

the case in this instance. I do not think that any law should be too technical to understand; or such that it could be construed to permit the guilty to escape or the innocent to suffer. I think this amendment will rectify the position.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Sitting suspended from 6.8 to 7.30 p.m.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines): I move—

That the House at its rising adjourn until Thursday, the 14th September.

Question put and passed.

House adjourned at 7.32 p.m.

Legislative Assembly

Tuesday, the 12th September, 1961

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

ADDRESS-IN-REPLY

Acknowledgment of Presentation to Lieutenant-Governor and Administrator

THE SPEAKER (Mr. Hearman): I desire to announce that, accompanied by the member for Subiaco and the member for Victoria Park, I waited upon His Excellency the Lieutenant-Governor and Administrator and presented the Address-in-Reply to His Excellency's Speech at the opening of Parliament. His Excellency has been pleased to reply in the following terms:—

Mr. Speaker and members of the Legislative Assembly: I thank you for your expressions of loyalty to Her Most Gracious Majesty the Queen, and for your Address-in-Reply to the Speech with which I opened Parliament.

QUESTIONS ON NOTICE

SCHOOLS

Teachers and Qualifications

1. Mr. DAVIES asked the Minister for Education:

- (1) How many teachers are there in the Western Australian Education Department?
- (2) How many of these teach at—
 - (a) senior high schools;
 - (b) junior high schools;
 - (c) primary and other schools;
 - (d) technical schools?
- (3) How many teachers in each of the above four categories have—
 - (a) university degrees;
 - (b) university diplomas in education;
 - (c) teachers' certificates;
 - (d) only provisional certificates;
 - (e) no qualifications at all?

Pupils

- (4) How many pupils attend each of the four categories of schools in No. (2)—
 - (a) in the country;
 - (b) in the metropolitan area?

Number of Departmental and Private Schools

- (5) How many schools are there in Western Australia in each of the four categories of No. (2)—
 - (a) in the country;
 - (b) in the metropolitan area?
- (6) How many private schools are there in Western Australia—
 - (a) in the country;
 - (b) in the metropolitan area?

Leaving Certificate Tuition in Private Schools

- (7) How many private schools teach to the Leaving Certificate level?

Mr. WATTS replied:

- (1) 4,575.
- (2) and (3) As this would take considerable time for compilation I suggest that the honourable member might care to obtain this information from the annual list of schools and teachers which I propose to table.
- (4) It will be some time before this question can be answered as statistics are not kept in the manner in which the honourable member requires them to be provided.

	Metro- politan.	Coun- try.
(a) Senior high schools	7	10
(b) High schools	11	2
(c) Junior high schools	1	35
(d) Primary, including correspondence school, schools for handi- capped children and native schools	181	279
(e) Technical schools	7	2

- (6) The answers to this question can be obtained from the list of efficient schools which I propose to table.

- (7) There are 48 private schools listed which are prepared to take students up to Leaving Certificate level.

I have here an extract from the *Government Gazette* showing efficient private schools, and the May issue of the *Education Circular* which I desire to lay on the Table of the House.

The papers were tabled.

COACHING COLLEGES

Number and Departmental Approval

2. Mr. DAVIES asked the Minister for Education:

- (1) Is he aware of the existence of so-called "coaching colleges"? If so, what are the names of those he is aware of?
- (2) Does his department approve the existence of these colleges?

Employment of Departmental Teachers

- (3) Do departmental teachers work part-time for these colleges? If so, is this done with the department's permission?

Control Over Activities

- (4) Has he any power to control the activities of these colleges in respect of—
 - (a) educational standards;
 - (b) their methods of acquiring students?
- (5) If the answer to No. (4) is "No," does he contemplate any action to control such activities?

- (6) Has any instruction been issued by his department regarding the employment of State school teachers as tutors at these coaching colleges?

Mr. WATTS replied:

- (1) Yes. I have seen the advertisements, as must the honourable member, of the Power Coaching College.
- (2) It is not for the department to approve or disapprove.
- (3) Departmental teachers have been forbidden to do so. If they do, it is without the Minister's approval.
- (4) (a) Yes, within the limits imposed by the Education Act.
- (b) No.
- (5) This is under consideration.
- (6) Yes.

ENCYCLOPAEDIAS

Sale and Departmental Approval

3. Mr. DAVIES asked the Minister for Education:

- (1) Is he aware of any door-to-door salesmen selling educational encyclopaedias in Western Australia?
- (2) Has the Education Department approved any encyclopaedias for use by schoolchildren—
- (a) with their studies;
- (b) as general knowledge books?
- (3) Has the department been asked to approve any encyclopaedias?

Mr. WATTS replied:

- (1) to (3) This question was dealt with on Wednesday, the 16th August, 1961.

HIGH SCHOOL FOR GIFTED CHILDREN

Re-establishment

4. Mr. DAVIES asked the Minister for Education:

Is any change contemplated in the present senior high school system which might lead to a return to the establishment of a school for gifted children along the lines of the old Modern School?

Mr. WATTS replied:

No. This would be completely opposed to the policy which has been progressively carried out over the last decade.

WYNDHAM REPORT ON EDUCATION

Application to Western Australia

- 5A. Mr. DAVIES asked the Minister for Education:

- (1) Has he read the so-called Wyndham report on education in New South Wales?

- (2) Is a similar inquiry contemplated in Western Australia?
- (3) If the answer to No. (2) is "No," will the recommendations of the Wyndham report be applied in Western Australia?

Mr. WATTS replied:

- (1) No; but I am aware of the main findings.
- (2) and (3) No. In Western Australia a departmental committee was set up in 1952 to look into the future organisation of secondary education in this State. The findings of that committee anticipated in the main those of the Wyndham report, and following endorsement by the Minister the recommendations have steadily been implemented since that time. The major difference between the recommendations of the departmental committee and of the Wyndham report is that the sixth year was not recommended for the reason that Western Australia had already 12 years of schooling prior to Leaving Certificate, whereas in New South Wales at that time only 11 years were offered. Western Australian high schools are now non-selective, co-educational, and multi-lateral. Hence, Western Australia anticipated the findings of the Wyndham report; and its system of secondary education is, except for the sixth-year and the fourth-year examination, what the Wyndham report aims to do for New South Wales.

SECONDARY SCHOOLS

Addition of Sixth Year

- 5B. Mr. DAVIES asked the Minister for Education:

Is the addition of a sixth year at secondary schools being considered, before matriculation to the University?

Mr. WATTS replied:

Consideration has been given to this proposal for a number of years, and is still actively under consideration, but it is economically impossible of implementation at the present time.

SCHOOL LEAVING AGE

Raising of Minimum

- 5A. Mr. DAVIES asked the Minister for Education:

- (1) Has he read the so-called Wyndham report on education in New South Wales?

- 5C. Mr. DAVIES asked the Minister for Education:

Is the raising of the minimum age at which children can leave school being considered?

Mr. WATTS replied:

This has been given consideration over the past 20 years and, in fact, is on the statute book and merely awaits the finance and accommodation in order for it to be proclaimed.

TREE DESTRUCTION

Instruction to S.E.C. Surveyors

6. Mr. W. A. MANNING asked the Minister for Electricity:

Would he advise what instructions are given by the State Electricity Commission to surveyors of line routes in regard to avoiding destruction of trees?

Mr. WATTS replied:

The surveyors are instructed that where practicable the lines should run in existing clearings and that trees are to be spared wherever possible.

TIMBER INDUSTRY

Retrenchments

7. Mr. ROWBERRY asked the Minister for Labour:

- (1) Is he aware that a number of employees in the timber mills of Nanga Brook, Hoffman's Mill, and Jarrahdale, because of a reported recession in the timber industry are being retrenched?
- (2) Will he investigate the position with a view to protecting the interests of the industry and the men concerned?

Mr. PERKINS replied:

- (1) and (2) As the timber mills concerned belong to a private company, neither I nor my departmental officers would be aware of the situation, nor would my officers be in a position to carry out any investigation.

ALUMINA REFINERY

Anglesea Coal: Cost

8. Mr. MOIR asked the Minister for Industrial Development:

- (1) Does he know—
 - (a) the estimated cost of the coal to be produced from the Anglesea deposits in Victoria for the alumina refinery;

Power Requirements and Cost

- (b) the estimated power requirements for the refinery;
- (c) the estimated cost of the power to be produced?
- (2) What is the cost of producing electricity in Western Australia?

- (3) What would be the cost of producing electricity from a power house situated in the vicinity of Kwinana, using fuel oil exclusively?

Mr. COURT replied:

- (1) (a) No; but the company was seeking coal at not more than 10s. per ton in large volume and on a consistent long-term basis.
- (b) The company advises that the initial power installation for the smelter will be a 100-megawatt plant.
- (c) No; but, as previously stated, for the production of aluminium, power costs could not exceed 3d. a unit on a consistent long-term basis.
- (2) and (3) I am advised by the State Electricity Commission that no simple answer can be given to these questions.

To calculate the cost of generation for a particular process, it is necessary to know:

The peak demand for electricity and for steam.

The ratio of peak to average demand for electricity and steam.

The proportion of heat in the steam to be used for electricity generation and for process heating.

The cost of fuel.

We believe the lowest capital expenditure necessary would be of the order of £12,000,000 to £15,000,000, but it is probable that the size of the undertaking might be increased.

Collie is some distance from Kwinana; and, with freight, the cost of Collie coal as a fuel at Kwinana would be approximately the same as that of oil fuel.

KALGOORLIE ELECTRIC POWER AND LIGHTING CORPORATION

Cessation of Operations

9. Mr. MOIR asked the Minister for Electricity:

- (1) Is he aware that the managing director of the Kalgoorlie Electric Power and Lighting Corporation has made a public statement that it is likely that the company would cease operation after the 1st January, 1963?
- (2) Has any approach been made to the State Electricity Commission by the company in an endeavour to find a solution to its difficulties; if so, can he state what is being done?

Mr. WATTS replied:

- (1) Yes.
- (2) Yes. The local authorities and the Kalgoorlie Electric Power and Lighting Corporation are going into the legal aspect of terminating existing agreements and the possibility of one of the local authorities generating power.

METROPOLITAN REGION AUTHORITY

Tax Collections, Loans, and Expenditure

10. Mr. TONKIN asked the Minister representing the Minister for Town Planning:

- (1) What is the total amount which has been collected from the inception until the end of August from the metropolitan region tax?
- (2) Of the total amount collected, how much has been spent?
- (3) What amount was collected for the year 1960-61?
- (4) What is the total amount of money which has been borrowed by the authority to date and for which interest and sinking fund payments have to be made from money raised by the metropolitan region tax?
- (5) Has a plan been drawn up covering the anticipated expenditure of loan money for the future?
- (6) If there is such a plan, what is the probable expenditure involved for the next three years?

Mr. PERKINS replied:

- (1) £435,211.
- (2) Spent £247,860 5 7
Committed £185,104 14 3
£432,964 19 10

(3) £221,217 0s. 0d.

(4) Nil.

(5) Yes, a tentative plan, on the assumption that the metropolitan region improvement tax is continued.

(6) On the advice the authority has been given of the likely availability of loan money, the authority intends to seek a loan of £200,000 in the current year, followed by similar loans in the succeeding two years. On this basis the authority estimates it will have available to it:

Year	Tax Revenue	Loan	Committed to Interest and Sinking Fund	Total Funds Available for Capital Expenditure
	£	£	£	£
1960-1961 ...	60,000	60,000
1961-1962 ...	220,000	200,000	13,000	407,000
1962-1963 ...	65,000	200,000	26,000	339,000
1963-1964 ...	185,000	200,000	39,000	326,000
	£610,000	£600,000	£78,000	£1,132,000

The authority anticipates that the whole of this money will be expended within this period, but it is emphasised that the foregoing plan depends entirely on the authority's revenue being secured by a continuation of the regional tax.

COAL DEPOSITS AT WILGA

Test Bores

11. Mr. MOIR asked the Minister representing the Minister for Mines:

- (1) In answer to question No. 22 on Tuesday, the 5th September, he stated that: "On the redefined boundary of the Wilga Basin earlier drilling of 26 holes was considered sufficient to evaluate its coal potential". Were these holes drilled by the Western Mining Corporation?
- (2) To what depth was each of the holes drilled and what results were obtained?

Mr. ROSS HUTCHINSON replied:

- (1) No.
- (2) Information desired is as follows:—

Bore No.	Operator	Total Depth (feet)	Reported Coal Intersected (Seams over 3 ft. thick only)
No. 1 Calyx Bore	W.A. Government	598	5' 0" at 169' Probable base-ment
No. 2 Clayx Bore	W.A. Government	550	9' 0" at 268' 5' 2" " 338' 6' 6" " 359' 6' 0" " 376' 3' 8" " 411' Basement 543'
No. 3 Calyx Bore	W.A. Government	608	5' 0" at 169' 6' 10" " 189' 5' 9" " 222' 3' 7" " 249' 6' 4" " 287' 3' 1" " 302' Basement 607'
No. 4 Calyx Bore	Wilga Proprietary Coal Prospecting Co. Ltd.	691	10' 0" at 500' (includes a stone band) 4' 0" at 537' 7' 0" " 563' 5' 0" " 573' 9' 1" " 591' 8' 7" " 643' 3' 9" " 680'
1st Series Hand Bore			
No. 1 ...	"	116	7' 6" at 57' 6' 2" " 82' 4' 6" " 119'
No. 2 ...	"	61	5' 0" at 53'
No. 3 ...	"	49	5' 0" at 41'
No. 4 ...	"	54	7' 6" at 54'
No. 5 ...	"	115	Nil
No. 6 ...	"	67	Nil
No. 7 ...	"	120	Nil
No. 8 ...	"	91	4' 6" at 73' 5' 4" " 80'
2nd Series Hand Bore			
No. 1 ...	"	91	6' 3" at 82'
No. 2 ...	"	79	6' 8" at 11'
No. 3 ...	"	85	4' 0" " 58'
No. 4 ...	"	56	6' 0" at 71'
No. 5 ...	"	64	6' 6" at 37'
No. 6 ...	"	32	Nil
			6' 4" at 24'

Bore No.	Operator	Total Depth (feet)	Reported Coal Intersected (Seams over 3 ft. thick only)		
Bore "A" ..	Wilga Coal Mining & Carbonization Co. Ltd.	52	5'	3" at	45'
"B" ..	"	70		Nil	
"C" ..	"	55	3'	6" at	43'
"D" ..	"	40	4'	6"	33'
"E" ..	"	60		Nil	
"F" ..	"	50	5'	6" at	44'
"G" ..	"	58		Nil	
"H" ..	"	67	3'	9" at	50'

ALUMINIUM PRODUCTION

Alumina Requirements from Darling Range Bauxite

12. Mr. MOIR asked the Minister for Industrial Development:

What amount of alumina obtained from Darling Range bauxite is required to produce one ton of aluminium?

Mr. COURT replied:

Preliminary estimates indicate that it will require two tons of alumina to produce one ton of aluminium metal.

SENIOR HIGH SCHOOLS

Students and Teachers

13. Mr. W. A. MANNING asked the Minister for Education:

Concerning senior high schools, would he advise relative to each—

- number of students;
- number of teachers;
- number of first-year teachers;
- proportion of scholars to teachers;
- percentage of first-year teachers to the total staff?

Mr. WATTS replied:

- 17,678.
- 778.
- 88.
- 22.7 : 1.
- 11.3 per cent.

POWER HOUSES AT ALBANY

Engine Parts: Places of Manufacture

14. Mr. HALL asked the Minister for Electricity:

- Can he advise whether parts used to effect repairs to engines in the power houses at Albany were of Australian manufacture?
- If the answer to No. (1) is "No," from which countries were they bought?

Disposal of Old Parts

- Is it customary to dispose of old parts by dumping, or are they sold as scrap?

Mr. WATTS replied:

- Some Australian-made parts have been purchased for the American engines; but, in the main, American-made parts have been purchased for the American engines, and English-made parts for the English engines.
- Answered by No. (1).
- When Albany is connected to the S.E.C. mains and the power stations are closed down, the worn or broken parts will be sold by tender.

HOUSING AT HARVEY

Applications for Commission Homes and Current Programme

15. Mr. I. W. MANNING asked the Minister representing the Minister for Housing:

- How many outstanding applications are there for houses at Harvey?
- Has the commission suitable building lots at Harvey?
- If so, what is the commission's building programme for Harvey during the current financial year?

Mr. ROSS HUTCHINSON replied:

- Twenty-five (including three 2-unit cases).
- Purchase of 30 suitable lots is being finalised.
- Six houses (plus one house under the Government Employees Housing Scheme). The position will be further reviewed later in the financial year.

FISH CULTIVATION

Establishment of Experimental Farm

16. Mr. JAMIESON asked the Minister for Fisheries:

- As question No. 7 of Wednesday last was intended to refer to marine species of fish, would he explain how the farming of such species "is out of the question," when reasonable results have been obtained from greasy-back prawns, and various types of oysters in tidal estuaries of the Eastern States when subject to cultivation methods?
- As the crayfish indigenous to the shores of Western Australia are reputedly capable of producing approximately 500,000 eggs per female, would it not be worth the department's effort to conduct "farming" experiments in underwater cages, suitably constructed, to protect the crayfish while in the larva and later developmental stages?

- (3) As the growth rate, etc., of many species of marine fish would be the governing factor in possible commercial fish farming, would the department give early consideration to establishing a marine observatory for collecting information in respect of fish common to the shores of Western Australia?

Mr. ROSS HUTCHINSON replied:

- (1) The only countries in the world where brackish-water fish-farming is now pursued economically are those where labour costs are low. India, Pakistan, The Philippines, and Indonesia are some of the nations where this type of fish-farming is possible, and an additional reason for its success there is that supplies of animal protein, which is essential for sheer survival, are very limited, and must be supplemented by a diet of fish. In other countries with a living standard closely approximating our own, such as Italy and France, the system succeeds only because of the extraordinarily high prices paid for the major product of the farms; namely, eels. Even then much of the work is done by inexpensive peasant labour; otherwise fish-farming would be economically unsound. With high labour costs in Australia and the ready availability of relatively cheap meat, successful brackish-water fish-farming is a very remote possibility indeed. Although a statement was broadcast many months ago of the possibility of a lecturer of the University of Sydney attempting prawn-farming to further his own knowledge of the greasy-back, it is understood no active steps have as yet been taken in the matter. Oysters are certainly cultivated in New South Wales and southern Queensland, but nowhere else in Australia. Experiments made by the Fisheries Department some years ago to cultivate oysters in the Swan River, at Mandurah, and at Shark Bay, and by the C.S.I.R.O. at Oyster Harbour, Albany, all proved abortive.
- (2) In Western Australia attempts—by scientifically trained personnel—have been made to hatch and rear crayfish under natural conditions, but without success. Similar experiments under controlled aquarium conditions in the Eastern States have been equally unsuccessful. In Europe, lobsters have been successfully hatched; and although the Norwegians are said to have claimed that some additional lobsters have been

found in areas where hatched larvae have been liberated, the consensus of opinion in Britain, where this type of experiment has since the turn of the century been carried out at some time or other by nearly every marine laboratory in the country, is that hatching, i.e., cultivation, is not worth while.

- (3) The principal difficulty with an aquarium or "marine observatory," apart altogether from the capital cost, is that of reproducing natural or near-natural conditions. Observations of fish populations made under conditions different from those which occur in nature cannot be extrapolated to natural stocks. The Fisheries Department prefers that bottom-living organisms like crayfish be observed in their natural habitat, and for that purpose has secured underwater diving equipment for use by two of its officers who recently underwent special training for this purpose. The growth rate of marine fish is not the governing factor, as the honourable member suggests. Many other factors, such as the survival rate (in some countries a mere 1 per cent. of the number of fry placed in rearing ponds reach market size), the cost of production, the availability of eggs or fry, the demand for the product, and so on, are of equal importance.

COTTON

Kimberley Research Station Experiments

17A. Mr. RHATIGAN asked the Minister for Agriculture:

- (1) What area was planted with cotton at the Kimberley Research Station this year?
- (2) How many varieties were planted, and what was the yield per acre—
- in cotton;
 - in cotton seed?
- (3) What would be the commercial value per ton of—
- each variety of cotton;
 - cotton seed?
- (4) Did these crops receive any special treatment or were they grown on purely a commercial basis; and what fertiliser was used, and what quantity per acre?
- (5) Were any difficulties experienced with weeds; if so, what were they?
- (6) What was the cost per acre of weed control?
- (7) What insect pests had to be contended with and what was the cost per acre for their control?

Mr. NALDER replied:

- (1) Approximately five acres.
- (2) There are 22 varieties in current trials, but a great many more have been screened in earlier tests for adaptability.

The highest plot yield was 2,900 lb. of "seed cotton" made up of—

(a) 967 lb. lint, and

(b) 1,933 lb. seed.

- (3) (a) and (b) The Commonwealth Government guarantees the farmer 14d. per lb. (= £130 13s. per ton) of "seed cotton" of all varieties provided it passes a standard grading for quality.

The seed as well as the lint then becomes the property of the Commonwealth Government and is processed on its account by the Queensland Cotton Board.

- (4) The area quoted in No. (1) is the total of 12 experiments. Each experiment is designed to answer questions relating to cultural treatments, varieties, fertilisers, etc., and each consists of many small plots subject to differential treatments.

The recommended fertiliser application is 2 cwt of superphosphate and 1 cwt. of urea per acre.

- (5) A great variety of grasses and several species of portulaca grow as weeds. Inter-row cultivation to control them is an essential practice in cotton cultivation.
- (6) The cost was £2.
- (7) Rough Boll, pink bollworm, and several species of leaf-eating caterpillars. Costs variable up to £20 per acre.

ORD RIVER

Crops Grown, and Results

17B. Mr. RHATIGAN asked the Minister for Agriculture:

- (1) Is it possible to grow crops on the Ord River all the year round; if not, for how many months can crops be grown?
- (2) What crops are being grown on the Ord River, and with what result?
- (3) In the light of experience gained at the Kimberley research station, what are the best commercial crops?

Mr. NALDER replied:

- (1) Yes. Different crops are adapted to different seasons.

- (2) Rice—Good.
Cotton—Good.
Sugar—Good.
Safflower—Good.
Linseed—Good.
Sesame—Exploratory trials encouraging.
Soybeans—Disappointing.
Sorghum—Fair.
Sudan—Fair.
Castor—Exploratory work encouraging.
Assorted fodder crops—Fair.
Assorted pasture species—Disappointing.
- (3) Cotton, safflower, linseed, rice.

GRAIN TRUCKS

Back-loading with Superphosphate: Effect on Railways

18. Mr. W. A. MANNING asked the Minister for Railways:

- (1) Does the economy of the railways depend to any degree on the use of trucks carrying grain to ports being back-loaded with superphosphate?
- (2) If so, what is the effect on the railways of the transport of grain from Williams, Narrogin, Yilliminning, Wickepin, Yealering, Corrigin, Kondinin, and Kulin to Bunbury, while there is no back-loading of superphosphate?

Mr. COURT replied:

- (1) Yes.
- (2) The Railways Department hauls wheat as required by Co-operative Bulk Handling Ltd. from the localities mentioned to Bunbury or Albany. It does not necessarily follow that because there is no back-loading of superphosphate wagons are returned empty from Bunbury to the points mentioned. These points are supplied from a number of areas, including the Eastern and Great Southern Districts.

A large number of empty wagons released from grain at Bunbury go into the coal traffic at Collie, whilst others are used for timber and ilmenite, etc., offering in the lower south-west.

SUPERPHOSPHATE

Supply and Demand in South-West

19. Mr. W. A. MANNING asked the Minister for Agriculture:

Further to his reply to my question on the 7th September, will he now advise—

- (1) Will the increase in output at Picton be sufficient to supply with superphosphate the

whole area from which grain is railed to Bunbury for export?

- (2) Will the total increase in the State's output of superphosphate be sufficient to meet the expected increase in demand of 100,000 tons in the next three years?

Mr. NALDER replied:

- (1) No. With the high cost of present-day construction, extension of Picton Junction works supply to districts now served from other factories could increase the cost of superphosphate.
- (2) Yes.

20. *This question was postponed.*

QUESTIONS WITHOUT NOTICE

HEARING AIDS

Supplies to Pensioners

1. Mr. HALL asked the Chief Secretary:

As it is claimed that pensioners are being directed by the Royal Perth Hospital personnel to suppliers charging £73 for hearing aids, and that old and out-dated models are offered, when the same model is obtainable from the W.A. Opticians' Association for £43, would he undertake to have the matter investigated?

Mr. ROSS HUTCHINSON replied:
Yes.

NATIVES

Withdrawal of Exemption Certificates

2. Mr. NORTON asked the Minister for Native Welfare:

- (1) Is it correct that all exemption certificates under the Native Welfare Act have been withdrawn?
- (2) On what dates were these certificates withdrawn or cancelled?
- (3) On what date was the notification of the cancellation or withdrawal published in the *Government Gazette*?
- (4) How many natives had been issued with exemption certificates?
- (5) On what date was the first certificate issued?
- (6) When were the following persons notified of the cancellation of exemption certificates:—
 - (a) holders;
 - (b) native welfare officers;
 - (c) hotel licensees;
 - (d) police?
- (7) By what method and on what date were each of the above notified?

Mr. PERKINS replied:

- (1) Yes.
- (2) The 23rd August, 1961.
- (3) The 8th September, 1961.
- (4) 2,006, of which 1,382 were in force prior to the 23rd August, 1961.
- (5) The 27th August, 1914.
- (6) (a) and (b) Field Officers were directed by circular memorandum dated the 31st August, 1961, to notify holders.
- (c) Not notified specially, but notice in the *Government Gazette* purports to do this.
- (d) On the 8th September, 1961, the Commissioner of Police was forwarded a copy of the circular memorandum referred to in (a) and (b) with a request to notify police officers.
- (7) See No. (6).

I might add that the principal purpose of exemption certificates under the Native Welfare Act was to qualify the natives in law for assistance from the Commonwealth Social Services Department, particularly regarding old age, invalid, and such pensions. With the alterations to the Commonwealth social services legislation it has not been necessary for natives to have exemption certificates in order to qualify for assistance under the Commonwealth legislation. Therefore the exemption certificates have served little purpose since the alteration to the Commonwealth legislation.

I might also add that some time before the certificates were cancelled the native welfare officers were approaching the natives concerned and encouraging them to apply for their full rights under the citizenship rights legislation which, of course, is far more complete than any exemption they received under the provisions referred to in the honourable member's questions.

RAILWAY SLEEPERS

Tenders

3. Mr. COURT (Minister for Railways): In replying to a series of questions by the member for East Perth on the 7th September, I undertook to give further information when I had details of a request to the Tender Board by one of the successful tenderers following the announcement by the board of tenders accepted. The request in question is one for consideration by the Tender Board and will not be prejudiced by the disclosure of the information asked for by the honourable member.

The answers to his questions are:—

- (1) (a) Hughes Bros.—Duranillin.
The Sleeper Millers Co-operative Society Pty. Ltd., 98 St. George's Terrace, Perth.
Allan Bros. Timber and Trading Co. Pty. Ltd., Crandon Street, Gosnells.
Joondanna Saw Mills, G.P.O. Box S 1337, Perth.
Mills & Old, 28 Ogden Street, Collie.
Bunning Bros. Pty. Ltd.

- (b) Hughes Bros.—11,000 only.
The Sleeper Millers Co-operative 320,000.
Allan Bros. Timber & Trading Co.—13,000.
Joondanna Saw Mills—480,000.
Mills & Old—10,000.
Bunning Bros. Pty. Ltd.—480,000.

Note: Condition 2 of tender specification reads as follows:—

Tenders may be submitted for any portion of the quantities but tenders shall not be submitted for a lesser quantity than 6,000 only sleepers. The right is reserved to accept tenders for lesser quantities than the quantities offered by the tenderer.

- (c) Hughes Bros.—11,000 only.
The Sleeper Millers Co-operative 100,000.
Allan Bros. Timber & Trading Co.—13,000.
Joondanna Saw Mills—70,000.
Mills & Old—10,000.
Bunning Bros. Pty. Ltd.—156,000.

(d)—

	Untreated			End Treated		
	Per load.			Per load.		
	£	s.	d.	£	s.	d.
Hughes Bros.	19	0	0	—		
Sleeper Millers Co-operative	19	17	11	20	2	2
Allan Bros. Timber & Trading Co.	20	0	0	20	7	6
Joondanna Saw Mills	20	0	0	—		
Mills & Old	20	0	0	—		
Bunning Bros. Pty. Ltd.	*20	14	10	*21	0	10

* Subject to basic wage variations.

- (e) No.
(f) To ensure continuity, adequacy, and certainty of supplies.

- (g) On the assumption that tenderers were in fact able to supply to the quantities nominated in their tenders the extra cost to the Government is approximately £7,000.
(h) As stated in answers (c) and (d).
(i) Yes.
(j) Answered by (i).
(2) Bunning Bros. Pty. Ltd.
(b) 305,000.
(c) 220,000.
(d) (i) 20,000 at £19 12s. 6d. per load.
(ii) 200,000 at £20 per load. Prices subject to basic wage variation.
(e) Yes.
(f) and (g) Answered by (e).
(h) Answered by (a), (c), and (d).
(i) Yes.
(j) Answered by (i).
(k) 262,610.
(l) and (m) The railway contract was with Bunning Bros. Pty. Ltd. and the Railways Department did not have any dealings with other sawmillers or firms in respect of the supply.

TOBACCO FROM MANJIMUP RESEARCH STATION

Results of Analysis

4. Mr. ROWBERRY: On Tuesday, the 22nd August, I asked the Minister the following question:—

Was any analysis made of samples of leaf from the bales presented by the department on the auction floor?

The Minister answered, "Results are not yet to hand." Could he advise whether results are to hand yet?

Mr. NALDER: Last Wednesday I made inquiries from the Government Laboratories to find out whether we could expect an early report and it was stated it would be several weeks because of the large number of experiments that were being carried out. Therefore it will be some time before I can give the honourable member a reply.

NATIVES

Withdrawal of Exemption Certificates

5. Mr. BICKERTON asked the Minister for Native Welfare:

Arising out of the question without notice asked by the member for Gascoyne, does the withdrawing of the permits referred to

deny these people any rights they previously had; and, if so, what are they?

Mr. PERKINS replied:

They are denied no rights of which I am aware, except perhaps some under the Health Act, in regard to leprosy. A certificate of exemption never gave any rights to obtain intoxicating liquor, although there have been instances where courts have misinterpreted exemption certificates to that extent. The reason for withdrawing the certificates is that they seemed to serve no useful purpose now that the Commonwealth legislation has been amended so that all Australians, whether coloured or white, have equal rights under the Commonwealth social services legislation.

RAILWAY SLEEPERS

Tenders

6. Mr. GRAHAM asked the Minister for Railways:

- (1) In regard to the further information which the Minister supplied today to my question of the 7th September, in connection with the answer to 2(k) does he expect me to believe that Bunning Bros. produced 262,610 sleepers in the last financial year?
- (2) Would he be prepared to wager with me that Bunnings actually produced even one per cent. of that number?
- (3) Will he take the pains to ascertain the sources of the sleepers that were supplied during last year's contracts?

Mr. COURT replied:

Answering questions Nos (1) and (2), all I can say is that I do not ask the honourable member to believe anything I am telling him as the information he has had given to him this afternoon is information given to me by officers of the W.A. Government Railways; and I have no reason to doubt the correctness of the information they have put forward.

Mr. Graham: You know better than that.

Mr. COURT: I know they would not deliberately put forward wrong information; and the honourable member knows the officers concerned would not do it either. The information the honourable member has received is the information those officers have submitted and which I honestly believe to be a full and fair statement of the position.

Regarding the third question, the source of the sleepers is entirely a matter between the contractor and the W.A. Government Railways; and I have no intention of interfering in the detailed running of the railways, as the commissioner is there for that purpose.

7. Mr. GRAHAM asked the Minister for Railways:

- (1) Would he be surprised to learn that Royal Commissioner A. G. Smith in the report he presented to the Government and to this Parliament in connection with the supply of sleepers reported that for the year under review only two per cent. of the sleepers supplied by Bunning Bros. were produced by that company?
- (2) If so, does he not think it likely that a somewhat similar situation would be experienced in respect of the supply year just concluded?

Mr. COURT replied:

- (1) and (2) I do not have to express any opinion on that matter at all. If Royal Commissioner Smith made that observation, he no doubt made it as a result of his own investigations. The railways enter into contracts for the supply of sleepers, and it is in the hands of the commissioner to obtain these sleepers economically and be sure the railways get value for its money. Beyond that, surely, he does not have to go. The honourable member has had a lot of experience in this matter.

Mr. Graham: A bit too much to have this put over me.

Mr. COURT: The honourable member is personally interested in one of the parties; and as late as the 2nd September, which was after the date that the contracts had been announced, that particular party was advertising in *The West Australian* for firms to supply his company with the equivalent of 200,000 sleepers.

Mr. Graham: The Minister knows the large sawmillers do not produce sleepers.

KA WAGONS

Commissioner's Responsibility for Purchase

8. Mr. TONKIN asked the Minister for Railways:

If, as he says, he does not interfere with the running of the railways and therefore implies that the commissioner has full control

over that side, how is it he was not able to please himself with regard to the KA wagons?

Mr. COURT replied:

The Deputy Leader of the Opposition knows that such a large order for wagons is subject to Government policy, and that it was submitted to the Minister for a decision at Government level, and that that decision was given to the commissioner. It is not an unusual situation; and I do not think the cases are comparable in any way.

Mr. Tonkin: They seem to me to be.

LEAVE OF ABSENCE

On motion by Mr. I. W. Manning, leave of absence for three weeks granted to Mr. J. I. Mann (Avon Valley) on the ground of ill-health.

BILLS (4)—INTRODUCTION AND FIRST READING

1. Judges' Salaries and Pensions Act Amendment Bill.

2. Licensing Act Amendment Bill.

Bills introduced, on motions by Mr. Watts (Attorney-General), and read a first time.

3. Building Societies Act Amendment Bill.

4. Housing Loan Guarantee Act Amendment Bill.

Bills introduced, on motion by Mr. Ross Hutchinson (Chief Secretary), and read a first time.

BILLS (2)—RECEIPT AND FIRST READING

1. Coal Miners' Welfare Act Amendment Bill.

Bill received from the Council; and, on motion by Mr. Ross Hutchinson (Chief Secretary), read a first time.

2. Motor Vehicle (Third Party Insurance) Act Amendment Bill.

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

HEALTH EDUCATION COUNCIL ACT AMENDMENT BILL

Second Reading

Debate resumed from the 5th September.

MR. NULSEN (Eyre) [5.8 p.m.]: Although this is a small Bill, it is a rather important one, and I listened keenly to the Minister when he introduced it. This is a necessary move, because the teeth of

children—and a large number of adults—in Western Australia, are the worst in the world.

I feel it is necessary to have a dentist on the Health Education Council; and this Bill seeks to appoint a representative from the Australian Dentists' Association. I have had a little bit of experience as a layman with regard to the dentistry profession in Western Australia. In my opinion not sufficient has been done towards the care and preservation of the teeth of children of this State.

It is necessary to have on the council someone who knows all about the care and preservation of teeth. We, as laymen, may have our ideas; but those experienced in dentistry have very definite ideas. The public of Western Australia must be educated in this matter, and should understand what dentists are seeking to do in regard to helping people to protect their teeth, especially children up to the age of 12 years of age.

Very little has been done in Western Australia in that regard. Dental health is extremely important; and the Health Education Council has done a wonderful job with regard to other aspects of health in this State. I do not think there is any doubt about that. Before the council was formed the general public knew very little about the prevention of disease and accidents, and I think every member of this House appreciates the good work done by the council.

On one occasion, I discussed this matter prior to attending a health conference in New South Wales. I suggested to Mr. Stitfold, Under-Secretary for Health in Western Australia, that we should visit Queensland and ascertain the position there. At that time Queensland was said to have the best Health Education Council in Australia. We eventually visited Queensland, and the Health Minister there—at that time, Mr. Moore—enabled us to obtain all the information we required; and we were very satisfied with what we secured. Mr. Stitfold did a very fine job in this connection.

On our return to Western Australia we submitted a report to the then Treasurer (Mr. Hawke), who gave us official money to establish an advisory health council. Legislation was introduced in, I think 1959; and since that time the Health Education Council has operated very well indeed. I think it has done as much for health as any other Health Education Council in Australia.

We have already received a fair exposition of the Bill, and I think it is generally understood. There are now 17 different organisations represented on the Health Education Council, and the Bill seeks to add another representative, to make a total of 18. The Act provides that—

(1) The Minister shall constitute the Council by appointing as members of the Council seventeen persons

four of whom shall be known as *ex officio* councillors, and the remaining thirteen of whom shall be known as nominee councillors.

- (2) Of the persons appointed to the office of *ex officio* councillor, one shall be an officer of the Education Department of the State; one shall be the Commissioner of Public Health; one shall be the Under Secretary for Health; and one shall be an officer of the Department of Public Health of the State.
- (3) Of the persons appointed to office as nominee councillor, one, not being a public servant, shall be a nominee of the Minister; one shall be a nominee of the British Medical Association (W.A. Branch); one shall be a nominee of the Senate of the University of Western Australia; one shall be a nominee of the Divisional Executive of the Australian Red Cross Society (W.A. Division); one shall be a nominee of the Local Government Association of Western Australia; one shall be a nominee of the Road Board Association of Western Australia; one shall be a nominee of the Committee of Management of the Western Australian Federation of Parents and Citizens' Associations; one shall be a nominee of the Perth Newspaper Proprietors' Association; one shall be a nominee of the Manager in Western Australia of the Australian Broadcasting Commission; one shall be a representative of employees nominated by the Minister; one shall be a nominee of the Australian Federation of Commercial Broadcasting Stations (Western Australian Division); one shall be a nominee of the Country Women's Association of Western Australia (Incorporated); and one shall be a representative of employers nominated by the Minister.

To that list the Bill proposes to add a person who shall be a nominee of the Australian Dental Association (W.A. Branch). This goes to show the real importance of the amendment and of the Health Education Council.

The present council has done a magnificent job, and it has been lucky to have a live wire as its chairman. It has been even luckier in having Mr. Carr as secretary. He has been wrapped up in the council and has put into it every possible bit of effort. He has been extremely enthusiastic. I feel that although the council has done a magnificent job, it would not, without a first-class secretary, have done so well. I have been associated with various organisations, and I know the importance of having a first-class secretary; because

without one, an organisation does not get very far. I have much pleasure in supporting the Bill, as I think it is important that a dentist should be included amongst the members of the council.

MR. ROSS HUTCHINSON (Cottesloe—Minister for Health) [5.17 p.m.]: I thank the member for Eyre for his support of the Bill. The Health Education Council is a body which was created by the honourable member during his period as Minister for Health, and it is heartening to know that he regards this as a constructive amendment.

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.

FIRE BRIGADES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 5th September.

MR. MOIR (Boulder) [5.21 p.m.]: The Bill seeks to amend section 72 of the Act; and it appears to be necessary, dealing as it does with section 25A, which gives the board the power to order or direct that certain things shall be done in order to safeguard premises. It seems, as the Minister stated, that the board, after finding that its directions had not been carried out in certain instances, consulted its legal advisers with a view to taking action against the people concerned, but found that under the Act it did not have the power to do so.

Section 25A provides that the board may, by notice in writing, addressed to the owner or occupier of any premises, direct him to install and provide within the time specified in the notice certain things for the purpose of preventing the outbreak of fire; or, a fire having broken out, of extinguishing it. A further section in the Act provides that private premises are not included; and a still further provision stipulates that a person who feels aggrieved by the direction of the board may appeal to a judge of the Supreme Court, or to a court of petty sessions held nearest to the premises referred to in the direction.

The Minister, when introducing the Bill, pointed out that of the firms that had been directed to do certain things under this section since it was introduced in 1959, there were 134 that had complied with the directions, and 80 that had not done so. It is astonishing to think that any firm, let alone 80, would not comply with the instructions issued by the board under this provision, which deals with safety measures; and it deals not only with the safety of the general public but

also the safety of the owner's premises. It is therefore, as I have said, surprising to find that the board has had difficulty with such a large number of firms.

It appears that the amendment is highly necessary. It seeks to add to the section the words, "or failing to do that which by or under this Act he is required or directed to do." In the event of his failure he becomes liable to certain penalties in accordance with the Act. I support the second reading of the Bill.

MR. HALL (Albany) [5.25 p.m.]: As I see the amendment, it throws the Act wide open for discussion because it seeks to amend the principal Act. If the amendment were agreed to, section 72 would read—

Any person disobeying or failing to comply with any provisions of this Act or the regulations or failing to do that which by or under this Act he is required or directed to do shall be guilty of an offence, and, if no penalty be specially provided therefor, shall be liable to a penalty not exceeding ten pounds, and to a further penalty of not more than one pound for each day such offence is continued after any conviction therefor.

One section of the Act deals with contributions; and no doubt the board could be very severe under that provision if it decided to take action against someone raising contributions or funds for any brigade. However, I leave that point to the Chief Secretary to consider because I know that many people volunteer for this work, and many run functions to raise contributions for fire brigades; and that section could be used to their detriment.

The other point I wish to raise is in connection with the forthcoming Empire Games and the congestion of tourist traffic that we will have then. At this point I refer to some questions regarding caravan parks that I asked the Chief Secretary on the 6th November, as follows:—

- (1) How many fires have been reported at caravan parks in this State?
- (2) How many fires have been reported at caravan parks, other than those reported in caravans?

The **SPEAKER (Mr. Hearman)**: Order! Is the honourable member relating his remarks to section 72?

MR. HALL: I think so. I hope to prove conclusively that the Act is now open completely for discussion.

The **SPEAKER**: No; section 72.

MR. HALL: Yes—with regard to appliances and with regard to the right of the board to direct that they be installed. I say that the position in our caravan parks is so serious that the present appliances would be inadequate to meet any demands that would be placed on them in the event of a fire. I say this because in caravan

parks there would be inflammable materials such as gas, petrol, and even motor-cars; and the caravan parks could be some distance from any hydrant. A further section of the Act provides—

The Board shall from time to time furnish the Commissioner of Public Health with information and recommendations as to the requirements for the prevention of and escape from fire in premises used or intended for purposes of public entertainment or of public concourse.

That provision throws the Act completely open for discussion; and the point I raise here concerns the position that will arise when the Empire Games are held. Fortunately the replies to my questions were very good. We have had very few fires in caravan parks, and I do not think we should wait until we have another "Dwellingup" before we introduce legislation to provide protective measures for caravan parks in this State. It is no good attempting to shut the gate after the horse has got out.

I am raising this question in order to bring it to the notice of the Chief Secretary and the Fire Brigades Board, and also to the notice of the Minister for Local Government, who is forming a committee in conjunction with the Health Department and other bodies; and as the fire brigades will have to act in close co-operation with the Public Health Department in the provision of amenities for the caravan parks, I say it is time for us to discuss this matter; and section 72, in its amended form, will certainly give the board the powers it desires.

I strike this note of warning now: Let us not wait until we have fires in caravan parks before we do something. Let us install hydrants and provide other facilities so that the position will become less vulnerable; because, as I said previously, there will be a considerable quantity of inflammable materials at the caravan parks, and a fairly large population in a small area; and, as a result, we will get a high danger point at these places.

I am not going to elaborate on the fire hazards in caravan parks any further. I merely wish to repeat my note of warning and to mention that section 72 will give the Chief Secretary and the Fire Brigades Board authority to investigate this matter fully and to take the necessary steps to avoid any calamities.

MR. ROSS HUTCHINSON (Cottesloe—Chief Secretary) [5.31 p.m.]: I thank both the member for Boulder and the member for Albany for their support of the Bill. The member for Albany introduced a note of warning concerning the safeguarding of caravans from fire, which point he originally introduced in questions asked of me in days past. At this stage I would mention that his point has been noted;

nevertheless, it is not relevant to the Bill that is now before us. There is just one thing that I could perhaps say; namely, that this Bill is necessary because section 25 of the Act stipulates that the board may by notice in writing direct an owner or occupier to install fire-fighting appliances.

However, the relevant section of the Act which deals with offences and penalties is section 72, and that only provides that any person disobeying or failing to comply with any provisions in this Act commits an offence. So a notice given in writing is not a provision in the Act; or so it can be construed. Therefore, to close that gap the introduction of this Bill is necessary.

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.

UNAUTHORISED DOCUMENTS BILL

Second Reading

Debate resumed from the 5th September.

MR. EVANS (Kalgoorlie) [5.34 p.m.] : This is a Bill to enact legislation to prohibit the unauthorised use of the Royal Arms or the Arms of any part of Her Majesty's Dominions, or Arms or any token insignia or emblem so nearly resembling the Royal Arms or the Arms of any part of Her Majesty's Dominions as to be likely to deceive or be capable of being mistaken for the same. The Bill also seeks to prohibit the use, the issue, publication and transmittance of certain documents, or the unauthorised use of legal process, such as a summons, out of the Local Court of Western Australia.

This prohibition, of course, if breached, will subject the offender to a monetary fine. In the case of the use of the Royal Arms or other Arms, or Arms closely resembling or being a close imitation of the Royal Arms, the maximum fine prescribed is £20. For the unauthorised use of legal process or forms closely resembling same the monetary fine will be £50. I have no objection to the actual substance of the Bill, but I hold one or two reservations as to its form.

First of all, I draw the attention of the Attorney-General to what I feel is perhaps an unhappy point in the definition of the word "tribunal" which is defined in the Bill as—

"Tribunal" includes any court, judge, magistrate, justice or judicial or public officer, whether in or out of the State.

I draw the attention of the House to the words "public officer" because, with the exception of that person, all the tribunal

members are entitled to some judicial power. The court is, of course, the essence of judicial power; the judge is the one who exercises such power, as does also the magistrate and the judicial officer; but the person who comes within the category of a "public officer" may be vested with some form of judicial power which I consider could be out of place.

I would like to hear the Attorney-General's remarks on the use of the words "public officer" in this definition, because I would prefer to see the words "or public" deleted to make the definition read—

"Tribunal" includes any court, judge, magistrate, justice or judicial officer, whether in or out of the State.

Continuing my remarks as to the form of the Bill, I find that in one of the sub-clauses dealing with the offence of the unauthorised use of the Royal Arms or other Arms, or some form of emblem or insignia closely resembling them, it states—

In any proceedings in respect of an offence under this section the onus of proving that authority has been duly given shall lie upon the person charged.

As I understand it, this would place an evidentiary burden upon the defendant in such a case. This evidentiary burden would be discharged under this legislation if such a person could bring forward documentary evidence of the fact that he had received the authority. In that event, that would be the end of the case for the prosecution. In other words, once the evidentiary burden was discharged by the defendant it would relieve him of any further liability, and the court would have to dismiss the case brought forward by the prosecution.

I would like to draw a distinction between the burden of proof on a person who is charged with the unauthorised use of the Royal Arms or other Arms, and the burden of proof on the person who is charged with sending, distributing, printing, publishing, or selling a document which could be described as being the use of legal documents closely resembling the same. This relevant clause in the Bill reads as follows:—

In any proceedings under this section, if any person is named on any paper or writing mentioned in this section in such manner as to imply that he is the printer, publisher, seller or sender of the same, that person shall *prima facie* be deemed to be the person who printed, published, sold or sent that paper or writing.

Once again, there is an onus cast upon such a person if his name appears on that paper signifying that such person is the printer, publisher, or the seller of that paper, and such person shall *prima facie* be deemed to be the person who published, printed, or sold that paper or writing mentioned.

In this case there is also a burden of proof on the defendant, but it is a different burden from that placed upon the defendant in the other offence I have already mentioned. That other offence raises an evidentiary burden and places it upon the defendant; whereas, in this instance there is a provisional burden placed on the defendant. That is, there is *prima facie* evidence to prove that such a person is the printer or publisher; and once the defendant was able to discharge that particular burden he would rebut the presumption, and in turn, would cast the burden of proof upon the prosecution.

In other words, in this instance, once the defendant was able to discharge his burden the case would not be finished, because there would still be a burden placed upon the prosecution to prove beyond reasonable doubt that such a person, whose name appeared on the paper, was the printer, publisher, or some other person as mentioned in the Bill.

I draw the Attorney-General's attention to my way of construing those two provisions in regard to the burden of proof. One is an evidentiary burden and the other is a provisional burden. In general, as to the topic of the onus of proof being placed upon the defendant, during the time I have been a member of this Assembly, I have, along with several other members, mentioned that I am opposed to the general principle.

I do not wish to reiterate the remarks I have made previously during this debate, but merely wish to say that there is a golden thread running through the criminal law of England, which we have either inherited or adopted in our legislation, and which states that the onus of proof shall always be placed on the prosecution or the Crown to prove its case beyond all reasonable doubt.

We do have some *quasi* forms of criminal statutes in which this principle is abrogated and the burden of proof is placed upon the accused person. I am not in favour of the use of that principle whatsoever, although it has been said that in certain cases it is desirable. I do not agree with that principle; but regardless of my views on that point, I can see no further use in holding to the principle of casting the burden of proof on the defendant.

Referring again to the case of a person charged with the unauthorised use of the Royal Arms or other Arms, or a close imitation of them, the onus is placed upon him of proving that authority has been duly given to him. Such authority, however, is not a fact which is completely and exclusively within the knowledge of the accused person. If it were, there would be reasonable justification for the onus to be placed upon that person to prove that

such authority had been given. In such a case the prosecution would have to affirm a negative.

The fact that authority is given or is not given, is not a matter which is exclusively within the knowledge of the accused person. Before the Crown Prosecutor is prepared to lay a charge, he has to seek and obtain approval from the Attorney-General. He would give the question of the launching of a prosecution a great deal of thought and investigation. Surely, under those circumstances, the prosecution would be able to prove that the person charged did not have the necessary authority; and he should not be called upon to prove, beyond all reasonable doubt, that he had the requisite authority.

Under this form in the Bill, all that the Crown or the prosecution has to do is to aver that, in respect of a complaint relating to an offence under this proposed section in the Act, it shall be sufficient to set forth that the act was done without due authority. The only burden on the prosecution is to initiate the prosecution by averring that the act was done without authority; immediately then the burden of proof is placed on the defendant.

I ask the Attorney-General to comment upon the possible application of section 24 of the Criminal Code to an offence under the provision in the Bill relating to the use of the Royal Arms or other Arms, where the prosecution has only to aver that the act was done without authority. In other words, section 24 is part of chapter V of the Criminal Code, and section 36 prescribes that chapter V would apply to any offence under any statute law of Western Australia. Therefore, section 24 is applicable also to any offence under any statute law of this State.

This section provides that any person who acts in an honest and reasonable, but in a mistaken belief in a certain state of affairs is no more criminally responsible than he would be, if the state of affairs he imagined to exist had really existed. Applying this section to the provision in the Bill where the prosecution has to aver that the act was done without due authority, I consider that a defence could be raised under section 24 of the Criminal Code when the accused person offers proof that he acted in an honest and reasonable, but mistaken belief in a certain state of affairs.

I want to comment on the provision relating to penalties in the case of bodies corporate, which is contained in clause 6, and reads as follows:—

Without affecting any other liability of any person under this Act or otherwise, a company or other body corporate shall be liable to the penalty for an offence under this Act as if it were a private person; and every director, manager, secretary or officer

of that company, and every member of the managing body of any such body corporate, shall also be liable to the penalty for that offence.

The remarks which I made on the section in chapter V of the Criminal Code apply to the portion of this clause which states that every director, manager, secretary or officer of a company, and every member of the managing body of the body corporate shall also be liable to the penalty. I suggest that section 23 of the Criminal Code, which is also applicable to any offence under any statute law in Western Australia, covers this provision. Section 23 provides that with the exception of an expressed provision of acts of negligence, a person is not criminally responsible for any act which occurs independently of the exercise of his will.

A body corporate is an unusual body. Under English law we are familiar with the rights and responsibilities of an individual of the *homo sapiens* species—in other words, a man. We know what are his rights and responsibilities, as defined by law. When we come to bodies corporate, certain difficulties arise, because these bodies are somewhat novel.

In the provision in the Bill with which I am dealing, one person, being part and parcel of a body corporate, can commit an offence; as a result of that offence committed in the name of the body corporate it would be possible for every director, manager, secretary, officer of the company, or member of the managing body of the body corporate, to become also liable to the penalty for the offence. This provision prescribes multiple liability for an offence. I ask the Attorney-General to make some comment on this provision when he replies.

A further provision in the Bill states that no proceedings for an offence against the Act shall be taken by any person without the consent in writing of the Attorney-General. It is possible, with such a provision in force, that in future the Attorney-General could become a very busy person, purely occupied in giving sanction to the launching of prosecutions. However, I feel this provision is a very necessary safeguard to be included.

To sum up, I do not oppose the substance of the Bill. In fact, I am wholly in favour of it, particularly the provisions relating to penalties in the case of bodies corporate. I have knowledge of a debt-collecting firm which did, and still does, use a form of notice closely resembling the blue summons issued by the Police Court. Such notification left very little doubt on the recipient that it was a court summons.

People seem to have a fear of legal processes, particularly of the blue summons. When they receive a blue summons they become alarmed. Some people in the

community have capitalised on this frailty of human nature, and legislation to prohibit such practices is long overdue. Although I do not oppose the substance of the Bill, I do withhold certain reservations on the form of some of the provisions.

MR. WATTS (Stirling—Attorney-General) [5.55 p.m.]: I thank the member for Kalgoorlie for his remarks on the Bill. First of all, we ought not to leave out the reference to public officers, because on occasions doubts will arise—as, for example, on the meaning of “registrar”; therefore the definition should be included. The various officers referred to all come under the term of “tribunal”. It is the authority of the tribunal which is being undermined by the activities which this Bill seeks to minimise or avoid.

I am not greatly concerned with the remarks of the honourable member regarding the burden of proof being placed on the person who is charged with using the Royal Arms or the Arms of some other part of the British Dominions without authority. Surely a person will know quite well when he has such authority. It would be impracticable for the prosecution to ascertain whether or not the person had received authority in some other part of the British Dominions or British Commonwealth of Nations. In consequence, if we are to succeed at any time in prosecutions of this nature, there should be a very reasonable onus on the defendant to prove that he has the authority. If he has, that will be the end of the charge.

I am inclined to agree with the member for Kalgoorlie's reference to section 24 of the Criminal Code. If circumstances should arise in a prosecution of this nature, which clearly indicate that section 24 of the Criminal Code was strictly applicable to the case, then that section of the Criminal Code will have to be taken notice of. But this Bill is not presented on that basis; this Bill is presented on the basis that a person knows what he is doing and what he has done, and we are seeking to make it contrary to law under this Bill to use the Royal Arms or any other Arms without authority.

As the honourable member stated, one provision wisely prescribes that no proceedings shall be taken without the consent in writing of the Attorney-General. This provision was inserted in order to prevent a plethora of prosecutions and legal processes being commenced by private people.

These offences are strictly offences against the rights of the Crown, and against the rights of nobody else. It is the Crown which issues legal processes through its instrumentalities. It is the Crown which claims the right to use the Royal emblems and the like; and therefore it should be the Crown which should give approval for the launching of prosecutions,

so as to prevent a plethora of prosecutions by private people. This is a very wise provision.

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.

PIG INDUSTRY COMPENSATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 5th September.

MR. ROWBERRY (Warren) [6.2 p.m.] : The purpose of this measure is to amend certain sections of the Pig Industry Compensation Act, 1942-1957, and to give the Minister certain powers which have been extended to others in the past.

At the outset I want to say that in order to make a research upon this small Bill and compare it with the parent Act, I had to wade through seven or eight great folios. The time has long passed when these Acts should be consolidated. I have a sneaking suspicion that the draftsman himself has this Act consolidated in its several amendments; and for the benefit of members, who I presume want to make a sincere and honest investigation of any matter placed before them, these Acts should be consolidated. As I say, the time has long since passed when the several Acts which have been passed through this House, amended, and reamended should be dealt with in the manner in which I have suggested.

If this is a matter under the jurisdiction of the Printing Committee, I am quite willing to give my time to see that it is carried into effect, because I feel it would be to the advantage of all members who have to deal with legislation in this Chamber.

The Bill, by amending section 14 of the principal Act, grants an exemption to certain people; namely, processing companies which buy pigs from owners and agents. These firms are exempted from paying stamp duty at the time of sale; and the Minister will have the power to issue them with a permit so that they may make a monthly return to the Commissioner of Stamps. I believe that this is a very good and efficient provision because a lot of time will be saved in the purchase and affixing of stamps.

Although the Minister stated that there has been no abuse of this privilege where it has been granted, nowhere in the legislation can I find a provision whereby the books of the companies can be scrutinised. Therefore I do not know how the Minister has gained the knowledge that no abuse has been made of the privilege. It is stated in the Act that the Minister has certain

powers if the Act is not complied with; but, as I say, I do not know how he finds that out. If certain penalties are to be imposed for non-compliance with the provisions, the Minister must be able to make the necessary perusal of the books of the firms to see that the monthly statements coincide with fact.

I would like to comment on some of the phraseology in certain clauses of the Bill. Part of one clause reads as follows:—

A processing company that is the holder of a valid and current permit issued under this section shall, before it pays to the owner or his agent any purchase money for pigs or carcasses sold to it by the owner, apply and thereafter shall pay to the Minister in accordance with the permit so much of that money as equals the amount of duty payable under this Act

That really means that when the processing company buys pigs, it shall add to the price of the pigs the price of the duty and thereafter pay it to the Minister. Why not say that in simple language? In the same clause is the following:—

. . . to the Minister whose acknowledgment of receipt of the payment of the amount is a discharge to the agent of the liability to pay the amount to the owner or any person claiming through the owner, and is a discharge to the owner or his agent for liability to pay that amount of duty.

That really means that where the receipt has been issued by the Minister, the processing company or agent is relieved of any further liability.

Sections 15 and 18 of the principal Act are to be amended to fit in with the principal amendment which is to section 14. I commend the Bill, but I would like the Minister to take notice of the remarks about consolidating the Bills which have been passed.

MR. KELLY (Merredin-Yilgarn) [6.10 p.m.] : I have not a great deal to say in connection with this Bill, but I do agree with the member for Warren about the excess verbiage contained in it. The Bill performs a very minor function in actual fact, and adds but little to the parent Act which was passed in this House in 1942, when it became necessary to enact legislation to give some protection to the pig-raising industry. After conferences with those concerned in the industry, it was provided in the Bill that a fund should be formed for the treatment of any epidemics which might arise within the industry. That provision, of course, made it necessary for the farmers themselves to make a small contribution, and this was deducted from their general returns by the affixation of a stamp at the rear of the statement. The farmer's obligation ended at that point. The livestock agents were then given the

privilege of rendering monthly statements instead of affixing a stamp on each statement involved.

This Bill does only one thing, and that is to extend to two large processing firms the privilege of rendering monthly statements with cheques attached thereto. I think it is rather a pity that this House should be submitted to almost four pages of matter for inclusion in the statutes, to make this small amendment.

I agree in principle that we should make easy the task of complying with an Act, but I am afraid we overburden ourselves very frequently in this way. Those concerned with the drafting of legislation should be able to advise the Minister of a much simpler form of legislation than is contemplated in this measure. I quite agree with the actual purpose of the Bill. I notice that the Minister has indicated that it is not proposed to extend this privilege to other processing firms, but I am not satisfied with the reason given for this—that too much work would be entailed. I rather wonder whether this Bill has not been designed for two firms only.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. KELLY: Just prior to tea I had remarked that I was at a loss to understand the Minister's attitude in connection with the limiting of the number of companies which are to have the advantage that the Bill will give. The Minister, in introducing the Bill, said that it was to facilitate the matter of supervision and control, and that was why he wished to extend the legislation to only two companies. I think that is a very poor reason, because the amount of work involved in making the legislation cover all pig raisers who come within the category of processing firms is very great; and therefore it appears on the surface that the Minister has some ulterior motive in desiring to give this privilege to two companies only.

I do not think it would be hard for members, particularly those on this side of the House, to visualise the two companies the Minister desires to cover. As a previous Minister for Agriculture, I can remember the same request being made to me, and therefore I know the two companies which are so keen to have this privilege extended to them. In his second reading speech the Minister went on to say that a third company had indicated that it was not interested in being covered, due to its limited purchase of stamps. I suppose the Minister when he replies will be able to give us some information regarding that aspect.

Mr. Nalder: In its limited purchase of pigs. It was not "stamps" but "pigs."

Mr. KELLY: The copy I have has not been corrected, although I know that the words have been altered in other places. If the Minister's explanation is correct, something will have to be done to alter *Hansard*, because the word will appear in

Hansard as "stamps" and not "pigs." I think the Minister should take an early opportunity to correct *Hansard* in that respect; but as last week's *Hansard* is due to come out tomorrow it will probably be difficult to do that. Nevertheless it indicates that very little encouragement has been given to other processing firms to take advantage of the provisions of this Bill, because apparently the Minister contacted only three firms prior to introducing the measure.

To my way of thinking this limitation will hamper the Bill to some extent, and it will not be fully operative; in its present form it will certainly cause a monopoly because, apparently, these particular facilities are to be given to two companies only; and that, to my way of thinking, is entirely wrong.

Up to the present I have mentioned only the Minister's introductory remarks. When we look at the Bill we find that there still appears to be some hope for the smaller companies. In one part of the Bill there is a reference to processing companies and it states—

"processing company" means a company whose business is or includes the purchasing of pigs or carcasses from owners thereof for the purpose of processing meat.

I would not think that the Minister was endeavouring to limit the provisions of this legislation to two companies in view of that definition; if it was his desire to so limit it, I do not think it would be so held in a court of law; because there is no mention of two companies. The interpretation of "processing company" leaves it wide open, and I do not think that the Minister would have any control over other companies which wanted the same facility extended to them.

A little further on the Bill states that a processing company may apply in writing to the Minister for a permit; and I ask members: Would it be logical for the two companies, A and B, that the Minister has mentioned, immediately to be granted permits, and for a third company, almost as important as the other two, which also applied a little later for a permit, to be refused? The Minister certainly could not stand up to an argument in that regard; and if what he said when he introduced the Bill was correct, he will be faced with that position before very long. There are several companies which would come within the category of a processing company; and I am sure that the Minister will have to extend the advantages prescribed in this Bill to more than the two companies he has in mind if the legislation is to become operative and is to be of any value to the pig industry.

It is pleasing to know that the pig industry compensation fund is in a very healthy state. That is very necessary when one realises the great havoc that can be wrought to the industry when there is an

outbreak of disease, such as we had with swine fever 19 years ago. The fund must be kept in a buoyant state as a safeguard for pig producers wherever they may be.

With the reservations that I have expressed, and a desire to see the Bill cover more than just two companies, I feel there is little else I can do at this stage except support the measure. Nevertheless I feel that the Minister should extend the franchise, if we can call it that, to many more than just two processing firms in Western Australia.

MR. NALDER (Katanning—Minister for Agriculture) [7.39 p.m.]: It is interesting to note the comments of those members who have spoken to this Bill. As regards the suggestion made by the first member who spoke, and also the member for Merredin-Yilgarn, that there were a lot of words in the measure to accomplish very little, I think all members know, especially the member for Merredin-Yilgarn, that that is not the fault of the Minister. Those who have the task of preparing amending legislation, or any legislation for that matter, know that the Crown Law Department has to be satisfied, especially as it has to deal with the parent legislation. I am sure that members on this side of the House, especially those occupying the front benches at the moment, make a reasonable approach to these matters; and, if possible, would do so with only a few lines in preference to a few pages. I would certainly be pleased to hear how this could be brought about.

However, in the original instance, the parent Act suggested that the manner in which the deduction of stamps was to be introduced was that it had to be done by the agent—or, in this instance, a bacon curer—cancelling out the stamps purchased from the Commissioner of Stamps and placing them on the back of the returns submitted to the producer. In the parent Act there was no way by which this could be done, so in 1957 the then Minister for Lands and Agriculture—the predecessor of the member for Merredin-Yilgarn—introduced amending legislation to permit agents to do exactly the same as this Bill proposes. When speaking to that amending Bill I suggested the same as the member for Merredin-Yilgarn has suggested tonight; namely, that in the Bill introduced in 1957 provision should have been made to extend to the bacon curers the same privilege as the agents were seeking.

By the 1957 amending Bill the agents sought to be given the opportunity to submit monthly, or during any other period, a statement giving full details of the number of pigs they handled. That statement and the cheque would be submitted to the Accountant and then audited to ensure that everything was in order. That Bill was agreed to and passed.

At that time, however, I made the point that it was necessary to include bacon curers in that provision, but unfortunately that was not done. In the time that has elapsed between then and now the amending legislation has proved to be very satisfactory, and there is no reason to doubt the veracity of the agents in submitting their returns.

As a result, one bacon curing firm approached me to ascertain whether it could be permitted to act in the same way as the agents. We sought the advice and support of the three major bacon-curing companies in the metropolitan area. Two of them said that they would like to come into line with the provisions in the 1957 legislation, and their request was agreed to. The other company said it was satisfied with the existing set-up and was prepared to continue as in the past. If there had been any other persons interested and they had cared to approach me to have the same facilities extended to them, an investigation would have been made in order to satisfy ourselves that the number of pigs they handled justified their inclusion in this group; and if they had qualified, consideration would have been given to their submissions. However, there were only two bacon curing firms that were interested, and it was agreed that this legislation should be introduced for their benefit.

Mr. Kelly: Was it possible that others would not have known of the proposed legislation?

Mr. NALDER: I do not think so. I think that all bacon curers belong to an association and that the matter was discussed at their association meeting. Therefore there is no doubt that other bacon-curing companies would have known about it. Nevertheless, unless a company handles a large number of pigs, this legislation would not be of much advantage to it. The advantage that can be gained by those handling a large number of pigs certainly justifies the granting of a request to submit monthly the details of the number of pigs handled. However, if only a small number of pigs were handled by any firm it would not justify the proposal mentioned in the Bill being extended to it.

I therefore feel certain that justice is being done to those interested in this legislation, as has been proved by the fact that since legislation was introduced in 1957 by the then Minister for Agriculture, time has proved that this facility is something which has been appreciated by the agents and I now feel sure that it will be appreciated by the bacon-curing companies.

Mr. Kelly: Will you have the power to extend that facility to other bacon curing companies if you so desire?

Mr. NALDER: If an application were made and the Minister considered it advisable to include a bacon-curing company among those to whom this facility had been granted, I understand that consideration could be given to the application; and if it were deemed advisable, the provisions of this Bill could be extended to the applicant.

It is satisfying to note that members appreciate the value of the parent Act, and also to know there is a sizable amount in hand to provide that should the industry be struck down by some disease the State can render assistance. I think I pointed out that steps were being taken to keep the State clean of any disease in this industry. Our veterinary officers and other officers are watching the position carefully and from time to time are taking strict measures to ensure that diseases are not introduced into the State from other parts.

Mr. Hawke: Is the department still short of veterinary officers?

Mr. NALDER: Yes. The Leader of the Opposition has introduced another aspect of this subject to the debate, but I do not think you, Mr. Speaker, will permit me to enlarge on that at this juncture. Suffice to say that the department is still short of veterinary officers, but we are making every effort to obtain the services of additional qualified men.

Mr. Bickerton: The trouble is you are not paying them enough.

Mr. Roberts: We are paying them more than they were being paid in 1956.

Mr. Bickerton: I did not mention that. I merely stated that the department is not paying them enough.

Mr. NALDER: I will conclude my remarks by again thanking those members who have supported this Bill.

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.

ALUMINA REFINERY AGREEMENT BILL

Second Reading

Debate resumed from the 5th September.

MR. HAWKE (Northam—Leader of the Opposition) [7.53 p.m.]: This is a Bill to approve and ratify an agreement entered into between the Government and Western Aluminium No Liability for the establishment in Western Australia of an industry to treat the raw material known as bauxite to the stage where that raw material becomes alumina. The subsequent, and more important stage, of reducing the alumina

to aluminium is, unfortunately, to be carried out not in Western Australia, but in the State of Victoria.

The industry to be established in this State is estimated to produce at least 120,000 tons of alumina per annum, which would have an annual value of not less than £4,000,000. According to the agreement which is contained in the schedule to the Bill, a start in the establishment of this proposed alumina industry must be made before the 31st March, 1965, and must be completed before the 31st March, 1967.

The Minister did tell us, in his second reading speech, that the company now plans to make a much earlier commencement on the work of establishing the industry, and is consequently expected to complete the establishment of the industry—and naturally to have it in production—much earlier than was contemplated when the agreement was first drawn up and signed by the Government and the company. The Minister also told us that the amount of £5,000,000 set down in the agreement as the cost of establishing the alumina industry would be substantially exceeded; and this information was given to the House by the Minister because of some more recent information given to him by representatives of the company.

I do not propose to query that part of the Minister's speech, but I think it probably was a pity, in a way, that the agreement could not have been amended with the amendment contained in the schedule to this Bill, to lay that down in black and white as binding on the company in its agreement with the Government. In addition to the company spending approximately £5,000,000 to establish the alumina industry at Kwinana, near Fremantle, the company will undoubtedly spend other capital sums of money to establish the production of bauxite on the most economic basis possible, and will also carry out other essential works to enable the alumina industry to be conducted profitably.

It may be said, quite fairly I think in the circumstances, that the company in capital expenditure in Western Australia in connection with its operations, might expend up to £10,000,000. That would leave at least £30,000,000 to be expended by the company in the State of Victoria in locating there the industry which is to further process the alumina into the final metal of aluminium. It is true, as the Minister said in his speech, that the Western Mining Corporation made approaches to the previous Government in relation to its anxiety to prospect for bauxite deposits in the Darling Range; and also to obtain the right to prospect for suitable coal deposits in the Wilga basin near Collie.

The right to prospect for bauxite, and the right to test the Wilga basin for coal deposits were both given by the Government to the company. At that time it was

confidently thought that the total industry for the production of aluminium in Western Australia would be established in this State, should the company's prospecting activities both for the raw material of bauxite, and for suitable coal deposits, prove successful.

It was not thought the company would have much difficulty in finding suitable and sufficiently large coal deposits. The question mark at that time was whether the company would succeed in its efforts to obtain sufficient quantities of suitable quality bauxite in the Darling Range. It would now seem, from what the Minister has told us, that the final results turned out the other way, because he said the company had succeeded to a satisfactory degree in its search for the raw material of bauxite, but had not succeeded to a satisfactory degree in its efforts to locate satisfactory deposits of coal.

The Minister also said that prior to the prospecting efforts made by this company in relation to bauxite, the general opinion in Western Australia of those who were interested in bauxite deposits was that the bauxite in the Darling Range was not of much consequence. I would not agree with the Minister on that basis, because I remember more than one person, and one in particular, discussing this matter with me, even before the Western Mining Corporation became actively interested in the search for bauxite in this State. This particular person was very keen in his belief that there were quite large deposits of bauxite in the Darling Range and that the deposits were of satisfactory quality.

I mention that only to indicate that some prospecting work in the search for suitable quality bauxite had been carried out, even though not on a big scale, before this particular company came into the field. It could easily be that the small-scale prospecting efforts, which I mentioned, were responsible directly, and at least indirectly, for this company becoming finally very interested in a practical way in the proposition.

It is a great pity that the total industry for the production of aluminium is not to be located in Western Australia. All the raw material will be produced here. In fact, this agreement makes provision for a very large quantity of the raw material of bauxite to be exported from Western Australia in that form, without receiving any treatment in this State, or with very little treatment.

We have had more than one experience of this kind in this State in the past years. We are aware that the raw material of iron ore has, for some years, been sent from our north-west coast to Newcastle and Port Kembla to be processed into pig iron, and subsequently into steel products, without any worth-while processing industry being established in Western Australia for the

treatment of iron ore. It is true that a few months ago an agreement was made between the Government and Broken Hill Pty. Ltd. to establish an iron and steel industry in Western Australia to process iron ore into pig iron, and probably into steel products subsequently. However, the Government—to obtain the consent of the company to that agreement—had to give to the company additional huge deposits of very high quality iron ore located in the Southern Cross district at Koolyanobbing.

It is very unfortunate indeed that the total aluminium industry is not to be located in Western Australia, because two-thirds of the total industry is to be established in Geelong, Victoria. Obviously the greatest amount of production will be carried out in Victoria, in terms of pounds, shillings, and pence. I should say, without being certain, that the greatest volume of employment in this industry will also, under the terms of this agreement, be available in Victoria and not in Western Australia. That is all the more to be regretted when we realise that Victoria is already a very highly industrialised State, and that Western Australia is still battling to obtain a reasonable degree of industrialisation.

In his speech the Minister told us that the reason for the company deciding to establish the industry in Victoria to reduce the alumina to aluminium was that the company had not been able to locate satisfactory supplies of coal in Western Australia; whereas it had been successful in Victoria, and presumably fairly close to Geelong, in locating such supplies of coal.

I read very carefully that portion of the Minister's speech which dealt with the efforts made by the company in this State to locate satisfactory supplies of coal. What the Minister had to say in the matter was not very convincing. It might be that the company did as much as could have been reasonably expected of it to locate satisfactory supplies of coal here. However, if that be true in regard to the efforts of the company, the Minister did not, in my opinion, present the company's case to us on that point to the extent which the situation warranted.

When the Minister was dealing with the angle of the necessary supplies of coal being obtained from the Muja open cut, he used the argument that the reason why the company could not do this was that there were other private consumers of coal in Western Australia—companies already established in the operation of industrial concerns. Quite fairly and quite naturally, according to the Minister, they should not be pushed into the background and be compelled to buy coal at high prices, while the company concerned with the treatment of bauxite is given the privilege—if privilege it be—of obtaining all its coal supplies at very cheap rates from the Muja open cut.

I think the Minister even went on in his speech to suggest that as time goes on coal from the Muja open cut will increase in price which, of course, is quite understandable. However, the point which I think the Minister should give us more information upon is that which covers the actual testing for coal which the company carried out in the Wilga basin. I think he still has to convince us that the company carried out adequate tests in that basin for the purpose of trying to ascertain whether the quantities of coal and the quality of coal could be obtained by the company at a cost which would be reasonable in all the circumstances.

Mr. Court: In replying, I will if you wish, give a full Mines Department report on the work done by the Western Mining Corporation.

Mr. HAWKE: That might help, too. As far as I can understand the Minister's speech at the second reading stage, the company put down only one really deep bore-hole in the Wilga basin. I should think that the circumstances would have justified much more boring activity on the part of the company.

After all is said and done, it has to be remembered that the company, by establishing the industry in Victoria to process the alumina into aluminium, has to pay quite substantial freight costs to get the alumina from Fremantle to Geelong. I suppose it would be logical to argue against that, that much of the finished product, had the alumina been reduced to aluminium metal in Western Australia, would also have had to be transported to the other States and there would have been quite a substantial freight cost associated with it.

However, the feature which I am emphasising is that any company which is given valuable and monopoly rights over raw material situated in Western Australia has a very great obligation to Western Australia to carry out to the fullest extent, reasonably practicable and reasonably possible, all of the processing activities in relation to the treatment of that raw material and to the bringing of it by processing treatment to the final product or products, if more than one final product is involved.

I have already mentioned that the agreement lays it down that the company must commence before the 31st March, 1965, the establishment of the industry at Kwinana to treat bauxite and to reduce it to alumina, and must complete that work before the 31st March, 1967. I have already mentioned that the Minister has told us that the time schedule now proposed by the company has been very considerably stepped up, and I am sure we all join in hoping that the present anticipations in that regard will be borne out in actual fact as time goes on.

The agreement lays it down that the company shall, in the manner set down in the agreement, treat effluent of various kinds, and smoke, and so on; and I wish to have a few words to say about this particular phase of the agreement. On page 9, it is stated, in fact, that the company or any subsidiary or associated company shall not be liable for discharging from the works-site "effluent or smoke dust or gas into the atmosphere or for creating noise smoke dust or gas on the works site if such discharge or creation is necessary for the efficient operations of the company . . . and is not due to negligence on the part of the company."

This is a rather strangely-worded provision. My worry about it is that it seems to presuppose that the company will have great difficulty in preventing these operations from developing a nuisance. Otherwise, there would have been no justification on the part of the Government for agreeing to include in the agreement a provision which allows the company to escape any legal consequences in relation to effluent, or smoke, or dust, or gas, or noise creating a nuisance.

Mr. Court: Provided, of course, it conforms with the previous subclause.

Mr. HAWKE: Not the previous subclause; a later provision in the agreement.

Mr. Court: No; the previous subclause as well as clause 6.

Mr. HAWKE: Clause 6 is the later one to which I am referring. However, I stick to the argument which I mentioned. It seems to me that the company should not be given a legal discharge from liability by Parliament in this matter. The fact that Parliament agrees to give the company a legal discharge, as it were, leaves the company in a position where, should its precautionary efforts to prevent a nuisance, or to abate a nuisance once it is created, fail, then the residents in the vicinity, or any other people affected from time to time would, in my reading of this paragraph of the agreement, have no remedy at law at all.

Surely, the question arises whether Parliament should place the company in such a very strong legal position; and, at the same time, place in such a very weak position, or a hopeless position legally, any persons who may suffer injury or some substantial inconvenience as a result of the operations of the company.

Mr. Court: The legal standard of practice is laid down in subclause (1).

Mr. HAWKE: I am quite aware of that, but I think the Minister cannot argue successfully that the particular part of the agreement with which I am now dealing does not give the company, should the circumstances so develop, a legal safeguard—a legal protection—against any citizen who may later on feel that he has

a reasonable case for action against the company in relation to smoke, or dust, or fumes, or whatever it might be, getting into the atmosphere and consequently getting upon the house or the land of the citizen concerned.

Mr. Court: The company is safeguarded under subclause (1) if it follows the best known modern practices. We cannot expect it to do more than that.

Mr. HAWKE: That is so. The company is bound to follow the most modern practices known in an endeavour to prevent a nuisance or to abate it; but should those modern practices not be adequate to meet the situation, then the citizen is defenceless in any claim which he might feel he should have against the company. The citizen has to suffer the nuisance and inconvenience and loss which might be involved.

I am posing the question whether any company should be given full legal discharge in that situation, leaving the citizen with no remedy at law at all. I submit to members that the proposition which I am putting forward is not without merit.

Mr. Court: The Government of the day of course has some responsibility in respect of zoning so that industry is located only where it is compatible to the rest of the community.

Mr. HAWKE: The Government of the day, whichever Government it might be, should a nuisance develop out of the operations of this industry at Kwinana, would have no legal liability. It would be in the same position as the company—no legal liability at all. No-one could lodge a claim for damages against the Government, because Parliament, in the year 1961, had agreed, at the request of the Government, to have this industry established. Parliament at the same time—at this time—would have agreed to allow this escape clause to remain in the agreement. Not that we could knock it out anyway, because, as I understand the legal situation in regard to the agreement as a whole, Parliament has to accept it as a whole or reject it as a whole. The agreement is not capable of amendment in any shape or form by Parliament unless, of course, the Government and the company together agree to any amendment which might be suggested or put forward.

I am very interested in that part of the agreement which allows the company to export raw bauxite from Western Australia to other States of Australia. As far as I know the Minister did not give us very much information as to why the company had requested that this be put into the agreement, nor as to why the Government agreed to the company's request in the matter.

The appropriate part of the agreement, which will be found on page 18, stipulates that the company will be at liberty to export from the State bauxite to a total

amount of 2,560,000 tons with a maximum export in any one financial year of 500,000 tons, unless otherwise mutually agreed upon by the parties, such export to take place over a period of seven years. Thereafter the State may permit the export of bauxite in such quantities as are reasonable in the light of all reserves of bauxite then known to be in the areas leased by the Government to the company.

As I read this part of the agreement, I take it that the part which states "unless otherwise mutually agreed upon by the parties" has relation only to the quantity which may be exported in any one year and not to the stated total quantity—2,560,000 tons—for the seven-year period.

Mr. Court: Which clause is that?

Mr. HAWKE: Subclause (8) of clause 9, on page 18. I read it to mean that the company is at liberty to export bauxite to one of the other States, or to any other country for that matter, to the total amount of 2,560,000 tons over a period of seven years from the date of the execution of the agreement. I take it that that is binding, beyond any possibility of alteration, upon both the company and the Government, but that the reference in the subclause to the 500,000 tons to be exported per annum is qualified by the reference to the possibility of a mutual agreement between the Government and the company which would allow the company to export in one of the seven years, say, 700,000 tons and to balance that out over the seven-year period by exporting less than 500,000 in one or more of the other six years.

Mr. Court: That is in respect of the seven years.

Mr. HAWKE: Yes. If the seven-year period has been completed, the State and the company may enter into such agreement as the State considers desirable in view of the known quantities of bauxite in the leased country held by the company. That clears up the detail of that subclause. However, the principle of it still remains, and I argue very strongly against that principle.

I think it is up to the Minister in his reply to the debate to submit the reasons why the company suggested it should have this substantial right to export our raw material of bauxite without giving it any processing treatment at all in Western Australia; and he should also try to justify to us the Government's agreement to or approval of the company's request. I think the company should have been well satisfied with the agreement without this provision being included in it.

Why should the company be given legal permission to gather up over a period of seven years 2,560,000 tons of bauxite and, without spending a penny on processing it in Western Australia, send it to some other State of Australia or some other country of the world? There might have been more justification for such a provision had

the company agreed with the Government to establish the total aluminium production industry in this State. The fact that the company could not or would not see its way clear to do that seems to impose upon the company a strong obligation to treat the whole of the bauxite which it recovers in Western Australia at the refinery to be established at Kwinana and not to export out of the State, without any treatment at all, the very large quantity of bauxite which this subclause would allow.

Mr. Court: There is a very good reason for the seven years, which I will explain.

Mr. HAWKE: Well, I will be very interested to listen to the Minister, and very pleased to hear his explanation. I hope that he may be able to prove to us, as he already seems to have proved to himself, that the reason is a very good one. At the same time, I hope the Minister will also discuss the balance of this provision which allows the State and the company, after the seven-year period has expired, to allow further quantities of bauxite to be exported untreated from this State to some other part of Australia or to some other part of the world.

The agreement makes provision, as would be expected, for a special scale of railway freights to apply; and for a special scale of harbour trust charges to apply; and it also deals with other matters of a similar kind. I think the Minister, during his second reading speech, did say in reply to an interjection from the Deputy Leader of the Opposition, that the harbour trust charges as proposed and set down in this agreement carried the approval of the harbour trust commissioners.

I would take it for granted that the scale of railway freights was set down in the agreement with the approval of the railways commissioner and such other officers of the Railways Department who, with the commissioner, would be most greatly interested in that matter.

Mr. Court: They were the rates he requested on the separate railways.

Mr. HAWKE: The agreement lays down the royalties to be charged. They are 9d. a dry ton for bauxite part-processed in Western Australia, and 1s. per dry ton for bauxite exported untreated from Western Australia. I suppose we could have a lot of discussion as to whether these proposed royalty charges are adequate; and much would depend upon the point of view. I think that in these days, when the Menzies pound has very little value, a much higher royalty charge could be justified. After all is said and done, once this raw material has gone, it has gone; it does not grow again like trees in the forest.

Sir Ross McLarty: What is a dry ton? As it comes out of the ground?

Mr. HAWKE: I would not think so; but I am not technically qualified to explain the difference between a dry ton and a wet ton. There are certain differences I could express between dry things and wet things; but I think the member for Murray is probably at least as well-informed on those matters as I am.

I am not going to argue at any length about the proposed royalty charges. I think they are not adequate, or not sufficient; but that may be open to argument. At least, I think the royalty of 1s. per ton on bauxite to be exported untreated from Western Australia is far too low.

Mr. Court: There is plenty of bauxite in the world.

Mr. HAWKE: I think the Government would have been thoroughly well justified in making that royalty charge much higher. It does not help Western Australia for the Minister to say there is plenty of bauxite in the world. Evidently this company wants Western Australian bauxite. It must want our bauxite for a reason.

Mr. Court: I am glad it does.

Mr. HAWKE: I cannot imagine that a royalty twice as much, or five times as much, as that provided for in this agreement in regard to bauxite to be exported untreated from Western Australia would cause the company to turn around and say it would get its bauxite from Brazil, or Cuba, or some such place.

The mineral leases given to the company are for a period of 21 years, with a right of renewal for a further 21 years. Therefore, I think we can say with a strong degree of certainty that the mineral leases are being granted for a period of 42 years. In other words, we would all hope very strongly, I believe, that the industry would continue in this State for a longer period than 21 years.

I notice that the company, under the terms of the agreement, will be bound to pay to the Forests Department £100 per acre for each acre of forest destroyed by the company in its mining operations in the search for bauxite, and in the recovery of bauxite for treatment at Kwinana.

I am not qualified to say whether this amount is adequate, although it seems to me that it is. I would like the Minister to tell us later on, if he is in a position to do so, whether all of the forest country from which the company will mine or obtain the bauxite will subsequently be useless for the growth of new trees, or for the growth of new forests.

Mr. Court: We are assured that the land will lend itself to reforestation, and the £100 per acre will be applied partly to that purpose.

Mr. HAWKE: In that situation—and, as I said before—I think the £100 per acre compensation may be quite adequate, and

I have no quarrel with that amount—although I am not in a position to know for certain whether £50 an acre, or £100 an acre, or £150 an acre, would be an appropriate figure.

Mr. Bovell: The Conservator of Forests has thoroughly investigated the position.

Mr. Court: The Forests Department also gets a royalty for the millable timber that is taken off.

Mr. HAWKE: Yes; I understand that. The main reason why I have raised this matter is to relate it very quickly to what has happened in connection with the sale of the Banksiadale railway mill. I understand that the jarrah forest down there, which is associated with that timber mill, and the cutting rights of which were given to the Hawker Siddeley Group Ltd., is a very big area of forest country, and the best jarrah country in Western Australia if not in the world. Working out, as well as one is able, the basis of calculation at £100 per acre compensation as provided for in this agreement, it seems to me that the Hawker Siddeley people have obtained the jarrah country related to the Banksiadale timber mill for nothing. In fact, I do not think it would be an exaggeration to say that the Government has paid them to take it.

Mr. Court: They do not get the £100. The £100 is given to the Forests Department.

Mr. HAWKE: I did not say that the Hawker Siddeley Group would get the £100 provided for in this agreement.

Mr. Court: The £100 an acre has nothing to do with normal forestry work. It is an entirely different concept.

Mr. HAWKE: The suggestion I tried to make—and which the Minister could quickly have picked up had he wished—was that the cutting rights over the jarrah forest country associated with the Banksiadale timber mill would have been of considerable value to any company. As it was, it was of considerable value to the Railways Department during the many years it owned and operated that timber mill at Banksiadale. I am merely using the situation for the purpose of making a comparison, and trying to show that the Government was ultra generous, many times over, in the transactions which it carried out with the Hawker Siddeley Group in relation to the State Building Supplies generally, and particularly in relation to the railway mill at Banksiadale.

Broadly, those are my views in connection with the agreement. As I said, Parliament cannot amend the agreement, even if it were inclined to do so, and even if the numbers were here to do it. Parliament must either accept the agreement as a whole or reject it as a whole. Obviously the agreement, when carried out, will confer some substantial benefit upon Western

Australia even though the benefit will not be more than about one-third of what we would have hoped, because of the provision in the agreement that the maximum amount of treatment of bauxite to be carried out in Western Australia is to end when the deposit has been reduced to alumina. The alumina will subsequently be transported to Geelong, in the State of Victoria, and there be further treated to produce the final product of aluminium.

MR. O'NEIL (Canning) [8.42 p.m.]: Members might recall that earlier in this session I asked two questions; one of the Minister representing the Minister for Mines, and one of the Minister for Electricity. The one of the Minister representing the Minister for Mines was whether he could give me some indication of the known coal reserves of Western Australia, and particularly those in the Wilga field. The question asked of the Minister for Electricity was what was the difference between the generating capacity of the State Electricity Commission power stations and the maximum loads so far recorded. The reason for these questions was to try to find out why it was considered impracticable completely to treat the bauxite which is found in the Darling Range, and to convert it into aluminium rather than simply reach the stage of alumina and then export the alumina for further treatment.

I share the disappointment of the Leader of the Opposition that it is impracticable to carry out the complete process in Western Australia. The answer given to me by the Minister for Electricity on the question of power supplies was that the total power-generating capacity of the S.E.C. was 257 megawatts, and it exceeded by only 108 megawatts the total load. To produce aluminium from alumina, a minimum power of 100 megawatts is necessary. Therefore it would appear that at present there is not sufficient electrical power available in Western Australia for the process. To give members a much better understanding of the position, the South Fremantle power station has a total generating capacity of 100 megawatts, and that would be the necessary power requirement for the conversion of alumina into aluminium. I would say that such a power station would cost today in the vicinity of £10,000,000 or £12,000,000—I could be corrected on that figure.

Therefore it appears that for a start we have not the power station capacity; and if we were to build one, we would have to find the coal in order to generate the power. In a little booklet, which was sent out by Alcoa of Australia, entitled *Australian Integrated Aluminium Project*, is given the requirement of power and coal; and, with the permission of the House, I will read it. It states—

The electrolytic process of aluminium smelting requires very large amounts of cheap power. The initial

power requirements for the Point Henry works will be about 100 megawatts. To supply power to the smelter and the fabricating works the company will erect a steam generated power plant near the Anglesea brown coal deposit. A transmission line will be built to carry the power to Point Henry, and it is expected to connect with the State Electricity Commission grid. The power station will consume about one million tons of coal a year.

I think that at the moment our total coal production in Western Australia is something less than 1,000,000 tons—997,000 tons. The Muja depression is reported to contain approximately 80,000,000 tons—at least the Government adviser, Mr. Marshall, indicated that, although I understand the Collie miners dispute the figure. The article goes on—

The Anglesea brown coal deposits, situated about 25 miles from Geelong, contain more than 400,000,000 tons of known reserves.

Further on it states—

The deposits occur in two major coal zones, of which the upper consists mainly of a seam of an average thickness of one hundred feet. The lower zone consists of a number of seams, the more important of which range generally from 25 ft. to 50 ft. in thickness.

The report then goes on to deal with how the mining will be conducted, and indicates that throughout all operations the ratio of coal to waste would be about 1: 1.5.

I notice that the member for Boulder also inquired of the Minister representing the Minister for Mines as to the availability of coal in the Wilga basin, over which the Western Mining Corporation has certain rights. Admittedly the report indicates that the company drilled only one major hole, but to a depth of 925 ft., and the best coal intersections were made at 50½ ft., and the thickness of the seam was 3 ft. 10 ins.

Mr. May: They bored where there was no coal. Didn't you know that?

Mr. O'NEIL: A total of 32 other holes was bored by the Mines Department over the area, and the department's findings appear in Bulletin No. 105, part II, which the Minister advised me to read when I queried him with respect to the known coal reserves. It appears to me that no one can be quite certain of exactly what coal reserves there are; and whether sufficient survey work has been done or not, I am not prepared to say. It is quite apparent that the Government has conducted surveys to the best of its ability and within the limits of the finance available. This booklet was printed under the authority of L. F. Kelly, Minister for Mines, in 1958, and the summary on the

front contained all the information I required. I did not need to peruse the whole booklet, and I am sure I would not have been able to understand most of it.

However, the coal is defined in three main types: measured, indicated, and inferred. The total tonnage under the ground in these three categories is estimated at 1,877,000,000 tons, consisting of measured coal, 87,000,000 tons; indicated coal, 187,000,000; and inferred coal, 1,603,000,000 tons. In the measured and indicated categories, 17,000,000 tons, and 94,000,000 tons respectively are considered to be extractable; so that a total of only 111,000,000 tons is considered to be extractable at the moment.

Mr. May: Is that at Wilga?

Mr. O'NEIL: That is in the Collie coal field, including the 80,000,000 tons in the Muja depression.

Mr. May: Did you read the *Daily News* of last week?

Mr. O'NEIL: I read the *Daily News*, but I am taking my figures from the official publication by the Mines Department, issued under the authority of the Hon. L. L. Kelly, M.L.A., who was Minister for Mines at that time.

Mr. May: He knew something about it all right.

Mr. O'NEIL: I am simply agreeing with the Opposition that the total production of aluminium cannot be effected practicably in Western Australia.

Mr. Hawke: I did not say that. I said it is not to be.

Mr. O'NEIL: On the information available to the Government, and, that which has been made available to me, we have not at present either the power to produce aluminium to capacity or the coal to produce that power. I may be wrong, but at the moment it would appear that I am right. Most members would know that in the majority of cases the production of aluminium is undertaken only in those areas where there is ample hydro-electric power. In Australia at the moment aluminium is produced only at Bell Bay, Tasmania. It is logical that in Victoria at some future time considerable quantities of hydro-electric power will be introduced into the Victorian grid system. At present, however, there appears to be 400,000,000 tons of coal available.

There is only one aspect of those figures that disconcerts me; namely, that in Western Australia, from 500,000 tons of coal, we are able, apparently, to produce 257 megawatts of power; whereas, at Anglesea, it is indicated that 1,000,000 tons of coal are required to produce 100 megawatts of power. So at Anglesea they can produce less than half the power from 1,000,000 tons of coal that we can produce from 500,000 tons.

However, the coal at Anglesea may not be used purely for the purpose of converting bauxite to alumina. Probably, as the Minister has advised us, in the economics of the industry it is necessary to conduct part of the process of upgrading bauxite to alumina, as well as the conversion of bauxite to alumina, at the Geelong site.

Those are my observations. I have not done a great deal of research into the matter, but I regret that the whole of the industry cannot be conducted here. However, at least we have in our favour the consolation that this is an Australian integrated aluminium industry; and with respect to the Queensland deposits of bauxite I understand that alumina will be shipped to our sister dominion, New Zealand, for conversion into the finished product—aluminium.

MR. MOIR (Boulder) [8.54 p.m.]: At the outset I wish to state that, having had many years' experience of the Western Mining Corporation before I entered Parliament, and since, I have always had a high regard for the ability and business acumen of the representatives of that company. I must say that, following a study of this agreement, I have a still higher regard for their business acumen because they have certainly negotiated with the Government an extremely favourable agreement. To that extent the company has to be congratulated because it has been granted these deposits on terms which, I am sure, those mining men could not have visualised in their wildest imagination when they were first granted the reserves when I occupied the position of Minister for Mines.

At that time it was known that the bauxite deposits in the Darling Range could be extensive and of greater value than had been recognised in years gone by. Therefore, the company was welcomed when it decided to explore for this mineral, and it was granted extensive reserves to carry out its exploration. This was done following discussions with the representatives of the company, in which they stated that if the deposits proved to be economical it was their intention to reduce the bauxite here to alumina; and then, finally, to establish an aluminium industry in this State. For that purpose the company was also granted reserves over large areas which were considered to be coal-bearing, principally in the Wilga basin where coal deposits were known to exist.

The company undertook to explore those reserves vigorously. Knowing the company as I did, I was in no doubt that that was what it would do. However, I have grave doubts now about the extent of its exploration in the Wilga coal basin. I have strong grounds for those doubts because of the information I have obtained as a result of the questions I asked about the company's exploration work.

It is also rather surprising that in this agreement there is a complete departure from the law which has operated for many years in regard to goldmining. In fact, that law came into operation before the turn of the century.

Every goldmining company that has commenced production in this State has had to work under and abide by the provisions of that law. It is found that although the Western Mining Corporation has worked under and recognised that law for many years, under this agreement it has obtained dispensations which I am sure any company on the goldfields would not dare ask for in an application before a mining warden. I can understand, of course, why the company asked for these dispensations.

Under the agreement with the Government, the company has dispensation in regard to the discharge of gases, effluent, and other matter which could be of nuisance value far greater in the metropolitan area than it would be in the goldmining areas. So I feel certain that those people living in the vicinity of the proposed refinery will not be very happy with the Government as time goes on and they realise the damage that will be caused to their property.

I am also greatly concerned about the workers who will be exposed to the gases that will be discharged into the air. Members know that we also have a Mines Regulation Act which governs the conditions of employment of the men engaged in the mining industry, and which deals largely with the question of their health.

This is the direct question I want to ask the Minister for Industrial Development: Is the company to be absolved from the provisions of the Mines Regulation Act in so far as the refinery is concerned, which is named in this agreement the "works site"? I know that the agreement lays down that the Mines Regulation Act has to be observed on the mining leases; but there is no mention of what has to be done at the works-site, where a mining operation will be going on.

Mr. Court: You have seen the plan of the mining leases that has been tabled.

Mr. MOIR: Yes; it says "mining leases."

Mr. Court: Have you seen the plan?

Mr. MOIR: It says "mining leases," and the mining leases will be the areas where the mining companies obtain the bauxite. The Mines Regulation Act will apply there. But the agreement is silent as to what happens on the works-site. There would be no necessity to put that in if this agreement were subject to the other mining laws that exist. But when we see the dispensations given here, it makes one wonder just how far those dispensations go.

I will warn the Minister that if those dispensations apply in relation to the Mines Regulation Act as they affect the

refinery, there will be trouble. I may be wrong in my assumption, but I would like the Minister to clear the matter up for me. We have the position of the company being granted a huge area of over 500,000 square miles of country. I think the area of mineral leases is 2,775 square miles, and the reserve areas total 2,739 square miles.

It seems to me that this huge area should not be included in the agreement at all; but only part of it should be included. I think the Government should have worked on the basis that has been applied to the manganese mineral claims, where the reserves are to be over an area not held by the people who wish to work the areas as mineral reserves, so that others wishing to take out mineral claims might obtain a sufficient area to cover their operations at the time. There was no trouble about the areas being granted. They were granted; and that was done to prevent anybody from obtaining a monopoly of the particular mineral.

We see that this company has been granted a monopoly of the entire deposits of bauxite in the Darling Range. The Minister said that already 80,000,000 tons of bauxite has been proved; and other large areas are, of course, still to be explored. But we know definitely that approximately 80,000,000 tons of bauxite has been proved. At the rate of refining in this State of 5,500 tons a year it will take 160 years to exhaust that 80,000,000 tons of bauxite; and of course it is by no means probable that this is the total amount of bauxite which is in these deposits.

I suggest that the leading men in this company may well be embarrassed with the huge size of these deposits of bauxite. I think the Government could have secured an agreement that, while being perfectly fair to the company, would at the same time have kept sufficient reserves back for the State in case some other company wished to start up here with a view to mining these deposits. It appears to me that this is just another instance of our raw materials being disposed of in a manner which will deprive the State of much benefit which might accrue from them.

We know what happened previously with regard to our iron ore deposits at Koolan Island. The agreement is gratifying to the extent that approximately 400 men will be employed; but it does not make up for the fact that we had a right to expect this industry to be much larger and much more worth while than the agreement provides.

Another phase of the agreement with which I find fault is that which allows the company to ship the raw bauxite away from this State altogether; indeed it does not necessarily follow that the bauxite will be processed in Australia at all. The statement I made about the company, in my opinion, not carrying out a vigorous

policy in the search for coal is, I think, exemplified in the answers I received to various questions which I asked on the 5th September. On that date I asked the Minister representing the Minister for Mines—

- (1) What exploration work has the Western Mining Corporation or any of its subsidiaries carried out on the Wilga coal deposits which are held as a reserve?
- (2) Has the company tested the deposits by drilling?
- (3) If the answer to No. (2) is "Yes," will he state the number of holes drilled, the respective footage, and with what result?

The Chief Secretary replied:—

- (1) The Western Mining Corporation has carried out considerable exploratory geological and geophysical work for coal in the south-west. Particular reference was paid to the area from Treesville southwards through Collie to Bridgetown and eastwards to Lake Muir. A detailed gravity survey similar to that successfully made at Collie some years ago was carried out in large sections of the area. The results at Wilga show that the basin is much smaller in extent than originally supposed—the total area being only 5.5 square miles. Gravity work disclosed small sedimentary basins at Treesville, Wilga East, Wilga South, and near Lake Muir.
- (2) and (3) The Company drilled two holes at Treesville and encountered basement at less than 100 feet.

On the Wilga East basin one diamond drill hole was sunk to 925 feet. The best coal intersection made was 3 ft. 10 in. at 50½ feet. The remainder of the hole showed only occasional thin intersections of coal of usually less than one foot in thickness.

On the redefined boundary of the Wilga Basin, earlier drilling of 26 holes was considered sufficient to evaluate its coal potential.

I had a doubt about the 26 holes, so I asked a further question as to whether the company had drilled these holes. I received an answer which disclosed that the W.A. Government drilled three holes, and a company called the Wilga Proprietary Coal Prospecting Co. Ltd. bored the remainder. So Western Mining Corporation did not do very much so far as boring was concerned. It does not matter how much geophysical work is carried out, or how much exploratory geological work is carried out, because there is only one way to determine what is in the ground, and that is to carry out boring operations.

I will ask the House to note that the reply I received said that in a small sedimentary basin at Wilga East they bored a hole 925 ft. What for? Will the Minister tell me that?

Mr. May: They were looking for oil.

Mr. MOIR: It would not have mattered if they had struck a seam of coal 40 ft. thick at that depth. This company was looking for large deposits of easily worked coal that could be obtained at an economic price. The Minister mentioned 10s. a ton. Does he think that coal can be hauled from depth at a cost approximating 10s. a ton?

Mr. Court: It is not suggested that it could. It looks as though you would complain if the company had not bored any holes, and you are complaining because it has put down some bores.

Mr. MOIR: It looks as though someone was contracted to bore some holes, and he just sunk the bores. It did not seem to matter whether he struck coal at 600 ft. or 700 ft. We know what the economics are in mining coal at 600 or 700 ft. depth. The Minister said that, with the depth at the Muja open cut increasing, the coal produced would become more costly. This matter therefore bears examination.

Apart from one hole which was put down, nothing else of importance was done. I cannot understand why the hole was sunk at that depth. It would have been much better to bore 10 holes of 90 ft. depth. The company bored two other holes of 100 ft. depth at Treesville. That was the extent of the exploratory work carried out. I shall not be easily convinced that the company was really in earnest in its efforts. If it really wanted to test the Wilga basin it would have drilled holes all over the lease.

Mr. Court: The company has reason to find cheap coal. If successful, the cheap coal would improve the economics of the company's venture.

Mr. MOIR: The Minister stated that the Government desired to retain the Muja coal reserves for the future expansion of industry in Western Australia. I have reservations about that intention. We are aware that at Muja there are 80,000,000 tons of coal. The other day I noticed that Collie achieved a record production of 21,000 tons of coal a week. At that rate of production, the yearly output would not be very great and these reserves would be sufficient for hundreds of years. We know that the Muja coal reserves are not the only deposits in that area. There are other large deposits as well.

I also asked the Minister what would be the cost of using oil as fuel seeing that an oil refinery is established adjacent to where the proposed alumina industry is to be established. He replied that the cost would be approximately the same as the

cost of coal fuel from Collie. I find that hard to believe. The Minister should have another look at that aspect.

I asked the Minister a series of questions as to the cost structure as follows:—

(1) Does he know—

- (a) the estimated cost of the coal to be produced from the Anglesea deposits in Victoria for the aluminium refinery;
- (b) the estimated power requirements for the refinery;
- (c) the estimated cost of the power to be produced?

(2) What is the cost of producing electricity in Western Australia?

(3) What would be the cost of producing electricity from a power house situated in the vicinity of Kwinana, using fuel oil exclusively?

In reply to the first question he said—

No; but the company was seeking coal at not more than 10s. per ton in large volume and on a consistent long-term basis.

Another very important factor in the production of coal is the calorific value. The deposits at Anglesea are brown coal deposits and would not have as high a calorific value as the coal produced in Collie. The Minister continued with his answers as follows:—

The company advises that the initial power installation for the smelter will be a 100 megawatt plant.

His answer to the third part of my first question was—

No; but, as previously stated, for the production of aluminium, power costs could not exceed $\frac{1}{4}$ d. a unit on a consistent long-term basis.

When the Minister was informed by this company that it could not obtain its coal requirements in Western Australia at a low enough cost, he should have ascertained from the company the cost at which it required the coal. When he was told that the company proposed to establish the aluminium industry in Victoria he should have found out what was the cost of coal in that State. That has not been done.

Mr. Court: I told you that the cost was not to exceed $\frac{1}{4}$ d. a unit. You know we have no chance of producing power at that cost in Western Australia.

Mr. MOIR: How does the Minister know that the cost at Anglesea will not exceed that figure? He has answered "No" to my question on that aspect. Those were the questions I asked the Minister, and he should have supplied the answers. After all, the people are the owners of these deposits, and this State is in the strongest bargaining position.

We know this company wanted the bauxite deposit. We could have brought considerable pressure on it in these negotiations. We can rightly say that a very poor bargain has been struck by the Government. Certainly insufficient inquiries have been made into the company establishing an aluminium refinery in Victoria, instead of setting up a wholly integrated industry in Western Australia.

In introducing the Bill the Minister stated as follows:—

The bauxite will be delivered by road trucks to the rail-head, reduced in a crushing plant, and rail-hauled to a storage building at Kwinana. It will then undergo the process of grinding, leaching, filtration, and precipitation, followed by calcination, and storage in silos.

This process is almost identical with the process carried on in the goldmining industry, except for the storage in silos at the final stage. The end product of the goldmining industry does not require storage in silos; it can be placed in a little safe.

The time taken to build this refinery seems to be extraordinary, as well as the cost. I know that some of the big plants on the Golden Mile, which treat a far greater tonnage of ore than is proposed to be treated in this industry, do not cost anywhere near the amount which the plant in the alumina industry is to cost. This plant is no more than what can be regarded as a fairly large gold-treatment plant.

Another aspect of the agreement is rather astonishing. As a State we should require something more than the employment of a few hundred workers in exchange for this valuable ore deposit. According to the Minister, the final product—the metal of aluminium—has a base price for the computing of royalties of £250 per ton. In answer to questions, the Minister stated that the bauxite ore is between 48 and 49 per cent. alumina; and that two tons of alumina are required to produce one ton of aluminium. That answer is rather confusing, because he made a different statement the other day during his second reading speech. I think he said then it was somewhere in the vicinity of 3 to 1, not 2 to 1.

In any case, this is a valuable mineral, and in the Minister's own words, he says that 120,000 tons of alumina should be worth £4,000,000—a lot of money. I know about goldmining, but I am not conversant with what costs are incurred in the treatment of bauxite to reduce it to alumina. However, I know that the cost of gold treatment, where expensive chemicals have to be purchased, and so on, is not as high as one would think. Therefore, a terrific margin of profit is being left for the company.

Whilst speaking of profits, I noticed in the agreement that the Government has agreed not to restrict, in the future by legislation, the prices for which this company shall sell its products in this State. There again, the company is being given a very great advantage. There could be other companies which were prepared to sell aluminium products here, and which could come under the provisions of some future law in regard to price fixation; but this particular company will not be subject to such a law so far as its manufactured products are concerned.

I do not want to labour the points I have made, so I will conclude by saying I would like the Minister to shed a lot more light on this agreement and the proposals contained in it than he did in his second reading speech. I think that what has been revealed by him in his speech is a matter for alarm; but the matters he has obviously not mentioned are a cause for much greater alarm.

Mr. Court: You say what you want, amplify it, and we will oblige.

Mr. MOIR: There is the question of the despoliation of our forests. I think the Minister said that only 30 acres would be involved in the first year, and 25 acres each succeeding year. The area extends from New Norcia in the north almost to Bridgetown in the south, and the approximate width is 35 miles to 40 miles in places through some of the best forest country that remains to us today. One can easily visualise the conflict that may come about between people interested in forestry and people interested in mining. I will take a lot of convincing that the procedure as detailed to us by the Minister is going to be effective, because the topsoil is to be removed and then the bauxite from underneath it. In the Minister's own words, these pits will be up to 10 feet. The pits will be filled with topsoil, according to the figures given by the Minister, from nil to 4 feet, with an average of 2 feet. So there will be 2 feet of topsoil to put back into the pits. The Minister explained that the ground or rock was to a certain degree porous and would not cause these pits to contain water. However, I have my doubts about that.

I lived in the south-west for many years, and I have seen gravel pits which contained the same type of material as that which we now know as bauxite. Many of our roads are paved with bauxite, and our railway lines are ballasted with it. In certain areas these pits contain water for many months during the winter; and I can easily visualise that the pines will not live long, because they will not grow in water.

Mr. Court: You could not get anyone more jealous of the forests than the present conservator, and he is thoroughly satisfied.

Mr. MOIR: It is not possible to grow pines in 2 feet of soil with a rocky bottom. If someone has the answer to that, I would be pleased to hear it.

Mr. Court: You have misread what I stated.

Mr. MOIR: I have the corrected proof here. That is what the Minister said. It is here.

Mr. Court: You read the whole bit about forestry.

Mr. MOIR: If I had time I would.

Mr. Court: You could not get anyone more jealous of the forests than the present conservator, and he is thoroughly satisfied.

Mr. MOIR: I am aware of that; but the Conservator of Forests is not a mining man, and does not know what these operations can do.

Mr. Court: He will know what will grow.

Mr. MOIR: Anyone who has seen excavations knows what happens, and knows how hard it is to get anything to grow again—anything of a useful nature.

Mr. Court: It is strange that in the 1960 workings some of the natural vegetation has already appeared, and that is without the special attention as proposed under this system of working.

Mr. MOIR: I only hope I am wrong; and I will be pleased if that is so. It would be terrible to have our forest areas despoiled, with bare patches running through them for miles. That has caused a tremendous amount of trouble in other populated areas. In South Australia, clay pits are quite a problem near the populated areas, and considerable thought has had to be given to them in order to know what to do to eliminate the unsightliness of the excavations.

These operations are to take place in what is a forest area; and it is rather sobering to think that that forest area could be destroyed for all time, particularly remembering the small amount of money that this State is getting out of it. Another thing that is alarming is the small amount of lease rent to be paid by this company—£2 10s. per square mile. Under the mining regulations, which I have here, it is set out that the lease rent to be paid—I think this was fixed in 1930—is 5s. per acre.

Mr. Court: These people are paying on 2,800 square miles, which is a lot of money per annum.

Mr. MOIR: And they are getting a lot of money out of it.

Mr. Court: I hope they do.

Mr. MOIR: The company is getting mineral to the value of £4,000,000 per year, which is a lot of money. As far as I can see, the mining operations by the company will not be expensive. This will be one of the cheapest mining operations known.

All the company will do is bulldoze and scrape up. I know it is done in a pattern, but it is simply bulldozing. There has to be transport and that sort of thing, but the mining operation will be one of the cheapest known; and I cannot see that the refining operation will be any more expensive than gold extraction.

Mr. Court: I am guessing it will be much more expensive.

Mr. MOIR: My guess is as good as the Minister's.

Mr. Court: We have done some research on it.

Mr. MOIR: The Minister should have all the answers at his fingertips, but it is obvious that he has not.

Mr. Court: I have all the answers.

Mr. MOIR: He did not know those things he should have known when he was negotiating this agreement. I think anyone should be expected to question very closely the reasons for taking a major part of this industry away from Western Australia.

The lease rents, as I have said, are surprisingly low; and even in regard to the royalty the company has driven a hard bargain. It was not satisfied with 9d. per ton royalty, but stipulated that it must be a dry ton. It might surprise members to know that even stones contain a certain amount of moisture; and evidently the dry weight is to be computed. In this matter the figures of the company are to be taken.

Mr. Fletcher: It could have had the hose on it.

Mr. MOIR: No. The honourable member has missed the point that even dry material picked up in summertime has a certain moisture content; and evidently the company knows that and has its own method of computing it. Therefore I say that it is driving a hard bargain even there, because I do not suppose the difference would be very great. Instead of being satisfied to pay 9d. a ton on the overall tonnage of the bauxite it is going to refine here, and 1s. a ton on what it exports, it has stipulated that it must be a dry ton. I do not blame it, of course. If the company finds it can get away with that, it is entitled to do so.

However, people who are charged with looking after assets of this State should be a little more vigilant, to say the least, and should not go into these things in this manner. The Government considers that because a refinery is to be established everything else must be overlooked. After all, this refinery will not employ any more people than does a decent-sized goldmine. The Lake View and Star mine at Kalgoorlie employs somewhere between 750 and 800 men, and the Great Boulder Company employs between 650 and 700 men. Therefore members will realise that this industry here is not as valuable to us as one decent goldmine.

MR. GRAYDEN (South Perth) [9.33 p.m.]: I have listened with interest to the speeches made by the Leader of the Opposition, the member for Boulder, and the member for Canning, and was particularly struck with the mild approach of the Opposition to this matter. After some of the wild statements made in respect of the sale of the State Building Supplies, this debate has been extremely refreshing. In comparison with what was said on that occasion, there has been a logical approach to this debate. I would say logical, but only in comparison with the approach made to the sale of the State Building Supplies.

Mr. Fletcher: Don't get controversial, now.

Mr. GRAYDEN: I hardly think that some of the points raised are worth replying to, but some of them I would like to mention. Firstly, there was criticism of the fact that only a minor portion of the treatment of this bauxite is going to be carried out in Western Australia, the main part of it being done in Victoria. I think the Leader of the Opposition said that the capital cost of the treatment plant which would be required in this State would be in the vicinity of £10,000,000, and that the capital cost of the treatment plant in Victoria would be about £30,000,000.

There was also some mild criticism about the clause which permits the company to export a certain amount of the raw material. I think it was 2,560,000 tons which was to be exported over seven years—an amount which, of course, in relation to the amount of bauxite available in this State, is of no consequence.

Then again, the Opposition had a little to say in respect of the royalty, or at least the Leader of the Opposition did. He felt that a much higher royalty charge was justified, and that the amount to be paid was not adequate. He then repeated himself, and said it was not sufficient. The honourable member who has just resumed his seat went a little further, and was a trifle more critical than was the Leader of the Opposition. The last point the Leader of the Opposition referred to was the question of the sale of the timber adjoining the Banksiadale mill. Those points virtually comprised the speech of the Leader of the Opposition.

Anyone who has heard the Leader of the Opposition, particularly in respect of the sale of the State Building Supplies, would agree that his speech on this occasion was an extremely mild one. I think we all appreciate that fact, because it was better in every respect.

The member for Boulder was a little more outspoken. He commenced his speech by saying that he had a particularly high regard for the business acumen

of this particular company which negotiated this agreement with the Government. He implied that the terms were extremely favourable to the company.

Mr. Tonkin: Don't you think they are?

Mr. GRAYDEN: I certainly do not think they are any more favourable than the terms granted in respect of the State Building Supplies.

Mr. J. Hegney: Rubbish!

Mr. GRAYDEN: And certainly not favourable in comparison with things done by Labor Governments. If any members of the Opposition want to go a little further than that, I would be extremely pleased to pursue the matter.

Mr. Bickerton: I bet you would!

Mr. GRAYDEN: I think I might take the opportunity because, as I said, there is not a great deal upon which one can base a speech on what the Opposition has said on this issue up to date.

Mr. Bickerton: Have you not read the agreement?

Mr. GRAYDEN: I am in favour of the agreement, and the Opposition is supposed to criticise it. We are looking for criticism and we cannot find it, because there can be no legitimate criticism levelled at it. That is the reason there has been so little said about it tonight.

I did take exception to some of the statements made by the member for Boulder, statements such as this: People charged with looking after the assets of this State should be a little more vigilant. He said that this company—the Western Aluminium Company—obtained the deposits on terms which people on the goldfields would not have been able to visualise in their wildest imagination.

Mr. Moir: You can say that again!

Mr. GRAYDEN: Perhaps I can say it again; and I repeat that we could quote some transactions carried out by Labor Governments on terms which would make this agreement pale into insignificance—and in respect of mining, too; not in respect of cattle stations.

Then the member for Boulder said that this company obtained dispensations that no person on the goldfields would bother asking for. He said that this was another instance where our ore deposits were being disposed of in such a manner that the people did not receive the full benefit. He went further and said that the establishment of the refinery was not going to create much more employment in Western Australia, because it was not of much more significance than a reasonably-sized goldmine which employed, say, 750 people. I would like to say on that latter point that every industry brought to this State by this Government—and it has brought many as Labor members know—creates employment.

Mr. Rowberry: That's why we have so much unemployment.

Mr. GRAYDEN: And that is another instance of the type of employment that is created. The whole tenor of all this criticism has been relatively mild. It leaves us wondering what to reply to. But even though the criticism has been mild, there have been the small insidious imputations that the Government disposed of the people's assets at virtually give-away prices.

Mr. Moir: How true!

Mr. GRAYDEN: The member for Boulder again says, "How true." Right throughout the Leader of the Opposition's speech we had words and sentences thrown in now and again to drive that little point home: not with the intention of making any impression on the members of this House who know the position, but with the intention of having it in *Hansard* in order that it might be read more widely throughout the State.

When the member for Boulder spoke, he said exactly the same thing: that companies obtained dispensations that no company on the goldfields could envisage asking for in their wildest imagination. These statements were made not with the intention of convincing anyone here, but simply and solely to ensure they appeared in *Hansard*.

I would like to explain to the House—extremely briefly, because obviously there is not much point in going into the matter in any great detail in view of the fact so little has been said in this debate—a mining transaction which was negotiated by a Labor Party Government, because this particular transaction is on a scale comparable with the present transaction which has been negotiated by this Government.

Most members will be aware of this particular transaction; and when we reflect upon it we will realise just how hollow has been the criticism of the present negotiation. We will realise how little sincerity there is in the Labor criticism that this Government is selling things to companies at give-away prices. Not only do we hear that criticism in the House, and it is published; but in the Victoria Park by-election the Labor Party went around saying that this Government had sold the State Building Supplies to wealthy friends of Cabinet Ministers. That is the danger of this criticism; and that is why I want to quote a transaction which was negotiated by the Labor Party.

I am concerned not with criticism which we hear in this House, but with statements that are made during elections when members of the Labor Party can go around and make statements that are completely without foundation; and yet, unfortunately, they have an effect. They have an effect all right, as it is intended they should.

Several members interjected.

Mr. GRAYDEN: The Labor Party goes around and puts out pamphlets of this kind. This is a pamphlet which contains the signature of the Leader of the Opposition, and says that the Government is happy when it is virtually giving away public property like the State Building Supplies to wealthy friends of Cabinet Ministers.

Mr. May: How true!

Mr. GRAYDEN: We will see how true that is in one minute. First of all, that is the sort of statement that is made. It is not the sort of statement we hear here, because we can refute it. It is a statement made in the Press, where we do not get an opportunity of refuting it; and it is a statement which the Opposition puts forward during election time, when there is very little time to refute it.

This is a statement which appeared in the Labor Party paper, *The Western Sun*—

Yesterday the Leader of the Opposition, Mr. Hawke, told *The Sun* that Mr. Grayden had alleged that owners of stations adjoining Moola Bulla had set up secret pens for branding and were duffing Moola Bulla cattle.

That was information contained on the files which were laid on the table of the House. The article continues:

Mr. Hawke said Sir Ross McLarty, M.L.A., a former Premier, held a substantial interest in Liveringa Station, which adjoined Moola Bulla.

What a vicious statement from the Leader of the Opposition! He first of all puts words into my mouth—words which I never uttered; and he says that some secret pens have been put within the boundaries of Moola Bulla; and he takes that statement which he himself manufactured and says that Sir Ross McLarty, who sits on this side of the House, has the station adjoining Moola Bulla: Liveringa.

Mr. Tonkin: What clause in the agreement does that refer to?

Mr. GRAYDEN: The implication is that Sir Ross McLarty was duffing cattle. This is the sort of statement which members of the Opposition make during election time, and it is important that we refute such statements here.

Mr. Tonkin: You are six months too early with all this.

Mr. GRAYDEN: That shows how insincere the Labor Party is.

Point of Order

Mr. J. HEGNEY: I would like to know, Mr. Speaker, what this matter has to do with the Bill now before the House? Is the member for South Perth entitled to go into the ramifications of the Moola Bulla affair and the Victoria Park by-election

which are not relevant to the Bill? If they are not relevant, he should confine his remarks to the Bill.

The SPEAKER (Mr. Hearman): I think the member for South Perth has indicated that his remarks to be made during this debate are comparable with some of the statements which have been made. However, I think the member for South Perth must relate his remarks more directly to the Bill.

Debate Resumed

Mr. GRAYDEN: Yes, Sir. I was pointing out that these statements were comparable with statements made in the House to the effect that this Government is giving this thing away. The statement was made repeatedly by members of the Opposition and therefore it should be refuted; and the most effective way to do that—and we do not like doing this—is to look in *Hansard* and find statements which members of the Opposition have made in the past and the sort of transactions the Labor Party has made.

The member for Middle Swan referred to Moola Bulla. I referred to a statement in *The Western Sun*. I am going a fair way back, but I am referring to a Government in which the present Leader of the Opposition was a Cabinet Minister. He was the Minister for Employment. He sat in the Government which negotiated a transaction about which I am going to speak, and he helped to influence the Government on that matter. Of that there can be no doubt.

I am dealing with a proposition which was put forward by the Willcock Labor Government—and I repeat that the Leader of the Opposition was a Cabinet Minister in that Government. The member for Middle Swan was a supporter of that Government and was temporary Chairman of Committees. Even though this is going a fair way back, it is highly relevant because it is a similar type of transaction to that with which we are dealing. It concerns a move made by the Labor Government in 1938 to sell 15,000,000 tons of Yampi iron ore to a firm by the name of Brasserts which was dealing with the Nippon Mining Co. The Labor Government of the day was trying to, and wanting to, sell 15,000,000 tons of iron ore from Yampi Sound to Japan on the eve of the war.

The Leader of the Opposition talks glibly about the Menzies pound, and the lack of value in it; but making all possible allowances for any depreciation in the currency—certainly not as a consequence of any action taken by the Federal Liberal Government—that ore was to be sold not at a shilling a ton royalty but at threepence a ton; and I do not think that threepence in those days would compare with a shilling nowadays. That was the royalty the Labor

Government intended to get for iron ore; but bauxite, of course, is of infinitely less consequence.

In 1938 the Labor Government tried to sell 15,000,000 tons of iron ore and the then Federal Government, a non-Labor Government, took exception to it because it said, "Here we have a Labor Government in Western Australia and it is trying to sell this huge deposit of iron ore, perhaps the best in Western Australia, to Japan, and Japan is likely to make war on Australia and the Allies."

Mr. Heal: That is when Menzies resigned.

Mr. GRAYDEN: So the Federal Liberal Government placed an embargo on the export of iron ore, and the Labor Government in this State at that time could not export it. That Government protested vehemently about it.

Mr. Tonkin: Was that before your Federal Minister sent pig-iron away?

Mr. GRAYDEN: That was afterwards, strangely enough. *Hansard* of 1938, at page 447, records that the then Labor Premier moved the following motion:—

That this Parliament of Western Australia emphatically protests against the embargo placed by the Commonwealth Government on the export of iron ore from Australia in view of its disastrous effects upon the development of the State. We consider that the information available does not warrant such drastic action, and we urge the Commonwealth Government to remove the embargo.

Mr. J. Hegney: They have done so now.

Mr. GRAYDEN: After moving that motion the then Labor Premier went on to say—

The purpose of the motion is to enable members of this Parliament to express their views on what the Government considers to be a most iniquitous abuse of power by the Commonwealth Government.

Mr. J. Hegney: Too right!

Mr. GRAYDEN: The then Premier continued—

The prohibition on the export of iron ore from Australia has struck a terrible blow at the welfare of this State.

That is what Labor thought about exporting the iron ore resources of this State; that is what some of the present members of the Opposition thought at that time; and I repeat: the Leader of the Opposition was a Cabinet Minister in that Government, and many other Opposition members here now supported it. The then Labor Premier went on to say—

I believe that members of the Federal Government, and many people in the Eastern States, do not appreciate

just how serious this blow really is to Western Australia, and it is hoped that the motion, and the discussion upon it, will assist to engender a better understanding of the issues involved and their effects.

Mr. I. W. Manning: It would have been a bigger blow if it had come back in the form of bombs.

Mr. GRAYDEN: We will get on to that subject later on, and also the question of pig-iron.

Mr. Hall: Some pig-iron did come back in the form of bombs.

Mr. GRAYDEN: The honourable member ought to talk about pig-iron! Everybody in Australia knows that the term "pig-iron" was hung on the Leader of the Federal Liberal Party—the Prime Minister of Australia—by the very people who protested so vigorously about the action of the Commonwealth Government in placing a prohibition on the export of iron ore from Western Australia. That was done to stop the then Labor Government in this State from selling the iron ore to Japan on the eve of the war. Members opposite gloss over that reprehensible action on the part of the Labor Government, and yet they will hang this tag of "Pig-iron Bob" on the Prime Minister.

That is another illustration of what I was trying to point out earlier. We get all sorts of insults and comments from the Opposition; but they cannot criticise constructively. All members opposite can do is to indulge in character assassination. They criticise the Minister for Industrial Development. He is the key target in this Parliament because it falls to his lot to negotiate the transactions which have the support of all members on this side of the House.

Mr. Heal: I bet he appreciates your support.

Mr. GRAYDEN: I do not know whether he appreciates it or not, but it amazes me to think that one individual in this State has been able to do so much about attracting industry to Western Australia in the past two years: I refer to the Minister for Industrial Development. I am literally amazed that he has been so successful in his efforts.

Mr. Rowberry: You'll get on!

Mr. Tonkin: Is your endorsement for South Perth in jeopardy?

Mr. GRAYDEN: Without going into a lot of figures on the amounts involved, members of the Opposition cannot deny that £86,000,000 of projected industry is going to create a tremendous amount of employment in Western Australia.

Mr. Heal: I wish it would hurry up and come here.

Mr. GRAYDEN: But do we get any constructive criticism, or anything of that kind from the Opposition? Of course we do not! Members opposite want unemployment because they know that when there is unemployment they can go around and say, "Look how much unemployment there is. Elect a Labor man who stands for the working people."

Mr. Rowberry: Hear, hear!

Mr. GRAYDEN: The real position is that it is a Liberal Government which strives to obtain industry, and which in turn creates employment.

Mr. May: You will be Premier.

Mr. Tonkin: You are thinking about the "Work for All" slogan of many years ago, put up by the Liberal-Country Party.

Mr. GRAYDEN: Work for all! If members opposite had an opportunity of going to South Australia and pursuing the policies which they have advocated in this State, and this Government was left to pursue the policies which it is at present following, I know which State would provide the most employment.

Mr. Fletcher: Then you would rig the electoral boundaries.

Mr. Tonkin: And sell assets worth £5,000,000 for £1,000,000.

Mr. Jamieson: You would have to put up with socialised sawmills in South Australia.

Mr. Heal: The Minister for Industrial Development would probably be able to do something about altering that.

The SPEAKER (Mr. Hearman): Order!

Mr. GRAYDEN: I shall continue quoting some further remarks of the Labor Premier in 1938 when speaking to the motion I read a few minutes ago. He went on to say—

The embargo arose directly as the result of the development of the iron ore deposits at Koolan Island. It is undeniable that, had the Yampi Sound deposits remained unexploited, the question of the curtailment of the export of iron ore from Australia would not have arisen at this stage. I am quite confident that the terms of the motion will commend themselves to members of both branches of the legislature.

I will not bother reading all of it, because it is of no consequence; but a little further down he had this to say—

In this instance, with the development of the iron ore deposits at Yampi Sound, we had an opportunity to establish an industry that would have had a tremendous economic effect on the lives of the people of Western Australia.

Mr. May: Hear, hear!

Mr. GRAYDEN: He went on to say—

And when that industry is in the process of being established, with one fell swoop and one savage blow, our hopes of development are dashed to the ground.

The Labor Premier was referring there to the action of the Federal Government in placing a prohibition on the export of iron ore in its raw state to Japan. Then to give some idea of what was involved in this transaction, which the Labor Government of the day wanted to enter into—

Mr. Tonkin: It sounds to me as if South Perth is involved in this.

Mr. GRAYDEN: —the then Premier said—

I have endeavoured to arrive at figures showing the actual losses the State will suffer following upon the loss of the iron industry. The figures I shall quote are based on the export of only 1,000,000 tons of iron ore per annum for 15 years, which was the latest proposition submitted by the company, supported by the State Government but rejected by the Commonwealth Government.

There was 15,000,000 tons of iron ore to be exported over 15 years. But now let us look at the terms which were involved, or the royalties which were to be payable; because members of the present Opposition have been criticising this Government on the royalties involved in the transaction covered by the Bill we are now discussing. The then Labor Premier said—

The amount of royalty lost will be £250,000.

That is from 15,000,000 tons of iron ore, and it works out at 4d. a ton. That was a modified figure; the original figure was 3d. a ton. The export of 15,000,000 tons of iron ore to Japan was to be at 3d. a ton, but it modified that price to make it 4d. a ton! This is the sort of agreement that Labor Governments negotiate from time to time when they are in office.

One cannot compare the circumstances of the agreement which is the subject of this Bill with an agreement such as that for the export of iron ore, because iron ore is of much more consequence and importance than aluminium. Alumina is one of the most common elements that can be extracted from the world's surface. There can never be a world shortage of aluminium. There can be a world shortage of high-grade concentrated deposits, but as those are exhausted it remains for those who want to treat alumina to explore land that contains a lesser percentage of the mineral. Even if those deposits are exhausted, I understand that alumina can also be obtained from sea water. So there can never be any question of there being a world shortage of aluminium.

However, the same cannot be said of iron ore; and yet the Labor Government in 1938 wanted to sell 15,000,000 tons of iron ore at 3d. a ton, but it modified that figure to 4d. a ton.

Mr. J. Hegney: There was a shortage.

Mr. GRAYDEN: At that stage we had violent criticism being voiced by the Labor Premier about the action of the Commonwealth Government in clamping down on the export of iron ore and preventing the State from going ahead with it.

Mr. Tonkin: When are you going to connect this up?

Mr. GRAYDEN: Connect it up? I think I am connecting it up!

Mr. Tonkin: I am a little curious, that's all.

Mr. GRAYDEN: The Deputy Leader of the Opposition is curious about the contents of this *Hansard*, but his own Leader was a Cabinet Minister in the Government which transacted this particular negotiation. At that stage the Labor Government had quite a different idea of the importance of these industries to the State compared with the ideas that are held by the present Labor Party. I always thought that Labor Governments in the past were extremely rabid and that over the years they had mellowed; but actually the reverse is the case. The Labor Governments in those days were mild in comparison with those of recent years, as a speech of this kind will indicate.

From the present Labor Opposition we have heard criticism about the attraction of new industries to this State and the sale of the State Building Supplies. Let us hear what the Labor Premier of the State in 1938 had to say about attracting new industries to Western Australia. He said—

One of the greatest needs of the State at the present time is to widen the basis of its economy. We are so dependent upon primary production and so lacking in other industries that we are exceedingly vulnerable to fluctuation in prices, which seem inevitable in connection with our primary products. We are facing such a position now. The disastrous fall in the price of wheat is threatening the whole economy of the State. The prices of wool and wheat are falling, and those two industries form such a large proportion of our export trade that, if the prices become unremunerative, the State will be in a very precarious position. For that reason we need diversity of industries. Here is an excellent chance of establishing another industry which would not be affected by price fluctuations, yet it is apparently to be strangled at its birth.

Economists and statesmen throughout the world are agreed that one of the prime causes of the world's

economic ills and dangerous national rivalries is the restriction placed on international trade. In Australia it is necessary to have an export trade so that we may be able to pay for our imports and our interest on overseas loans. We must have it, and here was another opportunity to commence an export trade that would have developed a beneficial effect on the economic life of Western Australia, and indeed on the whole of Australia.

That was the attitude of the Labor Premier in 1938 towards the establishment of new industries.

Mr. J. Hegney: What was wrong with that?

Mr. GRAYDEN: I do not criticise it at all. I am criticising the Opposition on the stand it takes on this question we are discussing now. The Opposition is like a chameleon; it changes its attitude with respect to attracting new industries to Western Australia. In 1938, we had a Labor Government, in its desire to attract new industries to this State, anxious to sell even 15,000,000 tons of iron ore at 3d. a ton—which was later modified to 4d. a ton—to Japan on the eve of a world war. We now have the Opposition bending over backwards trying to prevent the Hawker Siddeley Group Ltd., one of the biggest and strongest companies in the world, from coming to this State to establish new industries. The Opposition declared that for the rest of the session it would continue in its efforts to prevent that company taking over the State Building Supplies.

I tried to get on to this subject the other day, Mr. Speaker, but you ruled me out of order. Therefore, Sir, I will not take any liberties on that particular point. However, what I want to emphasise is that today there is a different attitude altogether being adopted by the members of the Labor Party. It adopts scare tactics in respect of new industries that are anxious to establish themselves in this State, so that manufacturers and investors in England and elsewhere are frightened to come here.

Several members interjected: What rot!

Mr. GRAYDEN: Of course they are! One wonders what the representatives of the Hawker Siddeley Group must think when they go out of their way to buy an industry in Western Australia. The Labor Party has adopted a communistic line of thinking in regard to the Hawker Siddeley Group. Its attitude is synonymous with the communistic line of thinking in many parts of the world.

I could tell members what the Hawker Siddeley Group does in Great Britain. That company is the key to Britain's aerial defence. In consequence of that it has attracted the attention of the Communists; and, strangely enough, in this State we have the Labor Party adopting a similar

communistic line of thinking. However, that is only on the question of the Hawker Siddeley Group taking over the State Building Supplies, but I am talking of the Labor Government's attitude in 1938 as compared with the attitude of the Labor Party today.

That brings me back to the point that the Labor Party is not becoming mellowed with the passing of the years, but is becoming more rabid in its attitude.

Mr. Bickerton: I will be pleased when you get your endorsement for South Perth. This will all finish then.

Mr. GRAYDEN: In 1938, iron ore was relatively short in Australia and that was one of the main reasons why the Commonwealth Government imposed its prohibition on the export of iron ore from Western Australia; but the Labor Premier dismissed that fact lightly when he stated—

The only reason advanced by the Commonwealth Government is that reserves of iron ore in Australia are so small that the situation is alarming. And so the total prohibition was put on the export of iron ore from Australia.

So it goes on in that strain, but I will not continue to read that portion of the speech; there is no point in reading information of that kind. The important fact was that iron ore was relatively short in Australia; but notwithstanding that, the Labor Government of Western Australia at that time went on with its negotiations to sell 15,000,000 tons of iron ore at 3d. a ton to Japan.

When one attempts to compare that situation with the export of aluminium from this State, one realises that actually there is no comparison; because, as I have stated, alumina is one of the commonest mineral elements to be found on the world's surface. However, there is not much point in going over all this again. There is, however, one aspect I would like to emphasise, and that is that this transaction in regard to iron ore was being negotiated on the eve of a world war. The Labor Premier of the day said—

One of the arguments advanced in favour of the embargo—

that is, the arguments advanced by the then non-Labor Commonwealth Government—

—is that iron ore should not be supplied to a potential enemy. Some say that the ostensible reason given for the embargo is not the real reason; that the real reason is international complications or defence considerations. I do not think that is a logical argument. If we object to supplying a potential enemy with iron ore, why not, as Sir George Pearce and other people have asked, object to supplying the same nation with wool? Soldiers have to wear woollen clothes; an army

must be clothed. We do not object to selling our wheat to Japan; in fact, we are definitely anxious to do so. Every member of this House, particularly members on the Opposition side, would give a whoop of satisfaction if the Press tomorrow announced that Japan was prepared to buy 2,000,000 tons of Australian wheat.

The Hon. C. G. Latham interjected—

That could not kill our people.

He was referring to wheat. The Labor Premier replied—

No, but it would feed the soldiers who possibly would kill our people.

The Hon. Sir Charles Latham: If they also had the iron.

I have quoted just enough to indicate that the Labor Government was cognisant of the fact that war was imminent, and yet it went ahead with plans to sell 15,000,000 tons of iron ore to Japan at 3d. or 4d. a ton.

What an extraordinary spectacle we have had tonight, in the Opposition criticising this Government for giving a company the right to export 2,560,000 tons of bauxite. It is all the more remarkable when we realise that bauxite is so common that it simply cannot be compared with iron ore deposits. As I say, I have quoted just enough to illustrate the crass hypocrisy of the Labor Opposition in its attempt to criticise the Government for selling these deposits to the Western Aluminium Co. I think it may be as well for me to name the company referred to previously. I will quote from Mr. Willcock's speech.

Mr. May: What about making your own speech?

The SPEAKER (Mr. Hearman): The honourable member has another five minutes.

Mr. GRAYDEN: Thank you, Mr. Speaker. I quote—

The Nippon mining company, the people who contracted with Brasserts for the supply of iron ore, is a big organisation with, I understand, a capital of over £20,000,000.

I quote that to show how empty is the criticism levelled by the Leader of the Opposition. He was a Cabinet Minister at the time, and he was one of the people who made the decision to sell 15,000,000 tons of iron ore on the eve of the war. Notwithstanding that fact, we have heard a lot from the member for Middle Swan. He was temporary Chairman of Committees and a man who probably made it possible; because if he had not supported the Government, it may not have need of a majority.

Mr. J. Hegney: The Premier met the Japanese the other day.

The SPEAKER (Mr. Hearman): Order!

Mr. GRAYDEN: I am afraid I cannot condone the reprehensible conduct of the Opposition in trying to sell 15,000,000 tons of iron ore to Japan on the eve of the war; nor its action in coming along and criticising the Government for negotiating an agreement of this kind. It has also criticised the Government for selling the State Building Supplies.

To conclude: I think we have dealt with the statement that the assets were sold on generous terms; that it was another instance—as the member for Boulder put it—of our deposits being disposed of in such a manner as to deprive the people of their full benefits. We have dealt with the allegation by the member for Boulder to the effect that the people charged with looking after the assets of the State should be a little more vigilant. I do not think he can fairly level such criticism at this Government.

I think we have dealt with all those questions, together with the allegation by the Leader of the Opposition that the ore is going out of the State. Actually, of course it is being treated in this State in the first instance, and it is only being taken out of the State for secondary treatment which cannot be given here because of the lack of the low cost of power. We have dealt with the argument that this Government should be criticised for allowing 2,560,000 tons to be exported overseas.

Such a criticism cannot be levelled at the Government when we realise how plentiful bauxite is, and how impossible it is for there to be a world shortage. The Labor Government can sell 15,000,000 tons of iron ore to Japan at 3d. a ton, and yet it has the temerity to criticise the present Government for entering into the agreement we are now considering. I think we also disposed of the criticism by the Leader of the Opposition in relation to the royalty. He said the Government was getting 9d. a ton for this earth; yet we find his Government selling to Japan some of the finest ore in this State at 3d. or 4d. a ton.

Apart from these allegations I think we have also dealt with the criticism by the Leader of the Opposition that the Government had literally paid Hawker Siddeley to take over the State forests at the Banksiadale mill. Such criticism can be disposed of by saying that when this company becomes established it will attract new industry to the State. The company in question has proved so efficient in Great Britain that the Government there suggested to other aircraft factories that they close down and amalgamate with this firm, as it wanted the aircraft industry in Britain concentrated. In spite of that we have the Labor Opposition in this State criticising our Government for doing its utmost to secure the establishment of this

company in Western Australia, even though when it is established it will create new avenues of employment.

The **SPEAKER** (Mr. Hearman): The honourable member's time has expired.

Mr. **MOIR**: I move—

That the honourable member's time be extended.

Motion put and passed.

Mr. **GRAYDEN**: In view of the fact that a member of the Opposition has seen fit to move for an extension of time, I hope the Opposition will bear with me if I introduce one or two subjects which will further illustrate just how wide of the mark the Opposition is in respect of its criticism of this Government in the transactions it has effected; particularly with regard to the Hawker Siddeley Group.

Mr. **Tonkin**: We want you to get that endorsement for South Perth.

Mr. **GRAYDEN**: The latter company was being so efficiently run that the British Government asked other aircraft industries in Great Britain to amalgamate with it.

The **SPEAKER**: The honourable member must only make a passing reference to Hawker Siddeley. It has nothing to do with the Bill.

Mr. **GRAYDEN**: I was going to produce facts to substantiate what I have to say. It is an extraordinarily efficient company and is the key to aerial defence in Great Britain; and in spite of that we have the Opposition criticising the Government for attracting it to Western Australia. So efficient was this organisation that the Communists in Great Britain constantly harassed the company.

The **SPEAKER**: I do not think that has anything to do with the question.

Mr. **GRAYDEN**: It might have something to do with it in this respect: Members of the Opposition have constantly criticised the Government; they have said that the Government has involved itself in transactions of this kind, and has virtually given away the assets of the State. I want to point out that that is not legitimate criticism. The Minister for Industrial Development should save himself the trouble of replying to such criticisms.

Members opposite are not paying heed to the arguments which the Minister has put forward to refute the statements which they make. They merely go around at election time and make general statements that the Government is disposing of the assets of the State to wealthy friends of the Cabinet Ministers. I say that is the communist line of argument. It is extraordinary that the Labor Party should use virtually the same expressions as the Communist Party uses when referring to the Hawker Siddeley Group.

I shall not take advantage of the extension of time that has been granted to me. I have dealt very fully with the points which have been brought forward by the Opposition. There is absolutely no purpose in reiterating the fact that the Labor Government, in which the present Leader of the Opposition was a Cabinet Minister negotiated an agreement with Japan which involved the sale of 15,000,000 tons of iron ore on the eve of the last war at 3d. a ton—which price was modified to 4d. a ton. It was only the action of the Liberal Government in Canberra which prevented the sale of that iron ore. In view of those negotiations by the previous Labor Government, we can understand why the Labor criticism on this occasion has been so mild. The Opposition cannot afford to criticise the agreement before us as vehemently as it criticised the sale of the State Building Supplies.

Mr. **J. Hegney**: Why can't we?

Mr. **GRAYDEN**: It cannot do that with any sincerity. There cannot be a vestige of reason in its criticism in view of its negotiations for the sale of iron ore to Japan. That illustrates how hollow and empty are the statements of members opposite when they criticise the actions of the Government.

I applaud the action of the Government in finalising the agreement on the establishment of an alumina industry in this State. The Government is to be commended on its success in attracting a new industry to Western Australia. The Western Mining Corporation has enjoyed a tremendous reputation on the goldfields for many years; no doubt members representing the goldfields will be very glad that the company has obtained the right to mine bauxite.

Mr. **MAY**: I move—

That the debate be adjourned.

Question put and negatived.

Mr. **MAY** (Collie) [10.24 p.m.]: I am amazed and very bitterly disappointed with the statements which have been made by members opposite relating to the coal industry in Western Australia. I would not have believed that any Western Australian could belittle the coal industry in this State, as was done this evening by some members supporting the Government.

Much has been said about the Wilga basin and the estimated amount of coal in that deposit. I want to refer to some questions asked by the member for Boulder on the 5th September as follows:—

- (2) Has the Company tested the deposits by drilling?
- (3) If the answer to No. (2) is "Yes", will he state the number of holes drilled, the respective footage, and with what result?

The answers given by the Minister were as follows:—

- (2) and (3) The company drilled two holes at Treesville and encountered basement at less than 100 feet.

On the Wilga basin one diamond drill hole was sunk to 925 ft. The best coal intersection was 3 ft. 10 in. at 50½ ft. The remainder of the hole showed only occasional thin intersections of coal of usually less than one foot in thickness.

On the redefined boundary of the Wilga basin, earlier drilling of 26 holes was considered sufficient to evaluate its coal potential.

Who has ever heard of any party in this State which attempted to find coal at Treesville? It is obvious that members opposite have no idea of the location of the coal basins in this State.

The Western Mining Corporation only bored one hole at the main basin at Wilga. The record of the operations of other parties on this basin is as follows:—

Bore No.	Operator	Total Depth (feet)	Reported Coal Intersected (Seams over 3 ft. thick only)
No. 1 Calyx Bore	W.A. Government	598	5' 0" at 87' Probable basement
No. 2 Clayx Bore	W.A. Government	560	9' 0" at 268' 5' 2" " 338' 6' 6" " 359' 6' 0" " 376' 3' 8" " 411' Basement 543'
No. 3 Calyx Bore	W.A. Government	608	5' 0" at 169' 6' 10" " 189' 5' 9" " 222' 3' 7" " 249' 6' 4" " 287' 3' 1" " 302' Basement 607'
No. 4 Calyx Bore	Wilga Proprietary Coal Prospecting Co. Ltd.	891	10' 6" at 500' (includes a stone band) 4' 0" at 537' 7' 0" " 563' 5' 0" " 573' 9' 1" " 591' 8' 7" " 643' 3' 9" " 660'

Yet the Minister tells us there is not sufficient coal in the Wilga basin to meet the needs of the State. Many other bores have been put down. I have read the record of only some of the bores to show that the information given by the Minister in that regard when he introduced the Bill cannot be relied upon.

Great play was made tonight by the member for Canning in regard to the Anglesea coal deposit, which is estimated to be 26 miles from Geelong. It must have been very convenient for this company to be able to find this one seam of coal 26 miles from Geelong, when the Victorian Government had to go to Morwell and Yallourn to find brown coal whereby to develop the electricity supply in Victoria. Nobody can tell me that the Victorian

Government would not know that those seams mentioned by the member for Canning existed 20 miles from Geelong. Yet it went to Morwell and Yallourn to obtain coal which was at its own doorstep, so far as Melbourne is concerned.

Why did not the Victorian Government discover this coal when it was looking for coal for the electricity system of Victoria? It seems a most remarkable thing that this great supply of coal has been discovered just recently when this company wanted to establish an aluminium industry at Geelong.

The Wilga coalfield in this State was set aside specifically for the Western Mining Corporation—for it to investigate and put down bores. It was given these leases under the labour conditions as contained in the coalmining Act, which says that for every lease in regard to coalmining, there has to be a certain amount of labour done to maintain the lease.

The Western Mining Corporation has had these leases at Wilga for some years, and all it did was put down one bore. The Western Mining Corporation has held these leases over the years and it has not done a thing in regard to exploration, with the exception of putting down one bore; and this has probably prevented some other company or companies from developing that field. I think it is a shocking state of affairs that the Western Mining Corporation could do a thing like that, especially when provision is made in the Mining Act that that company, or any other company for that matter, should maintain a sufficient labour force on its leases by way of prospecting and developing. This company held these leases over the years without carrying out those requirements of the coalmining Act. I do not know why the company was allowed to do it.

The Wilga coalfield, as I pointed out when I opened my remarks, was tested years ago, and it was found and readily admitted that the coal in the Wilga basin was not up to the standard of the coal found at Colliie. That is the reason why, over the years, this field has not been developed. Another reason is that it is further away from the metropolitan area than is Colliie and it would have been too costly as far as freight is concerned to mine the coal.

However, there has never been any argument as to the quantity of coal at Wilga. It is there all right. It has been proved by other companies and by Western Australian Governments over the years—not by the Western Mining Corporation, which simply put down one bore. I do not know how people, including some Ministers, can be led up the garden path, with such a statement as has been given in regard to the quantity of coal at Wilga and the cost that would be involved in the winning of it.

Some years ago the mining unions told a previous Government—and also this Government—that they would raise no objections to any industry, which required coal, developing the leases, either by deep mining or the open-cut method. They told the Government that so far as the work force in Collie was concerned they were quite prepared to agree that any company could explore the leases there in order to provide coal for its own specific industry. That offer was made by the men in Collie, so there can be no quarrel on that account. So far as the industrial side of the set-up was concerned, the Government had the assurance that the men working in the industry would not object to any company being given coal leases in order that they might be developed to establish a particular industry. I know, and this Government knows, that that offer was made to it.

I am sorry to have had to sit here tonight and listen to Western Australians belittling our coal supplies as against those in the other States. I always thought that each member in this Chamber would say what was right and true about the natural resources of this State. And yet we find there are members in this Chamber who are prepared to belittle our coal industry to the detriment of this State. They are supporting the setting up of an industry in Victoria instead of in this State, in the belief that there is not enough coal in this State.

Only last week the answer to that was published in the *Daily News*. I do not suppose many members read it, but it was stated that there is sufficient coal at Collie to supply the requirements of this State for the next 100 years or more. I believe the man who wrote that article obtained the correct data concerning the coal supplies of Western Australia. I cannot believe that any member in this House would belittle the opportunity of expanding the coal industry in this State. I was under the impression that every member in this House would be prepared to stand up and support any chance of expanding any industry in this State, including the coalmining industry. But tonight I have been bitterly disappointed.

The men in the industry are creating a record at the present time in regard to coal output. They had troubles at the beginning of the year, and naturally they fought against the possibility of men losing their homes and their jobs.

I want to refer to the meeting at which there were 1,200 men in the hall one morning, and they had to make a decision whether they would return to work or whether they would continue their objection to so many people being put out of work. There were 1,200 men in that hall and they had to make the decision.

At least 800 of them knew that if they voted for the men to go back to work, they were going to be put on the grass. There were 800 of them, because only 400 started work when they eventually went back. With one exception, those 800 men voted for the 400 to return to work. That is the type of man in Collie. They knew they were voting themselves out of a job, but they did so for the sake of the industry. Yet I have to come here in this Chamber to listen to members of Parliament who are prepared to belittle this industry in this State.

That is the reason I got to my feet after I heard what was said about the coal industry. I take no exception to the bauxite in this State being utilised, not a bit; but I do object to members of this House belittling another industry which is trying to establish itself, more particularly so in regard to the coal industry because coal is our natural fuel and should be used at all times in preference to oil fuel.

I do not want to say any more. As I said earlier, I am bitterly disappointed that I had to sit here and listen to men belittling an industry which has been worth its weight in gold over the years. I have no desire to see the member for Bunbury trying to make an ass of himself by his behaviour over there.

Mr. Roberts: What have I done now?

Mr. MAY: I think that at least he might have the decency to respect a member when he is trying to advocate support for an industry which happens to be in his electorate. Whenever there has been a vote necessary on the establishment of an industry in Bunbury, I have stood behind the member for Bunbury.

Mr. Roberts: And I stand by you all the time.

Mr. MAY: It is quite a remarkable manner in which the honourable member shows it, then. I have now had my say about coal deposits in this State and what the men are doing. They did not put on any darg after they started work but brought coal supplies up to a record figure—to such an extent, in fact, that it is going to be difficult to stockpile the coal being mined by the boys at Collie. I take my hat off to them at any time.

MR. FLETCHER (Fremantle) [10.43 p.m.]: I do not intend to indulge, like the member for South Perth, in any belligerent controversial filibustering at this time of the night. However I would like some assurances, not from the member for South Perth, but from the Minister and the Government in regard to certain matters some of which have already been touched on by the Leader of the Opposition, the member for Boulder, and others.

I am concerned about subclause (2) of clause 4 on page 9 in relation to the discharge of effluent including smoke, dust,

gas, etc. into the atmosphere from the works-site if such discharge or creation is not due to negligence, but is necessary for the efficient operation of the company or a subsidiary company. I submit that it would be difficult to prove negligence in a case of this kind. I have no doubt that a wealthy company like this could afford to install the necessary equipment to prevent pollution of the local atmosphere. I do know that in regard to the possible dust nuisance there is installed at the various power houses a precipitator to collect the dust. It does not retain the gas but does collect the dust. I sincerely hope that the company has taken the necessary precautions in this respect to see that not only local residents but residents for some miles distant will not be affected by any possible dust nuisance and that such precipitators will be installed to prevent any such contingency.

The Bill gives the impression that it would be uneconomical to produce the finished product in Western Australia. I do not believe that this matter has been gone into closely enough from the point of view of economics, because I submit that the cost of shipping the partly refined alumina to the Eastern State could be used to better advantage by producing coal within this State for the purpose of treating and completing the treatment of bauxite in Western Australia.

I do not know whether I have made that point clear, but I feel that the cost of shipping this product to the Eastern States could be spent to better advantage in Western Australia by the company; and I think I can demonstrate this. I recently asked a question regarding overseas shipping freights, as follows:—

Does he share the view of Mr. De Pledge, of Manjimup, as expressed per medium of the A.B.C. on the 18th June, 1961, "that W.A. fruit growers are being priced out of world markets owing to the high level of overseas shipping freights,"

I feel that these high overseas shipping freights could be a big factor in the cost of aluminium. I submit that the prospects of the new power station at the Muja open cut and the fact that this plant will not be in production before, I believe, 1968—

Mr. Court: It will be in production before 1968.

Mr. FLETCHER: I hope so. I may be wrong in that. I am glad of the interjection. On what date is it estimated it will be in production?

Mr. Court: This plant?

Mr. FLETCHER: Yes.

Mr. Court: In two and a half years, if we can get this Bill through.

Mr. FLETCHER: Even in two and a half years' time, if work were started now on the Muja power station, some power could be available to assist. Bunbury has four units each of 30 kilowatts which, in all, is 120 megawatts; South Fremantle has 100,000 kilowatts which is operating on a quarter load at present, and that makes 220,000 kilowatts potential power, without taking into account power from the East Perth Station. The use of coal from the Muja open cut should make that power available at a cheaper rate. The economics of the industry have not been gone into sufficiently in that respect. The entire industry could have been retained in Western Australia.

The member for South Perth said we were being hypercritical—not hypocritical—of the existing Government. I am not attempting to be hypercritical. I would like to say that we did initiate the move in regard to the obtaining of this industry, and the Minister made reference to that the other evening.

There are references on other pages of the Bill in regard to effluent: "iron oxide and siliceous sand commonly known as 'sands,'" and the disposal of same. Reference is made later as to how the company agrees that land will be made available by the State under subclause (3) (a) of this particular clause. It says, in subclause (4)—

The Company agrees that the land made available by the State under subclause (3) (a) of this clause will be filled mainly with iron oxide but partly with sands to within two (2) feet of a level or levels to be mutually agreed before the Company commences to fill in other land with iron oxide.

Further down, subclause (5) says—

The State and the Company will co-operate from time to time in the discharge of sands at a disposal point or disposal points to be mutually agreed.

Here is the important part which concerns me—

If and to the extent that such disposal is on or near the foreshore or otherwise within or through the boundaries of the Fremantle Harbour the disposal of sands will be subject to the approval in writing (which shall not be unreasonably withheld)

If it is possible that this could be dumped in the vicinity of our beaches, I am alarmed at the prospective detrimental effect. This red oxide will blow in the wind.

Mr. Court: You are referring to the sands, not red oxide.

Mr. FLETCHER: It relates to the two here.

Mr. Court: The sands are kept separately.

Mr. FLETCHER: It says—

The residue (commonly known as "red mud") resulting from the refinery operations of the Company on the works site is expected to consist mainly of iron oxide and siliceous sand commonly known as "sands."

I suggest to the Minister that, irrespective of where that is pumped, unless some precautions are taken this material is likely to blow in the winds; and the prevailing winds being south-westerly in that area, it could blow on to houses that may be built in the immediate vicinity.

Mr. Court: I do not think you have studied the elaborate precautions for the reclamation of this unusable land with the red mud and this type of "sands."

Mr. FLETCHER: This is the point I would like to make: It could erode away in the prevailing winds to the discomfort of local residents. I suggest that since it is iron oxide, which is soluble to some extent, some soil or some other additives should be put on the land so that shrubs and other grasses could be grown for the purpose of holding it there.

There is reference to possible future factory sites. I would suggest that if some use is to be made of this land before it is converted to factory sites, shrubs and other grasses could be grown on these areas to prevent possible erosion.

On page 28, clause 16 says—

The Company and any subsidiary company and any associated company may without charge draw sea water from Cockburn Sound for their or any of their operations on the works site and may return sea water used for cooling purposes only . . .

back into the harbour. I do know, through my association with the electricity commission—particularly the South Fremantle power station—that the marine growth that develops in the coolers and the condensers is so bad that it has been found necessary to use chlorine gas to kill it. That gas passes out with the circulating water into the vicinity of the power station, and it is reasonable to assume that the same would apply at the new refinery.

That being so, it is possible that a similar situation will arise there to that which has arisen in the vicinity of the South Fremantle power station. I do not want my remarks to be considered frivolous when I say that I am concerned at the destruction of local fish; but I know from personal experience that, after that plant was installed, the fishing deteriorated in the immediate vicinity. One could see the drift of the discharge out to sea; and where previously herring and tailor had been caught in the immediate vicinity, they have now disappeared from the entire area.

Mr. Roberts: The reverse is the case in Bunbury, where discharge of the power station goes into the estuary.

Mr. FLETCHER: I am not aware of that. This is a dangerous gas that is put into the sea, and it could ultimately reach saturation point, to the detriment of swimmers and beach-goers, if there is an indefinite number of industries likely to utilise this in their cooling water.

Mr. Roberts: They can rectify that position. They did in that well-known place called Bunbury.

Mr. Toms: Where is that?

Mr. FLETCHER: I was going to ask the same question. I am concerned about the question of effluent waters and their discharge, and the effect on local residents and upon our beaches.

Another aspect, with which I would like to deal briefly, concerns prices. We could easily become controversial on this particular issue. Clause 23 reads—

The State will not at any time by legislation regulation or administrative action under any legislation of the said State as to prices prevent products produced by the Company or by any subsidiary or associated company from being sold at prices which will allow the Company or subsidiary or associated company to provide for such reasonable—

and I emphasise the word "reasonable"—

depreciation reserves and return on the capital employed in the production of those products as are determined by such company.

As I have previously said, I have no objection to reasonable profits. I do not see how I can prevail upon the Minister to say of this company at this stage that its profits will be reasonable. I would like to know who can say what constitutes reasonable profits, particularly in view of the fact that, as I have frequently said, our unfair trading legislation was disposed of by this Government immediately on its coming into office.

I do not want to see any repetition of the profits that are made by General Motors Holdens—£15,000,000 was the last annual profit—for overseas investors. In connection with that, I would remind the House of the present sackings that are being indulged in by this very same company at this very same point of time in the Eastern States. I think the figure quoted in last night's *Daily News* was 8,400 employees stood down or locked out.

I would like to say to members opposite that I do not consider profits like £15,000,000 to be reasonable, and I do not like this particular clause in this agreement where it refers to reasonable profits;

because I know there are ways and means—and the Minister knows—with sinking funds and depreciation funds, and other ways, of camouflaging the true situation of any company.

Further I would like to say that I hope trade union officials are more welcome on these leases than at the oil refinery, for example. I do know that my own union took three years to gain that right of entry; not because of impossible conditions it was attempting to ask for, but what the company thought the union was attempting to impose. The union's conditions were quite reasonable; and only after all these years has it been able to obtain an agreement, through the Arbitration Court, with this particular refinery. I hope that the same conditions will not prevail when this new industry is established. Some overseas firms are very reluctant to accept our industrial awards and conditions, and I would like the Minister's assurance that this company will not be reluctant to accept those awards and conditions on this occasion.

However, subject to the reservations I have expressed, I welcome the industry, although the member for South Perth might be surprised at that. I welcome it because of the employment avenues it will create; and it is unnecessary to point out to the Government, because obviously it must be aware of the fact, that thousands of children are coming of age every year and are looking for employment; and, with the unemployment position now, they will find it proportionately more difficult to obtain jobs. For that reason alone one would have to welcome an industry such as this, because it will offer avenues of employment; even though production will not commence before 1968 there will be employment opportunities because of the construction of the project.

As I said previously, in relation to General Motors Holdens, I hope that the earnings of new companies which are established in Western Australia will not find their way overseas. With those reservations I support the Bill, and I am pleased to see the industry establish itself here. However, I would like the Minister's assurance on the points I have raised, and particularly in relation to profits so that the public are not left open to exploitation.

MR. BICKERTON (Pilbara) [11.2 p.m.]: I think the question of the agreement has been fairly well covered by previous speakers; but there are one or two matters I would like to mention, and perhaps the Minister would be good enough to cover them in his reply. Like some of the previous speakers, I regret that we did not finish up with an integrated aluminium industry. It would have been a great thing for the State, and it is a pity that we

have the raw material, such as bauxite, and the only thing that seems to be standing in the way of the establishment of an integrated industry is the cheapness of power.

I am a little concerned also as to the prospect that with the further exploration of coal reserves we may, at some future time, discover sufficient of that commodity to enable us to provide cheap power; and then of course we would find that no provision had been made to secure some of our bauxite leases, because they all appear—all the known ones anyway—to be covered by the agreement. Those which are not covered by leases are covered by reserves; and I feel that the Western Mining Corporation has virtually a complete hold over the bauxite deposits of Western Australia; and, to my way of thinking, it would rule out for all time the possibility of our having a complete aluminium industry in this State unless new deposits are discovered somewhere else. For that reason, of course, I think that members have every reason to be somewhat dissatisfied.

Earlier this session I said I felt that the Government should not have rushed into this agreement, and it appears to me that the object is to obtain an industry at all costs. I could be wrong; and, although the Minister has assured us that I am wrong, it appears to me that a great amount of research and investigation could have been made into the possibility of obtaining cheap power before we tied up the huge area that has been tied up by this company.

If sufficient reserves had been given to the company to enable it to start, under the conditions laid down in the agreement, and the State had maintained a blanket reserve over the rest, it would have enabled us to have a pull over the company so that if cheaper power could be provided, maybe a further agreement could have been made which would have been more satisfactory from a Western Australian point of view.

During his speech, the Leader of the Opposition referred to clause 4 (2) of the agreement, which deals with the dust, smoke, and effluent trouble when it arises. With the Leader of the Opposition, I would like a better explanation of this one, because it is rather confusing to me. The Minister said, by way of interjection, that if we refer it back to an earlier clause we will see that the position is covered. However, I still think it is very confusing in the way the agreement reads, because it says—

So long as the company or any subsidiary or associated company carries out its operations as aforesaid it shall not subject to the provisions of clause 6 hereof be liable for discharging from the works site effluent as in clause 6 mentioned or smoke dust or gas into

the atmosphere or for creating noise smoke dust or gas on the works site if such discharge or creation is necessary for the efficient operations of the company or of any subsidiary . . .

etc., etc. It seems to me that that is a let-out for the company; and as one who spent some time living in a cement town, where the dust menace was very great, I know what happens.

All protests, when brought forward, were referred back to the agreement that was made with this particular company; and, of course, nothing could be done about it. Dust, smoke, and noise can be a menace and annoying to residents who live anywhere near the works-sites. I know from experience of this particular town that the womenfolk had a lot of trouble with cement dust and smoke on washing days. If a garment was taken off the line it would not actually stand up when it was put on the ground, but it would take a long time to crumble; and that is no exaggeration.

If one has to live under those conditions it is not pleasant; and so I think this is one matter which should be looked at thoroughly to make sure that the company cannot get around the necessary requirements. However, the Minister seemed convinced that he had overcome the problem.

There is another matter to which I would like to refer. The Minister said, when moving the second reading, that no private land would be interfered with so far as the leases and reserves were concerned. But the leases and the reserves that the company has must border private land, and I would like the Minister to explain how he overcomes the right of entry and various other aspects of this question. Something has to be done about the right of entry. Also, what is the position with regard to compensation for any fencing that may be damaged or any land that may have to be traversed by company vehicles to gain access to its leases? Also; the company will need to have roads so that it can transport the material from the leases.

I can imagine what sort of an upset there would be if company vehicles were to go roaring over temporary roads through some sheepfarmer's property, particularly around about lambing time; and I would be pleased if the Minister could tidy that one up for us.

I must admit that I was not particularly pleased when I read the royalties that the company is to pay. Even if we do not grizzle about the 9d. royalty for the material that is used in Western Australia, I think that the royalty for bauxite that is exported could have been considerably increased to prevent the company from carrying out any large-scale exportation of the ore.

Mr. COURT: But they cannot export on a large scale without the Government's approval, and then the question of a royalty on export would be renegotiated after the 2,500,000 tons.

Mr. BICKERTON: I am referring to the scale at which the company can already export it; and 2,500,000 tons seems to me to be a fair amount of bauxite. It is nothing to be sneezed at. Why has the term of seven years been granted, unless, perhaps, it is to enable the company to earn an income whilst the refinery is being built? I would like the Minister to explain, therefore, the reason for the term of seven years being included in this agreement.

Under the Mining Act the company is granted quite a few concessions, one of them being that it does not have to comply with the labour conditions set out in the Act. As all members know, certain conditions are laid down in the Mining Act in regard to the number of men who have to be employed on certain leases. In these days, with the use of earth-moving machinery, I fully appreciate that perhaps that particular section of the Mining Act is open to some amendment, but I cannot see why this company should be singled out to be exempted from that section whilst other companies engaged in a similar type of mining and using earth-moving machinery have to comply with the provisions contained in the Act.

There is one other matter which I would like the Minister to elucidate for me. In the appendix of this agreement, clause 6, in particular, states—

That this authority to occupy may be cancelled or the area reduced by the Minister for Mines upon application being made by any person for authority to prospect for any minerals other than Bauxite.

This is the part, in particular, I would like explained—

The Minister for Mines reserves the right to grant any mining tenement within the reserve upon being satisfied that the applicant for such mining tenement was already carrying out *bona fide* prospecting operations before the creation of the reserve.

What I would like to know is: Does that mean that anyone can prospect for any minerals on that reserve which is to be granted to this company for the mining of bauxite, once it commences mining operations? In other words, if there happens to be a deposit of iron ore in this area—which could be quite likely—from that clause in the appendix I would think that the person who discovered the other mineral would have no right to go ahead with the mining of it unless he had already been prospecting the area or mining it prior to the reserve being placed

upon it. If that be the case it would make the position rather awkward, because this area which the company will have reserved for the mining of bauxite is very large, and there is no doubt that other minerals would exist within it. So I would be pleased if the Minister could explain that point.

Clause 22 of the agreement states—

The State agrees that if so requested by the Company and so far as its powers and administrative arrangements permit it will endeavour to assist the Company to obtain adequate and suitable labour for its operations under this agreement including assistance towards obtaining suitable migrants.

I would be glad if, in his reply, the Minister could explain what is meant by the word "assistance." Does it mean that the Government is committed to bringing these people to the State and to paying their passages? Or how much financially is the Government committed towards assisting to obtain this labour for the company?

The only other matter I wish to deal with is the question of open cutting. To my way of thinking, the Minister explained it quite fully the other evening. The reclamation clause is the one at which the officers of the Forests Department and the Mines Department in particular could afford to take a good look. With most operating mining companies, reclamation is one of the most difficult operations to carry out efficiently because once a company has extracted the mineral it is desirous of doing the least amount of reclamation work that is possible, in order to cut down costs. Therefore, this is an aspect that has to be watched very closely.

The Minister explained that the overburden would be removed, placed to one side, and put back over the stone bed. This will tend towards erosion in a big sense because the soil will be disturbed long before vegetation has a chance to bind it together, and any excess downfall of rain could scour it greatly. That is one point which the Minister could investigate more closely or at least have his officers make some further research into, because I do not know of any amphibious pine tree.

I say this because I can visualise great depressions occurring in this area, particularly when the overburden settles, and I think there will be large pools of water lying in them. Therefore, how pine trees can be planted there, I do not know. The Forests Department officers may know, but I do not know how that can be achieved in any way. That is all I wish to say on the matter, except that I greatly regret we did not obtain the full industry for this State.

MR. JAMIESON (Beeloo) [11.16 p.m.]: Before the Bill passes the second reading stage, I have a few comments to make on the agreement contained in it. They are concerned mainly with the works-site. To my way of thinking, the proposal to deviate the roadway on the proposed site seems to be an unnecessary waste of manpower and materials, particularly in view of the fact that this railway has been put through on its present route only in recent years. Therefore, I would be pleased if the Minister could explain why it was necessary to have this site so close to the ocean, when it would appear that the only reason is to have access to sea water. Pumping equipment has to be installed for the purpose of supplying sea water to the works, and therefore surely this could have been done by way of an easement on the present site formation and adjustments made accordingly, so that it would result in less reconstruction of the roadway and the railway line in the area.

This practice of granting industrial sites in Cockburn Sound, although necessary for the State's development, is gradually whittling away access to the beach area along the whole of Cockburn Sound. All members will agree with me that for families there is no safer beach in the whole of Australia, and probably none better in the world, than that which exists in Cockburn Sound. With these developments I consider we should also give some consideration to protecting this heritage, which belongs to the people, by not granting an excess area as an exclusive right to the industries that are being set up in Cockburn Sound.

It is true that the whole access area is only about 300 yards of beach front; but having in view the industrial organisations that have already been established close to the beach front, together with the setting up of this new industry a considerable length of wire fence will be erected around the works.

In effect, the whole of the site facing the shore will be closed off and general access to the beach will be denied to members of the public. Therefore that will be another area of land which will be virtually alienated from those people who are desirous of using the beach for pleasure during the summer months. I suggest that, with this object in view, some consideration should have been given when the agreement was being negotiated. Surely a site could have been found not far away from the beach, so allowing members of the general public some access to it for pleasure purposes.

I would like to touch on another portion of the agreement with which I am a little concerned. It is all very well to make agreements in the light of present circumstances. But I think we will be

quite justified in having an eye to the future, both in this agreement and in any other agreement that might be drawn up.

I would refer to clause 18 of the schedule which carries the marginal note, "No acquisition of works." I would suggest there is a problem here that could arise at a later date. We do not know how all this will work out. We hope it will be all right, of course, but there is always the possibility of these things not working out; and for the purpose of some other industrial development it may be necessary on the part of the State to have a look-see as to whether it would not be more economical from the State's point of view to have available to it, by way of resumption, a section of that works-site which is provided in the agreement for this industry. The provision as it stands at the moment seems to me to be far too embracing. I think it needs to be more open for the benefit of the people in the future.

Another matter that concerns me greatly is the gradual development of private wharves in Cockburn Sound. This will be the third that has been provided within a few years. I feel it is most undesirable at this stage of the State's development to have too many private wharves which come less and less under the control of the harbour authority, than those of the principal harbour at Fremantle.

Experience in the Eastern States has shown that private wharves generally develop into anything but a pretty sight. In the main they are not very well maintained; nor do they constitute an economic method of handling cargo.

Most of us who have seen the facilities provided at Fremantle as against those provided in other States will, I am sure, agree that the latter leave much to be desired in their methods of handling cargo. The more private wharves we construct the more uneconomical will the handling of goods in Cockburn Sound finally become. If industry has to advance along this coastline, it is most desirable that some greater harbour scheme be undertaken very quickly by the Government, under the charge of the Fremantle Harbour Trust, in some expanded form or another, so that we may develop economic handling with the aid of floating cranes, etc., that could be brought rapidly on the spot; and with berths that could be provided for industrial shipping.

We should follow this course rather than develop piecemeal these harbours for particular industries. They leave a lot to be desired. They are hard to police; it is difficult to watch them, particularly in relation to the discharge of effluent from ships' bilges.

The more we have of these private wharves under the control of private firms, the more trouble we will have in Cockburn Sound; and the more difficult it

will be to maintain a reasonable state of cleanliness. Apart from that, those sections that have not been excluded from public use by the various agreements entered into from time to time by Governments will at least be available to the general public.

Those are my main worries at the moment. If the industry succeeds, as we all hope it will, it should be able to pay into the economies of this State a considerable amount. It may, of course, be necessary through some Act of Parliament at a later date to review an agreement such as this, irrespective of the provisions of the Act; because one realises that in this State our Parliamentary Acts are, in effect, the unitary constitution, which from time to time can be altered.

I feel it may be necessary to alter many aspects associated with matters contained in clauses of this agreement. We understand that this is a reputable company with considerable capital behind it, but having in mind certain other unfortunate agreements that have been entered into by State Governments in the past, I feel there is a necessity for some sort of bond to be secured by the Government.

Of course we will have the Minister crying out that we had to get this company here, and that we could not ask it for a bond. I feel it is far better to secure reputable firms which can guarantee us goodwill with some sort of bond, rather than for us to be left with half-finished projects. We have had enough of those in this State; and it does nobody any good to finish up with a whole heap of undertakings that cannot be completed because the finances run out, and because things were not as they appeared around the conference table.

If there had been some protection for the State in all its efforts to secure this industry—and it cost more than a few pounds—it would have been better from the point of view of the people, and so far as their equity in the industry is concerned. With those few remarks I support the second reading of the Bill to ratify this agreement and I hope it will prove to be all we have been told it will be—although past experience has given us reason to doubt. Anyhow, I trust that some of the expectations we have for it will be realised.

MR. COURT (Nedlands—Minister for Industrial Development) [11.27 p.m.]: I thank members for their contributions; and I will endeavour to be as brief as I can in replying to the points that have been raised.

Perhaps I should at first make the observation that at this point of time in our history one of the more difficult decisions to make—regardless of which Government is in power—is whether we want to exploit our natural resources in our time, or whether we should allow them to remain worthless in the ground; because, let us

face it, these things whilst in the ground add very little value to the economy of the State. It is only when they are exploited in one way or another that we can activate the economy and get the benefit of these great natural resources we possess.

So it falls to the lot of the Government when these negotiations are taking place to make up its mind whether it is desirable to exploit the proposition at this point of time. It may well be that if we were negotiating these things in 30 years' time our attitude would be different; but we are negotiating them now, when Western Australia needs desperately to activate its economy, and to provide career opportunities for the people of this State.

For that reason the Government has strongly sought the opportunity to negotiate with firms of repute, such as this one, to make sure that the resources of our State are exploited in our time, in a way that we think would be the best possible deal that can be obtained now.

Perhaps I would save a lot of time in dealing with the detailed queries which have been raised regarding the supply of power and the reason for aluminium being smelted in Victoria, if I were to make some observations on the tremendous importance of power in the smelting of aluminium.

The situation is this: If we had not acted quickly, and if we had not the good fortune of Western Mining Corporation coming to such a satisfactory arrangement with the great Alcoa Company of America, we could have got into the position where our bauxite deposits would have remained inactive for very many years to come.

The situation in New Zealand is of great concern to us as Western Australians, because if we study the programme in that country for power development directed at processing Australian bauxite, it will be noticed that by 1966 that country will be producing power at the rate of 280 megawatts per year, building up to 600 megawatts a few years after that.

It is very significant to note the following comment on this subject, because it does answer many of the queries and doubts which have been expressed regarding the need for low power costs. This is an extract relating to power development in New Zealand—

One interesting development outside these plans is the proposed diversion of water from Lake Manapouri to Dusky Sound, to provide power for the aluminium smelting plant to be established at Bluff. This project, which aims to produce 280,000 kw by 1966 and ultimately is planned to provide 600,000 kw, is being built for and will be operated by the company which is to own and operate the smelter. Bauxite will be shipped from Queensland, and New Zealand was chosen as the site for the smelter after extensive

investigations of other locations, primarily because it had available a readily developed source of hydro-electric power.

We are given to understand that hydro-electric power in those quantities consistently and on an assured basis can be provided at less than one halfpenny per unit in New Zealand. It is significant that in his policy announcement, the Leader of the Federal Opposition proclaimed that if he became Prime Minister of Australia he would advocate a partnership between New Zealand and Australia for the processing of Australian bauxite in New Zealand.

Therein is the complete answer to the queries which have been raised this evening regarding the power potential of this State and the power costs of the State, because the Federal Leader of the Opposition was quite content to agree to Queensland bauxite being processed in New Zealand, so that practically the whole process was established there, with not even alumina—as is provided in the project in this State—being produced in Queensland.

He has obviously accepted the fact that cheap power has to be provided, and that we have not hydro-electricity in sufficient quantity in Australia; nor have we other power in sufficient quantity and at the right price. He has agreed to the proposition that Queensland bauxite could be processed in New Zealand.

If the project in New Zealand was got under way and allowed to proceed unchallenged, we could have the situation that, between the Tasmanian production of aluminium and the New Zealand production of aluminium, there would be no place for Western Australian bauxite in the scheme of things. Therefore it was a stroke of good fortune that the Western Mining Corporation was able to make a deal with a giant, such as the Alcoa Company, which is the oldest and biggest aluminium producer in the world. It must have suited the plans of the Alcoa Company to come to this part of the world, and it certainly suited us.

It has been made clear that that is not the end. This Government would have liked to see aluminium smelters established in Western Australia. We tried hard to achieve that result. The Western Mining Corporation would have liked to have aluminium smelters here, because that would fit into its economy of production. It would have succeeded if it could have obtained power consistently—I emphasise consistently—over a long period at the right price.

But the facts are that during the last few months of the negotiations, and until it became apparent that the Alcoa organisation was to be tied up with this project in Australia, there were grave doubts that we could justify even an industry for alumina production in Western Australia.

The great emphasis in the last few months of the negotiations was to ensure that we, at least, had alumina production here.

The company has made it clear that if we can at any stage demonstrate that we can provide power in sufficient quantity and at the right cost, which is acceptable in the economics of the industry, on a long-term basis, it is prepared to re-examine this question of smelting in Western Australia.

The Leader of the Opposition expressed his disappointment that we were not having the complete industry here. As I have said, we are all disappointed, but we got to the stage where we had to make a decision as to whether or not to grasp the nettle. The Government decided to grasp the nettle. In the light of all the circumstances we have been more correct in what we did than we anticipated, because the later history of the development of the New Zealand project emphasises in my mind the urgency of being tied up with one of the great aluminium companies of the world.

The important factor is that Western Australia, in combination with the coal seam located in Victoria, has managed to retain in Australia the complete aluminium industry. Against that is the other concept, which is part Australian and part New Zealand, with an even lesser portion of the processing side of the industry being established in Australia. Taken in balance, and having regard to all the circumstances, we have done the right thing in completing this agreement and in now presenting it to Parliament.

It does not take much imagination to see the size of the concept of the New Zealand project, which contemplates in terms of building up very quickly by 1966 to nearly 300 megawatts, and shortly after that to 600 megawatts. We must bear in mind that this power is reserved for and controlled by the aluminium-producing company that is proposed in New Zealand. If Western Australia does not get into this field of aluminium production quickly, in some way or other, we can easily miss out on our share.

The Leader of the Opposition referred to the export of bauxite, and queried why we found it necessary to agree to such exports for a seven-year period, and then to a further provision that bauxite could be exported by mutual arrangement between the Government and the company after that seven-year period. The facts are very simple.

When this agreement was being negotiated, the Alcoa Company was a very slender possibility, and certainly not a probability. The Government had to negotiate this agreement in that atmosphere. It was a question of whether we should agree to allow the company to work these deposits so that we got that

part of the effort within our economy during the period while it was seeking to establish an alumina refinery over a period of six or seven years; or whether we should decide there was nothing doing until the alumina refinery was in production.

The sensible step to take was to agree to a limited period of bauxite exports, which at the time of negotiating the agreement was approximately the time it was expected to take to negotiate, to commence, and to complete the construction of an alumina refinery in Kwinana. That explains, I hope, very simply and briefly the reason why the seven-year period entered into this agreement. If members study the agreement further, they will find there is another period added on from 1969 to 1974, during which period export can be permitted.

That again, was a period inserted to keep the pot boiling, as it were, if the company had not been successful in negotiating for an alumina refinery in the first seven years. These provisions were made completely elastic; and we provided in that period—1969 to 1974—that the company could export, provided it stood up to some fairly stiff penalty conditions.

I know people have made play about the royalties in this agreement; but members must realise this mineral has been here for years and years, and it has been used for road making and rail ballast, and it had no apparent value whatsoever; but because of the efforts of this company, and because of the negotiations that have been successfully completed, it has become important in our economy. We cannot expect to get fantastic royalties out of a mineral like bauxite when there are plenty of places in the world with lots and lots of good quality bauxite.

However, in this period 1969 to 1974, the company, if it is necessary, can export and pay penalty royalties and penalty rentals. The £2 10s. per square mile rental has been dismissed rather lightly, but if we relate that to some 2,800 square miles at £2 10s. per square mile per annum—not a lump sum—it is quite a sizable rental the company has to pay each year—an amount which will go to supplement the income of the Mines Department, just as would the royalties for this period from 1969 to 1974. We provided that rentals jump from £2 10s. per square mile to £5 per square mile. There was a further provision that during that period the company had the right to renegotiate for an alumina refinery at Kwinana, but it did not have predetermined rights to establish that refinery. In other words, the thing was thrown into the melting pot and the Government was left in a position to negotiate it in the light of the circumstances at that time.

That does explain the background of why export of bauxite intruded itself into this agreement. On reflection, I think

members will agree that it was better to have something coming in from the bauxite during the period when the company was negotiating for an alumina refinery, rather than come to a dead stop. The company is allowed a controlled amount of export not exceeding 500,000 tons per annum over the period of seven years. The total over the period is 2,560,000 tons; and this will at least allow the deposits to be worked and give us the benefit of employment; and provide a benefit to transport, and for the loading of the ships during this period.

I think most criticism tonight has been centred in the search for coal. I promised the Leader of the Opposition I would give some more details of just what was done by the Western Mining Corporation to seek for coal. I cannot over-emphasise the fact that that company was anxious to find a source of power of sufficient size and of sufficient consistency to enable it to produce the aluminium here, because it overcame the problem of exporting the alumina from this State to another State or to another country. This is a summary by the Mines Department of the work that was actually done. It is not very long and I think it should be recorded. It reads as follows:—

The Western Mining Corporation carried out a comprehensive survey for coal in the south-west area extending from Perth southwards to Bridgetown and eastwards to Lake Muir. The objective was to locate coal suitable for open-cutting on a large scale in order to provide power at a much cheaper rate than is available at present, and with provision for a long-term operation. Such a coal deposit would probably need to be better than the one being developed in the Muja area at Collie.

The survey was probably the most extensive made in the south-west on a regional scale by any private company. The problem was approached in a similar manner which proved the extension of the Collie Basin. It was hoped that a similar hidden deposit would be located.

Reconnaissance geophysical surveys were made over most of the area while, where any favourable indications were obtained, detailed gravity surveys were carried out. Such localities were Treesville, Lake Muir, Wilga, and Wilga East.

The detailed survey at Lake Muir failed to show any sedimentary basins worthy of testing further. The survey at Treesville showed a basin which the company tested with two drill holes which struck the basement at less than 100 ft.

The detailed survey of the Wilga Basin reduced the size of it from "at least 24 square miles" to 5.5 square

miles. When the redefined basin was studied with respect to existing bore information, it was decided by the company that the open-cut potential of the Wilga Field could be assessed without further drilling.

The results of 26 bore holes on the Wilga Basin are available, while records of some of the very earliest drilling have been lost. Four Calyx bores have been drilled by the Government to depths of 589, 550, 608 and 691 ft. respectively, which is, or near to the basement.

As all these bores were within the Basin, they were sufficient for the Western Mining Corporation to assess the open-cut potential of the field. The seams will probably be faulted and with the exception of one are only 6 ft. or less in thickness. The quality of the coal is similar to the Cardiff horizon at Collie. Some analyses on record are misleading as they have been dried before assaying.

Another basin of sedimentary rocks was discovered and surveyed in detail to the southwards of the above Wilga Basin, and has been named the "East Wilga Basin." It has an area of 5.7 square miles. As there was no pre-existing drilling on this area, the Western Mining Corporation drilled a hole to 925 ft. in the deeper part of this basin. Although some coal seams were intersected at depth, they were not considered worthy of further investigation for the objective of this survey.

This company, which is very reputable and enjoys a very good name in mining circles, not only here but in the Eastern States and abroad, satisfied our Mines Department that it had done all that was reasonably expected in its own interest and in the interests of the State to find a suitable source of large-scale cheap fuel. It proved that it could not find one at this stage, anyhow.

It has been said there is an obligation on the part of those who acquire these natural resources of ours to process them in this State. That is the policy of the Government where it is sensible and practicable, and we are doing all we can in our negotiations to make sure that is done. This is one of those cases where we had to accept the inevitable situation—we had to accept the realities of the situation. The fact that power has to be produced at no higher than .5d. per unit, is the yardstick that has to be met. We know enough about power costs in this State to know we cannot, in the foreseeable future, get down anywhere near that particular cost.

One member on the other side of the House who knows a good deal about the cost problems of power and the needs of

industry is the Deputy Leader of the Opposition as he, on occasions, made strenuous efforts to try to meet the demands and needs of overseas industries and get power costs down locally to what those industries would expect.

It is not for me to dwell on the matter, except to record that it proved well-nigh impossible to get down to the power costs they are used to in some of these more highly industrialised countries that are better placed with sources of fuel than we are.

In regard to the question of effluent on which the Leader of the Opposition and others sought further information, I want to invite their attention to the clause which everyone appears anxious to gloss over but which is terribly important in the scheme of things. I am referring to subclause (1), paragraph (b), of clause 4, appearing at the top of page 9, which reads as follows:—

In its construction of the refinery and in equipping and operating the works to be carried on on the works site the Company shall comply with accepted modern practice in relation to refineries for the production of alumina and in so doing will endeavour to avoid as far as is reasonable and practicable the creation of any nuisance.

From there onward the question of dust and smoke and noise and so on is related to those basic requirements. We are assured from the inquiries we have been able to make that this particular industry does not produce a great nuisance. The main problem is the disposal of the effluent in the form of red mud and the sands; and it must be conceded that we have been to considerable lengths to provide that at the expense of the company the red mud and sands shall be disposed of in a satisfactory manner throughout the life of the agreement.

The member for Fremantle was concerned about this question, and I respectfully suggest that if he reads that clause again he will find that there are two materials, one the red mud or iron oxide, which predominates; and the other the sands. The idea is to pump the red mud away to this land—in the first place to the useless land to be provided by the Government for reclamation; and later to 500 acres within a two-mile radius to be provided by the company. Initially the red mud will be pumped with some sand, and when it has reached within two feet of the level proposed, the company will stop pumping in the red mud and will pump in only the sands. The procedure proposed is in 10-acre lots. Experience in other parts of the world demonstrates that this land, when it is settled, will take buildings of up to three storeys. It is classed as suitable for light industrial land. I think that we have done all that is reasonably possible; and in respect of the disposal of

effluent, all that can be expected of a company establishing an industry, will be done.

If we refuse to write in a clause such a subclause (2) of clause 4, I assure members that we will not get this type of industry because the company has to have some type of legal protection; otherwise life becomes unreal for it. As long as the company conforms to the proper modern standards, we cannot expect any more. It is up to the Government of the day to see that the area is properly zoned. If we allow people to live on the fringes of an alumina refinery, and there is some dust and noise nuisance, it is a question of better town planning. If we want these industries, we have to be prepared to zone so that they fit neatly into the community pattern.

I have touched on the question of royalties earlier. It has been generally proclaimed by those on the other side of the House that these royalties should be higher. Without getting involved in a controversial argument, I think that on reflection, when they have regard for the type of mineral we are dealing with and the amount of material available in other parts of the world, they will realise that the royalties we are getting are, in fact, reasonable. We are turning something which is doing nothing for us except perhaps building an odd road or putting ballast into a railway line, into something really productive within the economy of the State.

A reference was made to the Forests Department. I want to assure members that there is a very close liaison between the Lands Department, the Forests Department, and the company. Although a plan of operations has been worked out which provides for the regeneration of the areas, nevertheless the understanding between the company and the two departments referred to, right outside the agreement, is to confer further to see whether that plan can be refined and perfected in some way.

I am assured that the £100 per acre fixed by the conservator—the figure to be paid by the company in respect of forest lands, is more than enough for the conservator to provide the seedlings and the actual planting work to regenerate the areas on the basis that the company provides the fertiliser and so on, and further assists him in the establishment of the pine forests in other parts. As members know it is a never-ending problem in the State like this to gain enough money to proceed with the planting of pine forests to allow for future timber demand. The figure suggested by the conservator will more than take care of the regeneration commitment that the department has in conjunction with the company, and provide funds for work in other parts of the forestry programme.

It must not be overlooked also, of course, that where this timber has to be sawn from the trees that are bulldozed to allow for the mining, the Forests Department gains the royalties from the timber companies which mill that timber. So there is no loss of revenue through royalties to the Forests Department.

The member for Canning dealt, I feel, objectively with the problems that beset us in respect of power. We have to realise that power is the dominating factor when a smelter is being considered. Unless we realise the amount of coal and power involved, we are inclined to get our thinking a little cockeyed in assessing whether we can have this industry here at its full integration right through to alumina.

The member for Boulder dealt with his industry. I feel, rather in the light of his own experience in the gold-mining industry. We all have to accept the fact that we are getting into a new era of mining in Western Australia—an entirely different concept where we have these huge tonnages of minerals to be handled, whether it be iron ore, manganese, or auxite. The processing end is entirely different from that of gold. The honourable member hit the nail on the head when he said that the gold recovered is put in the safe. These other minerals and metals have to be taken away in bulk. That is an entirely different concept of mining transportation and processing.

Mr. Moir: It is very much the same.

Mr. COURT: He referred to the fact that we have provided certain concessions in relation to mining laws. It is not unusual in any country or State where this type of agreement is written, to provide some concessions under the mining laws, because if this is not done these industries just will not work. They are a different concept altogether to the traditional gold-mining practices in this State.

The member for Boulder asked me a specific question on the Mines Regulation Act, Subclause (7) of clause 9 on page 1. It is very specific on this particular point in far as it applies to this company. The member said that the mining leases would not be in the agreement. Let me say here and now that if these long-term leases are not included in big agreements

of this nature, the companies will not agree to establish themselves here. No company, going into an industry of this size, which is intended to expand and expand, is prepared to leave itself to the whims of the Government or particular Ministers of the day. It has to have some assurance in order to plan with safety and certainty.

The honourable member challenged me whether I had done sufficient homework on the question of the economics of this enterprise. I can assure him that my very weary hours were put in on this

agreement. The power economics are very simple. If power has to be produced at .5d. per unit, and local facilities cannot produce it for anything like that figure, we come up against a brick wall.

Mr. Moir: Do you accept the statement that they can produce the power at .5d. per unit?

Mr. COURT: Yes.

Mr. Moir: Have you been into those figures?

Mr. COURT: Yes; and I am convinced that they can produce it, because of the arrangements they have in Victoria.

Mr. Moir: When you replied to my question today you said "No," you didn't know.

Mr. COURT: I could not be specific to the third decimal place of pence per unit; but I gave the honourable member the broad answer, which was the only one necessary, as to whether we ourselves could get this cost down to .5d. per unit, which he knows we cannot. But they can. With the cost of their coal it is quite obvious they can get it down to the price necessary. With a 400,000,000 deposit devoted to this industry; and a deposit which can be consistently mined to a 1-1½ ratio, the honourable member knows what it does to one's costs.

The member for South Perth touched on a rather vital point concerning the question of royalties. I felt that the skeleton he took out of the cupboard was not out of place tonight. It did bring us back to earth when we realised that by some of the negotiations which took place some of the important minerals of this State of ours were going to be given away by a Labor Government. Bargain prices had nothing on what they proposed.

I have no intention of getting involved in that tonight, but it was not inappropriate that he should touch on that matter to remind members that while some are screaming about selling this at a royalty of 9d. for local processing, and the Government is being accused of selling it too low, a much more valuable mineral was offered, by a Labor Government for processing outside of Australia for a mere pittance.

The member for Collie, as was to be expected, made a plea for Collie and Wilga. I am afraid he has a misunderstanding of the work done by the Western Mining Corporation. Probably the member for Boulder knows its repute and its worth in the mining industry better than most, and I think that in his heart he would accept the fact that the company would seriously and earnestly try to fulfil its commitments in seeking to find coal.

Mr. Moir: I have always held a high regard for that company. I consider it is the best mining company to have come to this State; but I would not let it get away with what you have let it get away with.

Mr. COURT: I think I heard the honourable member say that several times tonight. The member for Collie was upset that members had belittled the coal industry. Nobody has done that on this side of the House. The facts of the situation have been stated. He cannot show us where there is a deposit of sufficient magnitude and which could be worked sufficiently cheaply to provide power for such an industry on a long-term basis.

The member for Fremantle was interested in the effluent problems, and I touched on those as I went through. He was also interested in the question of economics.

Mr. W. Hegney: What do you mean by the question of economics?

Mr. COURT: The economics of producing alumina in Western Australia and aluminium in Victoria. The member for Fremantle was concerned about the prices clause on page 29. This is a clause that members will find appears in practically all these agreements wherever they are negotiated. If it were not included, a company of this type could find itself exposed to an unfair back-door process of erosion—capital erosion—from a hostile Government; and for that reason most companies insist on such a clause.

I invite the honourable member to turn his attention to the arbitration clause which exists in the agreement. So far as industrial conditions are concerned, I cannot guarantee that unions will be given right of entry from the day the plant is established, because it is outside my control. The Western Mining Corporation has a reputation of being a good employer, and I have no doubt it will conduct itself in the same way it has conducted all its other businesses. There are prescribed procedures for right of entry by union secretaries.

The member for Pilbara also touched on the question of effluent, with reference to noise, and gas, and dust. I have previously dealt with that. He queried clause 6 of the appendix "A." If the member for Pilbara studies the first part of clause 6 of appendix "A" he will find that it answers his query. It says—

That this authority to occupy may be cancelled or the area reduced by the Minister for Mines upon application being made by any person for authority to prospect for any minerals other than Bauxite.

That, I think, is the important part of the clause. If the honourable member reads the second part on its own, it gives a misconception of this particular clause to appendix "A."

Mr. Bickerton: That cancels it out.

Mr. COURT: No; the member for Pilbara will find that it does not—it only qualifies. Clause 22 deals with migrants.

The assistance referred to in the agreement is assistance only from the point of view of helping, by negotiation and the like. It does not refer to any financial commitment.

The member for Beeloo dealt with the question of deviation, and whether it was necessary to have a plant so close to the sea. I can assure him that the Government and the company studied the economics of having a refinery where the deposits are; and the respective economic were worked out. But, of course, members should realise that the deposits are not constantly worked in the one place; and when all the angles were worked out—including the question of sea water, shipping, and so on—the economics came out very heavily in favour of having a plant on the sea-front.

The member for Beeloo has acknowledged that the company has only a 30 ft. access to the sea-front and not the full width of this property. He questioned whether private wharves were desirable. Our experience is that everyone who operates an industry of this kind is anxious to have a private wharf because it is more economical. They are specialised types of industry which have specialised types of freight. They do not need a multiplicity of equipment, gear, plant, and cargo. In the main, they are handling bulk cargo, which has specialised equipment.

The honourable member referred to the question of bonding. When we have a company such as this—a company of repute, which has tremendous backing—bonding becomes unnecessary and, to certain extent, farcical. I agree there are occasions when bonding is desirable and necessary; but on this occasion I do not think it was necessary. It was, in fact, considered, but was dismissed as being unnecessary in this particular case.

Before I conclude, there is one point noticed in reading my second reading speech. There was an interjection by the member for Mt. Hawthorn which took as being facetious. In reading the transcript, I now realise it was meant as a serious question. He asked whether National Park would come within the leases. The situation is that in the Mining Act the definition of what are Crown lands is a very clear definition; and are set aside for public purposes and reserves including Class—"A" reserves such as national Park, are not available for mining purposes.

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.

COOGEE-KWINANA (DEVIATION) RAILWAY BILL

Tabling of Plan

Mr. COURT: Mr. Speaker, I would like your advice as to whether I should table the plan I have in connection with this Bill, and which is required by statute to be tabled, before I have introduced the Bill or after I have introduced it.

The SPEAKER (Mr. Hearman): At the conclusion of the Minister's second reading speech.

Mr. COURT: Thank you.

Second Reading

MR. COURT (Nedlands—Minister for Railways) [12.15 a.m.]: I move—

That the Bill be now read a second time.

This Bill is one that is made necessary for a technical reason, and arises from the ratifying legislation and the agreement which formed the schedule to the Bill considered earlier tonight. I thought it would have been possible to have it incorporated in the ratifying Bill; but the Crown Law Department felt it would be desirable to have a separate measure dealing with the deviation of the railway line.

There was an original line from Coogee to Kwinana, and this represents a deviation. Had this deviation been desired when the line was actually being constructed it would not, of course, have required any legislative sanction, because there are certain permitted deviations inherent in any approval for the construction of a railway line. However, on this occasion it is thought necessary and desirable to have a Bill to ratify the deviation of this line so that it can go around the back of the refinery site.

During the second reading of the other Bill I explained that it would be completely impracticable to operate the refinery and have the present road and railway go through the middle of the site. It is proposed to close the road and railway line, and the road and railway line within the refinery site will be taken over by the company. The company has to make a contribution, in accordance with the agreement, towards the cost of the railway and road deviation. I do not think any further explanation is necessary at this stage and I ask permission to table plan 51602, which is referred to in the Bill.

The plan was tabled.

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

*House adjourned at 12.16 a.m.
(Wednesday)*

Legislative Assembly

[Wednesday, 13 September, 1961.]
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The SPEAKER (Mr. Hearman) took the Chair at 4.30 p.m., and read prayers.