under part II of the Act; the determination by the Industrial Commission in Court Session of applications made by the Civil Service Association—then to be a union—or by other unions as to who shall be deemed to be "Government officers" in addition to those already defined in the Act; and finally, the removal from the commission's jurisdiction of those persons declared from time to time by the commission in court session to be "Government officers".

The commission's jurisdiction in the matter of salaries, allowances, and conditions of employment of Government officers, who are members of the present Civil Service Association, are dealt with exclusively in part X of the Act. Therefore, in view of the proposal to transfer this jurisdiction under another Act to the public service arbitrator, it is necessary to repeal this part.

Accordingly, it is necessary to determine who are Government officers in order to define the jurisdiction of the arbitrator. Certain officers in Government instrumentalities are at present covered by unions other than the Civil Service Association, so it is essential to give the necessary power to a competent authority to determine any dispute that may arise as to who are Government officers for the purposes of the Public Service Arbitration Bill.

The Industrial Commission in Court Session would be the appropriate authority to determine this question as it involves union rights and provision has been made accordingly in this Bill.

However, provision has also been made to ensure that the Civil Service Association retains its existing coverage of Government officers as enjoyed under part X.

The Civil Service Association has requested that it be registered as an industrial union under part II of the Industrial Arbitration Act and the Government concurs with this. With the repeal of part X, the Civil Service Association would no longer have any rights under the Act, so the Bill makes provision for such registration and provides the necessary procedures for the review of its rules and the hearing of any objections by other unions which may be affected.

Discussions have taken place with the Civil Service Association regarding these provisions and the amendments form an essential part of the new system of salary fixation already outlined.

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

House adjourned at 5.38 p.m.

Legislative Assembly

Wednesday, the 23rd November, 1966

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The **SPEAKER** (Mr. Hearman) took the Chair at 11 a.m., and read prayers.

QUESTIONS

Postponement and Time for Lodgment

The **SPEAKER**: I wish to advise members that it is not my intention to deal with questions at the usual stage today. They will certainly not be taken before lunch; they will probably be dealt with in the vicinity of the afternoon tea suspension.

The other matters to which I wish to draw the attention of members is that I have instructed the Clerks to accept questions for to-morrow's notice paper up until 1 p.m. to-day. I can see the Deputy Leader of the Opposition looking at me, and I realise that I am breaching Standing Orders No. 81 and 109, but I still think that under the circumstances this is the sensible way to deal with questions for tomorrow.

BILLS (4): INTRODUCTION AND FIRST READING

1. Loan Bill.
2. Appropriation Bill.

Bills introduced; and, on motions by Mr. Brand (Treasurer), read a first time.

3. Private Railways (Level Crossings) Bill.

Bill introduced; and, on motion by Mr. Court (Minister for Railways), read a first time.

4. Alumina Refinery Agreement Act Amendment Bill.

Bill introduced; and, on motion by Mr. Court (Minister for Industrial Development), read a first time.

KEWDALE LANDS DEVELOPMENT BILL*Second Reading*

Debate resumed from the 15th November.

MR. JAMIESON (Beeloo) [11.11 a.m.]: In general this Bill is quite acceptable to the authorities most concerned with it and they are, of course, the Shires of Belmont and Canning. However, there are a few comments which are worth making on this matter of large resumptions and, indeed, large developments. They mainly concern the ratable land being taken from the local authorities. This causes them some concern if there is likely to be any overall delay in the land reverting to ratable property.

Because of the nature of the proposals there is quite a large section of land in both these shires which is not at present ratable; and, also there is quite a number of roads which were not fully amortised. The local authorities, through the rate-payers, are still paying for them, although the roads no longer exist, through no fault of the local authorities. Because of this fact I feel that the least interference possible should be made to the overall rating position of the area.

I have discussed this matter with the two authorities and they both seem to think that this proposal will eventually be of overall advantage. From my study of the situation, I would say that the improvements envisaged in the No. 1 plan which was tabled, would be beyond the normal capacity of the local authority to provide. These improvements include all the necessary roads and facilities which this planning authority will be obliged to provide.

I had one problem in regard to this matter, but I seem to have ironed it out pretty well with the Minister. I was concerned that the land might be sold at a cheap rate which would affect the overall rating values in the area. Much industrial land has been acquired in this general area at premium prices, but the Minister has indicated—and I am grateful for this information—that there will be no sale other than at the standard rates applying and, indeed, the premium rates if they can be obtained. It is the intention to make this authority pay its own way and it is hoped that it will be

possible to recoup enough money from the land released by the railways and the other section, known as part 3, to buy the necessary land for the new marshalling yards which will be in a somewhat easterly location to the yards already in existence.

The Shire of Belmont did give this matter consideration and has submitted a couple of suggestions in a letter, dated the 16th November, addressed to me. It reads—

My Council has requested me to thank you for your courtesy in submitting a copy of the Bill relating to the proposed Kewdale Lands Development Act, 1966, for its perusal.

I have been directed to inform you of the serious concern of Council at the very serious loss of rate revenue that will occur as a result of the acquisition of the land which is now zoned for industrial use and bounded by the existing Marshalling Yards, the Beechboro-Gosnells C.A. Road and the proposed May Street Important Regional Road. Land acquired by the Development Authority as a Corporate Agency of the Crown in right of the State, will become non-rateable until it is released for industrial use.

My Council consider that provision should be made for the land which is not actually required for Marshalling Yard and allied uses to continue to be rateable; the Authority capitalise the rates paid together with other expenditure involved in developing the land for industrial use, and to recover such costs with any interest or charges paid on the funds involved, from the proceeds received from the ultimate sale of the land.

It is also considered that a representative of this Council should be a member of the Development Authority so that its opinions on the development of the area can be readily available. In view of the large 'stake' my Council has in the future of this area and the fact that it will be required to administer the industrial complex that will no doubt result, it is considered undesirable that Local Government has been denied representation on the Authority as proposed by the Government.

My Council would appreciate your submitting to Parliament its views on the Bill now before the House and trust you will endeavour to have the Bill amended to incorporate the above.

Yours faithfully,

W. G. KLENK,
Shire Clerk.

That letter, in effect, contains the complaints of the local authority concerned. Earlier I was of the opinion that to give the local authorities representation on the

proposed development authority would make it far too large, because there are really portions of three local authorities involved. However, it has been pointed out clearly by the Shire of Belmont that the effect on the Shire of Canning and, indeed, on the Shire of Kalamunda, is insignificant.

A piece of land in the Shire of Kalamunda will be taken over completely for marshalling yard purposes and of course that will become non-rateable. In the Canning section, the boundary between Canning and Belmont is proclaimed as the boundary of the marshalling yard. This was contained in an amendment to the local government boundaries some few years ago. As a result there is only a very small section on the south-west corner on the first stage of development which will involve the Shire of Canning.

Consequently, what is stated in the correspondence from the Shire of Belmont is quite factual. In the main that shire will be responsible for the greater part of the 800 acres it is proposed to develop as an industrial complex and this, of course, will give the shire many headaches.

During the course of his reply, I would like the Minister to indicate what he thinks of the proposal to increase the number of members on the development authority to four to include a representative of the Shire of Belmont in order that he might be able to pass on direct to the shire information on the procedures to be adopted. The Government would still have its own three representatives on the authority, which would give it a complete majority for the determination of Government policy. The other fellow would be appointed only in an advisory capacity.

As I say, this amendment could be made not necessarily in this Chamber but in another place in order to avoid any delay in the passage of the Bill through this House. However, if the Minister will not accept such an amendment, I would like some kind of assurance from him that this authority will be fully consulted and will be in complete liaison with the local authorities in their development of these various areas.

I would like to refer to one matter which was dealt with in the Shire of Belmont's letter; namely, rateable property. All members in this House, including the Minister, are well aware that a number of industrial firms, commercial firms, and others, besides some speculators, have bought up large tracts of land in this locality. Some of these people have paid fantastic prices for access to railway facilities at a later date. It appears to me it would be unjust if the rates in these areas were now clipped off for the time being. The suggestion made by the Shire of Belmont is that some consideration should be given to this aspect. I think

this is a very worth-while suggestion because the local authority should not lose any more from the development which will take place in this area in view of the fact that its ratepayers are already paying, in the form of rates, for something which now does not exist. The rate-payers are paying for amenities which have had to be bulldozed for the proposed marshalling yard.

Despite the fact the Minister indicated that D.C.A. had no particular objection to the marshalling yard lying across its glide path, from a geographical point of view it would appear to me the desirable thing would be to move the yard from the current proposed area in a somewhat easterly position from the runways. No lighting there, or other effects; could then conceivably be hazardous to workers. As I say, the Minister indicated that no pressure had been applied by D.C.A., but the suggestion I have made would seem to be a very good safety measure; and, in addition, it would provide a development in the area concerned. Because this is an industrial area, possibly the only type of building within the confines of D.C.A. limits would be the single-storied design. As a consequence, this type of building would be less hazardous than would the provision of a marshalling yard which ran across glide paths.

That is almost all I wish to say on the matter. I feel that when an area such as this is developed—or redeveloped—the Government has some responsibility, because far too often we see a local authority with meagre financial resources trying to struggle on with certain town planning schemes and trying to pay for any new complexes; and, of course, this just does not work. It loads responsibilities on the local ratepayers which are far above normal. This marshalling yard is intended to cater for the whole of the State, in effect, because it will be the major marshalling yard in the State. Therefore, there is some responsibility on the Government to see that not too much impost is loaded onto local authorities in the precincts.

It is true, of course, that due to such development, there is an overall increase in valuations as a rule and, because of this increase, the local authority is able to recover more rates in the ultimate. However, that is of no help until development takes place. It is in the finding of cash for the development of these areas that local authorities experience real financial headaches. On this occasion, the Treasury is able to come in and, in effect, fund the move over a short period. The develop-it-and-get-out basis is a very good proposition, because the development of the marshalling yard has now been dragging on over a number of years.

In the course of his reply, the Minister might explain to the House if any con-

tractors have been squared-off for the contracts which have been let in connection with the proposed yard. He might also explain just how these will ultimately be financed—whether they are to be financed out of the resale of the land, or by the Treasury; or whether the funds for the standard gauge project will meet some of this cost. The Minister made no mention of this cost, but I imagine it could be a considerable amount.

It is true, of course, that the amount which has gone into drainage, particularly on the southern side of the old proposed marshalling site will be of advantage towards generally increasing the valuation of much land in that territory, and ultimately this will be to everyone's advantage.

The scheme appears to be a very good project, but I hope the suggestion I have made will be considered; that is, that when eventually the development is complete, it will be complete in such a way as to be of advantage to all the shires concerned; to the metropolitan area; and, indeed, to the State.

I ask the Minister, when he replies, to indicate to me his thoughts in connection with the points I made with regard to amending clause 6. If he is strongly opposed to it, I will not endeavour to press that amendment, provided he is able to give some kind of assurance that there will be very thorough consultation with the local authorities concerned; and I hope there will be no interference with their rating capacity in general.

MR. RUSHTON (Dale) [11.27 a.m.]: I would like to say a few words in support of this measure. In company with the member for Beeloo, I feel this is a first-class step forward towards bringing orderly development to a most important State project. I feel the marshalling yard will have a tremendous impact on, and cause much growth to, the adjacent shires; and, in addition, all the metropolitan area will feel the development of the marshalling yard. In particular, the shires and districts on the southern side of the Swan River will know benefits through employment, and because of the orderly passageway of traffic and growth in the years to come.

I disagree slightly with the member for Belmont—

Mr. Jamieson: You are advancing me to 1968, I hope!

Mr. RUSHTON: My apologies to the member for Beeloo. As I was saying, I disagree slightly with what he said because he recommended that an additional person should be appointed to this development authority—I think he mentioned the Shire Clerk of Belmont. To my mind, it would be of added advantage to have a group or committee formed from the three adjacent shires for the purpose of consultation with this authority. I have no doubt in my mind

whatsoever that the authority will endeavour to co-ordinate its work and activities with these shires. I consider this has been the result in the past. However, because what will take place at Kewdale is of such tremendous magnitude, no opportunity should be lost to obtain the greatest amount of goodwill and practical co-ordination which can be obtained.

Disregarding the fact that the member for Beeloo has a tremendous stake in this picture, I submit that perhaps there should be a group formed from the three adjacent shires. In itself, I think Canning has a future which is connected with the marshalling yard, and even Kalamunda will also be implicated and affected by each stage of development. For that reason I put my suggestion to the Minister that some group could be formed which could meet regularly with the idea of keeping these three shires closely informed, with the maximum co-operation.

I believe this gives me the opportunity of paying a tribute to the work done by the Railways Department, particularly that performed by the Commissioner of Railways and the Minister—because, possibly, they are the real co-ordinators—and I also include all those who took part in this work from the top to the bottom officer employed in the Railways Department.

The high efficiency that has been shown calls for some tribute to be paid to these men, because the work of planning this marshalling yard has been a new development. Those officers have also been engaged in connecting the railway sections which we have recently seen extended from Midland to Kwinana. Being one who passes through this developed area quite often, I have derived tremendous pleasure from witnessing the smooth efficiency with which the work has been carried out.

I am looking forward to the completion of the marshalling yard and to seeing the people in my own electorate, as well as others in this State, benefiting, by way of added employment, from this railways development. The demonstration of efficiency in the development of the broad gauge railway has been outstanding, and I close by paying tribute to all those who have played a part in this great activity.

MR. COURT (Nedlands—Minister for Railways) [11.32 a.m.]: I thank the member for Beeloo and the member for Dale for their support of the Bill. The member for Beeloo raised several important issues. I am conscious of the fact that with this legislation we are, in fact, breaking new ground and it will set a pattern for the machinery to be operated with a high degree of co-operation and orderly development. I have impressed the need for this co-operation on all those concerned, and I am sure they are appreciative and receptive of the idea that this will call

for co-operation between the development authority on the one hand, the Railways Department on the other, and the local authority as a third and vital factor in this plan for orderly development.

The member for Beeloo raised the question of delays in the resumption and the re-use of the land. I assure him there will be a minimum of delay in finalising these matters. There are arrangements made with the Treasury on a financial level, and it is important that the whole operation be completed as quickly as possible. As the honourable member mentioned, this work is being funded from a source other than from loan funds, and therefore, it is a short-term method of finance; and an undertaking has been given by me, the Railways Department, and all those concerned, that we will proceed with the maximum expedition in settling resumptions, development, and redevelopment.

This means land will be brought within the ratable category with the minimum of delay. Nevertheless, I will have regard to the important point the honourable member brought forward: that there will be a hiatus during which the local authority will be temporarily disadvantaged. However, in the long run, the local authority will gain a great advantage because the big share of railway land within the boundaries of one local authority, which would normally be classed as non-ratable, will eventually become very valuable industrial land and thereby prove to be of great advantage by providing more ratable income to the local authority.

Mr. Jamieson: How do they propose to sell it?

MR. COURT: We have not finalised the methods to be employed, but it is important that when the land is redeveloped we attract industries which are particularly suited to this area. For instance, there are many industries which have no particular use for a standard gauge or narrow gauge railway line. In our programme of redevelopment, we have already started to lay emphasis on the need to seek industries which require this type of land and which need connection to both standard gauge and narrow gauge railway lines. The reason for this is obvious. Land of this kind is at a premium, and there is no other land within reasonable distance connected to the marshalling yard. It is also a great advantage to operate a company which needs rail connection to both gauges for the efficient operation of its industry. Further, it is an important generator of income to the railway system.

In any event, it is good sense to have these industries serviced by the railway direct to the sites of the industries. Already a number of industries have shown an interest in establishing themselves in this area. They appreciate, of course, they will have to enter the area at a proper value, which will include the

redevelopment cost; and I am not the least bit pessimistic about the prospects of recouping the redevelopment costs and getting suitable people into this area quickly.

Mr. Jamieson: Will those who are already there remain if they so desire?

Mr. COURT: If they want to participate in the redevelopment scheme under the Metropolitan Region Planning Scheme, they have the right to nominate to participate in the particular scheme. Such people might not finish up with exactly the same amount of land as they have now, but it would be more valuable provided they are prepared to participate in the development of the land.

If I owned a piece of land and I were given the opportunity to participate in such a scheme, and I had good reason for wanting to be in this particular location, I would certainly want to participate in the scheme, because the co-operative, orderly development of the area will increase the overall value of the land there, as well as each individual location.

Mr. Toms: Has the Department of Industrial Development purchased land in this area?

Mr. COURT: It owns some land in this area, but not as part of this scheme. However, any land it does own is purely fortuitous; it was not acquired in anticipation of the scheme. I could not be precise as to the exact location of the land, if any, the department has in this development scheme, but it was certainly not acquired in anticipation of the scheme.

Mr. Toms: It looks to be the final position of the Bassendean marshall yard.

Mr. COURT: As far as the Bassendean marshall yard is concerned, we still have land held over from that project, where the owners would not take their land back. They preferred to take the compensation for it. It is rather interesting that we have to sell some of this Bassendean land at a lower cost to-day—even allowing for the normal inflation that has taken place—and this has rather surprised me.

The member for Beeloo referred to the limited capacity of local authorities to redevelop areas of this kind. This indicated it would be quite unfair to expect a local authority to accept this heavy commitment of redevelopment, particularly as it related to a basic public utility in the form of a marshall yard. It is perhaps unfortunate that action was not taken at the time when the marshall yard was first decided upon to acquire more land around the marshall yard so that it could have been developed by the then, or a subsequent Government, at a much lower cost than now.

Nevertheless we are prepared to keep closely in touch with the local authority

concerned which is on the southern side of the marshall yard. This will be done in conjunction with the town planning authority doing its best to achieve some degree of order out of what otherwise would be chaos on the southern side of the marshall yard. In accordance with an assurance I gave to the honourable member privately, the Railways Department, as well as the officers of the development authority will keep closely in touch with the local authority to see if they can assist it to bring about a more orderly development of the area south of the marshall yard. At the moment this is not part of the scheme currently approved.

The next point raised by the member for Beeloo was in connection with values. I confirm we will be disposing of this land after redevelopment has taken place at current values: but, of course, the cost of the redevelopment itself will in turn be added to these values. The local authority need have no fear on this score, because it is part of our planning to retrieve the money we need to reimburse the Treasury for the short-term finance. The local authority need have no fear of our undercutting values of its land.

The next point, and probably the most crucial, raised by the members for Beeloo and Dale, is related to the representation on the development authority. I would request the House not to press this point, because I feel it is best, in view of the State's financial commitments for redevelopment, and because this is an unusual case and the first of its kind, to allow the authority to remain as it is. I can assure the member for Beeloo and the member for Dale that the consultations with the local authority concerned will be real and will be continued.

This scheme can only succeed if there is a degree of co-operation between the development authority, the Railways Department, and the local authority—in addition, of course, to co-operation from those who are already owners of land in the area. I think this will achieve the best results. The local authority does not want to become involved in the finances of the scheme; and, if there is consultation with it, I think this is as far as it can expect us to go at present.

I appreciate one local authority will be more concerned than others. For this reason the greater degree of co-operation will be with that particular local authority, only because of the volume of its interest and not because of any lack of desire to co-operate with the other local authority. I can assure the member for Dale this will be done, and I am prepared to give this assurance not only to this House, but in a letter to the local authorities concerned, which I think will be very desirable in their interests and will make it clear to the officers who are operating on this authority that it is expected by Parliament

and by the Government that they will offer the maximum co-operation.

The member for Beeloo raised a question in relation to contractors. We have no penalties or problems in regard to contractors. The contracts were so phased that we did not encounter any problems with penalties in connection with this change of plan. The groundwork which has been done on site preparation on the old site will be reflected in the improved values of land that will be realised, and therefore, the cost of the groundwork will be recouped automatically as the funds are realised from the sale of that land and made available for the railways' acquisition of its new marshalling yard site. There are some works there which I mentioned in my second reading speech which can and will be incorporated in the new project.

The member for Dale referred to the need for consultation, which I have already dealt with in some detail; and I appreciate his reference to the work that has been done by the railway officers—and the engineers in particular—in the planning of this project. I do not want to labour this matter, because I know the member for Beeloo is anxious to be heard in the Committee stage of the Bill, but I want to say that this project, now it has started to take shape, is one of tremendous magnitude. I hope an opportunity will present itself in the new year to allow members to have a chance to look at the total work being done not only in the metropolitan area, but also in the country.

With this scheme they will be amazed at the earthworks which are involved, and the amount of steel, the number of buildings, and the signalling devices that go with the project. It is not until one travels over the hundreds of miles covered by the whole scheme that one realises the amount of work that has been done. This marshalling yard is a focal point of the scheme.

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 Railways) in charge of the Bill.

Clauses 1 to 5 put and passed.

Clause 6: Constitution of Development Authority—

Mr. JAMIESON: In view of the assurance given by the Minister that he will contact his proposed authority and the shire councils concerned—more particularly the Belmont Shire Council, which has a vested interest in this development—it would be unwise at this juncture for me to move along the lines I suggested; because, as the Minister pointed out, difficulties could be involved. As long as the Minister contacts the authority and informs it that it is Parliament's desire to

consult closely on developments so that the shire councils will have a full knowledge of what is going on, the complaint of the Belmont Shire Council will be covered.

Clause put and passed.

Clauses 7 to 13 put and passed.

Schedule put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr. Court (Minister for Railways), and transmitted to the Council.

BILLS (2): RETURNED

1. Death Duties (Taxing) Act Amendment Bill.

Bill returned from the Council without amendment.

2. Administration Act Amendment Bill.

Bill returned from the Council with an amendment.

WESTERN AUSTRALIAN MARINE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 17th November.

MR. FLETCHER (Fremantle) [11.51 a.m.]: This Bill seeks to amend the Western Australian Marine Act No. 72 of 1948-1965, firstly, in respect of provisions contained in sections 67 to 72 which will hereafter relate to radiotelephony rather than to radiotelegraphy. Members will be aware of the distinction. In the case of the latter the human voice is transmitted rather than a signal. What applied in 1948 does not apply today. Nowadays taxis, commercial vehicles, and fishing craft operate on wavelengths allocated to them. Section 67 of the principal Act states—

"Telegraphy" includes any method of transmitting telegraphic or telephonic messages by means of electricity.

I wonder whether there is a need to repeal this provision in Division 4, when inserting a new division to provide for the various types of craft that will be subject to this Bill. The principal Act is divided into parts, divisions, and subsections, similar to other Acts. It runs from part I to part IX. Clause 3 seeks to add after Division 12 the words "Part VIIA." Sections 182A and 182C are followed by the words "limited coast-trade vessels," and this brings in a category of vessel not previously defined, such as whaling, pearling, and fishing vessels, and harbour and river craft operating outside the

moles, or outside recognised harbours. I consider this to be a very wise decision indeed.

Members will be aware—in relation to the latter provision—that certain craft take out fishing parties at so much a head for excursions either for the day, at week-end, or for longer periods. The Bill deserves support if only because it ensures that such craft should carry a two-way radio. This type of craft could be out all night, suffering from an engine fault of a broken anchor line, or it could have been blown out to sea. Apart from that, fire is an ever-present danger, particularly in the case of petrol engines. So members will appreciate the need for a two-way radio under the circumstances.

I assume the provision that two men shall be aboard for voyages in excess of 12 hours is to ensure a limited journey. Personally I believe that anybody is ill-advised to leave shore in any sized craft, even for 12 minutes, without company. The same hazard will not, of course, apply to craft within the river; but this Bill makes provision for craft at sea.

I might point out that when they have been rolled overboard, crayfishermen, fishing alone, have been left in the water. With the engine of the boat running, they have been left to sink or swim. Accordingly, the provision to ensure that two men are on board is very desirable.

The Bill appears to give similar cover to that type of craft not coming under the legislative umbrella covering larger craft which are subject to inspection of hull, engines, and gear—including two-way radios. Regulations will provide for radio equipment to be maintained in a serviceable condition.

Qualifications for the man at the wheel, and for the man in charge of the engine, will preclude just anybody taking a craft to sea. I think this is desirable, not only in relation to Fremantle and other ports, but particularly in regard to areas remote from the metropolitan area; and I have in mind those areas in the north where development is taking place, and where there are many lonely miles of coast.

I am wondering, however, who does the surveying of the equipment in those areas. I can only assume that with the present development in the north, our Harbour and Light Department is recruiting personnel in adequate numbers to cope in these areas, otherwise this legislation will become nothing but a gesture as it relates to that particular locality.

The penalty of a fine of \$200, or three months' imprisonment, will act as some deterrent to the taking of risks. Clause 14 of the Bill should satisfy the recommendations of the recent Royal Commission into boat safety concerning craft other than fishing craft having to comply in a similar manner to the Western Australian Marine Act and regulations.

I have circulated a copy of the Bill among the officials of the Seamen's Union, the Merchant Service Guild, and the Institute of Power and Marine Engineers, and, there being no criticism or suggested amendments—and since I cannot find anything to fight about in the measure—I see no reason why it should not have a smooth passage through the House.

MR. RUNCIMAN (Murray) [11.59 a.m.]: One of the amendments in this Bill relates to the manning of small ships when a voyage exceeds 12 hours. In his second reading speech the Minister said—

Although I say at this juncture that a period of 12 hours is not specified in the Bill it is intended that the periods of time should be in excess of 12 hours.

I have much pleasure in supporting the Bill, and I am very pleased that amateur fishermen and the owners of small craft will be brought into line with the regulations which govern professional fishermen.

The Bill is essentially a safety measure, which is very necessary in view of the fact that more and more amateur fishermen and pleasure craft are going further out to sea, and staying out there for longer periods. I am aware that many amateur fishermen go long distances, even as far as the continental shelf, and on occasions they stay out all night and drift if the fishing is good, returning some time the following day.

There are times when a person wishes to go out, but his friends are either not prepared to go with him, or are unable to get the time. Therefore he goes alone; and in these circumstances I believe he is taking a serious risk. So I am pleased that this type of person will be brought into line with the professional fishermen. In the past I have felt that it has been unjust that fishermen have had to subscribe to strict regulations, while amateur fishermen and the owners of pleasure craft have not been obliged to.

No doubt people will continue to take risks, but I am pleased to support this amending Bill because I believe it will go a long way towards doing something to rectify the present situation.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [12.1 p.m.]: There is only one point I wish to emphasise. Although this measure is a very desirable addition to the Marine Act, the Minister has power under the Act to set aside this and any other provision and grant exemptions. So I want members to understand there is no guarantee that these provisions will be enforced against everybody. In my view it is an unfortunate weakness in regard to this Act that the Minister, at his own whim and fancy, can grant exemption from any provisions of the Act.

I am of the opinion—I cannot prove it at the present, but I had very strong evidence to point in this direction—that the dredge which sank outside Fremantle was unseaworthy and was operating because of an exemption obtained under the exemption section in the Act. If that exemption section had not been in the Act, this trouble might have been avoided.

I would like to point out that this is an unusual type of Act, inasmuch as there is no guarantee that its provisions will be made to apply generally; and there are instances where already ships are operating in this State and which are not covered by the provisions of the Western Australian Marine Act.

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [12.3 p.m.]: First of all I would like to thank two members for their support of the Bill, but I am afraid I cannot thank the Deputy Leader of the Opposition for his remarks.

Mr. Tonkin: I did not say them for that purpose.

Mr. ROSS HUTCHINSON: This is a non-controversial type of measure and I hoped that is how it would be treated. Actually, its provisions are for the benefit of people. An attempt is being made to improve the Act for the people who come under its jurisdiction. This has been appreciated, and there are only three fairly simple amendments. However, the Deputy Leader of the Opposition virtually accused me for being responsible for the sinking of a dredge just outside Fremantle.

Mr. Hawke: Did you sink it?

Mr. ROSS HUTCHINSON: Perhaps it is just as well for the sake of my temperament that the Leader of the Opposition has brought in a jocular note at this point of time. The Deputy Leader of the Opposition said he thought he had reason to believe, or that he half-understood, or he had heard, that the dredge which sank just outside Fremantle sank because the Minister in some way had given an exemption for this dredge.

I do not think it is necessary for me to dwell on this matter except to say this type of thing is frequently said by the Deputy Leader of the Opposition. He understands that such-and-such has happened; or he believes this has happened; or he received information two hours ago from somebody—he cannot say who that person is—that a certain thing has happened.

I think these tactics are deplorable. I make mention of this to highlight to the Chamber the dangers of such a practice and the simple unfairness of saying such things. Fortunately, the Leader of the Opposition tried to straighten things out by his rather jocular interjection. I thank both members who have given the Bill support.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by **Mr. Ross Hutchinson** (Minister for Works) and transmitted to the Council.

MAIN ROADS ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 17th November.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [12.9 p.m.]: I do not expect to receive the thanks of the Minister for Works for what I am about to say on this Bill, either.

Mr. Ross Hutchinson: As long as you are fair, that is the main thing.

Mr. TONKIN: I am always fair.

Mr. Ross Hutchinson: You are not.

The SPEAKER: Order!

Mr. Ross Hutchinson: The House knows you are not.

Mr. TONKIN: I am always fair and issue a challenge to the Minister for Works to bring forward some illustrations to prove otherwise.

Mr. Ross Hutchinson: You could not have been in the Chamber when I did.

Mr. TONKIN: I regret very much that I was out. The Minister's telling me would not prove it. It would be running true to form—more assertions without proof.

Mr. Ross Hutchinson: Just get on with your business.

Mr. TONKIN: If the Minister will permit me, I will be happy to do just that.

Mr. W. Hegney: He has that sinking feeling.

Mr. TONKIN: The Minister, in introducing this Bill, said its purpose was the bringing up to date of certain sections of the Main Roads Act. This depends on what view one places on the words "bringing up to date". If they mean "enable the Government to take advantage of the latest ideas in connection with road building to the disadvantage of land owners" then I disagree; but if they mean "bringing legislation fairly and properly to a state where it is adequate to deal with modern conditions," then that is what they ought to mean. They should mean that one is bringing the legislation into line with current requirements, having due regard to the interests of the Government and the people. If that is being done, then this legislation is being brought up to date. But if the legislation is to confer an advantage upon the Government to the dis-

advantage of other people, then I do not think it is being brought up to date at all.

I agree that when the Act was first framed, the extensive road developments which now take place could not have been properly foreseen. Therefore it was unreasonable to have expected that the legislation of the day would include all the requisite provisions for dealing with the new situations which would arise. However, in taking advantage of this opportunity to amend the legislation, it is not required that in doing so, the way should be made open to do injustice to people. I think I can show, before I sit down, that that is just what this legislation may do.

Without this legislation, in order to construct freeways—unless they are to be constructed in the river—extensive resumptions will be required, and the owners will have to be properly compensated for the land resumed. Under this legislation, land can be rendered practically useless to people, but they receive very little compensation. I propose to show how, in my view, that will occur.

I agree there would be advantages to an industry which might not want to be disrupted to have a freeway constructed over the top of the building in the air space; and so long as the proprietors of the industry did not require the air space above them and were required to allow a freeway to be erected over the top of them, then it would be to the mutual advantage of the owners and the Government to give an easement for the air space and to elevate the road.

This legislation, however, gives the Government the right to compulsorily acquire air space; and the people may not want a freeway over the top of their businesses. They may have other ideas. However, they would be powerless to prevent the department from resuming the air space if the department was bent on doing just that.

The department might only require a few square yards of ground upon which to locate the footings of the structure, and it would compulsorily resume those few square yards of ground and pay compensation only for them, leaving the rest of the land possibly unusable for the purpose for which the owner desired to use it. That situation requires to be safeguarded because it is not in the interests of the people who own the property. It is only in the interests of the Government, purely to avoid a greater cost in land resumptions and a greater outlay.

Under certain circumstances, there could be advantages for an owner who did not want to be disrupted. He might not object to the freeway being erected above him, and negotiations could be commenced for an easement of the air space above him and satisfactory arrangements might be made. But take the case of people in

industry who would prefer to shift rather than have a freeway built over the top of them with its attendant noise. Those people will not be given the opportunity to shift.

Mr. Ross Hutchinson: How do you know?

Mr. TONKIN: Because I rely upon the legislation, and the legislation places no obligation upon the Government to give owners an opportunity to shift.

Mr. Ross Hutchinson: This, of course, would depend on the circumstances.

Mr. TONKIN: This depending on the circumstances does not make any headway with me at all. I have seen too much of it. In the final analysis, the Government relies on the letter of the law. And this letter of the law gives the department the right to compulsorily resume air space and only so much of the land as it requires, and not another square inch.

I put it to members: One might own a block of land for which one has certain plans. Those plans may involve the erection of structures which will go to a considerable height. The department decides that it will put a freeway above this land, but it does not want to resume the land. So negotiations fail, and the department then says it will compulsorily resume the air space over the land and compulsorily resume certain small parts of the land. And that is all the department would pay for, and the owner could do what he liked with the rest of the land.

Under those circumstances the plans of the owner might be completely disrupted and rendered impossible, and he would not get adequate compensation to enable him to shift and establish himself elsewhere. That is unjust. To me this power is an attempt by the department to meet its requirements at a lesser cost and to the disadvantage of the people who own the property which is to be interfered with in this way.

I would prefer to see legislation which provided that where agreement could be obtained by negotiation, then the air space above the land could be acquired. But I think it is wrong to give the Government power to compulsorily acquire air space which could seriously reduce the value of land below that air space with no redress for the owner.

Mr. Ross Hutchinson: But compensation would be paid for that air space.

Mr. TONKIN: Yes, but it would be much less than would be paid if the department bought the land.

Mr. Ross Hutchinson: This would be determined by the valuator who would be able to determine what the future plans were.

Mr. TONKIN: There is nothing laid down in the legislation, other than the existing provision for compensation, which

would entitle the owner to claim and be paid for the fact that his land is to be rendered useless.

Mr. Ross Hutchinson: We cannot be specific on this point; to be specific would probably unnecessarily control all situations.

Mr. TONKIN: I would not agree with that at all. The Minister must surely appreciate that in all these cases, in the final analysis, when there is a disagreement and the matter goes to law, the judges make their decisions according to the legislation. Judges do not read *Hansard*, and they do not bother themselves with any assurances given by the Ministers. They simply say that there is the law, and one is not entitled to any more than the law provides. Many a person has missed out badly because of that.

Mr. Ross Hutchinson: The principles of valuation will still remain, however.

Mr. TONKIN: Unfortunately, the principles of valuation are the principles which have been in operation for years, and they are not being brought up to date with this legislation. Those principles have been applying 10 per cent. for disturbance. But 10 per cent. may not be adequate compensation in many cases. Let us visualise a person with a block of land—or several blocks of land—and he makes plans for that land. The Government does not want to resume his land, but if a freeway is to be built over it he might be anxious to sell it. However, the department would say that it does not want the land because it is too expensive. It could say that it only wants the air space over the land and that it will compulsorily take that air space. When the Government does that, the owner is left with the land, considerably reduced in value, and there is nothing in the legislation at present which will give him adequate compensation for that fact.

The department might require a certain portion of the land, as well as the air space, but only a small part of it. It might take a strip here and a strip further down, with the result that the plans which the owner had for the land are completely impossible. The legislation does not provide for adequate compensation. Adequate compensation in that case might amount to as much as the land would cost.

Mr. Ross Hutchinson: That situation would be covered by the valuation.

Mr. TONKIN: I do not think it would, and I have had far too much experience with the land resumption office to be satisfied that the owner of the land would be covered for all these contingencies. The land resumption officer is as generous as he can possibly be. That officer says he has to comply with the Act and that he can provide so much for the compulsory taking and that he must have regard for sales that have taken place in the locality

in recent times. The maximum amount estimated by the resumption officer quite often falls very considerably below what the owner ought to get under the circumstances. The Minister is not doing anything in this amending Bill so that some other aspects can be taken into consideration with the compensation.

This is a very real danger. I would point out to members that they should not take this in their stride as bringing the legislation up to date. This is good legislation for the department; make no mistake about that, because it enables the department to construct a freeway at a much lesser cost than it could construct one under the existing legislation, because under the existing legislation the department would have to resume the whole of the land and would be liable for the whole of the amount. But this legislation permits the department to traverse above the land whether the owner likes it or not, and to pay the owner only for the air space over the land and for such part of the land as the department feels obliged to take. That is my complaint about this measure. It is too one-sided. If the legislation provided that the air space could only be acquired by agreement, I would have no objection.

If the owner of the land above which the freeway is to be built is prepared to allow a freeway to pass over his land and voluntarily agrees to grant an easement, then there is no worry. But the owner may have violent objections to a freeway travelling over the top of his land, he will have to put up with it because there is no power to prevent the resumption of air space. The owner will not get adequate compensation to enable him to shift elsewhere because he will only be compensated for the air space. It will be argued that he still has his land.

An owner might desire to get rid of his land, but who is likely to buy it? That must be taken into consideration; and there is nothing in the existing legislation which will allow the land resumption office to take into consideration the fact that very few people would be likely to buy land under those circumstances. This is a very real problem in my opinion.

In my own district, at present, in a street known as Stock Road, several difficulties have already arisen because of an announcement made a few months ago that a controlled access road is to go down Stock Road. Three property owners in the district, for different reasons, decided to sell. One is a businessman who was transferred elsewhere, and the other two persons had other reasons, which I cannot recall.

Those people tried to sell their properties without success because nobody would buy in a street where, sooner or later, the houses would be knocked down. If those people eventually sell it will be at a greatly

reduced figure, and to people who buy only because they believe that they will make a profit, subsequently, when the place is knocked down. Those people do not buy with the idea of living in the premises, but they are attracted by being able to acquire the property well below its proper value in anticipation of making a substantial profit when the land is compulsorily resumed. That is a result of the depreciating value of properties which follows announced plans for a freeway. Would the Minister like a freeway built over his house?

Mr. Ross Hutchinson: Of course not; no-one would.

Mr. TONKIN: All right; but if a freeway has to go through a property, surely sufficient compensation ought to be paid to allow the owner to shift. The owner should be able to tell the department to take the land because he does not want to stay there if the freeway is to be built over his land. He should be able to go elsewhere. However, the department says, "No," because it would cost too much. The department tells the owner it will only buy the air space over the property, which it will compulsorily resume.

The Minister is endeavouring to allay my anxiety by getting me to accept that adequate compensation will be paid under the circumstances. Unfortunately, my experience does not allow me to accept that. The department will compensate on the basis that this air space is worth so much in this locality, and it will say to the landowner concerned, "The most we can give you is 10 per cent. for disturbance. Here it is. Take it or leave it." And no consideration will be given to the fact that the building of a freeway in that locality will not only seriously deteriorate the value of that property, but also the properties round about for which no compensation at all will be paid.

In my view that is most unfair. These days there is too great a tendency to overlook the rights of the individual in what I would regard as the interests of the State generally. The State is entitled to carry out works which are necessary, but they should be done at the State's expense and not at the individual's expense. If it is necessary to acquire the air space in a certain locality to build a freeway in the interests of the people generally, then that should be done at the expense of the people generally, and not at the expense of the unfortunate individual. The individual should be adequately compensated, and I do not agree he will be adequately compensated if the department is allowed compulsorily to acquire the air space over the top of his property without acquiring the property itself.

I come back to this point, however: if the owner is agreeable, by negotiation, to let the department have the air space, that is all right. He will get compensation for

it and he will continue to live where he is or he will continue to retain the land he already has, because his plans will fit in with the presence of a freeway. But to agree to give the Government the power compulsorily to resume the air space is, in my view, going much too far; and I do not call that bringing the legislation up to date. I say it is entering a new field to the disadvantage of the rights of the individual and, frankly, this aspect worries me.

The departmental view is too apt to be, "These are our plans. We have to put them through as cheaply as possible"; and, unfortunately, that is at the expense of the individual who happens to be in the road. Conditions are bad enough at present. Many cases can be cited where people have been disturbed—people have had to move when they did not want to do so; old people, for example, who have lived for 30 to 40 years in one place, and all they want to do is to be left alone. People like that have no worries about rent; their pension is sufficient to enable them to carry on because they live in their own homes and they save the big charge for rent. But now they find themselves in the way of a road which is to be made and so the Government comes along and says, "We are very sorry, but we have to acquire your properties."

These old people are then given a price based on the age of the home, and this price does not allow them to rehabilitate themselves anywhere else. They are too old and they are without the resources to take on a mortgage to raise a large sum of money to enable them to build another home at existing prices; and so they are in trouble immediately. They try to get another home, but they find that in some cases the charges are more than their rate of pension; and then they are in a proper fix. There are many cases like that, and they are most difficult.

Mr. Brand: You would have found that when you were Minister for Works, would you not?

Mr. TONKIN: That is so.

Mr. Brand: How can we do any more than you did when you were Minister for Works?

Mr. TONKIN: What I did on these occasions was to say to the resumption officer, "We have to make provision for these people to re-establish themselves elsewhere."

Mr. Brand: So did I.

Mr. TONKIN: And that was done. I can recall three cases in North Fremantle where the properties, because of the locality and the age, were very low in value and the compensation was not anywhere near sufficient to enable the owners to re-establish themselves in any sort of property anywhere else.

Mr. Brand: That is so. That is understandable.

Mr. TONKIN: So the instructions issued to the land resumption officer were that these circumstances were to be taken into consideration and the compensation was to be increased. I use that not by way of criticism of the Government in any shape or form, but as an illustration to show the difficulty which arises for the individual when compulsory resumptions take place. But this amendment will make the situation worse.

Let us visualise the owner who has, say, 20 acres of ground in a certain locality and who has certain plans for subdivision in due course. It is reasonable for him to anticipate that with development the time will arrive when he will be allowed to subdivide and have homes built on this land. Then along comes the department with the proposal of a freeway with compulsory resumption of the air space right through the middle of the property, and the department pays compensation for that bit of air space only, and perhaps a few square yards of ground. That is the end of the plans for subdivision; because who will want to buy land and build a home in that locality?

Mr. Rushton: The compensation would have regard for those disabilities.

Mr. TONKIN: No. That is my complaint. There is nothing in this Bill to safeguard that situation and the compensation will be paid on the provisions which have been in the Act for years. There is no provision in the Act which would give adequate compensation in cases like that. Having regard for my long experience of this sort of thing I am not prepared to depend upon assurances given by Ministers in Parliament, or upon debates in Parliament, as to what will be done in court, if the matter subsequently goes to court on a challenge over the compensation paid.

I say we have to write a provision into the Act; and we should not write this new provision into the Act until we write in protection at the same time. That has not been done. This is a very real danger, which I want to emphasise to members, because the responsibility will be upon them if the things which I foresee do actually occur; and I am certain they will occur. Mr. Speaker, do you believe for one minute that this legislation is here because the department is concerned for the individuals who own this land?

Mr. May: Never!

Mr. TONKIN: This legislation is here to enable the Government to build roads more cheaply. I now quote from a copy of the Minister's speech—

The advantages of permitting an industry to continue its operation underneath the bridge structure are obvious. There is, firstly, the avoidance of interruption or a lessening of interruption to the industry concerned,

and, secondly, a substantial reduction in possible compensation claims.

However, when this principle was applied in connection with the resumptions at present being negotiated for the Mitchell Freeway, it was found that there were substantial deficiencies in the Main Roads Act, because of the reasons I have already referred to. For instance, because of the limited definition of "interest" in relation to land, the Main Roads Act provides that there shall vest in the Crown all main roads and materials thereof and all things appurtenant thereto. It will be apparent that such restriction would inhibit any negotiation designed to provide a better state of affairs for the land owner along the lines I have intimated. The amendments I now propose will overcome these deficiencies and enable the Commissioner of Main Roads to have greater scope in negotiating with the land owners.

And greater scope in compulsory acquisition.

Mr. Ross Hutchinson: It enables the accommodation of people's desires to be met.

Mr. TONKIN: What it does is to give the Government more power than it now possesses to build a freeway without buying the land underneath it—

Mr. Ross Hutchinson: When you sit down I will tell you.

Mr. TONKIN: —and it may not suit the owner to have a freeway built over the top of his property. He may want to retain the property. However, this legislation could put him in a fix inasmuch as the compensation would not be sufficient to enable him to transfer somewhere else, and so he has to stay where he is and grin and bear it. That is what I think is unfair about this legislation.

I think Parliament should only agree to pass it—and frankly I admit it is desirable—where agreement can be reached, and the owner of the property has no objection to a freeway going over the top of his property. In those circumstances the Government ought to be permitted to construct a freeway at a lesser cost. However, I do not think the Government should have the power, once it has made up its mind to construct the freeway, to say to the owner of the property, "We are compulsorily resuming the air space and you are going to have a freeway over the top of your factory whether you like it or not; and we are not going to compensate you adequately for the disturbance which will result. We are only going to compensate you for the air space that we are taking, and for such limited areas of the land that we require upon which to stand our structures."

This is a method of constructing a freeway on the cheap to the disadvantage of

the owners of properties and, frankly, I not not like it because it is an infringement of the rights of the individual.

Up to now the individual can get compensation; it may not be all he requires but he can get compensation for his land and his buildings. If he is carrying on a factory in a certain position, and the Government wants to construct a road, the Government has to acquire the land; but under this Bill it would be under no obligation to acquire the land. It will acquire only the air space which it can resume compulsorily, and my experience is that, generally speaking, it comes to a question of compulsory acquisition, because few people care to be disturbed unless the price offered by negotiation is so attractive as to encourage them to accept it and go elsewhere.

Under this Bill it will not be attractive, and the owners will have to put up with the nuisance without getting enough money to enable them to move elsewhere. I ask members to think very carefully about this provision, because it is very definitely an infringement of the rights of the individual.

Whilst we might agree there are many instances where the interest of the State must be paramount, that does not connote it will be at the substantial injustice to the individual. I think a situation could arise where there would be an outcry over this measure, when people realise that we are giving the Government the right to build a freeway over the top of their properties, whether or not they like it.

It would be a different matter if the people were compensated. I am asking members not to believe that the existing legislation will adequately cover the position; it will not. The present provisions for compensation have regard to past experience, at a time when this measure was not contemplated. How can members believe that provisions in an Act to provide for compensation will adequately cover a situation which could not have been contemplated at the time?

We should say to the Government that we appreciate it is necessary for the Government to have the power to erect structures in the air, but only after it has written the specific provisions into the Act to ensure that all the circumstances will be taken into consideration when compensation is being calculated. If the department has any views as to what compensation ought to be paid it should put them into the legislation now. If it has thought of this question at all, or if it has plans to deal with the matter, then those plans should be concurrent with this new power; and the new power ought to be dependent upon those provisions being included in the law. So until that arrangement is made I am not prepared to support the legislation.

Sitting suspended from 12.48 to 2.15 p.m.

The SPEAKER: For the information of members, I propose to deal with questions after afternoon tea. This will give Ministers an opportunity to be in their seats. However, it will require some co-operation from whoever is on his feet immediately prior to the afternoon tea suspension. I would like to suggest to him that prior to his sitting down he ask leave to continue his remarks after questions have been dealt with. If he will do this we can then work the questions in immediately after afternoon tea, which will be the most convenient time for all concerned. If the House happens to be in Committee at that stage, I can still come back into the Chair after afternoon tea and, when questions have been dealt with, the Committee can be resumed.

MR. TOMS (Bayswater) [2.19 p.m.]: I thought you might like to know, Mr. Speaker, that I will not still be on my feet at afternoon tea time. However, I do want to take this opportunity of expressing my apprehension concerning this measure, particularly in respect of the point raised by the Deputy Leader of the Opposition in regard to the right of the individual.

I have on many occasions over a long period discussed with the department the frustration of people who receive resumption notices or blanket-cover interim development orders. While this has so far concerned only the ground, now we are thinking of going into the air. My apprehension stems from the work being done by the engineers of the Main Roads Department. I have already ridiculed their proposals, and I will take some convincing that such ridicule has not been without a certain amount of justification.

In this instance I have in mind the proposed six-chain highway from Beechboro to Gosnells. When one considers the freeway here which has two lanes either side and a 40-foot verge each side to cater for another lane, we can see the possibilities in regard to the resumption of land to cater for a six-chain wide highway.

Whilst these remarks do not directly relate to the contents of this Bill, nevertheless they do indicate what engineers will do when they are left to their own devices. Unfortunately, I am one who has, for many years, been inclined to believe that engineers and scientists are a race apart. Irrespective of the amount of money available, engineers are likely to go as far as they can and often spend more than is available.

This is something I fear in regard to this measure. The rights of the individual in connection with town planning and land resumption have not been considered. I have people in my area who are anxious to sell out and re-establish themselves, but they are frustrated because they have been told they must sit on their land for 20 years because the department will not re-

quire it until then. In some instances the department has taken over the land not occupied by the house and left those concerned with only their house, so that they cannot do anything.

It is a pretty bad state of affairs when individuals are denied the full right of land they own. Whilst at times I will admit the public interest is something which must be given first priority, I still do not believe it is right for any Government to ask people to sit for two decades on their particular piece of land until the Government is ready for resumption.

The Deputy Leader of the Opposition has indicated that, even with the passing of this measure, the position could still continue whereby people are frustrated through having to keep land. This land may even be in a factory area, and the owners may have ideas of erecting a further structure on their land. To do this, perhaps it would be necessary for them to go underneath the proposed fly-overs which are mentioned in this measure; and I doubt very much whether they would be permitted to build underneath a structure such as the one proposed in this Bill—the bridge across their land.

It is all very well for the Minister to say it saves resuming the whole of the land, but I believe in the majority of cases the effect of this measure will render the use of the particular piece of land, in so far as it can be traversed, useless to the individual, whoever he may be.

Until such time as I can see written into each and every one of these Bills which have reference to land resumption—or the acquisition of land from individuals—provisions which will preserve the right of the individual, I shall oppose each and every measure. As I said previously, I have seen too much frustration on the part of people whose land is being acquired by the Government at some stage, but perhaps not immediately, which, of course, makes the position so much the worse.

Irrespective of its party, I do not believe a Government has the right to determine that a person shall hold his land for a period longer than five years. Every member in this House, including the Minister, knows that under the present Act people who have a blanket cover through interim development orders are asked—or told—just to wait until the Government is prepared to take the land. Therefore, as I said before, until such time as I can see the right of the individual preserved and maintained, I intend to oppose every measure of this nature, and I therefore oppose this Bill.

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [2.25 p.m.]: The prime purpose of this piece of legislation is to accommodate the wishes of the people from whom land or air space is resumed.

Incidentally, I agree that the common good would also be improved.

I was quite frank and open in my second reading speech on this Bill and I explained the situation as well as I could. Indeed, the Deputy Leader of the Opposition quoted from it, and I stand by the words he quoted.

Basically, I think we must go back to this business of common good. On a previous occasion in this House—in fact in this very session—I spoke about the resumption laws under the Public Works Act. It will be remembered that certain amendments were introduced to that Act—amendments which have now been incorporated in the statute.

At that time, I spoke about the necessity for the Government to have the power for the compulsory acquisition of land and property. I said then—as I say again now—that I do not think there is anybody who likes the idea of taking a person's private home and his property from him. The only reason which motivates any Government to do this is that it is in the interests of the people, generally.

Mr. Toms: Nobody would have much complaint about that, provided the properties were taken over within a reasonable time.

Mr. ROSS HUTCHINSON: That is an issue on which I know the honourable member has exercised his mind considerably, but it is not of great moment in connection with the measure on which we are speaking at the present time.

Mr. Toms: Good heavens!

Mr. ROSS HUTCHINSON: The compulsory acquisition laws are absolutely necessary in order that public services can be given to people and, consequently, to the community. They are utilised in the common interest. This amendment to the principal Act which is brought down at this time aims at trying to accommodate the wishes of people who do not want to have their land compulsorily acquired and who say, "We believe you can achieve your wishes by some lesser means."

Mr. Toms: Have you any building in mind?

Mr. ROSS HUTCHINSON: Of course, the lesser means are incorporated in this amending legislation. Therefore, the primary purpose is to accommodate people, but the Government must have the compulsory power to acquire this land in the case where negotiations break down. I suppose I will have to mention this again during the Committee stage—I do not know whether I will have to or not—but the land, or the air space, or the space below the ground, will be acquired through the machinery of the Public Works Act. As is known by most members and, in particular, by the Deputy Leader of the Opposition, this Act provides for certain machinery to go into operation. It provides for notices of intention to resume; it provides for a time during which

objections can be made by the owners; it provides for adjudication to be made by the Minister; and it provides for appeals to various tribunals. Therefore, Parliament has endeavoured to minimise as far as possible the prime injustice of taking a person's property and land.

The business of acquiring air space practically comes within the same category as the procedure adopted for the acquisition of land. It is not the intention of the Government to acquire unnecessary air space over houses or industrial areas. Indeed, to acquire air space over houses would pose the greatest problem in relation to engineering, working conditions, and safety conditions, and would have to be done at very high cost; at a much higher cost than that to resume land and property. This Bill is intended to accommodate the wishes of people, particularly those engaged in industry.

So I contend the Bill is a sound piece of legislation in this day and age and is necessary to enable us to arrange our affairs in a modern way. I know the Deputy Leader of the Opposition and other members on this side of the House fear that adequate compensation for resumption is not always paid, but there will always be this fear. However, there is machinery in the Act which can be used in an endeavour to solve these problems, and in the first place, the land resumption office does attempt to arrive at a fair valuation.

At present, perhaps I can content myself by saying the principles and practices that are followed in this State relating to valuations under the terms of section 29 of the Public Works Act are, generally speaking, better than those adopted in any other State of the Commonwealth and provide for the payment of more compensation in most cases. I suggest again that this is a very necessary piece of legislation.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Ross Hutchinson (Minister for Works) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 29 repealed and re-enacted—

Mr. TONKIN: This clause is the Bill and if, as the Minister says, the sole desire is to meet the wishes of people who do not want to be disrupted—

Mr. Ross Hutchinson: I said it was the prime purpose.

Mr. TONKIN: If that is the prime purpose, is there any objection to including in the Bill a safeguard to provide that only in those instances where the prime purpose is to meet the requirements of the individual shall there be compulsory

powers to resume air space? As the prime purpose, in the Minister's view, is to help the individual and to safeguard his interests by allowing him the use of his land, but without preventing the construction of a freeway, why not include in the Bill a provision that, where it is not intended to meet the requirements of the individual, there shall be compulsory acquisition of the air space, but not otherwise?

Mr. Ross Hutchinson: That is not possible, because as I said it is the prime purpose and not the sole purpose.

Mr. TONKIN: That rather punctures the idea, does it not?

Mr. Ross Hutchinson: Of course it does!

Mr. TONKIN: We can now say we are in a position where the department wants the power when persons are not co-operative and do not want to be disrupted, to say, "We are going over your property whether you like it or not, and we will take compulsory action." That is my objection to this legislation.

Let us assume that a person is established. Under existing legislation the Government is entitled, in the public interest, to say to that person, "We have to shift you, but we will buy you out and pay for your land and buildings and for the disruption of your business and, in doing that, we can go beyond 10 per cent., because the court can adequately compensate you for all these disabilities. However you will be so compensated." That is the position under the existing law, but under this legislation many factors will not be taken into consideration.

There will be no expenses of removal from the air space, because there is nothing to remove. There will be no disruption or reinstatement of the business, because the business will remain there. There will be no discontinuance of any work. There will be no architect's fees or quantity surveyor's fees to be paid, and there will be no damage sustained by the claimant by reason of the severance of the air space. These are all matters taken into consideration at present when the Government has to acquire the whole of the land to construct a road. But by being given the power compulsorily to resume the air space, it can get away from all those obligations and say to the person concerned, "We are taking the air space over your property and will compensate you for the value of that air space."

How is that to be assessed? There is nothing in the Act at present and nothing in the Bill to set a standard to arrive at a basis for compensation for air space. Has the Minister any ideas as to how the value of air space will be assessed?

Mr. Ross Hutchinson: On disturbance.

Mr. TONKIN: Disturbance of what?

Mr. Ross Hutchinson: Possible disturbance of the use of the air space.

Mr. TONKIN: But supposing the activities of the business are in no way interrupted. The Minister said people want to carry on their businesses and do not want to be disrupted and so remain where they are. So what disturbance to their businesses will there be?

Mr. Ross Hutchinson: It is virtually written into the Act the point at which compensation is to be paid.

Mr. TONKIN: I apologise if I have not made my point clear. I agree that if the road is to be constructed and investigation has been thoroughly and properly conducted, the department should be allowed to construct the road. In those cases where the people agree to the air space being taken there is no problem, because apparently they will not be worried about noise or the existence of the structure.

But there will be instances—and the Minister has admitted this by his determination to want compulsory powers—where the individual does not want to shift; where he does not want a freeway constructed over his property. Under the existing law the Government would have to buy him out lock, stock, and barrel and compensate him for the disruption of his business.

Mr. Ross Hutchinson: Or part of his business.

Mr. TONKIN: Oh no!

Mr. Ross Hutchinson: We do not have to acquire the whole of the property.

Mr. TONKIN: Under the existing law, if the Government acquires part of his business he will get adequate compensation for the disruption of his business, but as a result of the new legislation he will not.

Mr. Ross Hutchinson: Yes he will.

Mr. TONKIN: Oh no. There is no disturbance of the air space.

Mr. Ross Hutchinson: Yes there is.

Mr. TONKIN: The Minister is proposing compulsorily to resume air space, and the person underneath must establish that his business has been disrupted, and it would be disrupted to the same extent as if his business were on the land.

Mr. Ross Hutchinson: Compensation is a global thing. There could be noise factors and other factors to be considered.

Mr. TONKIN: That is not good enough for me. If a man has a factory on the ground and the department only wants part of his factory land, and in compulsorily taking part of his land it disrupts his work then the man will be adequately compensated under a number of headings for the loss of the land which will be taken.

Mr. Ross Hutchinson: I quite agree that with compensation applying to air space it could be less than the acquisition of his land.

Mr. TONKIN: We come to the next stage where the department proposes to compulsorily acquire the air space. This will not involve rebuilding any part of the factory.

Mr. O'Neill: It could.

Mr. TONKIN: But not necessarily. Necessarily it would if half his building site were acquired physically and taken from him; because that would inevitably result in his having to reorganise his factory, put up extra buildings, and so on; and he gets compensation to enable him to do so.

But if the air space is resumed over the top, that need not necessarily involve any reorganising of the business underneath; he still has the use of his land. He may not want the structure over his property. Under the existing law he will be adequately compensated for something he does not want; but under the new law he will not. That is the point.

The legislation has no safeguard to ensure that if air space is compulsorily acquired against the wishes of the owner there will be adequate compensation for the loss of that air space; and I now come back to the point which led me to the explanation: What will be the basis of the value of air space over existing land? What will be the yardstick? Where will it be determined, and who will determine it? Has it been determined yet by anybody? I think it should have been.

We should have an indication as to what method will be utilised to ensure that a person who objects to the air space over his place being taken will receive adequate compensation because it is compulsorily taken. It is no good saying a freeway will never be built over or near the residence. It is quite possible it may be. What is there to ensure that in such a case there will be a different basis of compensation for the air space compared with what it would be if it went over rural land; or a swamp?

Mr. Ross Hutchinson: This will be taken into consideration.

Mr. TONKIN: By whom?

Mr. Ross Hutchinson: By the valuing authority.

Mr. TONKIN: Statements in Parliament that things will be taken into consideration do not matter.

Mr. Ross Hutchinson: That is the principle of valuation.

Mr. TONKIN: I have had statements made to me that from henceforth something will no longer be legal, and yet it goes on outside. So we cannot accept statements like that. They cut no ice with me at all. They must be written into the Statute to have any value. Ministers are not immortal. The courts do not take any notice of speeches in Parliament.

Mr. Hawke: One "Court" does.

Mr. Graham: Some do not take any notice of the "Court's" speeches.

Mr. TONKIN: If we are to preserve the rights of the individual, we should insist that concomitant with the power to do these things compulsorily there should be provision for adequate compensation. I am not prepared to leave this in the belief that when the matter comes up for consideration the right thing will be done. The courts invariably turn to the Statute and apply the law. Their judgments are not coloured with what a Minister said in Parliament when the law was passed.

Mr. Dunn: You reckon there should be a special price for hot air.

Mr. Hawke: The member for Darling Range would do well if there were.

Mr. TONKIN: I know it is the practice of the Government in these matters to regiment its supporters to ensure that such legislation is passed, but I will not accept the situation without pointing out as strongly as I can that this is unfair legislation. It is loaded too much one way.

The Minister endeavours to create the impression that the heart of the Government bleeds for the individual who, under existing circumstances, cannot enter into an arrangement for the building of a freeway; and so, having this prime purpose in mind, the Government brings the legislation here to facilitate such transactions, implying that its own benefit is purely incidental and quite inferior to any other purpose. That is the impression the Government intends to convey. I feel the legislation is here for the benefit of the department; to enable it to construct freeways; and it is being involved in the financial obligation to acquire and pay for the whole of the land.

The CHAIRMAN: Order! The honourable member's time has expired.

Mr. ROSS HUTCHINSON: I appreciate the greater part of the honourable member's sentiments; he mentioned some of the things we feel about the resumption laws. This is a new resumption law to accommodate modern day requirements; and no matter which way we might phrase it, that is its purpose, and I adhere to my first statement. The prime purpose of this amendment is to accommodate people; but it does accommodate the department too, so its purpose is not just to accommodate people. The honourable member got down to the degree of compensation, and the degree of disturbance or the degree of disability. The machinery of the Public Works Act will be invoked. There will be a notice of intention to resume, objections will be made to the Minister, the Minister will adjudicate, and there will be appeals to courts.

Mr. GRAHAM: If ever the Deputy Leader of the Opposition was wrong in a proposition this is certainly not it. The whole of the Committee, I would suggest, will agree with the Minister as to the wisdom of allowing a state of affairs,

whereby if the Government shall not actually require the land, it shall be permitted to build under or over if that be possible. I do not think there is any disagreement in respect of that point. Neither do I think we should open up anew all matters pertaining to compulsory acquisition. If the Government requires a person's land for a certain purpose, there is machinery for that land in its entirety, or a portion of the area, to be taken and compensation paid.

There would be no objection, in respect of any land the Government has acquired, to a move to insert conditions to cover the position that the Minister has in mind at the present moment; but I say it is utterly wrong that the Government should have the power detrimentally to affect my property for all time. That is something for which money is no compensation. If the Government desires, through the Main Roads Department, to extend a main road or freeway and does not actually require my land, but merely wants to pass over it, then surely the Government has an obligation to acquire the land and then do what it wants to do with it. Any new owner or lessee would be aware of the circumstances of there being a bridge or parapet involved. The Government could purchase the land and then quit it to a new owner.

Mr. Ross Hutchinson: You could not do that without giving the prior owner the right to repurchase.

Mr. GRAHAM: I may be agreeable, subject to certain compensations, because I am running a certain type of industry and will not be concerned if there is a bridge over the top of the building. I might be content to continue to run my factory at ground level, in which case no great harm would be done to me. I might continue with that proposition with a modicum of compensation. On the other hand, it could be a type of business where the position would become absolutely untenable. So I say, let the Government have the power it wants, but give that person the right to say, "I am prepared to accept the compensation because of the limiting factors," or the Government take over; let him get out, and the Government make arrangements with somebody else. A procedure such as that will not in any way impede the Government in any of the things it seeks to do.

I suggest to the Minister and the Government that consideration be given to an amendment in line 34, page 3 to delete the word "extends" and substitute the words, "may with the written agreement of the owner extend". If the Committee agrees with the amendment, the Bill will still provide for all that the Government requires in this matter. The Government will retain for itself certain rights; and if the owner of the land is not agreeable then

it will be necessary for the Government to compulsorily resume the land after which it can sell to anybody who is prepared to purchase the land, knowing in advance what the conditions will be, or it can lease the land to somebody who will be aware of the conditions.

However, the way the Government is proceeding, it is throwing the whole of the burden on an individual and I do not think it is a fair proposition. This amendment does not in any way prevent the Government from doing what it wants to do. I earnestly ask the Minister to seriously consider this amendment, which will do justice to the landholder and will allow the Government to carry out the intention of this measure. I think the measure will then more clearly do what the Minister said the Bill was to do; that is, accommodate the wishes of the people.

This will affect the wishes of industry, and the wishes of those who own property. The owner will then have the right to say "Yea" or "Nay" to a particular project which will affect his property. However, the Government will still have the reserve power to acquire the land in the event of the owner disagreeing and will still have the power to make some profitable use of the land if it wishes. Therefore, I move an amendment—

Page 3, line 34—Delete the word "extends" with a view to substituting the passage "may, with the written consent of the owner, extend".

Mr. ROSS HUTCHINSON: Of course, I cannot agree to this amendment. It would have the purpose of so downgrading the power in the Bill as to make it virtually useless. The Bill would then cater for the sole purpose of assisting industry, and not for the prime purposes where this right was necessary.

Mr. Graham: Has not the owner some say?

Mr. ROSS HUTCHINSON: The owner has his say according to section 29 of the Public Works Act. Under that section we have, in the interests of the people generally, taken away from owners their rights. The member for Balcatta gave quite a dissertation on this when he introduced his amendment; the honourable member cannot see that it is necessary to have this power.

Mr. Graham: My amendment will allow the Minister to compulsorily acquire, if the land is required.

Mr. ROSS HUTCHINSON: Yes, there is power in the Bill for negotiations to continue.

Mr. Graham: My amendment provides for negotiations, but your Bill is a case of take it or leave it.

Mr. ROSS HUTCHINSON: No; the honourable member does not know the situation, or how these things take place,

although it has been described in this Chamber from time to time. In all cases where the Government acquires land, attempts are made to satisfy the situation by negotiation, and extensive negotiations ensue. The Housing Commission, under the ministerial jurisdiction of the member for Balcatta, when he was Minister for Housing, acquired land. Over the whole period since this Government has been in office, well over 90 per cent. of land for Government purposes has been acquired by negotiation. There is only a small percentage of cases where the resumption machinery is invoked, or put into operation.

Mr. Graham: I would like you to check that statement because it is at variance with the answers given to questions I have asked.

Mr. ROSS HUTCHINSON: It is true. The amendment is an emasculation of the Bill, and we cannot agree to it.

Mr. TONKIN: The amendment moved by the member for Balcatta is to ensure that where a person fears that the acquisition of air space above his property will adversely affect him, he should have the right to sell the whole of his property to the Government so that he can move elsewhere. This will meet most of the cases. In those cases where a person is anxious to do business with the Government, there will be no difficulty at all. However, there will be those few cases where persons will object to the compulsory acquisition of the air space above their property. In such a case the Government should have the right to resume, but it should resume the whole of the property so that the owner can get out.

The Minister contemplates that in some cases where people have objected to the resumption of the air space, they will be allowed to move. Why not provide in the legislation that all such persons shall be allowed to move? The Government wants it both ways. It wants to be able to negotiate with those people who are prepared to negotiate, and it also wants the right to say that it is taking the air space whether the owner likes it or not.

The amendment will in no way interfere with the compulsory powers to acquire land. I support the amendment.

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

Ayes—17

Mr. Brady	Mr. Kelly
Mr. Davies	Mr. Molr
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Sewell
Mr. Hawke	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. May
Mr. Jamieson	

(Teller)

Noes—23

Mr. Bovell	Mr. Hutchinson
Mr. Brand	Mr. Lewis
Mr. Burt	Mr. Marshall
Mr. Court	Mr. Mitchell
Mr. Craig	Mr. Nimmo
Mr. Crommelin	Mr. O'Connor
Mr. Dunn	Mr. O'Neill
Mr. Durack	Mr. Runciman
Mr. Elliott	Mr. Rushton
Mr. Grayden	Mr. Williams
Mr. Guthrie	Mr. I. W. Manning
Dr. Henn	(Teller)

Pairs

Ayes	Noes
Mr. Curran	Mr. Hart
Mr. Rowberry	Mr. Nalder
Mr. Hall	Mr. Gayfer
Mr. Bickerton	Mr. Corneli

Amendment thus negatived.

Mr. GRAHAM: Surely the Government has now revealed itself for what it is, after all this prating about the rights of individuals and the sanctity of property. We have been prepared to go along with the Government to enable it to do the things it seeks to do in the public interest, but at least we have expressed some concern for the rights of people whose property is being interfered with and to allow them, as the Deputy Leader of the Opposition has said, to establish themselves elsewhere.

This Government seeks to impose a further handicap, impediment, or disability upon certain people who will be paid a mere fraction of what the damage is, because it cannot be assessed in pounds, shillings, and pence. We can imagine, for instance, somebody conducting a nursery for babies of working mothers and the department seeking to have built an elevated highway immediately over that building. I do not care whether the Government offered a few dollars or thousands of dollars; that place becomes completely and utterly worthless for the purpose for which it is being used.

That is why we suggested that the Government should, first of all, endeavour to negotiate with the person concerned in the matter of obtaining for itself certain rights; but if that becomes impossible then the Government should resume the property and, of course, be free thereafter to lease or sell to somebody who is prepared to go along with the handicap of an overway being over that land, probably for all time.

We have made our protest and the Government has indicated exactly where it stands. One purpose in my rising was to contradict the tommy-rot that was spoken to us by the Minister. If I were permitted I would wager—and any member can check this—that the present Government has resumed in excess of 1,000 per cent. more than the entire amount of land resumed by the Hawke Labor Government during its six years of office. That is a fact; yet the Minister stands up in his place and tries to make us believe that more than 80 per cent. of the properties that have been acquired by this Government have been acquired by negotiation and consent.

Mr. Ross Hutchinson: That is true.

Mr. GRAHAM: That, of course, is completely untrue; and if the Minister wants to continue with this argument I will quote for him the figures this Government has given me in connection with the resumptions carried out during its first seven years of office.

I think members have a right to expect something better than the first thing that occurs to a Minister being trotted out in the expectation that it will be accepted by us as fact; when some of us have reasonably long memories and we know what is being said is totally untrue. There is too much of this going on. I complained to the Premier yesterday about instances where members ask questions—clear and specific questions—and Ministers, on occasions, make no attempt whatever to answer those questions "Yes" or "No," or to supply the data that is sought.

I think members are entitled, irrespective of which side of the Chamber they may occupy, to receive better than that. We are here as servants of the public and if we seek information in the interest of the public we are entitled to receive it.

When a Minister makes a statement to controvert an argument that is adduced by any member surely we are entitled to expect that factual statements will be made instead of figments of the imagination to serve the purpose of the Minister concerned, or the Government, and in the hope that members are completely ignorant of the facts and therefore those Ministers will be able to get away with it! I hope the Minister in charge of the Bill, and indeed all Ministers, will be a little more careful in respect of these matters in the future.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr. Ross Hutchinson (Minister for Works), and transmitted to the Council.

BILLS (3): RETURNED

1. Pensioners (Rates Exemption) Bill.

2. Traffic Act Amendment Bill.

Bills returned from the Council without amendment.

3. Western Australian Marine Act Amendment Bill.

Bill returned from the Council with amendments.

PETROLEUM ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr. Bovell (Minister for Lands), read a first time.

PUBLIC SERVICE ARBITRATION BILL*Third Reading*

MR. BRAND (Greenough—Premier) [3.23 p.m.]: I move—

That the Bill be now read a third time.

MR. DAVIES (Victoria Park) [3.24 p.m.]: There was one matter last night which I completely overlooked and this is a suitable opportunity for me to deal with it. It concerns Government expenditure—something on which I spoke earlier in the session.

I would like to know from the Premier what the total cost of setting up the arbitrator will be. The Premier did indicate that the salary will be substantial, but will not be as high as the salary of the Public Service Commissioner. The Public Service Commissioner will be paid a salary of at least \$12,000, and possibly more, according to what we heard during the debate on one of the Bills last night. I imagine the arbitrator will receive at least \$10,000 a year.

Of course, the arbitrator will not function on his own; and he will need an associate, assistants, and possibly a typist, as well as all the other impedimenta which goes with the appointment of an officer as important as we expect the arbitrator will be.

I do not know whether the expenditure is justified. We know there are officers engaged in the Public Service Commissioner's office carrying out work on re-classifications and classifications; and we know that their salaries will be offset against the cost of the arbitrator, because these officers will return to their former duties. I would like to know how the Government can justify the cost—if it has considered the cost—and what the cost is likely to be.

We have a responsibility in this House to safeguard tax revenue, particularly in view of all the taxation measures which have been introduced recently, although many of them seek only small amounts. Their effect, however, would be spread over a great section of the community. As the Government intends to raise these taxes, it is incumbent on us to pay very careful attention to the way in which the revenue is to be spent. I would like to know how much the appointment of the arbitrator, his assistants, and his staff will cost.

MR. BRAND (Greenough—Premier) [3.26 p.m.]: As I said last night, we have not been able to arrive at the exact salary, and I stand by what I said. This officer will be paid a substantial salary, in accordance with the responsibilities he will assume. I cannot see that he will need a very large staff; and, in any case, the cost will be offset by the fact that some of the

officers now in the Public Service Commissioner's office will be released to their original duties; because over the past 3½ years they have been fully occupied on appeal cases taken before the Public Service Appeal Board.

This system, which is comparable with those adopted by other States, has been set up to resolve some of the difficulties, and I doubt very much whether there will be much added expense as a result of the change. The Civil Service Association felt that some changes should be made—perhaps not along the lines ultimately proposed—in respect of the solving of some of the problems of appeals. This has been done, and by and large the Civil Service Association now agrees with the amended form of the Bill as it passed through Committee; and it has also agreed to give the legislation a trial. Therefore any extra cost that will be involved will be quite justified, but I do not believe it will be a very large amount.

Question put and passed.

Bill read a third time and transmitted to the Council.

BILLS (2): THIRD READING

1. Public Service Appeal Board Act Amendment Bill.

2. Public Service Act Amendment Bill.

Bills read a third time, on motions by Mr. Brand (Premier), and transmitted to the Council.

RESERVES BILL*Second Reading*

Debate resumed from the 17th November.

MR. KELLY (Merredin-Yilgarn) [3.29 p.m.]: This Bill can be termed a hardy annual, because every year about this stage of the session it makes an appearance. Of course, it is a necessary measure, having as its main function the ratification of many of the actions of the department taken during the preceding year.

Mostly the Bill deals with Class "A" reserves, either in the form of allocating some portion of a reserve to a needy cause, or in a number of instances of having the reverse effect by exchanging a portion of a reserve for a piece of adjacent land.

On this occasion the area alienated is in the vicinity of 470 acres. That is the total area covering the 27 or 29 transactions which this House is being asked to sanction. The number of acres does appear to be unusually high, but on perusing the reasons for each case, and having had a good look at the plan, I ascertained that all of these transactions are necessary and all will play a very important function in the various centres concerned.

Many authorities and departments have been co-operative. The Metropolitan Region Planning Authority has given its

blessing in many instances, as have various shire councils. The trustees of public education endowment land have been involved and in each case have agreed to the transactions. The Scaddan Settlers' Association is involved in one reserve and, when asked, readily gave its sanction. The Railways Department, too has figured in one or two of the resumptions, as has also the National Parks Board.

Therefore, although covering a much larger area than normally, the reserves on this occasion involve a variety of requirements and cover a very wide area stretching from Esperance to Geraldton. I have no objection to any of the clauses in the Bill. It may be that some of the members who represent the areas concerned will be desirous of saying something on the measure, but I have no objection to it and will support the second reading.

MR. RUNCIMAN (Murray) [3.33 p.m.]: I support this Bill, particularly as it relates to a piece of land fronting the South Western Highway between Wagerup and Yarloop. It is approximately 22 acres and was held as education endowment land, but the trustees have agreed to make portion of it available to the Main Roads Department in order that the highway might be widened by 50 links, and also to provide for more road truncations in the area and to protect the main irrigation channel which runs through portion of this land.

The trustees have also requested Parliament to agree to the sale of the piece of land remaining after the alterations have been made. It is not a very large area, and as there is a number of small property owners in the area, there will be no difficulty in selling the land. Many of the settlers who work in the mill make use of small portions for irrigation for fruit and vegetable growing. I have much pleasure in supporting the Bill.

MR. SEWELL (Geraldton) [3.35 p.m.]: I support this Bill, and the reserve I am interested in is Reserve No. 20194 at Geraldton, and this is dealt with in clause 12. We know that every year about this time a Bill of a similar nature comes before the House. It is pleasing to know that in this case the local authorities and the Lands Department are keeping abreast of the times and are taking steps to ensure that certain reserves are altered for the benefit of the town concerned.

Anyone who knows Geraldton, and the area between the wharf and the lighthouse will be aware that for a great number of years it was a wilderness. Years ago it was used as an area for quarantining the camels brought here in the early days of the Murchison goldfields. Today this area is becoming industrialised and clause 12 will effect what is known as the Esplanade and recreation reserve and, as compensa-

tion, a portion of Crown land is to be made available. Quite a bit of Crown land is to be found in this area and in years to come the area being set aside now will be used for industrial purposes.

Geraldton and the surrounding district have during the last few years expanded rapidly with the establishment of oil tanks and installations and also other light industries. I am sure everyone is desirous that this expansion will continue, and with the export of iron ore from the port, more ships will be making use of the area.

As I have said, it is good to know that the local authorities and the department are keeping abreast of the times and are ensuring that land is utilised to the best advantage. I support the Bill.

MR. BOVELL (Vasse—Minister for Lands) [3.38 p.m.]: The member for Merredin-Yilgarn referred to the total area dealt with in the Bill and I want to express and record my appreciation of his expressed logic. Whilst we excise certain areas from reserves, this is done for special purposes. For instance, in my own electorate there is a Class "A" reserve for camping, but the local people decided they would like to establish a home for aged people. As the reserve did not cater for this, Parliament has to approve of the alteration.

In most cases the altered purpose of the reserves will be of great advantage to the people concerned. The member for Murray referred to an area which is education endowment land. This is in freehold title, actually, but there is a trust which we will abolish if Parliament agrees. Whereas in the past the land has provided no income for the trust, it will now provide some facility in the form of a roadway and will also provide some money when it is sold for investment.

The member for Geraldton spoke about the area in Geraldton. As he knows I lived in that town for a great number of years. Since I have been Minister I went to Geraldton at the invitation of the local town council with a view to trying to resolve some of the problems in the Point Moore area. I was accompanied on that visit by the Under Secretary for Lands and the Surveyor-General, and I think the clause to which the member for Geraldton referred, has been included as a result of that visit.

When I lived there—and as the member for Geraldton has said—it was more or less a wilderness area, but today it is being developed. The port has extended and the beach cottages have extended further towards Point Moore. As a result, the area is considerably improved. The drive is named after a former Premier and member for Geraldton in the late John Collings Willcock.

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. Bovell (Minister for Lands), and transmitted to the Council.

Sitting suspended from 3.45 to 4.5 p.m.

QUESTIONS (15): ON NOTICE**AMBULANCE SERVICE***Use of Helicopters*

1. Mr. MARSHALL asked the Minister representing the Minister for Health:
 - (1) Has consideration been given to the future use of a helicopter ambulance service from accident scene or sick bed to top of Royal Perth or other hospitals?
 - (2) If not, will he give consideration to this proposition in order to relieve road congestion and speed up time from accidents to hospitals?

Mr. ROSS HUTCHINSON replied:

- (1) and (2) The matter raised by the honourable member is being kept in mind for future development of ambulance services.

IRON ORE*Weld Range: Development of Leases*

2. Mr. SEWELL asked the Minister representing the Minister for Mines:

Is there any progress being made with the development of leases held for the purpose of mining ore at Weld Range, near Cue?

Mr. BOVELL replied:

The Government recently granted Temporary Reserve 3902H over the iron ore deposit at Weld Range to the Murchison Exploration and Development Company for an initial period of 12 months. The company is required to make a thorough investigation of the deposit including the carrying out of a drilling programme with a view to development of the deposit.

Mt. Gibson: Development and Holders of Leases

3. Mr. SEWELL asked the Minister representing the Minister for Mines:
 - (1) What progress has been made with the development of the leases held at Mt. Gibson for the purpose of mining iron ore for export through the port of Geraldton?
 - (2) Who are the holders of the leases for the mining of iron ore at Mt. Gibson?

Mr. BOVELL replied:

- (1) An extensive survey of the Mt. Gibson iron ore deposit has been carried out including diamond drilling, tunnelling, mapping, magnetometer surveys, etc. A consortium consisting of local and overseas companies now proposes to make a thorough examination of the economics of the deposit with a view to development of the deposit.
- (2) No leases have been granted for the mining of iron ore at Mt. Gibson, but Iron Hills Pty. Ltd. holds temporary Reserve 2149H over this deposit.

GERALDTON HARBOUR*Deepening*

4. Mr. SEWELL asked the Premier: Because the need for deepening the approaches to the Geraldton Harbour is important to Geraldton, the district and the State, will he advise the latest developments in connection with this project—
 - (1) Has there been any firm offer and quotes to do the deepening by contractors?
 - (2) Has any alternative plan for an approach to the wharf other than that now used by shipping been considered by engineers advising the Government?
 - (3) If so, will he advise what was the advice given?

Mr. BRAND replied:

- (1) There have been a number of discussions but no firm offers or quotes have been received subsequent to the original tenders, for deepening to 34 ft.
- (2) Yes.
- (3) Some test borings indicate that it is likely that an alternative approach channel could be deepened to the appropriate depth more cheaply than would be the case with the existing channel. This information is being made available for further studies to organisations which might be interested in exporting bulk cargoes through Geraldton.

BOTTLED LIQUOR

Authority of Police to Restrict Sales
5. Mr. MOIR asked the Minister for Police:

- (1) Has a police officer the authority to direct a hotel licensee not to sell bottled liquor of any description to customers who are entitled

to purchase same during trading hours and remove it from the premises?

- (2) If "Yes," will he state from where the authority is derived?

Mr. CRAIG replied:

- (1) No, provided he is not a person under the age of 21 years, or a person visibly affected by liquor.
- (2) Answered by (1).

GOVERNMENT FARM WATER SUPPLY LOAN SCHEME

Extension to Gibson Area

6. Mr. MOIR asked the Minister for Lands:

Is he now able to state if the provisions of the Government Farm Water Supply Loan Scheme will be extended to the Gibson area of the Esperance area in the near future?

Mr. BOVELL replied:

No, but the scope of the scheme will be reviewed when the needs of areas presently included have been fully assessed.

By way of further explanation, I point out that a certain area of the State was selected. This is, of course, a new venture embarked upon by the Government, and it desires to make quite sure that the proposal can be extended in the area. When we can be certain that the scheme is satisfactory, other areas will be considered.

ADULT EDUCATION BOARD

Language Classes and Number of Students

7. Mr. GRAHAM asked the Minister for Education:

For what languages were classes conducted by the Adult Education Board this year, and what number of students enrolled for each such language, respectively?

Mr. LEWIS replied:

The Adult Education Board is not within the administration of the Education Department, but from information obtained from the Director of the Board the following languages are taught:—

French, Italian, German, Spanish, Dutch, Japanese, Chinese, Malay, Indonesian.

The number in each language fluctuates considerably throughout the course.

FREMANTLE HARBOUR

Slipway: Construction and Lease

8. Mr. TONKIN asked the Minister for Works:

- (1) What price was paid by the Department of Industrial Development to Dillingham Shipyards (W.A.) Pty. Ltd. for the building of the slipway on Crown land at North Fremantle?
- (2) Did the Public Works Department perform any of the work of construction of that slipway?
- (3) If the answer to (2) is "Yes"—
 - (a) What amount of work was performed by the P.W.D.;
 - (b) Was the P.W.D. a subcontractor to Dillinghams in respect of that work;
 - (c) How much labour, plant, and material were used by the P.W.D. in the performance of the work;
 - (d) What did the P.W.D. charge Dillinghams for the work performed by the department?
- (4) What was the total amount paid to Dillinghams for the construction of the slipway?
- (5) What are the terms of the lease to Dillinghams in respect of the slipway?
- (6) Will Dillinghams become a competitor of the P.W.D. slipway in Fremantle in respect of slipping of vessels?
- (7) Is it a fact that Dillingham Shipyards (W.A.) Pty. Ltd. has made an application to the Western Australian Industrial Commission for the purpose of bringing about a lowering of rates of pay and working conditions of workers employed by it?
- (8) If the application is successful will Dillinghams be enabled to compete for slipping work on more favourable terms than the P.W.D. operated slipway at Fremantle?

Mr. ROSS HUTCHINSON replied:

- (1) The slipway was built on Crown Land at a cost of \$24,000 paid by the Department of Industrial Development.
- (2) Yes.
- (3) (a) All pile driving, underwater positioning of headstocks and concreting. Assistance in hauling out longitudinal ways.
- (b) No. The work performed was agreed to be done as the department had necessary equipment and experienced personnel.

- (c) Pile-driving crew, survey crew and supervision (approximately 6 men continuously and 6 men part time). Pile driving plant and launch.
No materials.
- (d) Full cost of labour plant and supervision plus departmental charges.
Final costs not yet established.
- (4) No payments were made to Dillingham Shipyards (W.A.) Pty. Ltd.
- (5) Lease of land and slipway commenced 1st January, 1966.
Rent \$72.50 per month for first 6 months.
Rent \$192.50 per month thereafter.
- (6) The slipway in question has a capacity of 300 tons whereas the smallest P.W.D. slipway has a capacity of 600 tons. Therefore there could be competition up to 300 tons if it is regarded as such, but this slipway is more a question of providing adequate capacity in the right location to meet an expanding local need.
- (7) An application was made to the Western Australian Industrial Commission on the 13th October, 1966, to bring the employed workers in line with those of the Metal Trades Union because the Federated Ship Painters and Dockers Union did not cater for the type of work involved.
This will not necessarily lower rates of pay or working conditions.
- (8) Not necessarily.

NOXIOUS WEEDS

Burr Infestation in Metropolitan Area

9. Mr. JAMIESON asked the Minister for Agriculture:

- (1) Is his department aware of a sharp burr bearing weed infesting many public and private lawns in the metropolitan area?
- (2) Has the department done any research into the eradication of this weed?
- (3) Is this weed a noxious weed?
- (4) Where is the country of origin of this weed?
- (5) When was infestation first noticed?

Mr. LEWIS (for Mr. Nalder) replied:

- (1) Yes. The plant is known as Onehunga weed (*Soliva pterosperma*).
- (2) Yes. The weed can be controlled with 2,4-D hormone sprays. Con-

trol measures are covered in Bulletin 3148, which is tabled herewith.

- (3) Onehunga weed is not a declared noxious weed.
- (4) Chile.
- (5) It was first recorded in Western Australia in 1938.

Bulletin 3148 was tabled.

GERIATRIC SERVICE

Subsidy to Hospitals

10. Mr. DAVIES asked the Minister representing the Minister for Health:

- (1) What hospitals or institutions have been approved by the geriatric service of the department as eligible for the \$1 subsidy for frail old people?
- (2) What are the requirements to be met before approval is granted?
- (3) How many people are receiving the subsidy each week?
- (4) What is the estimated cost of paying the subsidy for the current financial year?
- (5) To whom should application be made for payment of the subsidy?
- (6) Is any means test applied when assessing eligibility?

Mr. ROSS HUTCHINSON replied:

- (1) Institutions for approval are still under consideration.
- (2) Requests include structural design, provision of suitable care and the institution should be run by a non-profit making organisation.
- (3) At present nil.
- (4) \$20,000-\$30,000.
- (5) To the department.
- (6) Yes, but this is subject to review.

POTATOES

Regulations on Bagging

11. Mr. FLETCHER asked the Minister for Agriculture:

- (1) Is there any regulation which insists—
 - (a) that newly-dug potatoes;
 - (b) that other potatoes, shall be bagged in new sacks?
- (2) If good used sacks are available at a lesser price than new ones, could not such a saving be passed on to the consumer?

Mr. LEWIS (for Mr. Nalder) replied:

- (1) (a) and (b) No. However, the Potato Marketing Board has power to direct in what manner potatoes shall be delivered by growers.

- (2) Yes. However, owing to the diversion of supplies for export which must be made in new bags, and because of the difficulty of obtaining a suitable standard of second-hand bag, it is often not practicable. The question is reviewed by the board from time to time in the light of prevailing circumstances.

12. *This question was postponed.*

HOSPITAL CHARGES

Application of 50 Per Cent. Increase

13. Mr. DAVIES asked the Minister representing the Minister for Health:

- (1) To which hospitals do the recent 50 per cent. increases in hospital charges apply?
- (2) To what degree do the charges in such hospitals vary?

Mr. ROSS HUTCHINSON replied:

- (1) Increased hospital charges apply to all public hospitals.
- (2) From \$10 per day for minimum priced or public wards to \$18 per day for private accommodation, there being no charge for pensioners.

ONIONS

Marketing Board: Sales Service and Administration Costs

14. Mr. GRAHAM asked the Minister for Agriculture:

- (1) Is it to be construed from his replies to questions, and in view of the fact that certain auction firms act as agents and accordingly do the work of marketing of onions, that the Onion Marketing Board renders no service in this matter?
- (2) If "No," will he advise details of the service or actual work performed or to be performed by the board in the marketing of onions during the current period?
- (3) What are the anticipated administrative costs of the board for the period the 1st October, 1966, to the 30th September, 1967?

Mr. LEWIS (for Mr. Nalder) replied:

- (1) No.
- (2) In addition to its administrative responsibilities, the board performs the following functions relative to the marketing of onions:—
 - (a) Ascertain and check each grower's potential production of onions in quantity and variety.
 - (b) Appoint agents as may be necessary for sales and despatch of onions.

- (c) Appoint distribution panels in Eastern States and overseas.
- (d) Appraisal of market conditions locally, in Eastern States and overseas.
- (e) The setting of local selling prices on board onions.
- (f) Receive moneys and make payment to individual growers.
- (g) Manage the board's central grading and packing shed.
- (h) Sales promotion and advertising and other attendant functions connected with the marketing of onions.

(3) Five per cent. of sales proceeds.

KING'S PARK

Sports Ground: Legality of Subtenancy

15. Mr. GUTHRIE asked the Minister for Lands:

- (1) Adverting to his answer to question 8 on the notice paper on the 16th November, has the Education Department the legal authority to create a subtenancy in favour of the W.A. Hockey Association of Hale Oval without parliamentary approval?
- (2) If "Yes," under what Statute does the authority arise?
- (3) If "No," is it intended to bring the matter before Parliament?

Mr. BOVELL replied:

- (1) and (2) Legal advice now is, the Education Department is not legally entitled to create the Hockey Association a tenant or subtenant, of the area in question. The granting of any such right rests with the King's Park Board, but that right may be exercised only with the consent of both Houses of Parliament as required by section 5 (3) of the Parks and Reserves Act.
- (3) Consideration of the requirements of the Act will be given, if and when the question of leasing is referred to me.

QUESTIONS (2): WITHOUT NOTICE

ADULT EDUCATION BOARD

Language Classes and Number of Students

1. Mr. GRAHAM asked the Minister for Education:

I thank the Minister for informing me what language classes are conducted by the Adult Education Board, and I am sorry I misdirected my question. I would be

pleased if he would endeavour to obtain the information sought by me in the second part of my question on notice, as to the number of students who are enrolled for each language class.

I am aware there are fluctuations during the year in the numbers. For instance, I enrolled for a language but because I was absent overseas, obviously I could not be present at the time; therefore the numbers would go up and down during any year. I would like to know the number of students who enrolled for each of the classes.

Mr. LEWIS replied:

As I stated in my reply this matter does not come within the jurisdiction of the Education Department or within my jurisdiction. I suggest the honourable member apply to the Adult Education Board to obtain the information.

PARLIAMENT OF WESTERN AUSTRALIA

Annual Dinner

2. Mr. HAWKE asked the Speaker:

Have you considered inviting the Deputy Prime Minister of Australia (Mr. John McEwen) to the parliamentary dinner to be held this evening? If so, have you decided to issue an invitation?

The SPEAKER replied:

I do not think the matter has received any consideration.

GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT BILL

Second Reading

MR. O'NEIL (East Melville—Minister for Labour) [4.18 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to amend the Government Employees (Promotions Appeal Board) Act which provides for appeals by certain persons employed by or under the Crown against the appointment of other officers.

At the present time employees may apply for any positions, but applicants who are not members of a union—party to the award or agreement covering the terms and conditions of the vacant position—are denied an automatic right of appeal where one or more of the applicants is a member of such a union.

An anomaly occurs where no applicant is a member of the appropriate union in that unsuccessful applicants in the same

category are denied an automatic right of appeal. This situation has arisen out of an amendment made to the Act in 1964, and it is deemed advisable to recast the appropriate section to give effect to what is believed to have been the intention of the 1964 amendment.

The amendment contained in the Bill will have the following effect: Applicants for positions who are not members of the union, party to the relevant award or agreement, will have an automatic right of appeal in cases where no applications are received from persons who are members of such unions, provided that the appellants are employed in the department where the vacancy or new office occurs. As well, it is proposed to retain the provision allowing the Minister, on special grounds, to grant a right of appeal to any applicant.

A further amendment is designed to allow the Public Service Commissioner, as the recommending or appointing authority in respect of positions under the Public Service Act, and also the Government Employees Promotions Appeal Board, when considering efficiency of employees, to have regard to acting service in the vacancy to be filled, but only in those cases where such acting service occurred prior to the position becoming vacant.

Both the Public Service Commissioner and the Civil Service Association concur in the proposed amendment, but since the Trades and Labour Council has raised objection to the general principle involved the amendment will apply only to those persons employed under the Public Service Act.

The Bill contains a provision to resolve a problem of determining seniority where two or more applicants had previously been appointed to offices or positions in the same grade or classification or to vacancies where the same rate of salary or wages applied, at the same time.

It is proposed in such cases that relative seniority prior to that last mentioned event occurring shall be regarded as seniority for the purposes of the Act. The Public Service Act regulations already cover this situation in relation to public servants and this proposal extends the principle so that it will also apply to Government wages employees.

All of these amendments have been the subject of several discussions held over the last few months between employing departments, the Trades and Labour Council, and the Civil Service Association, and all parties in their respective areas have reached agreement.

The references in the amending Bill to the Industrial Arbitration Act, 1912, and the Public Service Arbitration Act, 1966, are consequential to the legislation relative to the Public Service currently before Parliament, and do not in any way affect

the principles contained in the Bill with respect to the amendments proposed.

I commend the Bill to the House.

Debate adjourned, on motion by Mr. W. Hegney.

ALUMINA REFINERY AGREEMENT ACT AMENDMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [4.24 p.m.]: I move—

That the Bill be now read a second time.

In doing so I want to apologise to the House for the lateness of its introduction, but it has been found necessary to have this amendment so as to make it possible to give effect to some developments which can be of considerable importance to the State. It was only on Friday last that the final form of this amendment to the agreement was resolved. Prior to that there was some doubt as to whether the amendment would, in fact, be necessary. However, to make certain of the position it has been found necessary to bring in this amending Bill.

This agreement is with Western Aluminium No Liability. The original agreement was the subject of ratifying legislation, and is covered by the Alumina Refinery Agreement Act, 1961-63. The progress made by Alcoa—which is the normal way by which most of us refer to Western Aluminium No Liability's alumina refinery establishment at Naval Base—is well known to all members, including the expansion currently taking place.

This expansion increased the capacity from 210,000 tons per annum to 400,000 tons per annum, and brought with it a corresponding increase in the rail freighting of bauxite from the hills to the work site. This particular industry is an example of one which has established itself quicker than was provided in the original agreement, and it has already undertaken a major expansion which has doubled its original capacity.

The company is now in a position where it needs greater flexibility in its negotiations, and for this purpose it desires to separate from the main mineral lease six separate mineral leases. I emphasise these form part of the total main lease area. The company is not seeking an expansion of the existing mineral lease areas, but it is seeking to separate from the main mineral lease six separate mineral leases.

These leases are identified in a plan to be referred to as the plan marked "D". The main features of these special separate mineral leases are—

- (1) The company has the right of assignment within the next 20 years. This assignment can be to itself and another corporation of any of the six new mineral leases which at present form part of

Mineral Lease No. 1SA already granted to the company under the terms of the original agreement. This right of assignment is conditional upon the construction within three years of an additional alumina refining unit having an annual capacity of not less than 180,000 metric tons of alumina for each of the separate mineral leases.

- (2) Until 1986 the six separate mineral leases cannot be dealt with by assignment except under these conditions. After 1986, any of the six separate mineral leases not by then assigned shall then automatically determine and form part of Mineral Lease No. 1SA; that is, the present main mineral lease.

In other words, if the right of assignment under these conditions of an additional alumina refining unit having an annual production capacity of not less than 180,000 metric tons of alumina for each of the separate mineral leases has not been exercised, such of the six separate mineral leases as have not been used will revert to the present main mineral lease. The other main features are—

- (3) Any separate mineral lease that has been assigned and is later re-assigned back to the company ceases to be a separate mineral lease and becomes part of Mineral Lease No. 1SA.

I should explain that the company under the separate mineral leases will not be committing the whole of the bauxite tonnage within the separate mineral leases, and after the agreement with a partner has run its race under the separate mineral lease there will be approximately half of the bauxite in the separate mineral lease still available for the general purposes of the agreement, and this will be reassigned to the company. Therefore it will be a substantial tonnage to revert to part of the original Mineral Lease No. 1SA. To continue—

- (4) At any time before 1986 the Minister for Mines may at the request of the company cancel any separate mineral lease and such cancelled special lease would also become part of Mineral Lease No. 1SA.

Some flexibility is permitted in the new subclause (2) of clause 17 of the principal agreement by the incorporation of the words "(except where and to the extent that the parties hereto may otherwise agree in relation to any matter mentioned in this subclause)".

It is considered that without these words too much rigidity could exist and mitigate against something reasonable so far as the company and the State are concerned.

Apart from the separate mineral leases referred to above, the right of assignment

which the company has at present under the original agreement is retained in exactly the same wording as in the original agreement. It is rather difficult to explain this, but I think if members study the Bill they will find it is not quite as complicated as it sounds. The main point is that the six separate mineral leases are to be extracted from the main lease and then the balance of the mineral lease ISA will have no greater or lesser rights than were granted by the original agreement.

It is important to note that an assignment made under the terms of the new provisions does not relieve the company from any liability under the agreement, and this has been specifically referred to. I invite the attention of members to the new subclause (5) in the amended clause 17 of the principal agreement, which reads, "An assignment made pursuant to this clause shall not relieve the Company from any liability imposed upon the Company hereunder."

The amendments are commended to Parliament as being in the interests of the State. The greater flexibility in respect of the separate mineral leases tied as they are to substantial new alumina refining units could be instrumental in expediting the speed and the extent of the expansion of the Alcoa project in this State, bringing with it consequent advantages in additional rail tonnages with corresponding financial gains to revenue and to employment.

The company has advised that it has reached a stage when it hopes to be able to execute at least one agreement for an additional alumina unit fairly soon after the new separate mineral leases are available. Negotiations in this regard are very far advanced and are, of course, contingent in the final analysis, on this Bill being passed. This progress also brings nearer the day when it will be easier to justify economically a smelter.

Members will recall that in spite of the Government's strenuous efforts at the time it was impracticable to justify economically the establishment of a smelter at Kwinana when the original agreement was negotiated. This was mainly directly related to the non-availability of large volumes of cheap power on a continuing basis. The company had to make arrangements in Victoria where it was able to negotiate to produce power based on a very large deposit of cheap coal.

In the meantime, the company has co-operated with the State Government in a study of the possibility of having a smelter in Western Australia at the earliest practicable date, and I want to pay a tribute to the company's co-operation in this research which has been undertaken by the Government.

Many factors are involved in determining what are the circumstances and the period of time that will permit the establishment of a smelter here on an economic basis. Some of these factors, other than the availability of suitable raw materials and power, are the size of the local market and the general world production and market patterns.

We have to accept the fact that the total Australian market is fairly limited, and although it is expanding satisfactorily it is shared by a number of large companies with considerable capacity and potential for expansion. Therefore, it would appear that the future markets for a smelter established in Western Australia would largely be for the supply of billets to other countries which have not got indigenous sources of bauxite or adequate alumina refineries and aluminium smelters of their own.

The company cannot at this stage commit itself to the establishment of a smelter but, as a declaration of their sincerity in the studies that are being undertaken and their attitude to our ambitions to have a smelter, they have addressed a letter under date the 21st November, to the Premier, and I would like to have this letter recorded in *Hansard*. It is from Western Aluminium N.L., and reads as follows:—

The Honourable,
The Premier of Western Australia,
PERTH.
Dear Mr. Brand,

The Company acknowledges its intention to construct a smelter in this State to smelt alumina produced at the works site or some other refinery operated by the Company in this State under the Alumina Refinery Agreement as and when market requirements have developed to the appropriate level and other conditions are present which make it economically feasible to do so. The Company cannot at present accept a specified commitment as to the time when such smelter will be established or the location and size of such smelter, but it undertakes to investigate the economic feasibility from time to time of constructing a smelter and to inform the State of the result of its investigations.

The State acknowledges that this is not a specific commitment to establish a smelter and that there are a number of important factors which would have to exist before such a smelter would be economic. These include but are not limited to a continuing and adequate electric power supply at a cost which, in the opinion of the Company, based on its experience in other localities, will permit it to operate the smelter at a cost competitive with other smelting installa-

tions throughout the World serving the same or comparable markets.

The State also acknowledges that World market and economic conditions must be taken into account when assessing whether the establishment of an aluminium smelter is economic and practical.

When the State and Company agree on the time and conditions for the establishment of a smelter, the Company nevertheless will not be expected to establish a smelter unless and until the State can make available to the Company, on reasonable terms, such land and facilities as may be necessary for the purpose.

Yours truly,
A. C. Sheldon,
Managing Director.

Western Aluminium No Liability.

Mr. Hawke: What does all that mean?

Mr. COURT: We have a declaration of the intention of the company to establish a smelter in Western Australia, which declaration we did not have previously because a smelter was not part of the original agreement and, as I said earlier, the company has very fairly co-operated with the Government in its research into the economic practicability of the establishment of a smelter in due course. Power is, I think, still the greatest single factor involved in the establishment of a smelter, because power is approximately 60 per cent. of the raw material of the production of aluminium.

It is impracticable to forecast with any accuracy when the economic factors will come into balance. Power will, of course, be the dominating factor and the discovery of natural gas in sufficiently large quantities could influence the position in a number of ways. However, it should not be assumed that a smelter will be practicable in less than 10 or 12 years and even this period should not be regarded as a time given by the company as its considered view when a smelter is likely to be practicable. Needless to say, close consultation will continue with a view to achieving our objective at the earliest practicable date.

In the meantime I think we can express satisfaction with the way Western Aluminium N.L. has conducted itself at Kwinana and the progress it has made ahead of its contractual commitments. I think most members are aware of and are impressed with the way those concerned at Alcoa have endeavoured to face up to their problems of effluent, dust, and other industrial problems inseparable from an industry like this. They have shown themselves to be co-operative and neighbourly in the representations that have been made to them.

I think it will be very soon when they will be able to announce what could be the third unit involving a capacity of

something like 610,000 tons of alumina. Already the increased tonnage moved by rail has gone over the 1,000,000 tons per annum with the consequent advantage to the railways and particularly the economics of that part of the railway system from Jarrahdale to Kwinana. I commend the Bill to the House.

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

PRIVATE RAILWAYS (LEVEL CROSSINGS) BILL

Second Reading

MR. COURT (Nedlands—Minister for Railways) [4.41 p.m.]: I move—

That the Bill be now read a second time.

This Bill is intended to clarify a situation that will become increasingly important because of the commencement of operations of some of the major private standard gauge railways which have been constructed in the north under the terms of iron ore agreements ratified by the State Parliament.

Although the agreements provide for the railways to be operated in a safe and proper manner, there is no certainty that the Government can provide adequately in any lease, agreement, etc., in respect of the position at level crossings.

Naturally, in the preparation of lease documents in respect of railways, the Government negotiates conditions which it considers satisfactory for the operation of these railways but these conditions are between the company and the Government and in certain respects are not necessarily applicable to the general public.

The question of level crossings is one such matter which it is felt can satisfactorily be dealt with only by Statute. With this in view a special Bill has been prepared. After consideration of the matter, it was felt better to handle this situation by a special Bill to make it easier for members of the public than by inclusion in an Act such as the Public Works Act—although I should point out the level crossings provisions in respect of the W.A. Government Railways are covered by the Public Works Act.

It is appropriate to refer to the relevant provisions of the Public Works Act so far as they relate to Government railways. These are contained in section 100 subsection (2) of that Act and are as follows:—

Where a road, street or thoroughfare crosses a railway on a level, the public right of way at such crossing shall cease whenever any engine or carriage on the railway is approaching and within a distance of a quarter of a mile from such crossing; and shall at all other times extend only to the right of crossing the line of

railway with all convenient speed but not stopping thereon.

Members will notice that this Bill is drafted to have the same provision in respect of public right of way at all level crossings.

The Bill provides in clause 4 that the public right of way shall cease when and as often as any engine, truck, or carriage on the line of a private railway that passes through the level crossing is approaching and within a distance of a quarter of a mile from the level crossing.

It also provides that the public right of way at level crossings at all other times shall extend only to the right of crossing the line of railway at the level crossing with all convenient speed but not stopping or continuing thereon. Some of these private railways that are being constructed under the terms of agreements ratified by Parliament are major systems, as, for instance, the Hamersley Iron and Mt. Goldsworthy railways.

With the increasing amount of travel by motorists throughout the State and the number of people who will be strangers in these areas, it is unrealistic to have one set of conditions for level crossings for private railways of this kind and another set of conditions for Government railways.

The impracticability of adequately distinguishing in the motorist's mind between two types of railways will be apparent. Therefore it was considered desirable and necessary to bring about uniformity.

Members will notice in the Bill that a private railway is defined as a railway that is constructed by a person under the authority of an agreement with the State. Under the Interpretation Act a "person" also means a company, corporation, etc.

The opportunity has been taken to include in the Bill provision about the erection and maintenance of protection devices at level crossings. These will normally be dealt with by the Government of the day in any agreements, leases, etc. it enters into with private railway operators, but it is felt some reference should be made in this legislation.

In the case of existing level crossings at the time when the Act comes into operation, these will be at the cost of the railway operator subject, of course, to any provisions that may be in existing agreements. In the case of new level crossings that become necessary because of the development of a more widespread road system, the question of level crossing protection will be a matter of negotiation between the Government and the railway operator. Provision is made for arbitration where agreement cannot be reached.

In circumstances where new crossings are being created because of a developing road pattern, it would be reasonable for

the Government of the day to take into account such things as the reason for the new road. Obviously, it would be unfair to expect the railway operator to stand all the cost of level crossing protection where such new level crossing was being created or an existing crossing was being upgraded for the benefit of a third party or for a public purpose.

If the Government of the day did not reach agreement—although normally this would present no problems and common sense would be expected to prevail—an arbitrator would take into account all the circumstances surrounding a particular request for a new level crossing and its protection and arrive at a fair thing between the railway operator, the Government, and any third party.

In this regard it should be realised that the Government will be largely in command of the situation because new level crossings will be developed for a particular purpose and, if it is related to the development of another industry, no doubt an arrangement could be made with the newcomer to make a reasonable contribution of the whole or part of any new costs incurred.

I mention this to avoid any suggestion that the costs would necessarily fall, wholly or in part, on the Government. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Brady.

BETTING INVESTMENT TAX ACT AMENDMENT BILL

Second Reading

MR. BRAND (Greenough—Treasurer)
[4.47 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this measure is simply to rectify an omission from the provisions of the Betting Investment Tax Act Amendment Act, 1965, which came into operation on the 14th February, 1966. This was D-day and the day on which the currency change was made.

The principal Act was enacted in 1959 and imposed a tax upon each bet made in registered premises by a bookmaker or his employee on his behalf.

Following the establishment of the Totalisator Agency Board it became necessary to extend the imposition of the betting investment tax to bets made through or with the Totalisator Agency Board. This was done by an amendment to the principal Act in 1960.

With the advent of decimal currency, it was decided to impose a tax of 3c upon each bet made in registered premises or with the Totalisator Agency Board, in lieu of the then existing tax of 3d. where the consideration for the bet did not exceed £1, and 6d. where the consideration for the bet exceeded £1.

The Betting Investment Tax Act Amendment Act, 1965 was aimed at this objective but through an omission in the drafting of the measure, the new rate of 3c only applies to bets made in registered premises by a bookmaker or his employee on his behalf.

Through an oversight, no rate of tax was prescribed in respect of bets made through or with the Totalisator Agency Board and so we now have the situation where the long title to the Act is "Imposes a Tax on Bets made by a Bookmaker in Registered Premises and on Bets made through or with the Totalisator Agency Board" but only in the case of the former is a rate specified.

Mr. Tonkin: So, it has been illegally collecting the money!

Mr. BRAND: The omission arose through a redrafting of the section specifying the rate of tax and was only recently discovered by the Chief Parliamentary Draftsman when checking this piece of legislation.

It is, of course, necessary to rectify the omission with effect from the 14th February, 1966, which was the date of operation of the Act giving rise to the omission.

Mr. Hawke: What! The Government did not believe in retrospectivity yesterday!

Mr. BRAND: A very different situation! The Bill aims to do this and its effect will simply be to bring about a state of affairs which we all thought existed; that is, all bets made in registered premises by a bookmaker or made through or with the Totalisator Agency Board attract a tax of 3c. I commend the Bill to the House.

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

AUDIT ACT AMENDMENT BILL

Second Reading

MR. BRAND (Greenough—Premier) [4.50 p.m.]: I move—

That the Bill be now read a second time.

This is a very simple and small Bill to amend the Audit Act and is very similar to an amendment made in relation to the Public Service Commissioner's salary which was passed in the Legislative Assembly on Tuesday, the 22nd November, 1966.

Section 6 of the Audit Act provides that the salary of the Auditor-General shall be determined by the Governor, but shall be not less than £2,000. This was the figure applicable at the 1st January, 1954.

It also provides that the Governor shall cause adjustments to be made to the salary by multiples of £20 in accordance with variations in the State basic wage.

Salary agreements now applying to the Public Service adopt the Federal basic wage.

The amendment proposes to omit any reference to basic wage variations. It

provides that the Auditor-General's salary may be determined by the Governor from time to time and brings the minimum figure up to the existing level of \$11,650.

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

TRAFFIC ACT AMENDMENT BILL (No. 2)

Second Reading

MR. CRAIG (Toodyay—Minister for Traffic) [4.53 p.m.]: I move—

That the Bill be now read a second time.

I would say this Bill is principally a measure to tidy certain anomalies in the parent Act and there is nothing basically contentious about it—at least, I hope there is not.

The various amendments have been suggested or endorsed by those people concerned with the administrative side of the Act, namely the Commissioner of Police, and shire council bodies to assist in applying its various intentions and provisions.

I would also say that some of the amendments are brought forward as a result of suggestions put to me by members of this Chamber. The first amendment refers to carriers' licenses and last year an amendment to the Traffic Act dispensed with the need to pay a fee for a license to carry goods for reward as such licenses were thought unnecessary in the light of other transport charges. However, reference to carriers' licenses were not repealed in other parts of the Act and anomalies are arising because of this. It is now desired to delete reference to carriers' licenses wherever mentioned in the Act.

Another amendment deals with the licensing period. The Act now provides for an annual licensing date in vehicle registration and a 12 months' renewal cannot be taken out unless it commences from this date. A owner therefore does not always have the benefit of a six or 12-month licensing period. With staggered licensing and better recording equipment it is not now necessary to retain this provision which has in the past caused some discontent. This particular matter was raised with me by the member for Victoria Park.

Another amendment deals with tractor licenses. At the present time, farm tractors—that is, those engaged solely in primary production—can be licensed in three ways—

- (i) free of charge;
- (ii) at \$10; or
- (iii) at \$20 each depending on required use and the tare weight of the tractor.

A recent survey indicates that 99 per cent. of tractors owned by farmers are issued with free licenses and pay \$3 third party premium and \$1 plate fee. These licenses limit the tractor to movement on roads only from one part of the farm

to another. Any other use requires the issue of a special permit. I think the fee for a permit is 87c. I might say at this point that there is no obligation on a farmer to license his tractor at the fee of \$4 if the tractor is used entirely on the farm and is not used on the road.

The County Shire Councils' Association supports the idea of all farm tractors being licensed at a flat rate without any restrictions on use. This would erase the difficulty of policing the present restrictions and farmers generally would be less inconvenienced.

It has been agreed that a \$4 fee for all farm tractors is an equitable charge having in mind the number of tractors now licensed free of charge and the small road mileage involved.

A \$4 fee could mean an estimated \$60,000 to \$70,000 additional revenue to local authorities. The Under-Treasurer has pointed out, however, that if this amendment is eligible for matching money from the Central Road Trust Fund, the Commissioner of Main Roads would have difficulty in meeting his commitments. He recommends any revenue from this proposal be ineligible for local authority matching grants. This is not unreasonable having in mind the additional revenue that will be available to local authorities directly from tractor license fees. At this point, I would say the country shire councils have agreed with this proposal; and hence the need for a complementary Bill to amend the Stamp Act.

Another amendment deals with railway crossing protection. These proposals relate to the establishment of a railway crossing protection fund account to operate throughout the State and to replace the Metropolitan Area Railway Crossing Fund Account. It requires the country local authorities shall pay to the account one-half of their total collection of fees for the transfer of vehicle licenses and provides that one-half of the total collection of these fees in the metropolitan area shall also be paid to the account. From the account will be met the costs of providing, improving, maintaining, and repairing railway-road crossings throughout the State.

Proposals to levy a contribution from country local authorities have been examined by the State Treasury and the Department of Local Government, both of whom agree that such a contribution should be made.

At this stage I would like to say a word for the work that has been done by this special railway-crossing committee which investigated the crossings throughout the whole of the State in order that some greater protection could be afforded to the public.

Mr. Graham: What is the reaction of the country local authorities to this proposal?

Mr. CRAIG: They support it; when the proposal was put to me by the Commissioner of Main Roads, naturally I made an approach to the Country Shire Councils' Association because it was involved and in order to ascertain its reaction. The association advised me that it approved of the suggestion. It is spreading the amount of contribution over the whole of the State, metropolitan and country.

Mr. Graham: Did all local authorities support it, even though some of them have no railway lines running through their districts?

Mr. CRAIG: This is quite obvious. One must remember that the authorities referred to by the member for Balcatta naturally have motor vehicles in their areas that are not necessarily confined solely to one particular local authority. They use roads in other parts of the State, and naturally have to use crossings from time to time.

Mr. Graham: I am just a little astounded that country authorities have agreed to considerable sums of money annually and forever passing out of their hands.

Mr. CRAIG: They are not really considerable sums of money. It is estimated that the contribution by way of half of the transfer fees would amount to \$30,000 from all country authorities. As there are approximately 120 of them, from my calculations it would be about \$240 per shire. I must admit there will be a greater contribution from the larger shires, such as those at Albany, Bunbury, Geraldton, and Kalgoorlie, but the main purpose, of course, is to have a permanent fund.

This arises from recommendations made by the Railways Crossings Committee, and it was obvious there would be a considerable commitment for a period of years to ensure that adequate protection would be provided at all railway crossings throughout the State. It was felt this was the fairest and most equitable way to provide the funds.

Mr. Graham: I think it is an achievement that you have got them to agree.

Mr. CRAIG: Thank you. Perhaps we should try them on country traffic control, too.

Mr. Graham: This would be a good start.

Mr. CRAIG: The next amendment resulted from a suggestion of the member for Balcatta in regard to probationary license periods. At present a person from overseas, or from another State, obtaining a Western Australian driver's licence for the first time, is placed on probation for three years unless he has held a licence elsewhere for three years or more. He is not given any credit for having held a license elsewhere for, say, one or two years. It is felt the section should be amended to provide for a reduction of the three years' probationary period, equivalent to

the period a license was held elsewhere. I think this is what the member for Balcatta sought.

Also dealing with drivers' licenses, and the cancellation of old drivers' licenses, the section of the Traffic Act covering the issue of drivers' licenses is not clear as to the renewal of a driver's license which has expired for some years. It is the practice to require a driver, whose licence has expired for five years or more, to undergo a driving test in the same manner as an applicant for a new license.

Part III of the third schedule to the Act sets out that the fee of \$4 is payable on application for a driver's license, but no provision is made for a fee where it is necessary for a driver to be re-examined after a considerable lapse of time. The matter has been referred to the Crown Law Department and legal opinion is that the wording of section 23D (3) permits the renewal of a license any number of years after it has expired.

This has led to a departmental procedure of keeping records of all drivers who have ever held a license, and when an application is received from such a person, even after a lapse of many years, the old license is revived.

Investigations are at present being made with a view to placing the motor drivers' license records on a computer. This is being done with a view to speeding up procedures and catering for the large increase of licensed drivers expected in the years ahead.

It is fair that when a license has expired for five years or more a fresh application and test for a license should be made, and the standard fee of \$4 charged. I think the reason for this is obvious. Where a person has not renewed his license for, say, 20 years, under the present procedure he can get it renewed without any test at all.

Mr. Graham: If a person had his license suspended for, say, two years, would he have to present himself for a further examination at the expiration of that period?

Mr. CRAIG: That is the general procedure when anyone has had his license suspended. It all depends on the circumstances, of course.

The next amendment refers to licenses obtained by valueless cheques. An amendment to the section is desired to provide that a motor driver's license obtained by means of a valueless cheque is automatically null and void. A similar provision already exists in respect of vehicle licenses so obtained, but where a driver's license is involved it remains in existence until cancelled by the Commissioner of Police. Sometimes it is difficult to locate the holder to enable this to be done and he is able to exercise the license until it

expires by lapse of time. So it is a matter of endeavouring to make the practice uniform.

The next amendment relates to proof of district boundaries. As a result of representations from the Shire Councils' Association, it is desired to amend section 69 of the Act to provide that an averment in a complaint that an offence took place in a specified local authority, shall be deemed to be proved in absence of proof to the contrary.

This is to overcome the necessity to produce expensive plans of each local authority district certified as correct by the Surveyor-General at the hearing of every traffic offence. One magistrate is known to insist on a new plan every six months and this is causing a good deal of technical difficulty in enforcing traffic laws. I think this costs an authority something like £40 or so for these plans.

Mr. Graham: If the police took over complete control none of this would be necessary, would it?

Mr. CRAIG: Perhaps we could carry straight on with that debate afterwards.

As regards the mandatory suspension of vehicle licenses, the Country Shire Councils' Association has requested that the section be amended and, if I recall, the member for Kaigoorlie and the member for Murchison also raised this point with me. At present it provides that, where a person is convicted of driving an unlicensed vehicle, he is debarred from holding any license under the Act unless the court orders otherwise.

This places an unfair burden on the court because it might overlook making an order "not debarred" and this automatically causes the offender's licenses, both vehicle and drivers, to be suspended. It is desired to amend the section so that such licenses are only suspended if the court so orders. The court will still have discretionary power to suspend such licenses under other provisions of the Act.

Mr. Evans: Which clause is that in the Bill?

Mr. CRAIG: I do not have it in front of me, but we should not mention clauses at this stage, so I am told.

Mr. Graham: We can now.

Mr. CRAIG: Those are the provisions of the Bill which I commend to the House.

Debate adjourned, on motion by Mr. Graham.

STAMP ACT AMENDMENT BILL (No. 2)

Second Reading

MR. CRAIG (Toodyay—Minister for Police) [5.10 p.m.]: I move—

That the Bill be now read a second time.

I was to have had some additional notes provided for this Bill, but it is complementary to the other proposals which I have already introduced regarding amendments to the Traffic Act. I commend the Bill to members.

Debate adjourned, on motion by Mr. Graham.

METROPOLITAN REGION TOWN PLANNING SCHEME ACT AMENDMENT BILL

Second Reading

MR. LEWIS (Moore—Minister for Education) [5.11 p.m.]: I move—

That the Bill be now read a second time.

This is a short Bill which contains three amendments to the parent Act, and I hope I will not be accused of being too brief with the explanation of it.

The first amendment will increase the membership of the Metropolitan Region Planning Authority from 11 to 12, by adding as an *ex officio* member the director-general of transport to be appointed under the State Transport Co-ordination Act, 1966. Transport and transportation are important facets of the work of the authority and the knowledge and experience of the director-general in this field would be of considerable value to it in its planning.

The amendment will come into force on the date the State Transport Co-ordination Act, 1966, is proclaimed.

Currently the Act provides for the payment of compensation to owners of land reserved under the metropolitan region scheme who, although wishing to sell, are unable to obtain market value because scheme proposals have caused a deflated price. This compensation is the difference between the actual selling price and the estimated true market value.

In practice this provision has not been used to any extent chiefly, it is believed, because owners are reluctant to sell at reduced prices when they have no means beforehand of ascertaining what compensation they will receive. The position of buyers, too, is uncertain as they do not know for how long they will have the use of the property nor what deduction, if any, is likely to be made from the eventual acquisition price in the event of compensation having been paid.

It is important to the community that properties are kept in use for as long as possible. In Melbourne, where similar provisions exist, there has been quite active dealing in properties reserved for future public purposes.

The amendment has been brought forward to clarify the issues which are retarding sales in this State and to provide for the making of regulations where necessary to specify procedures. This will be accomplished in the following ways:

A board of four qualified valuers, who are members of the Commonwealth Institute of Valuers, will be set up. Three of its members will be nominated by the Real Estate Institute and one by the Metropolitan Region Planning Authority. Members will be appointed by the Governor and will hold office for a term of two years. They will be eligible for reappointment.

Where an owner gives notice of intention to sell land affected by a reservation under the metropolitan region scheme, the board will be required to assess its value as if it were unaffected by the scheme. This valuation will be the basis for the payment of compensation and the Metropolitan Region Planning Authority would assess from it the minimum price for which the property should be sold and advise the owner accordingly. Should the owner be unable to obtain this minimum price then it would be necessary for the authority to consider whether the minimum selling price should be reduced and the compensation increased accordingly, or whether it should acquire the property itself at the unaffected value.

These proposals should meet the difficulties presently confronting a prospective seller of reserved land. To meet the buyer's problem of tenure it is proposed to empower the authority to give assurances as to the tenure of reserved property and for compensation to be adjusted if the tenure is terminated prior to the date nominated.

The method to be used in arriving at the adjusted acquisition figure in the event of compensation having been paid in accordance with the provisions of section 36—that is, for loss of value due to reservation under a scheme—has also been provided for in the Bill.

Perhaps a simple example will help to explain this amendment. The unaffected value of a property owned by "A" is determined at, say, \$10,000. He sells to "B" for \$8,000 and receives \$2,000—20 per cent. of the unaffected value—in compensation.

"B" has an assurance of tenure for, say, 10 years. At the end of that time it is acquired and the unaffected value determined at \$12,000. An amount of 20 per cent.—\$2,400—is deducted and \$9,600 paid as the acquisition price.

Owner "B" has made in this case a capital gain of \$1,600; having acquired it at \$8,000 and selling it for \$9,600. This appears to be the most equitable way of dealing with the matter of compensation in the circumstances provided for in section 36.

Finally, under existing legislation the Metropolitan Region Planning Authority can acquire land only in accordance with zoning classifications in the metropolitan scheme that relate thereto. This means that should the authority desire to acquire land for a certain purpose, then it must

obtain land which has already been zoned for that purpose. For example, the authority would not be able to acquire for the purposes of industrial development any land which had not already been zoned as industrial.

This tends to confine public sector development projects to land that is already selling at premium prices by virtue of its zoning, and in many cases the values will be so high that developing departments will be discouraged. Since this works to the considerable disadvantage of the general community, it is proposed to lift the restriction.

Debate adjourned, on motion by Mr. Toms.

AUDIT ACT AMENDMENT BILL

Message: Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

BILLS (2): INTRODUCTION AND FIRST READING

1. Marketable Securities Transfer Bill.
 2. Stamp Act Amendment Bill (No. 3).
- Bills, introduced, on motions by Mr. Court (Minister for Industrial Development), and read a first time.

CRIMINAL CODE AMENDMENT BILL

Second Reading

MR. CRAIG (Toodyay—Minister for Police) [5.20 p.m.]: I move—

That the Bill be now read a second time.

The Minister for Justice, when introducing this measure in another place, emphasised the Government's concern of late at the number of serious attacks on police officers, and as we know some of these have been quite vicious.

This matter has also exercised the mind of the Police Union of Workers and some little time ago, the union expressed to me its concern that the 1964 amendment to the Police Act had not provided the deterrent then thought likely as regards assaults on police officers. These particular sections of the Police Act relate to creating a disturbance and resisting arrest, and substantial increases in the penalties were provided.

Consideration was given to the problem last August when a discussion was held between the Commissioner of Police, the Senior Assistant Crown Prosecutor, and the Assistant Parliamentary Draftsman.

The provisions in the Bill emanate in the main from the committee's recommendations which were placed before the Minister for Justice and myself, and it is hoped the deterrents now to be introduced will provide the protection to which police officers are entitled.

Under section 318 of the Criminal Code, an assault on a police officer acting in the execution of his duty is a misdemeanour triable on indictment and punishable with three years' imprisonment. The offence of common assault is punishable under section 321 on summary conviction, with a fine of \$20, or up to six months' imprisonment.

Where justices are of opinion that the charge is a fit subject for prosecution by indictment, they are required, under section 320, to abstain from dealing with the case summarily. In this regard, it is pertinent to quote from the police manual, which states, at page 47—

Assaults on constables should be treated as a common assault, determined summarily, unless the justices hearing the case should think it sufficiently serious to warrant it being dealt with by a higher tribunal.

Police practice has apparently been to charge common assault, even in a case of a vicious and cowardly assault on a police officer committed in association with others, and notwithstanding that the assault is likely to cause or result in a riot or other serious breach of the peace. Cases of justices abstaining from dealing with these charges summarily are very rare indeed and I, personally, do not recall any particular case of indictment.

The Police Union of Workers recommended to me last April that the Criminal Code be amended to provide for a \$200 fine in respect to common assaults on police officers. The Government supports this recommendation in the Bill.

The maximum penalty increased from £5 inclusive of costs to £10 plus costs in 1902, and has not since been altered, despite alterations in monetary values. There are several other matters covered in this measure which I shall explain briefly.

Clause 2 of the Bill increases from one year to two years the penalty for common assault that may be imposed by a superior court. This was done to provide a more severe penalty than that proposed for courts of summary jurisdiction in clause 4 of this Bill. The underlying reason for the change is that where the justices believe that the assault warrants a heavier penalty than they can impose, the offender may be committed for trial by a superior court and there be dealt with more severely.

Clause 3 increases from \$20 to \$100 the monetary penalty that may be imposed summarily, without changing the imprisonment provision of six months for a common assault, unattended by circumstances of aggravation. The penalty of \$20 and the alternative imprisonment of six months are completely disproportionate.

Clause 4 recasts the provisions relating to common assaults attended by circumstances of aggravation, on the lines of the Queensland section 344. To this section, the provision relating to assaults on police officers has been added. This type of assault will now attract a maximum penalty of \$200 or imprisonment for one year. The clause contains a new requirement that the circumstances of aggravation be set out in the complaint, so that the offender knows the nature of the charge he has to face.

Clause 5 repeals a subsection that was added to section 390A by the Traffic Act Amendment Act, 1956. That Act imported the mandatory suspension of drivers' licenses in cases of unlawful use of a vehicle, by amendment to both the Traffic Act and the Code—the amendment to the Code was contained in the schedule to the Act. When last year the mandatory suspension was removed from the Traffic Act, so that the courts of summary jurisdiction could exercise a discretion in the matter, the corresponding provision in the Code was overlooked. As the law now stands, inferior courts have a discretion as to the suspension of a driver's license in such a case, while the superior courts have none. The repeal of the subsection removes this anomaly.

Clause 6 deals with a situation that has arisen by reason of the amendment made, last year, to the Child Welfare Act, enabling offences committed by persons as juveniles to be disclosed to a court dealing with them as adults. Where a juvenile offence is proved, the offender is not, on the face of it, a first offender, and the alleviating provisions of section 669 of the code cannot, where the court is minded so to do, be applied to him. This frustrates the intentment of section 669, and the amendment accordingly provides that convictions of juveniles in children's courts are not to be regarded as prior convictions.

In conclusion, I would add that the police are exposed to assaults to a much greater extent than the average person, and in view of their responsibility for law enforcement, the consequences of disabling a police officer through assault during the execution of his duty are likely, under some circumstances, to be far more serious than the assault of another person.

The Government feels strongly about the number of attacks that have been made on police officers recently, and it is felt that no police officer in the course of his duty should be subject to the kind of treatment some of these officers have had accorded to them from time to time.

Mr. Brady: Has the Minister any information on that point?

Mr. CRAIG: I should imagine that the honourable member who interjected, him-

self being an erstwhile Minister for Police is fully aware—

Mr. Brady: I am not fully aware; that is why I am asking you what information you have on the point.

Mr. CRAIG: I can only go by the Press reports, and there have been sufficient to indicate to the Government, and particularly to the Police Union, that some action must be taken in this matter. I raised the point myself some 12 months ago in connection with an incident at Roebourne where three men could only be fined a matter of \$20 for a vicious and most unprovoked assault on a policeman. The magistrate drew attention to the inadequacy of the penalty; and attention has been drawn repeatedly by magistrates to this particular feature of the Criminal Code. I therefore commend the Bill to members in the hope that the more severe penalties now being sought will receive approbation. We hope they will provide a sufficient deterrent—quite apparently necessary—to prevent crimes of this nature becoming more common.

Debate adjourned, on motion by Mr. Brady.

LAND AGENTS ACT AMENDMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [5.30 p.m.]: I move—

That the Bill be now read a second time.

Parliament passed legislation as recently as 1964 to tighten up, generally, the laws relating to land agents. One of these in particular provided for degrees of qualifications of land agents and land salesmen. It has now been brought to the notice of the Minister concerned that difficulties are being experienced by certain companies carrying on business of land agents as part, and in some cases, a relatively small part of their respective businesses.

The immediate difficulty arising out of the 1964 amendment is the need for the nominee license holder of a company to hold the special qualifications as laid down in the Act as a condition precedent to the granting of a license. The companies to which I refer are the local statutory trustee companies, and stock and station agents. The Government has consequently been requested to introduce a suitable measure to Parliament in order that these companies might be more conveniently dealt with.

It will be readily appreciated that in a stock and station company or a statutory trustee company, the manager of that company may not, himself, be directly engaged in its land dealing section. Also, in the event of the retirement or death of the manager, the company could find itself

without a person holding a license under the Act in view of the provisions contained in the 1964 amendment.

It was submitted as being reasonable, therefore, that some provision should be made in the event of circumstances of that nature arising. It has in fact arisen, and reference to the Bill will indicate the method by which the difficulty is proposed to be overcome. This is set out in clauses 2 and 3.

There would be no point in mentioning any particular company in this connection, but we can well imagine there could be operating a stock and agency company, the principal function of which is to sell and to deal in livestock, but having, as an adjunct to its business, a real estate section. The manager of one such company is not actually engaged in the real estate section, but it is a very necessary part of the company's business in view of the assistance it is able to give clients, particularly farmers.

It is felt, therefore, that considerable consideration could, and should, be given to a company operating in such circumstances and reasonable to insert a provision in the Act which could be applied in the event of other circumstances of this nature arising.

Clause 2, which is the operative clause, defines what an "approved applicant" means under the Act. The amendment proposed to section 4 of the Act outlines the method by which application can be made by an approved applicant; that is, an applicant for a license who is approved by the Minister.

The amendment is very clear in its application and it does not appear to me to be necessary, in the explanation of this measure, to go into any further detail of the simple procedure set out in clause 3 and I commend the Bill to the House.

Debate adjourned, on motion by Mr. Evans.

PETROLEUM ACT AMENDMENT BILL

Second Reading

MR. BOVELL (Vasse — Minister for Lands) [5.34 p.m.]: I move—

That the Bill be now read a second time.

In introducing this Bill to amend the Petroleum Act, I desire to outline to members the sequence of events leading to the granting of a petroleum lease under the provisions of the Act.

General geological surveys, scout drillings, and so on, may be carried out under a permit to explore. This permit, issued initially for a period of two years, is renewable for periods of 12 months at the discretion of the Minister for Mines. A permit holder, having complied with all its conditions, may then acquire a license to prospect within the permit area, with a

view to carrying out more detailed geological and geophysical surveys and to drill test wells. The license to prospect, also, has a life of two years, and, in addition, carries with it a right to three annual renewals. It is limited in area to a maximum of 200 square miles and may not cover less than eight square miles unless so approved by the Minister.

In the event of oil being found, the licensee, if he has complied with all obligations under both the permit and the license, would, to obtain petroleum from the ground, acquire a petroleum lease. Petroleum leases are limited in area to 100 square miles and may not cover less than four square miles unless so approved by the Minister.

Upon reference to clause 3 of the Bill, members will see that this measure makes particular reference to Class "A" Reserve No. 11648 on Barrow Island. West Australian Petroleum Pty. Ltd. has held a permit and a license in respect of Barrow Island. This concern has complied with all the conditions and in May last, when the company announced that the field would be developed commercially, and consequently sought the issue of petroleum leases, some doubt as to the legality of the permit and license and as to the power to grant petroleum leases was expressed owing to the fact that the island was a Class "A" Reserve for the protection of flora and fauna.

Because of the singular importance to the State of the oil strike at Barrow Island and also, in the light of the considerable investment of money by the company, it was considered most desirable that the matter be placed statutorily beyond doubt. This Bill accordingly states that this reserve shall be deemed to be and to have always been Crown land for the purposes of the Petroleum Act. The Bill validates the company's permit and license, but does not otherwise vary the purpose for which the reserve was created. I am pleased to be able to say that the company has shown in every sense the greatest co-operation in the protection of flora and fauna on the island.

The Bill also empowers the Governor to declare by proclamation, notwithstanding the Land Act, 1933, or any other Act, that any reserved land which does not come within the meaning of the definition of "Crown land" in section four of the Petroleum Act, to be Crown land for the purposes of that Act and there is provision for the proclamation being revoked or varied at any time.

This measure also validates any permit or license granted over land in which is included reserved land not within the scope of the definition of "Crown land" in section four and provides for the continuance of the permit or license in respect of the Crown land contained in it, which is "Crown land" within the definition. Such

continuance is not provided for, however, in respect of reserved land which does not come within the definition, unless it is declared in terms of the preceding paragraph in the Bill.

There is provision for conditions to be imposed on any permit, license, or lease to minimise the risk of damage to any native fauna or flora on the subject land.

I suggest it is doubtful whether it is generally realised that the Barrow Island field is the largest in Australia, being about three times the size of the Moonie field in Queensland. The oil discovered there is also considered to be of the highest quality discovered in Australia.

A number of members have been fortunate in being enabled to visit the 92-square mile island as guests of the company some little time ago on an occasion when the company showed members of Parliament some of the areas in which oil exploration had been carried out.

The island, lying about 60 miles out from Onslow, and its surrounding waters were included in permit to explore No. 16H, granted to Australian Motorist Petroleum Company Ltd.—now Ampol Petroleum Ltd.—in 1947. They were, however, excluded from the subsequent Permit No. 29H granted to West Australian Petroleum Pty. Ltd. for the reason that they were within the prohibited area defined by the Commonwealth Government under the Defence Act on account of atomic tests carried out on the Monte Bello Islands, Barrow Island was restored to the permit in 1956 and the surrounding waters in 1963 when the all-clear sign was given.

It is of interest to recall that, in 1954, two company geologists, Dr. J. R. H. McWhae and Mr. J. C. Parry, made a brief visit with Royal Australian Navy officials and demonstrated for the first time that a possible oil bearing structure—described geologically as an "anticline"—was present in limestone rocks exposed there.

Two years later, the Commonwealth Bureau of Mineral Resources flew a single aeromagnetic line over the island and this suggested that a thick sedimentary section was present and, in this knowledge, oil prospects were heightened. In the same year, also, two company geologists, Mr. S. P. Willmott and Mr. I. R. Campbell confirmed, by geological survey, the existence of the anticline structure.

Little further eventuated until 1962 when the newly-formed Petroleum Division of the Geological Survey Branch of the W.A. State Mines Department recommended strongly Barrow Island as a good oil prospect warranting drilling. Pursuant to a conference between company and departmental officers, at which that recommendation was presented, the company arranged for a detailed geological survey of the island to be made. This was carried out by two of the company's

geologists, Mr. D. N. Smith and Mr. W. Koop. They confirmed that a fold which could hold oil—described geologically as a "closed anticline"—was present at the surface.

The company in 1963 was granted a permit to explore. This was No. 217H issued in substitution for permit 29H, already mentioned, and the company landed a seismic crew on the island. In anticipation of drilling in 1964, this seismic survey was carried out in conjunction with the construction of an airstrip, roads, and barge-landing facilities.

The company acquired a license to prospect No. 113H in May, 1964, and with the arrival of drilling equipment, Barrow No. 1 well was spudded on the 7th May near the crest of the anticline. Numerous oil and gas showings were recorded while drilling was in progress. In June, the well produced gas at the rate of 7,000,000 to 11,000,000 cubic feet per day and in July, a flow rate of 985 barrels of oil per day was recorded from the deep jurassic formations between 6,200 and 6,700 feet. The Jurassic formation is the name of a geological structure and I understand that these formations are approximately 140,000,000 years old. I cannot remember that far back, I am afraid.

May I suggest that, because this Bill directly affects petroleum leases and the particular company to which I am referring which has done such a successful job to date, it is desirable that members' attention be drawn to important aspects of its activities and the obligations which it has carried out so well.

Between July, 1964, and September, 1965, eight additional wells were drilled and during the following five months, another 14 wells were drilled to the shallow Windalia formation. The Windalia formation—and this is another geological term—occurs at Barrow Island at approximately 2,000 feet. Wells Nos. 24 to 28 were drilled to deeper formations between February and August this year and of the 28 wells drilled, only two have failed to produce oil or gas or both. Five producing zones have been established, of which the shallowest and most extensive occurs as thin sands in the Windalia formation at about 2,000 feet. This Windalia field covers an area of approximately 39 square miles. It has been estimated conservatively that it will yield 85,000,000 barrels of oil but this could be increased by new techniques now being studied. Additional production, also, will be obtained, it is hoped, from the Jurassic zones, though there is still a lot of work to be done in that direction.

The company announced on the 26th May last that it would develop the field commercially. The company expects that 240 wells will be required in the development of the Windalia oil field and plans

to come into production in May next, initially at a rate of 9,000 barrels per day with the possibility of an increase to 20,000 barrels per day, in two years.

In addition to the normal production facilities such as pipelines, separator stations, and tank farms, there is to be a sea terminal some six miles off-shore to the east and connected by a 20 in. submerged pipeline. The pipes for this line were manufactured and cement-coated at Kwinana; and at Barrow Island are being fabricated into 2,000 ft. long sections, floated out to sea and sunk into position on the ocean bed.

The line will rest generally on the ocean bed in the crossing of deep channels, it will be anchored to the rock bottom. One of these is 3,000 ft. wide and one can imagine the possibility there of damage occurring through water turbulence in cyclonic conditions.

Tankers will tie up to mooring buoys at the terminal and will load with crude oil through flexible hoses connected to the submarine pipeline. The loading rate will be between 10,000 and 15,000 barrels per hour—each barrel representing 35 imperial gallons. In the initial stages, it is expected that two tankers or not less than 125,000 barrel capacity will be loaded each month. Storage capacity on the island will comprise two tanks each with a capacity of 200,000 barrels.

In the early stages, the ships will be of the order of 20,000 tons, but provision is being made for installations capable of handling 50,000 ton ships. Naturally, the Government is anxious to have the crude oil to be produced at Barrow Island refined in this State and the Minister for Mines confidently predicted in another place that this would be so, yet being aware of some difficulties not yet overcome. I recall some difficulty having arisen in Queensland last year in connection with the price of Moonie crude oil. As a result of this, the question of pricing Australian produced crude was referred to the Tariff Board. As a result, it was finally ruled that the price for the next five years, expressed in U.S. dollars, would be \$3.50 per barrel subject to a quality differential. It will be necessary, however, if this arrangement is to be implemented, for every refinery in Australia to take its percentage of any crude discovered in Australia. This percentage is related to the percentage that the re-selling companies are obliged to take and based approximately on the average consumption of crude prior to the Tariff Board ruling.

Mr. Hawke: Would the Minister mind going back to that part of his speech where he referred to the 140,000,000 years?

Mr. BOVELL: Time is the essence of the contract. To continue: The company has two petroleum lease applications pending. The Act permits the holder of a

license to prospect to select, upon finding oil, one half of the area of the license as a petroleum lease or leases and the remainder of the area reverts to the Crown. The license to prospect, in the case of the Barrow Island lease, was given over an area of 200 square miles. This area includes Barrow Island and an equal area of surrounding water, so the subject of the lease is very nearly half land and half water. The actual area of the land was in the vicinity of 92 square miles and that of the sea, 100 square miles.

It is required that the area which reverts to the Crown must first be offered to the holder of the license to prospect on such terms and conditions as the Governor may determine. If the offer is not accepted, the area must be submitted by public tender or auction. In the case of the Barrow Island license, the company selected the land comprised in the licensed area and left the balance, the surrounding ocean, for reversion to the Crown.

This was done as a purely administrative exercise by way of an arrangement, in view of the fact that the Commonwealth and the States have been getting together for some time with a good deal of success in formulating uniform petroleum legislation which will apply offshore in all States of Australia.

This administrative action was taken, therefore, bearing in mind the legislation which ultimately will be presented to both State and Commonwealth Parliaments to give effect to the arrangements upon which Ministers for Mines have been and are still working.

The area selected by the company constitutes its number one petroleum lease application and the Government proposes to charge a royalty of five per cent. of the gross value of all crude oil produced from this lease. The five per cent. rate has an origin dating back to 1950. The Government of the day in that year promised Ampol Petroleum Limited, as an inducement to commence large scale exploration in this State, that the royalty rate on all crude oil produced from the first petroleum lease granted to the company, or to any of its associated companies, and from all subsequent leases granted to it or its associates within five years of the granting of the first lease, would be five per cent. for the first 15 years of the gross value of the oil produced.

The Government is honouring this undertaking and I would add that we are still working with the company on some of these proposals. The arrangement made with the company in 1950 was made at a time when the search for oil in Western Australia was at a very low ebb and an inducement was necessary to get some company to search for oil in this State, because Western Australia was not regarded as a good prospect.

The ocean area, which is the part of the license to prospect not selected by West Australian Petroleum Pty. Limited, and which reverts to the Crown, has, in compliance with the Act, been offered to the company. In recognition of the company's very valuable contribution to oil search in this State, the Government has not imposed any stringent conditions but has asked for a royalty of 10 per cent. of the gross value of the crude oil produced therefrom. This constitutes the company's second lease but it is not, what we may call, a lease "as a right" as in the No. 1 lease and, therefore, the promised five per cent. royalty rate previously mentioned does not apply.

In this connection, I would add also, that under the arrangement between the Commonwealth and the States, which is now in the process of negotiation, the royalty on the discovery of petroleum offshore will be shared by the Commonwealth and the States on a 50-50 basis. Although the lease to which I have referred will be granted to West Australian Petroleum Pty. Limited under the present Western Australian Act, the lease for the off-shore area will be withdrawn when the Commonwealth-State law becomes effective and a new lease will be issued under the conditions of the new Act. This point has been clarified with the company.

The Barrow Island venture is expected to become a highly successful operation and of a type the Government is anxious to foster. Anticipating increased activities in the future, the Minister for Mines hoped to introduce certain major reforms to our Petroleum Act during the current session, but because of certain circumstances, found himself in the position that it was not wise to go on with the amendments at this particular time. It is desirable that there should be a fairly close link between the two types of legislation to the greatest possible extent and, as a consequence, the proposed amending legislation will not eventuate this session but almost certainly will be before Parliament next year.

Some of the reforms to have been made statutorily will be effected by administrative action but, in the course of time, the Minister for Mines will advise the companies, including West Australian Petroleum, that they have to fulfill certain land relinquishment requirements which are not now in the Western Australian Petroleum Act. There is no limit to the area which a company may hold at the present time under a permit to explore. Neither is there any administrative requirement under the Act to restrict the duration of a permit and oblige the return of any of the land to the Crown. Consequently, that has not been done.

The Minister for Mines ascertained, when overseas, that one of the most important points about the search for oil

was the principle which has been enforced of requiring the relinquishment of certain percentage of land after it had been held for a certain time.

This State is fortunate in its abundance of minerals, yet up to the present, we have lacked economic natural resources to enable us to process these minerals within our own State, using our own natural fuel. I refer here to oil or gas or both. Gas has been found to be more important than oil in some parts of the world under certain circumstances.

Before resuming my seat, I desire to associate myself with the complimentary remarks passed by the Minister for Mines in another place, when praising the West Australian Petroleum for its efforts in searching for oil in this State. In the search for oil, millions of dollars are spent, frequently without reward. And I reiterate Mr. Griffith's comment that if any company deserves success for the work it has put into discovering oil in Western Australia, it is certainly West Australian Petroleum.

I apologise for delaying the House so long but this is probably one of the most important Bills that has ever been submitted to this Parliament, because if oil is discovered in commercial quantities at Barrow Island—as is indicated—this will mean a great improvement in the economy of our State.

Debate adjourned, on motion by Mr. Kelly.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. BRAND (Greenough—Premier)
[5.52 p.m.]: I move—

That the House at its rising adjourn until 11 a.m. tomorrow (Thursday).

House adjourned at 5.53 p.m.

Legislative Council

Thursday, the 24th November, 1966

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