

Australian exports, especially to South East Asia and the Pacific area as mentioned earlier;

- (1) will be able to offer alternatives to propositions which would involve the loss of Western Australian control of valuable local industries.

The proposed company still needs to obtain the approval of the Reserve Bank of Australia under its guidelines policy for full-scale operation locally, and with the involvement of the Rural and Industries Bank, it is thought the Reserve Bank's approval will be more readily forthcoming to the resultant advantage of the State of Western Australia.

The bank should be able to protect its interests by arranging, where it considers necessary, for the appointment of board representation in those companies with which it becomes involved in pursuance of the powers given in this Bill, including the company which should evolve from current discussions.

Members will see that, subject to ministerial approval and the consent of the Governor-in-Executive-Council, appropriate provision in this direction is made.

The Bill will give the Rural and Industries Bank powers in line with those presently enjoyed by other banks in the matter of share and debenture investment and, in particular, will enable it to seize an opportunity to base a new financial enterprise in Perth.

I commend the Bill to members for their favourable consideration.

Debate adjourned, on motion by The Hon. F. J. S. Wise.

*House adjourned at 9.42 p.m.*

## Legislative Assembly

Thursday, the 30th October, 1969

The SPEAKER (Mr. Guthrie) took the Chair at 2.15 p.m., and read prayers.

### CONSTITUTION ACTS AMENDMENT BILL

#### *Introduction and First Reading*

Bill introduced, on motion by Sir David Brand (Premier), and read a first time.

#### QUESTIONS (20): ON NOTICE

##### 1. PERTH RAILWAY TERMINAL

#### *Integration with Suburban Service*

Mr. MITCHELL asked the Minister for Railways:

- (1) Is he aware that the departure point for country bus services is causing much concern and increased cost to all passengers?

- (2) Have any steps been taken to connect this terminal to the city rail system by providing a passenger platform adjacent to the rail and bus terminal?
- (3) Will any provision be made to run feeder buses from the city centre to the terminal?
- (4) Is it to be expected that the only means of access will be by taxi?

Mr. O'CONNOR replied:

- (1) No. A survey undertaken prior to the transfer of the bus terminal to the Perth Terminal revealed that 90 per cent. of passengers joining buses at the city station and more than 95 per cent. of passengers arriving at the city station used private transport or taxis to and from the bus terminus.

It is inevitable that a small minority of passengers would have been disadvantaged but an interim arrangement has been instituted whereby passengers travelling to Perth may alight at Midland and travel to the city station by rail on throughout bus tickets.

Similarly passengers who prefer to travel by rail to Midland may join buses for country centres at that point.

- (2) Yes. Work is currently in progress and the facilities will be available for use during December next.
- (3) No.
- (4) Answered by (1) and (2).

## 2. PEDESTRIAN CROSSING

#### *Kelmscott*

Mr. RUSHTON asked the Minister for Traffic:

- (1) Because of the large increase of people and vehicles attracted to the trebled shopping facilities at the Kelmscott commercial centre, will he examine the present need for a pedestrian crosswalk on Albany Highway, Kelmscott?
- (2) If an inspection confirms the need for this safety measure will he have an adequately signed and lighted crosswalk installed at an appropriate site on Albany Highway as soon as possible?

Mr. CRAIG replied:

- (1) Yes, subject to the Armadale-Kelmscott Shire Council providing the Main Roads Department with the necessary details of pedestrian and vehicular counts. It is pointed out, however, that at the request of the Armadale-Kelmscott Shire Council consideration is being given to the construction of pedestrian refuge islands in

Albany Highway. These facilities, if constructed, will provide a high level of pedestrian safety and obviate the need to consider pedestrian crosswalks.

(2) Answered by (1).

3.

### NATIVES

#### *Federal Pastoral Award*

Mr. HARMAN asked the Minister for Native Welfare:

- (1) Which stations have adopted the practice of mustering by contract and how many aboriginal stockmen have been so absorbed in this type of work?
- (2) What was the approximate population of the reserves at Wyndham, Kununurra, Halls Creek, Fitzroy Crossing, Derby and Broome as at the 30th June, 1967, 1968, and 1969?
- (3) What was the population at La Grange Mission, Beagle Bay Mission, Lombadina Mission, Mowanjum Mission, Fitzroy Crossing Mission as at the 30th June, 1967, 1968, and 1969?
- (4) Does his department know how many aborigines are receiving unemployment benefits in the Kimberley region; if so, how many?
- (5) How many stations are paying less than the wage prescribed by the Federal pastoral award on the ground that the aboriginal employees are not members of the Australian Workers' Union?
- (6) Which stations are they and approximately how many aboriginal stockmen are involved?

Mr. LEWIS replied:

- (1) This information is not at present known to the department.
  - (2) These figures are not kept because populations fluctuate considerably.
  - (3) Missions 30/6/67 30/6/68 30/6/69
- |                  |     |     |     |
|------------------|-----|-----|-----|
| Beagle Bay       | 261 | 254 | 249 |
| La Grange        | 244 | 257 | 270 |
| Lombadina        | 158 | 199 | 154 |
| Mowanjum         | 165 | 175 | 185 |
| Fitzroy Crossing | 148 | 202 | 217 |
- This information is available in the annual report.
- (4) to (6) Not known.

### 4. PERTH RAILWAY STATION: LOWERING *Proposals*

Mr. TONKIN asked the Minister for Railways:

When is it intended to present to Parliament the details of the

Western Australia Development Corporation proposals for the sinking of the railway?

Mr. O'CONNOR replied:  
Next week.

5.

### SEWERAGE

#### *Lynwood*

Mr. BATEMAN asked the Minister for Water Supplies:

- (1) Is it likely a stoppage of developmental progress will take place to the Lynwood sewerage works through lack of finance?
- (2) When can it be expected that development will be finalised and houses connected to the mains?

Mr. ROSS HUTCHINSON replied:

- (1) There is no reason to believe this will happen. Reticulation work in progress in the developed area will be limited this year by the amount of loan funds available. The sewerage programme provides for reticulation in the developed area to be carried out over a number of years depending on the amount of finance available each year.
- (2) It is expected that the sewerage scheme will be in operating condition by the end of January next, and where reticulation sewers have already been made available existing houses may be connected to the mains. When other houses may be connected to the mains depends on the rate of construction of reticulation sewers.

6.

### LAND

#### *Release West of Beverley and Brookton*

Mr. GAYFER asked the Minister for Lands:

- (1) Has a reply yet been received by his department from the Mines Department in respect of the mineral potential of certain lands to the west of the Beverley and Brookton townsites, recommended for release as agricultural areas under the Crown Lands Tribunal of 1962 and in response to Lands Department correspondence of the 16th April and the 4th June, 1969?
- (2) If so, what is the nature of the reply?

Mr. BOVELL replied:

- (1) Yes.
- (2) Portions only of the areas concerned have been released by the Mines Department, the remainder being set apart as temporary reserves under the Mining Act. Consideration is at present being

given to the release for selection of the portions outside the temporary reserves.

I might add that Crown land which has not been used before and is capable of wheat production is being withheld at the present time until the marketing position in relation to wheat is known. Therefore the position in relation to any land which is a potential wheat-producing area is being reviewed very carefully, indeed.

7. *This question was postponed.*

## 8. MCCARREY REPORT *Part II*

Mr. TONKIN asked the Premier:

- (1) Has part II of the McCarrey report been presented to the Government?
- (2) If "No", what is the cause of the delay?
- (3) Is it his intention to present the report to Parliament this year?

Sir DAVID BRAND replied:

- (1) No.
- (2) and (3) It should be appreciated that part II of the report was to be concerned only with administrative machinery necessary to implement the recommendations. As pointed out in part I of the report, information of this kind normally remains confidential to Government until such time as legislation may be introduced. It is understood that information is being sought on recent developments in another State and overseas.

## 9. EDUCATION *University Fees*

Mr. TONKIN asked the Premier:

What were the reasons for the proposed rise of \$24 in tuition fees at the Western Australian University?

Sir DAVID BRAND replied:

Fees charged at the University of Western Australia are currently well below those charged in most other Australian universities. As the university is faced with substantially increased operating costs, the Senate considered that additional revenue should be sought from student fees to supplement increased grants from the Commonwealth and State Governments.

The Senate holds the view that fees charged by universities throughout Australia should be broadly comparable.

## 10. SPEARFISHING *Rottneest*

Mr. DUNN asked the Minister representing the Minister for Fisheries and Fauna:

Does the proposed lifting of the spearfishing ban in regard to the west end of Rottneest mean that skin divers will have access to the area involved from the eastern end of the island—Thompson Bay—through the settlement area providing their spear guns are suitably covered?

Mr. ROSS HUTCHINSON replied:

No. This is a matter under the control of the Rottneest Island Board. The department did write to the board suggesting a relaxation of their restriction. Subsequently the Skin Divers' Association advised that they did not desire to obtain this privilege. Their fear was that some skin diver not associated with any of the clubs might abuse the privilege.

## 11. COLLIE COAL *Report*

Mr. JONES asked the Minister representing the Minister for Mines:

- (1) Has the Government studied the report made by Eastern States mining authorities on the Collie coalfields?
- (2) If "No", when is it anticipated that the study will be completed?
- (3) If "Yes", what recommendations will be implemented?

Mr. BOVELL replied:

- (1) to (3) The report is being studied in the context of the State's fuel and energy resources and requirements. The study will be completed as soon as possible, having regard to the importance of fuel and energy in the State's economy.

## 12. ROADS *Bypass: Gosnells*

Mr. BATEMAN asked the Minister for Works:

In view of the rapid expansion of the shopping development taking place in Albany Highway, Gosnells, and the narrowness of the highway through this area, will he advise when the proposed bypass road will be built to allow traffic to flow freely away from what is now a congested traffic hazard?

Mr. ROSS HUTCHINSON replied:

A date for the construction of a bypass of Gosnells townsite has

not been fixed, and the justification for funds must be related to other priorities throughout the metropolitan area.

### 13. TOWN PLANNING

#### *Flat Sites: Signs*

Mr. BATEMAN asked the Minister representing the Minister for Town Planning:

Will he consider introduction of legislation to ensure the sub-dividers of new subdivisions erect large signs on the blocks allocated for flat sites, such signs to be displayed on the block or blocks for a period of time showing details of density?

Mr. LEWIS replied:

I will invite the Local Government Association to comment on the feasibility of this suggestion.

### 14. RAILWAYS

#### *Suburban Service: Alternative Alignment*

Mr. TONKIN asked the Minister for Railways:

(1) Was he correctly reported in the *Sunday Times* of the 13th April, 1969, as having said: "We are well aware that as times goes by Wellington Street may not be the single most advantageous place for a suburban rail operation. Something under St. George's Terrace might be more advantageous"?

(2) In view of the fact that he is aware that an alternatively aligned railway might be more advantageous than the existing alignment at Wellington Street and also that money spent now on sinking the existing alignment could be better spent on such alternative alignment if proved to be more advantageous, does he not consider it desirable to defer a decision on the proposal to sink the existing railway until the transport study director to be appointed to investigate and plan the city's future needs of road and rail transport has had an opportunity of thoroughly investigating alternative alignments to the present proposal under consideration by the Western Australia Development Corporation?

(3) What is the justification for the appointment of a transport study director if the Government itself is determined to decide certain fundamental transport questions in advance of such appointment?

(4) Has he had placed before him any proposal for an alternatively aligned railway?

(5) If "Yes", will he state when the submission was made and make the details of the proposal available to the House?

(6) Upon what criteria did he conclude that an alternatively aligned railway might be more advantageous than the existing alignment?

Mr. O'CONNOR replied:

(1) I was endeavouring to convey the thought that as the city develops in size a second rail access may be desirable. Depending on the way in which it develops the second access might be approximately north-south or approximately east-west, for example, along St. George's Terrace or along Newcastle Street. Other developing cities such as Melbourne, Sydney, and Adelaide are all actively planning or providing additional rail access to their central city areas.

(2) We are quite certain that the present rail alignment is most advantageous because we believe it to be approximately along the centre line of the future city precisely where it will be needed.

(3) There are some wrong impressions as to the objectives of the Perth Regional Transportation Study. Working from what facilities we have now, and one such facility is the present centrally located railway line, the study seeks to develop a phased investment programme giving us guidance, through time, on the progressive development of freeway, bus and rail facilities necessary to cope with the increase of population in the Perth region.

The justification for the short term appointment of a study director rests on the fact that we do not have available a person in whom all the necessary skills and experience repose. In Melbourne, Adelaide, and Brisbane the equivalent study was larger, more complex, and far more costly and was directed by consultants. Our approach is to staff the study ourselves hiring for its duration one man with sufficient skill and experience to direct it.

(4) No.

(5) Answered by (4).

(6) Answered by (2).

### 15. ITINERANT NURSING SISTERS

#### *Kimberley*

Mr. RIDGE asked the Minister representing the Minister for Health:

(1) How many itinerant nursing sisters are employed in the north-west and Kimberley regions?

- (2) By whom are they employed?
- (3) In what areas are the sisters based?
- (4) Will he state the nature of the duties undertaken by the sisters?
- (5) Is consideration being given to an extension of the scheme?
- (6) If "Yes", in what form?

Mr. ROSS HUTCHINSON replied:

- (1) Eight.
- (2) The Public Health Department.
- (3) Wyndham.  
Kununurra.  
Halls Creek.  
Fitzroy Crossing.  
Derby (2).  
Broome.  
Carnarvon.
- (4) General public health work and outpatient treatment in their areas mainly in connection with Aborigines.
- (5) Yes.
- (6) Expansion to cover all areas in the north and north-west.

#### 16. FORESTS DEPARTMENT

##### *Purchase of Farms*

Mr. KITNEY asked the Minister for Forests:

- (1) How many farms have been purchased by the Forests Department in the past five years for the purpose of planting to pines?
- (2) What is the total acreage involved?
- (3) What was the average price paid per acre?

Mr. BOVELL replied:

- (1) Thirteen (two of these purchases were of portions of farms only).
- (2) 8,434 acres.
- (3) \$35.00.

#### 17. HOSPITAL

##### *Fremantle*

Mr. FLETCHER asked the Minister representing the Minister for Health:

- (1) Do occasions arise where major surgery is performed at the Fremantle Hospital, because of the availability of the specialised equipment required, and the post operative patient has to be found accommodation at another hospital owing to bed shortage at Fremantle Hospital?
- (2) Would the specialists and facilities be used to full capacity at the Fremantle Hospital at the present time?
- (3) Would there be a tendency to defer long term for short term surgical patients?

- (4) With the present specialised facilities and specialists available, would the hospital—subject to bed availability—be able to cater for up to 50 or more specialist cases on the basis of admissions equaling discharges?

- (5) If staff is frustrated in respect of (4) is not the hospital likely to lose specialists to other hospitals in Australia or even overseas?

- (6) To prevent such a prospect, when is it anticipated that new wards will be established on the area facing South Terrace?

Mr. ROSS HUTCHINSON replied:

- (1) No.
- (2) No. Specialist facilities have been built to cope with future expansion.
- (3) No—it depends entirely on the case—urgency, etc.
- (4) Yes. See (2).
- (5) This has not happened so far.
- (6) Planning is not being based on preventing a conjectured prospect. To cope with population expansion preliminary planning has advanced for 150 beds—completion to occupancy would not be available before 1973.

#### 18.

##### HOSPITAL *Fremantle*

Mr. FLETCHER asked the Minister representing the Minister for Health:

- (1) Is the situation correctly reported in *The Independent* of the 10th October, 1969, that—
  - (i) (a) local doctors,  
(b) the medical superintendent, and  
(c) The Fremantle Hospital Board,  
are jointly alarmed regarding the shortage of beds in the Fremantle Hospital?
  - (ii) the number of beds is only half that recommended by the committee set up by the Minister for Health?
- (2) Is it correct that hospital patients are being sent home too soon after operations; if so, does this suggest inadequate medical care?
- (3) If (2) is "No", how can the press-asserted bed average turnover be reconciled as 9.78 days in Fremantle Hospital, 16.88 days at Royal Perth Hospital and 20.82 days at Sir Charles Gairdner Hospital?
- (4) Have any non-gynaecological or obstetric cases recently been sent to King Edward Memorial Hospital as a consequence of a shortage of general beds elsewhere?

(5) Has the Fremantle Hospital medical superintendent recommended—as asserted in the Press on the date stated—that there is an immediate need for 650 beds as a consequence of the various contiguous areas, or suburbs, of Fremantle, ranging in population expansion of from 3 per cent. to 16 per cent.?

(6) Has Fremantle Hospital 303 beds or less than half the 700 recommended by the Fremantle Hospital Board?

(7) Am I correctly informed that Devonleigh, Hillcrest and Woodside hospitals jointly possess 89 beds and that St. Joseph's, Bicton, has only 37?

(8) Is it a fact that when the 66-bed paediatric ward is completed at Fremantle Hospital the present 44-bed ward is to be demolished, leaving an increase of only 22 beds?

(9) As the Fremantle Hospital Board is alleged to have plans for 700 beds where very expensive and highly specialised equipment is to be installed, will he recommend to the Government that priority be given to increasing Fremantle Hospital accommodation to the extent suggested prior to the building of the hospitals mooted for Rockingham and Bull Creek as these areas are far removed from specialists and would need a duplication of specialist equipment and facilities already existing at Fremantle Hospital?

Mr. ROSS HUTCHINSON replied:

(1) (i) and (ii). No. The article which appeared in *The Independent* on the 10th October, 1969, was not released by the Fremantle Hospital Board, and therefore that paper's version of the current situation at Fremantle Hospital is somewhat distorted.

(2) No. The decision as to when a patient is discharged rests with the medical officer treating the patient.

(3) There is no comparable relationship.

(4) No.

(5) The Fremantle Hospital Board has adopted an overall development plan to ultimately increase the hospital from 303 beds to 650 beds. Planning is proceeding on the next 150 beds.

(6) It has 303 general beds.

(7) Yes.

(8) Yes. The existing children's ward is forty years old and far below the standard needed for modern

paediatric nursing. The building has to be removed to enable a new kitchen to be erected on the site.

(9) This is an issue which will be determined having in mind the size of the projects and the availability of loan funds.

19.

#### DEATH DUTY

##### *Receipts and Number of Estates*

Mr. McPHARLIN asked the Treasurer:

(1) What amount of State death duty was received where the final balance of an estate did not exceed—

(a) \$50,000,

(b) \$75,000,

(c) \$100,000,

(d) \$125,000,

(e) \$150,000,

(f) \$200,000,

(g) over \$200,000,

for the year ended the 30th June, 1969?

(2) What number of estates under the heading of primary producers paid death duties in each of the categories above and for the same period?

Sir DAVID BRAND replied:

(1) (a) \$1,659,746,

(b)\* \$688,365,

(c) \$939,976,

(d) \$553,352,

(e) \$391,915,

(f) \$804,963,

(g) \$1,405,859.

\* Statistical records are not available for \$75,000 as requested in (1) (b). The figure given is for estates that exceeded \$50,000 but do not exceed \$70,000.

(2) (a) 283,

(b) 45,

(c) 34,

(d) 19,

(e) 9,

(f) 12,

(g) 10.

These estates include "formerly," "retired," and "widow of" primary producers.

20.

#### HOSPITALS

##### *Patient Accommodation*

Mr. FLETCHER asked the Minister representing the Minister for Health:

(1) What capital outlay has been expended on patient accommodation in the financial years 1965-66, 1966-67, 1967-68, and 1968-69 at—

(a) Royal Perth Hospital;

- (b) Shenton Park Annexe;  
 (c) Princess Margaret Hospital;  
 (d) Fremantle Hospital?
- (2) Despite the new theatres and equipment installed, are there less beds now at Fremantle Hospital than in 1960?
- (3) If more or less, to what extent?
- (4) Is part of what was bed accommodation now used for administration purposes?
- (5) Are any Fremantle Hospital patients occupying beds on verandahs rather than in wards?

Mr. ROSS HUTCHINSON replied:

(1)—

	1965-66	1966-67	1967-68	1968-69
	\$	\$	\$	\$
(a) Royal Perth Hospital .....	.....	192,000	.....	360,000
(b) Shenton Park Annexe .....	179,000	.....	311,000	.....
(c) Princess Margaret Hospital .....	383	879,366	988,372	609,131
(d) Fremantle Hospital .....	.....	.....	.....	101,328

Note: (d) Fremantle Hospital—\$101,328 for commencement of a contract for \$837,915 for new children's ward.

- (2) No.
- (3) The bed capacity at Fremantle Hospital in 1960 was 271. The number of beds now available (including annexes) is 303.
- (4) No.
- (5) Yes, some patients are accommodated on enclosed verandahs.

## QUESTION WITHOUT NOTICE

### RAILWAYS

#### Suburban Service: Alternative Alignment

Mr. TONKIN asked the Minister for Railways:

In question 14 on today's notice paper I asked the Minister the following question:—

- (4) Has he had placed before him any proposal for an alternatively aligned railway?

The Minister replied, "No." I now ask the Minister whether it is possible that his memory has let him down or that his records are incomplete; and whether he will have another look at this question and either confirm his answer or supply a different answer at the appropriate time at the next sitting of the House?

Mr. O'CONNOR replied:

I will have a look at this. As far as I can recollect, the answer I gave is correct, unless the Leader of the Opposition is assuming that the sinking of the railway is to be a separate alignment as against the present line. However, I will look at the matter and confer with the honourable member.

## LEAVE OF ABSENCE

On motion by Mr. I. W. Manning, leave of absence for two weeks granted to Mr. Court (Nedlands) on the ground of urgent public business.

On motion by Mr. Davies, leave of absence for three weeks granted to Mr. Hall (Albany) on the ground of ill-health.

## COMPANIES ACT AMENDMENT BILL

### Third Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [2.33 p.m.]: I move—

That the Bill be now read a third time.

It will be remembered that when this Bill was at the Committee stage the member for Kalgoorlie asked that the third reading be delayed until today in order that I could try to clarify the situation with regard to the position of foreign companies under the Companies Act. I have obtained advice from the Minister for Justice, which I now present for the information of the honourable member and the House.

In relation to reckless trading, the present Bill applies only in the case of a locally incorporated company. The terms of the Bill are those approved by the members of the Standing Committee of Attorneys-General and to be recommended by the committee for adoption in the companies legislation of the respective States and territories of the Commonwealth. When the provision has been so adopted, all companies incorporated in the Commonwealth will be covered in the place in which each may be respectively incorporated.

The provisions approved by the standing committee under the uniformity scheme do not lend themselves to modification to enable them to apply in the case of a foreign company in this State, and the practical application of such a modification would encounter many difficulties. It would also raise anomalies where the interests of persons involved with a company's affairs in the place of its incorporation may be prejudiced.

The omission of foreign companies from the effects of this Bill was deliberate, but—and here, I think, is the answer to the question of the honourable member—the Minister for Justice has undertaken to raise the question of the extension of the provision to foreign companies for discussion at the next meeting of the Standing Committee of Attorneys-General.

MR. T. D. EVANS (Kalgoorlie) [2.36 p.m.]: I would like to thank the Minister for his indulgence in delaying the third reading of this Bill from last evening until today, and I thank him for the information he has supplied. I only hope that this matter will soon be debated at a

meeting of the various State and Commonwealth Attorneys-General, and that it will soon be rectified.

Question put and passed.

Bill read a third time and passed.

## PETROLEUM PIPELINES BILL

### *Second Reading*

MR. BOVELL (Vasse—Minister for Lands) [2.37 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to provide a legislative framework to govern the construction and operation of pipelines for the conveyance of hydrocarbons from production sites to areas where they will be utilised.

At the outset, I think I should make it clear to the House that, for the purpose of this Bill, the term "pipeline" refers to pipelines which convey petroleum from a central storage or treating point in a producing field to a consumer. An example of this would be a pipeline constructed from a central point in the Dongara gas field to consumption points wherever they may occur. It does not apply to the intricate maze of pipes in a production area used for conveying petroleum from wells to a central storage or treating point. The term "pipeline" is defined in part I of the Bill.

A pipeline license will be required for the construction and operation of a pipeline. The construction and operation of a pipeline, other than in pursuance of a pipeline license, is prohibited by clause 6. However, a person who proposes to apply for a pipeline license may, with the approval of the Minister, make surveys and preliminary investigations in order to ascertain the most suitable route for the pipeline and to obtain the necessary information for the design of the pipeline.

An application for a pipeline license will give details of the route and design of the pipeline, the proposed land acquisitions or easements and the agreements proposed to be entered into by the applicant for the supply or conveyance of petroleum. At the time of the application, the applicant must notify local authorities and owners and occupiers of land through which it is proposed to construct the pipeline that an application for a pipeline license has been made. Provision has been made in the Bill to allow local authorities and land owners and occupiers time to make representations to the Minister regarding the proposed pipeline.

A pipeline license may be refused, but in order to give the applicant sufficient time to make his representations in respect of the objections to the construction of the pipeline, the applicant will be given 90 days notice of the intention to refuse

the application. The notice of intention to refuse the application will state the reason for the refusal.

Before a pipeline license is granted, the applicant must make provision or give security for the payment of all charges, expenses, and compensation in respect of any land to be taken by compulsory acquisition. The Minister may then grant the license after taking into consideration—

- (1) Any representation made to him with respect to the pipeline.
- (2) The public interest.
- (3) The financial ability of the applicant.
- (4) Whether there would be a contravention of any town planning scheme.
- (5) Whether the construction and operation of the pipeline would interfere unnecessarily with improvements, improved land, flora, fauna, or scenic attractions.

A pipeline license may be issued subject to such conditions as the Minister thinks fit and specifies in the license. A condition that the construction of the pipeline shall be completed within a specified period may be included, and this could be important in relation, say, to the provision of natural gas to a certain area, possibly for the establishment of new industry.

Clause 14 covers the term of a pipeline license. Normally, this will be for a period of 21 years with rights of renewal for further periods of 21 years each. A pipeline licensee will be able to apply for a variation of his pipeline license in respect of such things as its size, capacity, and so on. A variation to a license may be granted after interested parties have been given time to submit any matters they wish to have considered in connection with the proposed pipeline variation.

A licensee may make such arrangements and enter into such contracts as he considers necessary for the purchase, or other acquisition, of any right, interest, or easement in or upon the land that is the subject of a pipeline license. Where a licensee is unable to make a satisfactory agreement in respect of land that is the subject of a pipeline license, clause 19 of the Bill allows action to be taken under the Public Works Act, 1902, to resume any land or easement over any land. The land, or easement over land thus acquired, will vest in the licensee and the licensee will be liable in respect of the acquisition to the same extent as the Minister for Works would have been liable if the taking had been for a public work.

I think it would be of benefit for me to say at this stage that it should not be imagined it will be necessary for any large areas of land to be resumed for the purposes of a pipeline. As I proceed with



these remarks, some further information will be given. However, the easement of land required for a pipeline will be something of the order of 60 feet only, in width. The trench will be dug, the pipeline put down, and then the ground will be rejuvenated so that it will return to its original state.

For all practical purposes, the land will be returned to its original state. If the pipeline was laid through a farm, the farmer would probably be able to crop the land the following year. There will, of course, be a necessity for inspection points along the line, but I do not want to give the impression that, in the event of there being a gas line from Dongara to Perth, Kwinana, Geraldton, or anywhere else for that matter, there will be a wholesale resumption of land.

The whole idea is for the pipeline licensee to negotiate with the owners, but a circumstance may well arise in which it might be necessary to resume a portion of land. For instance, a licensee may have all his lines set out and easement arrangements satisfactorily negotiated except in regard to a small section. The owner of that one section might hold up something which is in the public interest, and in that case the appropriate legislation must operate in the public interest.

Mr. Bickerton: Who pays for the resumption?

Mr. BOVELL: I will come to that at a later stage. Furthermore, in other parts of the world, in those countries where hydrocarbons occur in the form of gas or oil, the people of the countries or communities concerned accept, as a matter of course, that these pipelines are just as necessary for the conveyance of oil or gas, or both, as a waterline, power line, or any other line which may go under the ground.

It becomes a well-accepted thing in the community. I only hope that our search for petroleum in Western Australia will bring us to the point one of these days where the quantity of petroleum is such that we have the same practical approach as people in other parts of the world.

In the exploration for, and the production of petroleum in Western Australia, a situation may develop where a person other than the licensee wishes to convey petroleum through the pipeline. If such a person is unable to enter into an agreement with the licensee, clause 21 enables the Minister to give the licensee such directions as he thinks appropriate, but the licensee will be given the right to convey its own petroleum through the pipeline in priority over any other petroleum. This could be termed as "other user facilities" in the legislation.

A licensee may apply to the Minister for permission to surrender his license. The surrender of a license is subject to certain conditions including a condition that the licensee removes, to the extent that he is required to do so, property brought into

the area to which the surrender by the licensee relates. A pipeline license may be cancelled when a licensee has not complied with the license conditions; has not complied with this Act or regulations; or has not paid any amount payable by him under this Act within a period of three months after the day on which the amount became payable.

Clause 25 provides a safeguard in the public interest. It empowers the Minister to direct a licensee to make changes in the route of the pipeline should this be necessary in order to facilitate some construction activity which is in the public interest. In such circumstances, the pipeline licensee will be free to apply to the courts for compensation from those responsible for requiring the rerouting of the pipeline. In normal circumstances, of course, it would be expected that amicable and sensible arrangements would be worked out to the mutual satisfaction of the parties concerned without recourse to the courts.

Clause 27 empowers the Minister to direct a licensee to do all things necessary for the general clearing up of the license area if these things have been left undone when a license has been wholly cancelled or partly cancelled. If this direction is not complied with, the Minister may remove the property, dispose of it, and deduct from the sale all or any of the costs incurred.

The Bill contains a provision that, for each year of the term of a license, a fee of \$20 in respect of each mile, or portion of a mile, of the length of the pipeline is payable by the licensee. If it is considered necessary at some later date, this fee can be increased by regulation.

I now turn to part III: "Construction and Operation of a Pipeline." The laying of a main trunkline or pipeline is a highly skilled operation requiring specialised and expensive equipment and considerable experience. The pipeline will operate at high pressures. Under clause 34, the pipeline must be constructed in accordance with such standards, specifications, and conditions as are prescribed or as are stated in the license.

Clause 35 ensures that full use will be made of any pipelines which have been authorised under this legislation. A pipeline licensee is not to cease operating his pipeline except with the consent in writing of the Minister. A pipeline that has not previously been operated or that has ceased operating will not be operated again without the consent of the Minister. Thus the Minister has the opportunity to satisfy himself that the pipeline may be operated with safety.

The route of a pipeline will be indicated on the surface of the ground by markers or pegs placed at convenient intervals. This will be at the point at which the application for the license is made. I

imagine the area will first be shown on a map and the next phase will be to have the pipeline surveyed and marked in some conspicuous manner.

In clauses 39 and 40 of the Bill, there are safeguards dealing with situations where a pipeline enters or crosses agricultural land and where a pipe passes over or under any waters.

Part IV deals with the registration of licenses and related instruments, that is, pipeline licenses and dealings affecting these titles. In essence, the principal registrar will keep a register of all pipeline licenses, setting out the name of the particular pipeline licensee and certain relevant particulars. The register will also record any dealings or action affecting the title.

Transfers of titles are of no force and effect until they have been approved by the Minister and registered as provided by clause 44.

I now turn to part V. Provision is made under clause 61 for the Minister to delegate his powers and functions and to vary or revoke any delegation given by him. Clause 62 provides the machinery for the appointment of inspectors under the Bill. These inspectors will be invested with the usual powers which are given to petroleum inspectors; that is, access to relevant areas in order to inspect and test equipment and to inspect and take extracts from relevant documents.

Mr. Bickerton: Have you any idea how much these inspectors will be paid?

Mr. Jamieson: I assume they will be paid; they will not be honorary?

Mr. BOVELL: I would say they would be paid. Under clause 67, the Governor may make regulations which include regulations covering safety, construction, operation, and maintenance of pipelines, and also the prevention of damage to any land used for the construction or operation of pipelines.

In conclusion, I would draw attention to the fact that there is great interest in the possibility of using natural gas as a fuel or chemical stock feed. The Kwinana industrial area, the Pinjarra industrial area, and other areas of the State would benefit greatly if natural gas were available.

It is well known that West Australian Petroleum Pty. Ltd. is making an intensive appraisal effort in the Dongara area. It is hoped that shortly this drilling will prove the Dongara gasfield commercial, and it may be necessary to construct a pipeline to convey the gas to the industrial areas at Kwinana and Pinjarra—and, for that matter, elsewhere. This, of course, is only looking into the future. It is not an assured fact, but it could happen. For this reason, the Government considers it necessary to introduce, currently, this

legislation so that these pipelines can be constructed as soon as they may be required.

I wish to make one further comment.

Mr. Bickerton: You have two to make. One is the comment you promised to make to me in reply to the question I asked regarding the cost of resumptions.

Mr. BOVELL: As I said, I wish to make one further comment. The Bill does seem to be quite large, because it contains 67 clauses. However, I believe it will be easily read because it gives a very clear progression of what will take place in the application for a license from the preliminaries to construction and right through to the operating stage. I suggest the honourable member read the Bill and I will inform him accordingly in due course.

Mr. Bickerton: Who pays for the resumptions?

Debate adjourned, on motion by Mr. Norton.

## FORESTS ACT AMENDMENT BILL

### *Council's Amendment*

Amendment made by the Council now considered.

### *In Committee*

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Bovell (Minister for Forests) in charge of the Bill.

The amendment made by the Council was as follows:—

Clause 2, page 2, line 24—Delete the word "forty-five" and substitute the word "forty-six".

Mr. BOVELL: The position is that at the end of 1945 the then Premier gave a direction and the Bill originally included the year in which this instruction was given. However, that instruction did not take effect until the 1st January, 1946, and the purpose of the Council's amendment is to correct the date from 1945 to 1946. I move—

That the amendment made by the Council be agreed to.

Mr. GRAHAM: I have no objection to the amendment although, in conformity with what I said when the Bill was previously before us, to me the whole matter seems to be fatuous. The terms of the legislation have been the same since 1919. They lay down that a certain percentage of the net revenue of the department shall be retained by it for its own purposes. In 1919 the then Auditor-General pointed out that the strict letter of the law was not being complied with in that no regard was being had to interest or loan repayments. Therefore, from 1919 until now a procedure has been followed which, in the view of the Solicitor-General and the Auditors-General, is contrary to

the law. Almost every year for the last 50 years the Auditor-General has commented on it.

In 1945 the then Premier of the State, who was also the Minister for Forests, signed a minute to the effect that it would be quite all right to ignore the law—in other words to ignore the requirement to take into account loan repayments and interest payments. But a Minister cannot override the law, and therefore everything that happened in this regard from 1919 until 1946, and indeed until 1969, has been contrary to the law. Naturally enough this requires Parliament not only to alter the law but also to make it retrospective to the inception of the legislation.

The only alternative, if there be any fault in my reasoning, is that if the Premier of the day, in his role as Minister for Forests, was able to address a minute to the conservator that met the requirements of the law, then the present Minister for Forests should be able to do exactly the same thing. That should meet all requirements; but of course it does not. Therefore, whether or not we alter 1945 to 1946 does not meet the situation.

I read with intense interest the debate which took place in another place and I do not know how it is possible for so many members to be able to misread what the Auditor-General and the Solicitor-General said. It seemed to me to be more a matter on their part of endeavouring to interpret what was said, and to my mind the majority of speakers completely misinterpreted the position; in fact, they were putting the position in reverse and to some extent sight was lost of the all-important point which I made before, and which I have made again today: that by the stroke of a pen a Minister is unable to set right something which breaches the terms of a Statute.

Therefore, I believe the Minister should have heeded my words, which I trust were words of wisdom; namely, that the amendment, instead of referring to 1945, or 1946 as is proposed by the Legislative Council's amendment, should have referred to the date of the inception of the Act.

I do not know whether or how it would be possible for this to be tested; but I have read, reread, studied, and conferred, and I am as strongly of the opinion today as I was when the matter was first raised that a mistake is being made. Perhaps when we have a Minister who is a little less perverse than the present one, appropriate action will be taken to ensure that everything from the inception of the legislation to the date on which assent is given to this legislation, will be put in order for the purpose of the records because, in point of fact, it cannot have any other effect.

Mr. BOVELL: I will turn the other cheek and say that if there is one thing the Deputy Leader of the Opposition has in his favour, it is thoroughness in his investigations. We differ on only one point. My advisers have informed me that going back, in the first instance, to 1945, and now to 1946, overcomes the problem.

Might I be permitted to say that the amendment was introduced because the Leader of the Opposition raised this matter last year and he said it should be adjusted. He did this when dealing with the Auditor-General's report. The Treasury examined the position and submitted proposals to the Crown Law Department to overcome the problem.

More words have been said on this small Bill than on other Bills of very great moment. This is No. 3 of the Bills introduced this session. However, at least it is giving members the opportunity to ventilate their thoughts on the amendments. I am sorry the Leader of the Opposition is not in his seat at the moment, but one of the comments he made, if my memory serves me correctly—and this is rather humorous really—was that the Government must need something to do to be bringing in such piffing amendments as this one. I was not quick enough at the time to remind him that the Bill had been introduced as a result of something he had said previously.

Question put and passed; the Council's amendment agreed to.

### *Report*

Resolution reported, the report adopted, and a message accordingly returned to the Council.

## **RURAL AND INDUSTRIES BANK ACT AMENDMENT BILL**

### *Second Reading*

Debate resumed from the 28th October.

MR. H. D. EVANS (Warren) [3.4 p.m.]: Last year the Rural and Industries Bank Act was amended to allow a departure from the traditional areas in which the bank operated; that is, it allowed the bank to enter into the field of land sales and housing. A degree of success, pleasing to the commissioners, has been reported, and they claim with some satisfaction, that their objectives have been achieved.

This present measure seeks once again to amend the Rural and Industries Bank Act to provide a field of operation hitherto not engaged in and to extend activities into yet another sphere. The bank will be permitted to take up equity capital or debentures in companies associated with, or interested in, the financing of the State's economic activities, such as the development of natural resources.

This may be regarded as a major departure from the traditional operations of the Rural and Industries Bank, but it is rather in keeping with modern concepts of banking. Trends in the modern banking and financing world have become complex, or, to use the Minister's own words, complex in the extreme. It has become a day and age of powerful financial institutions.

This Bill will allow the Rural and Industries Bank to join with three international banking houses and an unspecified insurance company to form a company which will be able to finance dealings outside the orthodox banking fields as we understand them. There is nothing unique in this. As a matter of fact, it is a fairly common practice for Australian banks to join with international institutions, and this can be termed a trend when the banks enter these fringe areas of banking.

By way of illustration I would draw the attention of the House to a report of the *Financial Review*, dated the 2nd October last, which indicates that the National Bank of Australasia Ltd. had joined with the Chase Manhattan Bank N.A., and A. C. Goode Associates Ltd. to form a new \$5,000,000 joint financial enterprise. This same report was contained in *The West Australian* of the same date.

The *Financial Review* also makes reference to earlier moves by the Commercial Bank of Australia with British and American banking houses. It also refers to the Bank of New South Wales, in conjunction with banking interests of the United States and Japan, setting up a financial venture of this kind.

I suppose we could say that banks, to some degree, are compelled to join in consortia so they can participate in the sophisticated banking structures the world knows at present. They may not be compelled to do so, but plenty of pressures are exerted on them and they would find they would not be able to compete if they did not participate.

The Rural and Industries Bank in this initial proposal is to be involved in the establishment of a company in conjunction with the Crown Agents, the Continental Illinois National Bank and Trust Company of Chicago, and Credit Lyonnais of Paris to set up an investing company in Perth. The Minister outlined in some detail the genesis and status of each of the associated firms. The Continental Illinois National Bank and Trust Company of Chicago—generally referred to as the Continental Bank—is stated to be the seventh or eighth among the financial houses of America. Its assets are fixed at somewhere in the vicinity of \$6,640,000,000, and its agencies extend throughout the world. Therefore, it has connections which could be of extreme use to a company established in Western Australia. By any standard it is a large institution.

The second of the participants, Credit Lyonnais, is a State-owned French bank. I consider the term "State-owned" indicates the regard that this financial house would enjoy in the commercial world. The Minister classified the bank's European connections as an interesting ingredient. I think this was an understatement, because the European connections of this organisation—and particularly those in West Germany—could be most valuable indeed.

It is the importance of the Crown Agents which should be examined to view the full importance of this body. The inception of the Crown Agents goes back about 130 years. It was appointed by the Secretary of State of the British Government and bore responsibility to various Crown agencies, dependencies, and colonies, which it served in a variety of ways, such as note issue and the like.

By 1968 the world situation had changed to a great extent. The old British Empire, as we had known it, had very largely decayed and the emergence of new nations in Asia and Africa placed this banking organisation in a somewhat different situation. The Crown Agents then acted in an entrepreneurial manner inasmuch as they handled portfolios, investments, and the like. Something of the order of \$167,000,000 was involved in its activities on behalf of its customers over the last year, and its total staff exceeded 1,000. The significant point is that investment portfolios amounted to something of the order of \$1,600,000,000, and this group is to be headed by Crown Agents.

The proposal is that the investment company shall have an authorised capital of \$10,000,000, of which \$5,000,000 will be paid up. Each of the three participants named will take 20 per cent. of the capital, and the Rural and Industries Bank, in conjunction with the other organisation mentioned, is offered a similar amount, although the Rural and Industries Bank is only to avail itself of half the entitlement that it is assured it can take. We can see that it was the Crown Agents who took the initiative in this case.

The first approach was made about nine months ago and, I consider, the action was flattering to the R. & I. Bank. The reasons for the approach are not hard to find. The first would be an interest in the development which has been taking place in Western Australia, and the Minister himself referred to the mineral potentials. The possibilities for expansion are apparent to this firm at least.

The second reason for the approach to the R. & I. Bank is that the firm considers an association with a bank which has its head office in the capital of the State in which it is to operate and which

is almost a State instrumentality with grass roots in Western Australia will give the best possible entree and engender the greatest degree of confidence in any company which is so formed. I think, too, it must have been endeavouring to demonstrate, in a practical way, that it wishes to interest itself in all things in Western Australia if it is to adopt this State as an area of operation.

The Minister indicated the four objectives that such a company would fulfil. The first of these—and possibly the most important—is to arrange consortia finance and project management for local major development with an especial eye to the mineral field. Members will see that this will mean that, initially, a considerable amount of readily available overseas capital will come into Western Australia. An amount of \$3,000,000 will come in immediately the company is set up and the full amount subscribed.

What is attractive is that we should look for and very readily accept Western Australian participation. In addition to Western Australian participation, there will be a measure of local control through the existence of the R. & I. Bank in this State. Of course, at the same time, strength will be given to the Rural and Industries Bank through its association with world financial institutions.

I was curious about the precise nature of the undertaking which would be embarked upon by this company. The Minister himself drew attention to the manner and extent to which banking concerns have become involved in fringe banking activities and have departed from the traditional fields, and one, which is usually termed fringe activity, is the field of hire purchase. The extent to which trading banks have become involved in this sphere is fairly clearly shown and readily available. This illustrates how banks have departed from normal areas of financing.

We find that the E.S. & A. Bank has a wholly-owned subsidiary in ESANDA. Also, General Credits Limited, is a wholly-owned subsidiary of C.B.A. The Bank of Adelaide has, as a subsidiary, the Finance Corporation of Australia Limited, and other trading banks have various degrees of equity in other companies. The A.N.Z. has a 21.74 per cent. equity in the Industrial Acceptance Corporation, while the Bank of New South Wales has a 43.9 per cent. interest in the Australian Guarantee Corporation. Also, the Commercial Banking Company of Sydney has a 40 per cent. interest in the Commercial and General Acceptance Company.

I was reassured to find that there is to be no involvement in this field by the proposed company which will be set up in conjunction with the R. & I. Bank. The whole concept of the operation of the

new company will be pitched at a considerably higher level; it will be a totally different sphere of activity, as it were.

Also, it is comforting to recall that the charter under which the R. & I. Bank operates gives the Minister more than a nominal control over the bank and, of course, he will have the capacity to direct any policy which is put before him.

The second object, as stated, is to mobilise local financial resources and create a money market, the purpose of which would be to channel funds to the point where they were most needed. The establishment of what is termed a "money market" is something which could develop confidence in Western Australia and attract funds. A money market is something that is well-established in the Eastern States and in overseas countries, but as yet we have not developed that degree of sophistication in our economic set-up. There is an area in the financial world which I understand is referred to as a main market. It involves the marshalling of funds which are temporarily available by reason of being surplus or for some other reason, and, when marshalled, these funds can be made readily available as loan funds.

In the Eastern States I understand that the amount involved in this financial set-up is approximately \$100,000,000,000. As I remarked, in Western Australia to date we have not involved ourselves in this aspect of commerce. In addition to arranging finance for local companies, and finding equity capital for promising ventures, which is not relished by trading banks, this company will be able to provide management personnel for major development. This is a very important consideration. Highly-trained and experienced management personnel are always at a premium and we could well do with an increase of such personnel in this State.

The third objective to which the Minister referred is to promote outside interest in Western Australia through the contacts, the ramifications, and the activities of the participants. Having regard to the participants, we can see that a world-wide network of contacts could be established to a large degree. As we have seen, Crown Agents were involved in \$67,000,000 worth of goods purchased and disposed of on behalf of their customer principals and this entrepreneurial activity is probably one of the most desirable attributes that Crown Agents could bring with them. The advantage which could accrue to Western Australia, particularly to the smaller business ventures which are seeking to expand and establish markets, could be something that has great possibilities.

This could apply especially in Asia and to those geographical areas near India. The other overseas participants, one based in the United States of America with world-wide connections—the Continental

Bank—and the French-based participant, are in almost a similar position so far as established contacts are concerned. This, as I said, could be of very material benefit to Western Australia.

The fourth objective to which our attention was directed last evening was to provide Australian portfolio management for offshore and other funds which the company may attract; that is, finance in the management of individual and corporate investment portfolios as they arise, for or on behalf of the particular principals. I feel that the commissioners of the R. & I. Bank have acted with commendable restraint in this matter. No-one could blame them if they were to become excited about the possibilities this company offers. It would be a fairly natural reaction. Initial participation would be of the order of \$500,000. The right to participate to the fullest extent—that is, \$1,000,000—is reserved if it is desired and deemed wise to undertake it.

The approach suggests that the primary function of the R. & I. Bank has not been disregarded by its principals and that the original concept for which this bank was established has been retained. It would be unfortunate indeed if the traditional role of the R. & I. Bank had been fore-shadowed by the principals as a more glamorous or at least an individual kind of investment house. The role of the R. & I. Bank in financing rural interests should not be neglected; certainly not at this particular time.

I do not think the effects of the drought are fully realised at this stage; we certainly have not finished with the effects of it yet. The total cost of feed and of restocking is not yet known, nor will it be for some months. I would venture to say that the future credit demands will be very heavy indeed. Such demands could possibly tax the specialised agencies to their limits. If the specialised agencies of the R. & I. Bank were placed in the position, through the lack of available funds, where they could not fulfil this function, I think to say the least, that would be regrettable.

The attitude of the bank commissioners in showing the restraint to which I have referred is one that has inspired confidence, and is at least a comfort. When the Minister replies to the debate he may care to give some details of how the investment of \$500,000 could have an effect on the total operations of the bank, particularly if an emergency arose which required the agencies to extend their activities. I have been assured there is no cause for concern in this matter, but the Minister may have details of this which I am sure would be appreciated by members. I am certain that his analysis would be received by the whole House with a great deal of gratification.

There is one further area about which I wish to speak, and I am sure the Government has not disregarded this. It is the possibility of the Government financing various projects. It is an obvious possibility, I feel, and an aspect of finance that could be most desirable. Here we have a company that is setting up in this State of Western Australia, and if the State Government were to turn to it for finance, I would think this company would have a vested interest in being as obliging as it possibly could be.

In addition to this particular avenue of finance, there would also be available the managerial expertise. This, of course, could benefit any Government to a large degree. In view of the recent High Court decision such a finance company could be very valuable to the State.

Turning to the Bill we find there are two main areas of amendment to the Act. The first seeks to give authority to the Rural and Industries Bank to have equity capital or debentures in companies which are associated with the development of the State, provided certain prerequisites are fulfilled and established. The current consortium is specified, and my assumption is that the restriction on activity is contained in this specification. However, future undertakings will be possible, provided the recommendation of the Minister and the concurrence of the Governor are obtained. So this leaves an almost unlimited area of activity in respect of which the bank can embark.

At this stage we should have regard to the fact that the Minister and his advisers in the bank have fulfilled their responsibilities in the area of rural finance in a commendable way, and there is no reason why the bank as such cannot embark on the venture proposed in the Bill with the same degree of success.

The second aspect of the amendment is that provision will be made for the commissioners of the bank to serve as directors on the boards of specific companies in which the bank becomes interested. This obviously becomes a necessity, because it gives the Minister direct control—to the degree that control is established—over the companies concerned. It would be rather puerile if this provision was not made.

I have pointed out that we have a situation where overseas capital is being introduced into the State, but in this case it is being introduced in conjunction with two Australian institutions—and one of these institutions is a Government instrumentality. A measure of control is afforded, and I feel this is very desirable. This is a preferable arrangement to what we have become accustomed in the past.

The Bill will give the Rural and Industries Bank powers which are in line with those currently enjoyed by trading banks; that is, in respect of investments and in

debenture areas. It will, in particular, enable the Rural and Industries Bank to seize this opportunity in a new financial enterprise based in Perth. To say the least, the ramifications are most interesting. I feel it must be a source of satisfaction to those who have been associated with the bank over the years to see an avenue like this being opened to the bank. I am referring not only to the present commissioners of the bank, but also those of the past. It must be a form of tribute to them to find that companies of world renown and of the order of Crown Agents have seen fit to approach the Rural and Industries Bank. This must be regarded as an implied tribute to the activities of, and the work that has been devoted to, this instrumentality over the years.

I would conclude by, firstly, wishing the bank and company every success and, secondly, by supporting the amending Bill.

**MR. JAMIESON** (Belmont) [3.36 p.m.]: As the Minister will no doubt guess, I compliment him on this move. I want to make a few observations, because I consider the extension of the powers of the Rural and Industries Bank into the fields mentioned will be of benefit to the State. The bank is a very good socialistic enterprise.

**Mr. Bovell:** But this is not a socialistic enterprise.

**MR. JAMIESON:** The bank is most definitely a socialistic enterprise.

**Mr. Bovell:** But the firm is a private enterprise.

**MR. JAMIESON:** What I shall say shortly might solve the Minister's problem.

**Mr. Bovell:** I have no problem.

**MR. JAMIESON:** We have often heard the cry being raised against socialistic enterprises, particularly from the forces which are behind this Government. Now we find that private enterprise is not afraid of going into partnership with a socialistic bank. That shows clearly how a Government instrumentality can work in partnership with private enterprise, despite what members opposite have said from time to time.

The extension of the powers of the bank to provide financial accommodation to other spheres of activity is a commendable move. I hope that while the Government is in this mood it will extend the franchise of the State Insurance Office; but that is another matter and we should not debate it on this occasion.

Despite the efforts of the present Government when it was in Opposition, and despite the efforts of the present Minister for Industrial Development, who as a private member did everything to hinder the progress of the Rural and Industries Bank, it has triumphed; it has grown

larger; it has become a substantial organisation in the community; and it has fulfilled all the needs we hoped it would. Therefore, the move to enable the bank to be associated with other ventures is commendable.

There is one point in particular that I wish to make: when I discussed with the commissioners of the bank the matter of the holdings of the Rural and Industries Bank in a certain company, some of them told me that they did not consider this was an activity of the bank. Now the full cycle seems to have turned, and the bank is to be placed in a position where it can hold shares in private ventures. Had the capital of the Chamberlain tractor company not been written down when it was disposed of by the Government, this asset would be of distinct advantage to the Rural and Industries Bank at this stage. We know what has happened to the shares of that company after it was sold and became a private company; the shares today are at least double their par value, and the company is paying good dividends. The Rural and Industries Bank carried a heavy load in financing this company over many years, and for that it deserves a better deal.

I hope that if a circumstance similar to the sale of the Chamberlain tractor company occurs in the future, we will not see any panic steps taken by the Government to deprive the community of a vital asset. I agree with what the member for Warren has said: that the extension of the powers of the Rural and Industries Bank will prove to be a success, and will achieve all that the Bill sets out to achieve. I sincerely hope that we will see the Rural and Industries Bank continue to grow and prosper in this community.

The bank certainly showed other banks in this State, both private and non-private, how to go out and get custom and establish themselves in a very competitive field. I commend the Bill.

**MR. BOVELL** (Vasse—Minister for Lands) [3.41 p.m.]: I thank the member for Warren and the member for Belmont for their comments. I think the only point raised by the member for Warren was whether the liquidity of the bank would be adversely affected at times of financial stress because of the farming into this venture of \$500,000. He also queried the effect this would have on the Government agency section.

The Government agency section is completely separate from the general banking system of the Rural and Industries Bank. Funds for the Government agency section are provided by the Government. I refer to the dairy farm consolidation plan, and various enterprises of that nature.

This proposal is, of course, from within the general banking structure itself. It is a matter for the Government of the day to provide the funds for the Government agency section. This will not affect the enterprise we are discussing, because the finance for this proposal will come from the funds of the bank. Those funds are not, of course, involved with the Treasury funds in any way at all.

The member for Belmont referred to socialism. Let me say that banking is not socialism; it is free enterprise. It is interesting to note that with one exception the present commissioners of the bank came from associated banks. Their experience has been responsible—with that of other members of the staff—for the establishment of the bank and for providing a service to the community.

I think the first chairman was Mr. Bosisto, who came from the National Bank, and the present chairman, Mr. Chessell, came from the National Bank. Mr. Hankin came from the English, Scottish, and Australian Bank; Mr. Airey came from the National Bank; and I think that Mr. Lindsey also came from the National Bank. All those men came from private banks, and I agree with the member for Belmont to this extent, that it has been due to the enterprise and initiative of the commissioners and their devotion to their duties—and this includes the staff—that the bank has established itself in the interests of the community of Western Australia.

I well remember that I commenced my career in the old West Australian Bank. In those days it was mainly a family concern and every new member was introduced to every member of the bank, from the junior to the general manager. I refer to this experience because it is something which has lasted in my memory. When I first went to the bank the general manager, Mr. R. L. Herbert, said, "Bovell, you are the newest member of the staff of this bank. You are as essential to its successful function as I am. We certainly have different degrees of responsibility but without all the staff—from you up to the general manager—this bank could not function successfully."

This is the reason I join with the member for Belmont on this occasion and pay a tribute to the whole of the staff of the bank for the attention they pay to their duties and to their responsibilities. I commend the second reading.

Question put and passed.

Bill read a second time.

*Sitting suspended from 3.45 to 4.4 p.m.*

#### *In Committee*

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Bovell (Minister for Lands) in charge of the Bill.

Clause 1: Short title and citation—  
Mr. Graham called attention to the state of the Committee.

Bells rung and a quorum formed.

Clause put and passed.

Clauses 2 and 3 put and passed.

Title put and passed.

#### *Report*

Bill reported, without amendment, and the report adopted.

#### *Third Reading*

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

### **RESERVES BILL**

#### *Second Reading*

Debate resumed from the 28th October.

**MR. GRAHAM** (Balcatta—Deputy Leader of the Opposition) [4.7 p.m.]: This Bill lends itself, perhaps, more to Committee discussion than second reading debate. I have perused the papers which were distributed, and I paid attention to what the Minister had to say. I can find nothing radically wrong with the several propositions which, in the main, seek to make some boundary adjustments or to slightly change the purpose of certain reserves to enable specific activity to be undertaken. However, I have a few comments I would like to make now rather than later on. I do this because none of the proposals affect my own district, and I think it is more or less the responsibility of the members whose districts are affected to take up the running.

My first comment is in connection with the proposition contained in clause 7 regarding a Class "A" reserve in the Rockingham locality designated "Recreation and Park land"; and whilst the proposal affects an area of only one-half of an acre, I feel rather strongly that a portion of a public recreation reserve should be excised for the purpose of establishing a pound site. I would not imagine that it would be an expensive exercise to purchase from a farmer half an acre of land away from the township in the Peel Estate in order to establish this public service. Here we have the principle of making inroads into a Class "A" reserve for the purpose of establishing a public pound. It would be appreciated if those in the Lands Department and elsewhere would exhaust other possibilities before assailing a public estate, particularly when it happens to be a Class "A" reserve.

Somewhat similarly, clauses 12 and 14 affect areas in the Albany region. In each case the area is not very large—half an acre and six-tenths of an acre respectively—and class "A" reserves are involved, in



the one case set aside for the purpose of "Townsite Extension (Albany) and National Park" and in the other case set aside for the purpose of "Conservation of Fauna—Noisy Scrub Bird," in the Two People Bay locality. It is proposed to make these excisions for the purpose of leasing the land for commercial fishing stations.

I do not know what that term implies, but I think it is definitely wrong that portions of Class "A" reserves should be excised for this purpose. Surely in this generally rural locality an area of half an acre or three-fifths of an acre should be obtainable without incursions into Class "A" reserves. I repeat: The areas involved are comparatively insignificant, but first of all a principle which I think is a bad one is being employed; and, secondly, without knowing what is involved in a commercial fishing station it is difficult to determine whether there will be disturbances by way of noise and activity, whether there will be unpleasant odours, or just what the effect will be. Perhaps a little more information should have been given to the House, and I hope and trust the Minister can supply us with further data.

I turn now to clause 17 which proposes that a portion of what is the Fremantle Public Cemetery Reserve shall be leased for a period of 20 years to the Australian Wool Bureau. Members can probably readily identify the subject land as those big sheds which were used during the war years—painted black or some such colour at the time; but they have changed colour since—located in the Hilton Park area. The Minister did not indicate to us the attitude of the Fremantle Cemetery Board. The member for Fremantle is not with us just at the moment, and I do not know whether the Fremantle City Council is also the Fremantle Cemetery Board. However, without advice to the contrary it could be that we are committing the area for a period of 20 years when there could conceivably be a necessity for its use. I would like to receive an assurance from the Minister in this regard.

My final comment is in connection with clause 19, which, again, concerns Albany. It is a pity that the health condition of the member for Albany is such that he is unable to be with us, because I think the voice of a local spokesman would be of advantage to members. However, this clause provides for the cancellation of an "A"-class reserve adjoining Emu Point which has been set aside for the purpose of "Protection of Boronia." I understand that the previous Government Botanist (Mr. Gardner) was the person who was principally behind the move to obtain this area and set it aside for the previously-mentioned purpose. I have an idea that because of a lack of supervision and control the area has been virtually desecrated and, as a consequence, scarcely a vestige of boronia is left. If

that be the case it is most unfortunate. However, as the area adjoins Oyster Harbour I wonder whether we should say farewell to this Class "A" reserve, because it could be, particularly in future years, of considerable benefit to the public. We are becoming more and more holiday-minded; our population is expanding rapidly and members may recall that the Minister told us that if Parliament agrees to the cancellation of this "A"-class reserve it may then be utilised in such manner as the Governor may approve.

The Minister suggested that the future use might be for residential purposes including an aged persons' home. In other words, what has been set aside for public purposes could be subdivided into lots of one-fifth of an acre, or something of that nature, and people could set up their permanent homes or holiday homes and the public could accordingly be denied access to what is perhaps a delightful area in a delightful setting.

I am rather at a loss in that I have only a hazy notion of the area involved. Without being aware of the details I suggest we should move very slowly and make double sure before we delete an area as a reserve—indeed an "A"-class reserve—and then hand it over for any purpose whatsoever; in this case, the suggestion is that it become a residential lot.

I have no objection to people who select Albany as their home having their residences close to the water. That is quite desirable. I would like an assurance from the Minister that if this area—and some of it is, I know, low-lying; this is inevitably so because that is the natural habitat of boronia—is to become subdivided into a residential estate, requirements will be provided in excess of the normal requirements and there will be a broader area of land adjoining Oyster Harbour which will become a reservation. This will make it possible for families to enjoy themselves at the water's edge without being interrupted or interfered with by passing motor traffic or anything of that nature.

I regret, as you no doubt have observed, Mr. Speaker, that my remarks are somewhat sketchy owing to a lack of local knowledge. I only hope that in the case of three of these reserves—and the member for Albany would no doubt be familiar with the three propositions and able to express the local point of view—the Minister will consider the public interest in the broader sense—which, incidentally, perhaps has already been done—and that he will give an assurance on that point.

I have nothing further to say with regard to this Bill but no doubt at this stage, or when the Bill is in Committee, other members, whose districts will be affected by the propositions contained in it, might care to say something in connection with the matter. I support the second reading.

**MR. MITCHELL** (Stirling) [4.19 p.m.] : I wish to make a few comments on this Bill. Despite what the Deputy Leader of the Opposition has said, I do feel that the measure cuts right across the principles which I have been led to believe are so sacred to the Lands Department. I refer in particular to the excision of a number of sections of "A"-class reserves.

During the years I was associated with local government I endeavoured to get the Lands Department to do something about "A"-class reserves from time to time but I found this to be one of the most difficult tasks I had ever undertaken. The department even went to the length of refusing a piece of ground to somebody who wished to build a dam on the edge of an "A"-class reserve in order to provide water. I have had considerable difficulty in this matter of "A"-class reserves and I have always advised people who have approached me in these matters that these reserves are absolutely sacred so far as the Lands Department is concerned; that they had no chance of success in this direction.

It is perhaps unfortunate that the Deputy Leader of the Opposition mentioned three or four areas which I have in mind and which are in my electorate. I do admit, however, that Emu Point is on the boundary of the Stirling electorate and is also included in the Albany electorate.

We find that clause 12, to which the Deputy Leader of the Opposition referred, relates to the excision of part of an "A"-class reserve for the establishment of a commercial fishing station. Perhaps this is excusable, but I feel it is something which should not be permitted.

The clause to which I have some serious objection is clause 14, which also permits the establishment of a fish factory in this instance in the middle of the reserve set aside for the noisy scrub bird. If my memory serves me aright this is the area which the Lands Department took back from the Albany Shire—it was refused as a town-site—because the department did not wish the noisy scrub bird to be disturbed.

We now find it is proposed to establish a fish factory in this very area and, as all members are aware, such a factory will create a good deal of noise and disturbance and, no doubt, this will have a deleterious effect on the quiet which appears to be so necessary for the noisy scrub bird. I know that a tremendous amount of work has been done in an endeavour to preserve the noisy scrub bird, but this fish factory will certainly not be conducive to the quiet the noisy scrub bird apparently needs.

**Mr. Tonkin:** Are you actually criticising the Government? I cannot believe my ears!

**Mr. MITCHELL:** It does not matter very much to me whether the Leader of the Opposition can believe his ears or not; I am merely commenting on the Bill before

us. We are now told that it is all right for a piece of this reserve to be taken in order to establish a fish factory. Here again we are excising portion of an "A"-class reserve which has been set aside for the conservation of fauna and it has been done for the sole purpose of establishing a fish factory.

I know there are difficulties involved, because any reasonable part of the coastline in that area has already been taken up and, as I see it, the reserve is the only sheltered spot available on which salmon fishermen can establish a cleaning plant. This particular bay is ideal for the purpose because it provides some protection.

I am also very interested in clause 15 which transfers the old agricultural show-ground at Cranbrook back to the Crown in order to have it vested in the Shire of Cranbrook for recreational purposes. I see one mistake in subclause (1) of clause 15 which no doubt can be rectified. One of the trustees named in the Bill is Francis Eric Hutchins. This should read "Francis Eric Hitchins." But this is only a spelling error and no doubt it can be corrected.

I would also like to comment on clause 19 which is an area of "A"-class reserve set aside for the protection of boronia on Yakamia Creek which empties into Oyster Harbour. This admittedly is in the electorate of Albany but the boundary of the Stirling electorate runs along the boundary of the reserve. Accordingly, I feel competent to comment on this area, which I know very well.

I am disturbed to think that such a large area of an "A"-class reserve which is vested in the National Parks Board is to be handed back to the Government, or the Lands Department, to be used in any manner it thinks fit. During his introduction of the Bill the Minister said that some people in Albany had asked for an area of this land to be set aside for an aged persons' home.

**Mr. Bovell:** Not this particular area; an area at Emu Point.

**Mr. MITCHELL:** It is all the one area—112 acres of "A"-class reserve at Emu Point.

I was quite concerned about this and I have been in communication with the Albany Town Council on the matter; but because the executive officers of the council are absent for the day, I have not been able to complete the information, though I would point out that the mayor of the town thinks as I do. He feels these reserves have been considered to be sacred for so long that unless some very good reason can be given for the taking of them for the purpose of housing or for any other purpose, the department should have second thoughts on the matter.

If an aged persons' home is required in Albany, I suggest there is still plenty of land available without excising part of an "A"-class reserve for the purpose.

**Mr. Bovell:** Not at Emu Point.

Mr. MITCHELL: This piece of land has been a boronia reserve, but as the Deputy Leader of the Opposition said, there is very little boronia left on it. That, unfortunately, is the fault of the people in whom the land has been vested.

It is quite evident that soon there will be no boronia left in the southern area of the State, because the land has been taken up; large areas have been cleared; reserves have been denuded and boronia is practically non-existent.

This particular area is ideal for the growing of boronia and it really could have been made into a show place through the cultivation or propagation of boronia. Instead of that it has been allowed to deteriorate to the extent that it is no longer useful for growing boronia—the purpose for which it was held. Some of this land is now to be taken for home construction.

I hope that if this land is returned to the Government it will give serious thought to the amount of land it requires along the waterfront for residential purposes. I admit that the water in Oyster Harbour at that point is quite low. This area is adjacent to the boat harbour which has been built at Emu Point at some considerable cost to the Government, and it would be a great pity if this waterfront area were restricted in any way by being made available for residential purposes.

I accordingly ask the Minister to have second thoughts on the question of taking the 112 acres of this "A"-class reserve in the belief that it is necessary to provide additional housing land in the area. There are thousands of acres north of this particular area which are held by private people, which are being subdivided, and which are quite suitable for purposes of housing because they are on rising ground.

In this area, however, we have a flat piece of land which will cost a fortune to make it suitable for housing, yet we are told that it is to be taken back for housing purposes and for the building of aged persons' homes. This is a pity, particularly when there are other areas which are suitable for this purpose. I would have been far happier had the Government said, "We want an acre or two of this land"; but to take the whole lot does not seem to be quite right.

What is being done by this Bill will make it possible for me in the future to make approaches to have some areas of "A"-class reserves set aside for certain important purposes. However, up to this stage of my very limited career, I have never been able to convince the Lands Department that any part of an "A"-class reserve should be released for some other purpose than that for which it is held. So possibly I will be making some approaches to the Minister in the future in connection with certain areas.

I do not condemn the Bill as a whole. I support its main principles, but I do ask for further consideration to be given in respect of the area referred to in clause 14, because the proposal cuts right across the principle for which this reserve has been established.

As regards the proposal under clause 19, it seems to me to be rather harsh treatment to cancel an "A"-class reserve and set it aside for the purpose of housing, even if it is for an old people's home; and some people in Albany have asked for such a place to be established. We have not been told who these people are. We have not been told whether the shire council has requested that this proposal be incorporated in the Bill.

Mr. Bovell: It is not the council.

Mr. MITCHELL: Until such time as we have some indication that the local government people have a mind on this matter—and today I was not able to ascertain that—I believe some consideration should be given to rejecting this proposal in the Bill so that we can have a second look at it. I support the measure generally.

MR. JAMIESON (Belmont) [4.32 p.m.]: I was wondering whether in future the Minister could get his department to contact the members in whose districts the affected reserves are situated. It is true that when the Bill is introduced the Minister makes available a file and diagram showing the reserves affected. However, as the member for Stirling pointed out, it is rather difficult, particularly when a member is some distance away from the area under consideration, for him to find out exactly what is going on, or to get a proper picture of what the local people think about the proposal. After all, it is the local member who has to bear the brunt of any discontent associated with proposals to excise or take over completely portions of "A"-class reserves and allocate them for some other purpose.

Having said that I would like an assurance from the Minister regarding the noisy scrub bird; because my colleague (the member for Albany) fought hard for so many years to have the noisy scrub bird recognised.

Mr. Bovell: My word he did not. He opposed me because I had to shift some people out of the area.

Mr. JAMIESON: Maybe he did, but he also wanted to have the bird protected. I do not know whether it would be possible to move the birds that are left—if any of them are left in this area—but as the member for Stirling said, if we permit a factory to be established on this reserve the birds will certainly be disturbed and we may as well give the whole reserve away. I do not know whether there is an alternative site that could be set aside for the noisy scrub bird but, as I understand

it, it is not possible to catch these birds and take them somewhere else. So far as most people are concerned, it is a mythical bird. Only its voice—if a bird can be said to have a voice—has been heard, and even then it has been only on rare occasions. I believe some photographs of the bird were taken from a distance, but if it is still there we owe it to posterity to make sure that everything possible is done to preserve it. Indeed, we can deal with this aspect more fully when we discuss another Bill which is still before the House.

In other instances, where other rare birds or animals—such as the short-neck tortoise—have been discovered the Government has gone out of its way to protect them, despite what the local people may want to do with their land. Therefore, in this instance, I suggest we should not change our policy, even if it means finding an alternative site for the fish factory, canning factory, or whatever it may be.

As regards the other reserve to which the member for Stirling referred, it seems strange to me that the Government, without a clear picture or plan of what it intends to do, should want to take over an area in excess of 100 acres. According to the Bill, the purpose for which this reserve is set aside is to be cancelled and the land is to be utilised in such a manner as the Governor may approve under the provisions of the Land Act. But this is a big area and surely we are entitled to more details about the planning aspect. We are entitled to know what this land is to be used for. The member for the district has already indicated that most of the land is fairly low lying and would not be altogether suitable for housing. Probably some of it would be all right, but from my memory of that part of the district, the rest of the land would be too damp for it to be used for the purposes mentioned by the Minister.

If this area remains an "A"-class reserve it could be used in the future for recreational purposes, or as open space. This district has been growing rapidly over the last few years, so I suggest there is a reason for this reserve to be retained as of "A"-class, even if it is not possible to grow boronia there in the future. Probably if we examined a number of "A"-class reserves in various parts of the State we would find that the purposes for which they were set aside no longer exist. Nevertheless they are still retained as "A"-class reserves and that is a good thing. We should try to keep as many such reserves throughout the State as we can.

I hope the Minister will be able to comment further on the two reserves to which his attention has been drawn as they both appear to be concerned with fauna and flora conservation. We should not cancel an "A"-class reserve simply at somebody's whim or desire. The Government

should be able to assure us that the reason for cancelling a reserve is a good and valid one and it is not something that the powers that be have suddenly decided to do.

With those few remarks I support the Bill. It is one of those regular pieces of legislation that, in the main, we all support. Frequently we criticise various clauses which affect different parts of the State but, generally speaking, the principle is to accept the proposals because there are good reasons for their introduction.

**MR. RUNCIMAN (Murray) [4.38 p.m.]**: I support the Bill, but I would like to make some reference to a reserve in the Lake Clifton area which is dealt with in clause 8. It is a great pity that in the past Governments have not set aside more reserves in this area which would have been of great benefit to the public in the preservation of flora and fauna. The Lake Clifton area is one of the most delightful areas in Western Australia. Lake Clifton itself is some 17 miles long and three-quarters of a mile wide; the water is deep and clear. As a matter of fact I believe that in the future it will be one of our most treasured assets because I can visualise large numbers of people going there to enjoy the undoubted attractions of the area.

Most of the land is privately owned, although on the northern end of the lake there are a number of smaller reserves vested in the National Parks Board. The proposal in the Bill is to transfer some 48 acres of land, which is now of "A" class and set apart for the purpose of camping and recreation, to the Yalgorup National Park reserve. This reserve comprises about 3,000 acres and I have often thought that some of it should have been used for camping and recreation.

The 48 acres referred to in the Bill fronts the Old Coast Road and extends right down to the shores of Lake Clifton. It is fairly densely wooded and I have no doubt that it will be an asset as a national park. However, had it not been transferred for this purpose I would have liked to see it used as a camping and recreational area for which it had been specifically set aside. Just recently a private syndicate, owning something like 200 acres of land, also fronting the Old Coast Road, and extending back to the shores of Lake Clifton, announced that it intended to develop its area as an aquatic and recreational centre and motel. Apparently this land is to be developed to cater for tourists and I think it will be an asset to the district.

I am very much in favour of the area at Lake Clifton being transferred to the Yalgorup National Park reserve. That reserve is about half way between Mandurah and Bunbury and is situated in the

Waroona Shire Council district. I am sure many people will take a delight in visiting this area from time to time when it is developed as a national park.

I have often thought that many of our smaller reserves throughout the State should receive more protection from bush-fire brigades, and a greater interest should be taken by authorities in this respect. In the area to which I have been referring I suppose some of the most severe fires I have known have taken place. But no protection is given to these smaller reserves and I hope that the Forests Department can assist, in conjunction with the local people, in the controlled burning of these areas. I believe the department should do more about controlled burning—as I said, with the assistance of the local people—much along the same lines as it does with other land under its control. I am certain if the department, or the National Parks Board, asked for assistance the local people and associations would be only too glad to give it.

Fire does a great deal of damage to our reserves and I hope the National Parks Board and other authorities which look after our flora and fauna reserves will give greater attention to fire prevention and control. I have much pleasure in supporting the Bill.

**MR. BRADY** (Swan) [4.43 p.m.]: I feel disposed to say something on the second reading of this Bill because I think members will find that in the majority of clauses in the Bill inroads are being made into "A"-class reserves. In some cases it may be only a quarter of an acre, and in others a half acre that is being taken over, but the fact remains that an intrusion is being made.

I am one of those Western Australians who feel there are far too few recreational areas in this State for the general public, and this is becoming more evident every year. With a greater number of motorcars on the roads there is a bigger demand for areas to be set aside for recreational purposes, and there should be an increasing demand in this Parliament for our "A"-class reserves to be left intact, without any excisions being made.

I feel we must protest against this. Take the classic example given by the honourable member who has just resumed his seat. "A"-class Reserve No. 997 at Lake Clifton, containing 48 acres 24 perches, is set aside for camping and recreation. It is intended that this reserve be cancelled and the area vested in the National Parks Board. I want to say at this point, and particularly in view of the development along the Old Coast Road, that in my opinion that is absolutely scandalous.

**Mr. Bovell:** You have not read the notes I made available.

**Mr. Rushton:** It is to be cancelled so that the area can be included in the Yalgorup National Park.

**Mr. BRADY:** The point is that originally this area was set aside for camping and recreation. However, the National Parks Board will, under this Bill, have the responsibility of deciding for what purpose the land will be used. Previously an Act of Parliament stipulated that the area should be reserved for camping and recreation, and no-one can argue the point about that. However, once this Bill is passed the land will not be used for this purpose.

**Mr. Bovell:** Nothing of the sort!

**Mr. BRADY:** It is according to the Bill. If it is intended that the area shall still be retained for camping and recreation, why has the Minister not included such a provision? The Minister has not done that. I am upset because the national park already has 3,000 acres and now this area of a reserve is to be added to it.

My main point is that we are, as members of Parliament, too lightly waiving our rights to "A"-class reserves not only around the city, but right throughout the State; and, with the development which is taking place in Western Australia today, we cannot afford to do this. More reserves, recreation areas, and camping sites should be created instead of their being alienated. Generally speaking, that is my main argument.

I could go through the Bill clause by clause because I know most of the areas, but the last one to which I wish to refer is "A"-class Reserve No. 6862 at Emu Point, Albany. This is one of the most delightful spots in the whole of Western Australia. The proposition of the Minister is that the original purpose for which this land was reserved should be set aside. The intention is that the land shall be utilised in such a manner as the Governor may approve under the Land Act. The notes the Minister supplied concerning this reserve read as follows:—

Clause 19 provides for the cancellation of "A"-Class Reserve 6862 at Emu Point, Albany. Due consideration could be given to the future utilisation of this land with adjoining reserves 15879 and 22698 for future residential purposes, including the possibility of establishing an aged persons' home, and a reservation of balance of the land for some alternative purposes.

As the member for Stirling said, there must be thousands of acres around Albany which could be used for residential purposes instead of taking this reserve. The shallow water could be subsequently reclaimed by dredging and the whole area could become the best recreational spot in Western Australia, together with the amenities already established there.

As I see the position, farmers from all over the south-west and the great southern, and residents from the goldfields and mining communities, are settling in this

area, and they want to see it remain as a recreational reserve. Thousands and thousands of people flock into Albany over the Christmas period. It could be that during other periods of the year the town is not so popular, but for two or three months round Christmas time people find Emu Point delightful. They study the flora and the activities of fauna and find the whole atmosphere very restful. As the member for Stirling said, many thousands of acres are available north of this reserve. I cannot for the life of me see why this particular reserve should now be made available for residential purposes.

If this land is to be used for residential purposes, obviously someone will go to the expense of having this reserve filled in either from the harbour itself or by taking the soil and overburden to the area. If it is felt that the necessary cost will be worth while, I think we should all realise how valuable the area must be as a whole. This reserve does not cover just one or two acres, but is quite an extensive area. I think it is over 100 acres.

We cannot lightly continue to pass these Reserves Bills year after year. As a rule they are passed without very much protest from members because we know that the excision of reserves is necessary in certain cases. But, generally speaking, it is about time that as members we took a stand and halted this gradual encroachment upon "A"-class reserves.

It will be said to us shortly that we have done this for the last 10 years, so why protest now. If we have been doing this for the last 10 years, it is all the more reason why we should now start to dig our heels in and stop these excisions.

Two excisions are to be made to allow professional fishermen's activities to be carried on. Irrespective of who will be upset or who will be excluded from the areas, and irrespective of the difficulties which will be associated with the conservation of the famous bird about which we hear so much, these people will be given an area of land on which to carry on fishing activities. I have nothing against fishing activities in Albany or in any other part of the State, but surely there is no necessity to encroach on an "A"-class reserve for this purpose! Other land in the area could surely be made available.

Of all the ports in Western Australia, Albany, I would say, would have the most land around it which could be subdivided and made the subject of town planning schemes.

Generally speaking I do not approve of these "A"-class reserves being gradually whittled away. If we make a half-acre available for some fishing activity in Albany this year, we could make available another half-acre next year for a yachting club, and the following year half an acre

for a rowing club. The next year we could make available five or 10 acres for a sea-plane base, and then the following year, five acres for something else.

If this type of action is continued no recreational and camping reserves will be available for the general public who are now on wheels. Today 90 per cent. of the public have cars and they expect to be able to go to these various provincial towns and camp at them.

As far as I am concerned I am going to vote against this Bill *in toto* because by doing this I may draw attention to the fact that we are encroaching too much on our reserves.

Mr. Bovell: That just shows how irresponsible you are!

Mr. BRADY: My action might upset some of my friends, but I would sooner upset those who want this excision than the 90 per cent. of the people who do not. I believe the majority of the public do not want these reserves cancelled. Such action will merely put the land into the hands of certain people for special interests, while the general community will be ignored.

Mr. Bertram: Hear, hear!

MR. RUSHTON (Dale) [4.55 p.m.]: I had not intended to speak on this Bill, but having listened to the previous speaker I felt I should make a contribution and convey some facts I have obtained in recent times. I had intended to develop the subject to some extent on another occasion, so for the time being I shall be brief.

All of us are interested in the provision of adequate "A"-class reserves for flora and fauna and so on. Recently in this House I asked questions in relation to reserves. I had in mind, when requesting the information, that I would urge that we should set about creating more national parks in the southern portion of the metropolitan region. However, when I obtained the answers to my questions, I was greatly surprised. I asked questions dealing with reserves of 500 acres or more and was staggered to find that these reserves cover approximately 25 per cent. of the area in the metropolitan region.

I understand the area of the metropolitan region is something like 1,300,000 acres and the total area of reserves of 500 acres and more is something like 300,000 acres.

In addition to this, the Metropolitan Region Planning Authority has been acquiring land for reserves in recent times. Two areas of tremendous interest to me are 663 acres along the Darling Range escarpment north of Kelmscott and east of Gosnells—many members would be aware of this one—and 2,131 acres at White Lake, Rockingham. I believe that a national park could well be developed in each of those areas.

With regard to national parks, I was not really aware of their extent, and I am referring to this point because of the comments of the previous speaker. National parks seem to be reasonably plentiful north of the river, but on the south side, while the acreage is quite extensive, the parks have not been developed. I would urge that the board do something about them.

The acreages to which I have referred are quite extensive, and although we are all very conscious that we need to preserve our reserves for the future, most of us are not aware that they cover such a large area. In addition to the reserves which cover approximately 25 per cent. of the metropolitan region, every subdivision which is carried out includes roughly 10 per cent. of the area for reserves. This figure may have increased but, even so, if we add that percentage to the 25 per cent. to which I referred earlier, we get a total of 30 to 40 per cent. In other words, reserves cover 30 to 40 per cent. of the metropolitan region.

I agree that we must be very jealous of our reserves and ensure that future generations will have this land available for this purpose. But, on the other hand, we must be flexible when dealing with our reserves. In this connection half an acre in my own electorate is to be excised for the establishment of a pound at Rockingham. I have examined this issue and can find nothing wrong with it. It might be said that it is the beginning of the rot and if this area is excised we will be taking away an area which should not be taken. However, the area is right away from public view and is ideally sited. I therefore think it is reasonable that the half-acre should be provided for this purpose.

I think members will agree that the figures I have just mentioned are rather extensive. I acknowledge that they relate only to the metropolitan area, but we must bear in mind that there are very extensive reserves right throughout the whole State.

In closing, I would like to remark that I certainly agree we should be very jealous of this land and close scrutiny should be given before decisions are made. Nevertheless, I believe it is necessary to keep an open mind and to keep our feet on the ground in relation to this subject.

**MR. BOVELL** (Vasse—Minister for Lands) [5.1 p.m.]: I wish to express appreciation to members for the awakening consciousness which has developed in relation to the need for reserves. Whilst I do not agree with some of the comments made, I think it is as well for members to make them. I consider the member for Swan was a little off the mark when he said that he would vote against the Bill because it affects reserves. Parliament is the authority that deals with these matters.

I have been in Parliament for a considerable time and, until recent years, the amending Bill was brought down on probably the last day of the session. This applied no matter what Government was in power. The position was that Standing Orders were suspended, the Bill was rushed to the Legislative Council, and little or no comment was made on the Bill.

**Mr. Brady:** Therein lies the danger.

**Mr. Lapham:** Why has there been a change of procedure?

**Mr. BOVELL:** This afternoon members have taken a vital interest in this matter, and this has been the case in recent years, too. The reason for this is quite obvious; namely, the people of Western Australia are conscious of the need to maintain reserves for future generations. This is a most commendable attitude and, of course, members of Parliament echo the sentiments of the people. It was encouraging to hear the comments submitted today and the attention which members have given to this Bill.

As I said, it will be necessary to amend certain areas. I thank the Deputy Leader of the Opposition for his remarks on the measure. He, together with the member for Dale, referred to half an acre in Reserve No. 22429 which it is proposed to excise for the purpose of a pound and the area is to be vested in the Shire of Rockingham. This will still remain Crown land. However, the purpose for which an "A"-class reserve is used cannot be altered without the approval of Parliament so far as excision is concerned.

It has been found necessary to provide this facility for the Shire of Rockingham. Investigations have been made by my own department. Here I might add, for the benefit of the member for Stirling, the department receives many requests. If I were to bring to the House all the requests received for excisions from "A"-class reserves there would be an uproar. The Lands Department and the Minister for Lands have the authority to vet applications. When proposals are brought before the Parliament we are at least convinced that there is a case to submit to Parliament. I am not married to these proposals, but I am submitting them to Parliament for Parliament to make a decision.

**Mr. Graham:** Does not the Minister for Lands think it would have been possible to buy or resume half an acre of private property for \$5 or \$10 instead of using an "A"-class reserve?

**Mr. BOVELL:** I cannot carry out the investigations. However, the Shire of Rockingham and officers of the Lands Department—including, doubtless, the divisional surveyor—have considered that

this is the most appropriate way to provide the facility for the Shire of Rockingham. I can take that only on its face value. It still remains Crown land, as I said, and therefore can be dealt with in a responsible way by the Government and the Minister. The land excised from Reserve No. 22429 at Peel Estate, Rockingham, will still be Crown land vested in the Shire of Rockingham.

The Deputy Leader of the Opposition also referred to two proposals for the Albany area and, I think, the member for Stirling and the member for Swan touched upon them too. I will deal firstly with Reserve No. 27107. This is situated at Albany and is set apart for the purpose of townsite extension at Albany and a national park. Parliamentary approval is sought for the excision from an "A"-class reserve of an area of one-half acre, and the area so excised shall be described as Plantagenet Location 7135 which will be offered to Messrs. Casey and Davies for a commercial fishing station.

As I say, the purpose of the whole reserve is for townsite extension and a national park. I assume the proposal is satisfactory to the Department of Fisheries and Fauna and that it has been recommended by that department. I cannot say this definitely, because I do not have the information, but I assume this is the case.

Mr. Graham: What is implied or meant by a commercial fishing station?

Mr. BOVELL: I cannot answer that question. It is the phraseology which has been submitted by the Department of Fisheries and Fauna. I will try to ascertain from the Minister for Fisheries and Fauna what it means.

Mr. Graham: I was horrified to hear the member for Stirling suggest it might be a factory. I thought it might be simply a landing stage, but it would be far worse if it is to be a factory.

Mr. BOVELL: I do not think it is a factory, but an area from which fishermen may operate. I will have to ascertain what it actually is; because, as I said, this is not my phraseology but the phraseology submitted by the department.

Let us go on to the wonderful reserve at Two People Bay with respect to which I was on the grill in this House for many months, because I created a reserve and found it necessary to disturb human beings to allow the noisy scrub birds to live in peace.

Mr. Tonkin: You had the support of the Duke of Edinburgh, though.

Mr. BOVELL: There is no doubt that I had the support of the Duke of Edinburgh.

The SPEAKER: Order! There will be no further reference to the Duke of Edinburgh.

Mr. BOVELL: I would not have made any reference myself, Mr. Speaker, if the Leader of the Opposition had not made an unseemly interjection. With respect to Two People Bay, after very great effort and after being subjected to a great deal of criticism, I was able to have the reserve created an "A"-class reserve and vested in the Fauna Protection Advisory Committee. As members know, the reserve at Two People Bay is set apart for the conservation of fauna with particular reference to the noisy scrub bird. It contains 11,460 acres and is vested in the Fauna Protection Advisory Committee of Western Australia.

The Department of Fisheries and Fauna supports the present application and it has also been accepted by the Fauna Protection Advisory Committee. The area to be excised is approximately six-tenths of an acre and it will be described as Plantagenet Location 7132. It will be offered to the Wilsons for the purposes of a commercial fishing station.

During the course of the debate members asked why the people concerned could not go somewhere else. Of course, the reserve fronts the ocean over an extended area. The fishing industry is a very valuable industry. This proposition has been put forward at the request of the Department of Fisheries and Fauna, and, therefore, I would say the department has vetted the proposal. I have submitted it to Parliament and I believe it is in the best interests of the general activity in the district. I am quite sure the Fauna Protection Advisory Committee would not have accepted the proposal if it had not been satisfactory so far as the overall reserve is concerned.

I can only repeat that when a reserve is extensive and fronts the coastline, certain problems occur and it would be foolish, I think, to debar a fishing enterprise from an area where there are fish aplenty simply because the suggestion is not approved by a few people.

The next matter to which the Deputy Leader of the Opposition referred was Reserve No. 6066 at Fremantle. The position here is that the City of Fremantle has stated its desire to lease the subject area for 20 years and the Minister for Local Government has approved of the lease.

The subject portion of the reserve has twice been leased to the Wool Bureau by the Cemetery Board under powers enacted by the State Parliament by the insertion of a provision in the reserves legislation. I believe the period on each previous occasion was for five years. I cannot state whether the Cemetery Board has endorsed the proposal, but the information given to me is that the City of Fremantle has endorsed it. I do not



know whether the member for Fremantle would have any knowledge of this subject. I saw him a few moments ago, but I did not have the opportunity to ask him. I assume that some members of the local authority could also be members of the Cemetery Board. However, I am advised the City of Fremantle is quite happy with the proposal.

The next point I shall mention was debated by a number of members; namely, the proposal for Emu Point, which is in clause 19. A number of queries were raised by members and I listened attentively to them. The Deputy Leader of the Opposition presented the case very fairly. He stated that the reserve is marked on the plan as one which is set aside for the protection of boronia. To the best of my knowledge there is no boronia growing on the reserve nor has there been for many years. Emu Point has become a residential area and representations were made to me by some public spirited citizens in Albany to provide some land in Emu Point for an aged persons' home. The area available to the Emu Point Board was not sufficient to ensure that land could be made available and I asked for an examination to be made of the area adjoining it.

The National Parks Board has been consulted and is prepared to relinquish control of the reserve in view of the apparent scarcity of boronia in the area. Replanning was to be undertaken in association with adjoining reserves which are not Class "A" and, therefore, could be dealt with by the Governor-in-Executive-Council on the recommendation of the Minister.

In view of the comments that have been made and also because I agree that some consideration should be given to a plan for the development of the foreshore area, I will move in Committee for the deletion of the clause so that further examination can be given to it.

Mr. Graham: Very good.

Mr. BOVELL: I might add that I have been in hot water over Emu Point. I think 15 or 17 lots were under lease until as Minister for Lands I agreed 10 years ago that the people who had built homes there should be entitled to the freehold of the land. Consequently it was converted to freehold and the occupants of the 15 houses on the land which runs down to the foreshore and into Oyster Harbour were given a choice of two alternatives. Firstly, they could stay there for the term of their natural life or the life of their spouse. Secondly, within two years from the date of the proposal they could select another site in Emu Point—at cost, of course—and purchase it to build a residence.

I am speaking from memory and it is a long time ago, but I think only 15 people were involved. As I recall, only one ac-

cepted my offer to buy another block at purchase price. The other 14 decided they would stay there until either they or their spouses had died. That was fair enough. There has been pressure on me since—not from all of them; most of them have accepted their obligations—to create freeholds on this area fronting the coastline which leads into Oyster Harbour. I have consistently refused, because I realise that the area close to the coastline should be reserved for public use for all time.

Because of the situation that exists in regard to this area, and as it has been raised in today's debate, I have decided, when the Bill reaches the Committee stage, to recommend that the clause relating to Emu Point should not be passed to enable me to obtain some details in regard to what shall apply to the foreshore area of Oyster Harbour.

The member for Stirling referred to the Emu Point area and to the points I have already dealt with. As I have said, with the consent of the Department of Fisheries and Fauna, every protection has been given to the noisy scrub bird area. That department controls the area and will still control it, but in view of the purpose for which the area is reserved, it is not possible to permit any fishing activities there, unless portion of it is excised. We do not want to set aside the whole area for this purpose, and it would be better to excise about one-sixth of an acre.

Mr. Brady: It will be bad luck if the salmon fishermen start coming in there and conducting their activities.

Mr. BOVELL: They will not be permitted to enter the area, because it is under the control of the Department of Fisheries and Fauna.

Mr. Graham: Do you think you could arrange a short adjournment between the Committee stage and the third reading to enable you to ascertain the position in regard to the nature of the fishing activities?

Mr. BOVELL: I will ask the Committee not to pass the clause, and therefore the third reading cannot take place until next Tuesday.

Mr. Graham: Except that Standing Orders have been suspended.

Mr. BOVELL: The Bill will have to be reprinted.

Mr. Graham: Don't put that over me, because this has happened before!

Mr. BOVELL: It will not happen on this occasion, because the third reading will be brought forward on Tuesday.

Sir David Brand: I would remind the Deputy Leader of the Opposition that it is a long time since that happened.

Mr. BOVELL: The member for Stirling suggested that the name "Hutchins" in clause 15 should be "Hitchins." I know the name is Hitchins for I have lived in that area for many years. I have spoken to the

Clerk and the necessary correction will be made. The member for Stirling also mentioned that he had great difficulty in convincing the Lands Department to agree to excisions from "A"-class reserves. I would point out that the Lands Department cannot make any excisions, nor can the Minister, or the Government. Only Parliament has the power to excise. However, if all requests for excisions were brought to Parliament there would be an uproar, and therefore such proposals are kept to an absolute minimum.

All applications for excisions have to go through the Surveyor-General's office and are then passed on to the administrative officers for the Minister's approval before they are brought to Parliament. Each case is dealt with by the department on its individual merits. Evidently the merits of the excision which the member for Stirling sought—although they were not quoted—did not satisfy the professional and administrative officers of the department. However, whenever a member feels he has a case and is unable to get any satisfaction from the department, I have always pointed out that he can approach the Minister to ascertain what the position is.

I thank the member for Stirling for his helpful comments in regard to the reserve at Emu Point. Fortunately this will give us some opportunity to examine the future proposals.

On the plan that has been shown to members, Roe Parade is defined. At some time in the near future I may ask Parliament to consider excising a further strip to enable some residents to use a made road. This may extend from 20 to 25 acres. I do not know whether this will happen, but in fairness to the House I wish to mention it, because the main purpose of the proposal to cancel this reserve is the need for land to be made available as an aged persons' home. Having looked at the position overall and having found that there is no boronia there, we consider that the reservation should be lifted and, with the Albany Regional Development Authority, we will plan, together with the adjoining reserve, some worth-while project.

The member for Murray referred to Lake Clifton. Although I quoted some brief notes, a copy of which I submitted to the Leader of the Opposition and to my own colleagues on this side of the House through the Whip, I would point out there is more detailed information, together with the lithos I submitted, on the files that have been distributed. My notes were brief because I did not want to take up the time of the House unnecessarily.

On this occasion, when referring to item No. 8, I think the member for Swan was speaking without his book. This area is already vested in the National Parks Board for the purpose of camping and recreation. It is adjoining another area which is also vested in the National Parks Board, and it

has been decided to combine these two into an "A"-class reserve and to form one national park. For reasons that are obvious, provision is to be made for camping and recreational purposes in the area. I understood the member for Murray to say that an approach has recently been made to the National Parks Board requesting that "A"-class reserve No. 997 be included in the Yalgorup National Park, which is an "A"-class reserve and vested in the National Parks Board. Purely and simply, it is an amalgamation and will continue to be an "A"-class reserve. All the Bill seeks to do is to allow this small area of 48 acres and 24 perches to be so dealt with.

The member for Dale was most helpful with his comments, and I wish to express my appreciation. He has shown great interest in reserves and, as he has said, the reserve, which of course includes the water catchments in the metropolitan area, is approximately 25 per cent. of the overall area, which is fairly substantial.

The member for Belmont raised the question of giving members some indication of what was mooted before the Bill was brought to the House. However, I think this is the place to which the information should be brought. If the House so desires, an adjournment can always be sought so that members may obtain further information.

Mr. Graham: On this point I presume the present Minister is bringing this Bill before Parliament earlier than similar Bills have been brought forward in previous years. However, I wonder if it would be possible for the Bill to be introduced earlier still in order that some investigation by members could be carried out?

Mr. BOVELL: Provided there is no urgent excision to be dealt with, and in view of the fact that the session is now divided into two periods, I think this might be possible. I will consider the suggestion for bringing the Bill forward even earlier to enable members to give more consideration to what is proposed.

Mr. Graham: I think it is only tradition that this Bill has always been brought forward in the last week of the session.

Mr. BOVELL: That is so, and the public have become so conscious of these matters that it is necessary for members of Parliament to scrutinise very carefully any proposal for excision. I could not agree more with the suggested procedure. In my portfolios of Lands and Forests I am subjected to more criticism for any action taken than I am in regard to action taken in my other portfolios.

Mr. Graham: Long may it remain that way!

Mr. BOVELL: This is really a Committee Bill, and I think I have dealt with most of the comments made on the separate items fairly fully, and this may obviate

protracted debate in Committee. I would point out, however, that if members require any further information I will be most happy to furnish it.

Question put and passed.

Bill read a second time.

### *In Committee*

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Bovell (Minister for Lands) in charge of the Bill. Clauses 1 to 16 put and passed.

Clause 17: Reserve No. 6066 at Fremantle—

Mr. FLETCHER: I was not in the Chamber when the Minister made reference to this clause. As the Fremantle area has been mentioned there is an obligation on me to make a few comments. The provision in this clause intrudes into Reserve No. 6066 which is to be released to the Fremantle Cemetery. To the best of my knowledge the Fremantle City Council does not take exception to this excision.

Carrington Street is the boundary of the Fremantle City Council, but the cemetery is the joint responsibility of the contiguous local authorities. I understand the area has been leased for periods of five years, but in future it is to be leased for a period of 20 years. This will provide the Fremantle Cemetery Board with a source of revenue.

Mr. BOVELL: Substantial buildings are erected on this land, and it has been leased for periods of five years. The Fremantle City Council has stated its desire to lease this area from the 1st January, 1970, and the Minister for Local Government has approved of the lease.

Clause put and passed.

Clause 18 put and passed.

Clause 19: Reserve No. 6862 at Emu Point Albany—

Mr. BOVELL: For the reasons I have given I intend to vote against the clause.

Mr. MITCHELL: I thank the Minister for his co-operation, and I certainly have no objection to his suggestion of setting aside an area for elderly persons' homes. The Minister has paid a compliment to members of Parliament, and has said that we have been taking an interest in the reserves.

Mr. Bovell: I said that public conscience had been awakened.

Mr. MITCHELL: The Minister and the Lands Department are not the only ones interested in the reserves in Western Australia. If it were not for the vital interest taken by local authorities, members of Parliament, and the people, generally, in these reserves much of the time of the department would be taken up in refusing the ever-increasing demands that are made for excisions.

Mr. GRAHAM: Of the 27 occasions when a Reserves Bill has been dealt with since I have been a member of this Chamber, this is the first time that Parliament at the instigation of the Minister has chosen to oppose one of the propositions. I feel it appropriate to compliment the Minister for the attitude he has adopted. I wish there was more of this, and that matters were dealt with on their merits. The Minister has made a very wise move, and I compliment him for it.

Clause put and negatived.

Title put and passed.

### *Report*

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

## **CONSTITUTION ACTS AMENDMENT BILL**

### *Second Reading*

SIR DAVID BRAND (Greenough—Premier) [5.38 p.m.]: I move:—

That the Bill be now read a second time.

This very small Bill contains two main principles or objectives. The first seeks to increase the salary of His Excellency the Governor, and the second seeks to ensure that in granting leave of absence to members of Parliament no legal doubts will arise and their seats will not be declared vacant. This problem has arisen as a result of having two sittings in one session of Parliament, and this is a matter of which we have some knowledge.

In respect of the increase in salary of the Governor I would remind members that in the past it has been the practice to increase his salary shortly after the salaries of members of Parliament have been increased. We have somewhat delayed the granting of the increase to His Excellency, and it is proposed that as from the 1st October the salary of the Governor be increased from \$14,500 to \$17,000 per annum.

I would point out that the salaries paid to the Governors in the other States are somewhat higher than the salary paid to the Governor in Western Australia, but, having regard to the concessions and considerations granted in each State, I think the proposed increase in Western Australia is a fair adjustment.

Members might be interested in what is payable in the other States. In New South Wales the salary paid to the Governor as at September, 1965, was \$15,000; and in April, 1968, it was increased to \$20,000. It is still \$20,000. In Victoria the salary as at September, 1965, was \$18,000, and the Governor is now paid a salary of \$20,500. In September, 1965, the salary in Queensland was \$15,500, but today it is \$18,750.

In South Australia the salary as at September, 1965, was \$15,000, and today it remains at the same figure. The salary in South Australia has not been increased, because of the Government's lack of a constitutional majority. I understand that consideration has been given to the Governor's salary by the granting of allowances; as a result of this, the total salary at the present time is \$18,000.

In Tasmania as at September, 1965, the salary of the Governor was \$13,000, but he is now being paid \$15,000. So, in the adjustment proposed in the Bill to increase the salary of the Governor in Western Australia from \$14,500 to \$17,000 we are bringing the salary up to a reasonable average, and the increase is to take effect as from the 1st October.

It is intended to bring Western Australia into line with the other States by paying the expenses of the Governor, his wife, and his staff when they tour the State. I think this is fair enough, because I have examined the position in the other States and found that in practically every one of them a similar concession has been granted.

The other provision in the Bill will best be explained by the notes which have been prepared. As they are rather complicated, and as I do not want to mislead the House by putting in my own words the effect of the amendment, I shall read the notes. I am sure that members will be interested in the explanation, because this amendment will remove any doubts about the granting of leave to members of Parliament.

When Parliament adjourned prior to Christmas, 1968, intending to resume the session in March, 1969, each House granted leave of absence to all its members during the period of adjournment. Consideration was subsequently given to the necessity for such a resolution. Section 38 (5) reads as follows:—

38. If any member of the Legislative Council or Legislative Assembly, after his election—

(5) fails to give his attendance in the Legislative Council or in the Legislative Assembly, as the case may be, for two consecutive months of any session thereof without the permission of the said Council or Assembly, as the case may be, entered upon its journals: . . .

his seat shall thereupon become vacant . . .

The provision is difficult to construe, principally because the period of an adjournment, whether long or short, remains part of a session. The consequence of a failure as directed in the section are serious. It is recommended that the provision be

amended by substituting for the phrase "two consecutive months of any session," the words "one entire session."

I believe this amendment will ensure the continuity of representation in Parliament and will remove any legal doubts which we might have.

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

### *Message: Appropriations*

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

### **ROAD CLOSURE BILL**

#### *Returned*

Bill returned from the Council without amendment.

### **APPROPRIATION BILL (CONSOLIDATED REVENUE FUND)**

#### *Second Reading: Budget Debate*

Debate resumed from the 29th October.

**MR. CASH** (Mirrabooka) [5.46 p.m.]: Earlier in the Budget debate the Leader of the Opposition referred to the record term of office of the Premier, an achievement to which, of course, all the people in Western Australia and all members of Parliament have paid due accord. However, the Leader of the Opposition was making the point that the Premier, as Treasurer, had introduced the Budget to this House for the last 10 years. The Leader of the Opposition also said that this Budget was the first real test which the Premier had faced in the whole of the period during which he had been the Treasurer of this State.

Every Budget, of course, is a test of the Treasurer of the day, especially in Western Australia where we have the ever-recurring problem of growth and development. I suppose we must agree that the most difficult Budgets the Treasurer has had since he has been in office were in 1959 and possibly 1960. When he came into office in 1959, the Treasury was pretty bare, but he has been able to cope with the Budget problems from year to year, and this year he has presented a very worth-while Budget.

Every Budget is also a test of the Leader of the Opposition, because he can be referred to as the alternative Premier and Treasurer of this State. The Leader of the Opposition has the opportunity to attack the Premier's proposals which are outlined in the Budget, and he also has the opportunity to make practical suggestions which can help solve the problems which are created when a State is expanding as rapidly and as consistently as is Western Australia. However, this year—as in other years—the Leader of the Opposition failed and he

made what I would call a very ineffective contribution to this debate on the Budget.

While talking about tests, perhaps we could review the last 10 years in cricket terms. Since 1959, the Leader of the Opposition has bowled over after over, but has made no impression. The Liberal-Country Party coalition has remained at the crease for 10 years, and the team is still not out.

Mr. Graham: It was nearly knocked for a six last Saturday.

Mr. CASH: During its term of batting over the last 10 years, the Liberal-Country Party has recorded many worth-while achievements. Admittedly, it sometimes batted on a pretty sticky wicket and under difficult conditions. Also, many attempts have been made by the Opposition to dismiss this very strong side, but each time a decision has been called for, the verdict from the umpires has been exactly the same and the team has been allowed to bat on in the interests of Western Australia.

Mr. Jamieson: It had better watch out for the heavy roller.

Mr. CASH: When going in to bat in 1959, the team began its innings very carefully because the pitch was in a poor condition. It had been damaged by the Labor side, but after the new team had settled down it soon gained confidence and hit out with some pretty strong shots for progress and development all over the ground.

Over the past 10 years there has been some tricky bowling by the Opposition but, generally speaking, it has been fairly weak and the Liberal-Country Party team managed to score off every attack.

Mr. Jamieson: No wonder the national Parliament is happier these days.

Mr. CASH: It is worth while to look at the score sheet of this record innings by the Liberal-Country Party Government. The first item on the score sheet is the population increase, which can be attributed—apart from the natural increase—to the development of this State and the encouragement given for the State to grow; to the ability of this State to absorb migrants; and because of the policy of the Government to create job opportunities for both young and old within the community.

It is interesting to note that in the period from 1959 to 1969, the population increased by 32 per cent. to 948,000. In 1959 the population was 712,000, and it is estimated that by the end of 1970 we will reach the 1,000,000 mark.

Employment comes next on the score sheet. The present Government has increased the number of wage and salary earners from 193,300 in 1959, to 294,200 in 1969. That is an increase of 52 per cent. I contrast the situation prior to 1959 when

young people were queuing up for jobs all over Western Australia. Many of them had qualifications from universities and other such educational institutions, but they had to go to other States to secure some type of employment in keeping with their training and qualifications. Today we have created job opportunities and career opportunities that have not previously been available in Western Australia.

Mr. Jamieson: Some financial problems have also been created for them.

Mr. CASH: The member for Belmont has mentioned financial problems so I can, therefore, refer to the next item on the score sheet which is personal income. Prior to 1959 the income, *per capita*, in Western Australia was the lowest in Australia. Now Western Australia is second only to New South Wales and Victoria, and our income is increasing at a faster rate than the national average growth rate.

Mr. Graham: And we have the highest land prices in Australia.

Mr. CASH: I will refer to land prices later in my speech. Returning to financial matters, the average weekly earnings have increased from \$35.81—exclusive of overtime—in 1959-60, to \$69.40 in 1969. The population has increased by 32 per cent. in 10 years. Employment has increased by 52 per cent., and the average weekly earnings have increased by 90 per cent. Surely that is a pretty healthy sign of progress and development, and of the creation of a higher standard of living.

Mr. Jamieson: I hope you have sent a letter of thanks to the statistician's department.

Mr. CASH: The publications from which I am quoting are available to members on that side of the House. I am certain that if members opposite spent some time studying these statistics, they would receive some benefit.

Mr. Jamieson: We do not have to rely on those figures to make a speech.

The SPEAKER: Order!

Mr. CASH: It is interesting to examine, too, the consumer price index for the same period. Since 1959 the consumer price index has increased by 22.3 per cent. in Western Australia, compared with the national and six-State average of 22.4 per cent. So, despite the problems associated with development and expansion in remote areas, the cost of living has remained the same in comparison with the increase in the other States of Australia.

Our rate of home building is, relative to our population, greater than that of any other State. In 1968 we built 175 homes for every 10,000 of our population. The Australian average is only 106 homes per 10,000 of population. In 1968-69 just over 16,000 new houses and flats were constructed, which was an increase of 34

per cent. over the 1967-68 period. However, we are still unable to meet the demand, because people who realise the high standard of living available in Western Australia are flocking to this State of opportunity.

Some people have suggested we should slow down the pace of development, and slow down the migration programme. This, of course, is a shortsighted approach.

Mr. Bertram: Why?

Mr. CASH: Because if we put the brakes on it would not be very long before everything would slow down and we would be right back to the situation which existed in 1959, when the Labor Government slowed down migration and put this State into the worst period it has known since the war. This present Government is quite prepared to grapple with the problems of development as they arise, to plan ahead to make certain that when problems do arise they can be eased as much as possible.

Mr. Jamieson: I bet the Government slams the Cabinet door when you get near to it.

Mr. CASH: I will now refer to education. Of course, we can present a fair comparison of achievement. In the period from 1959 to 1969 student enrolments have gone up from 120,000 to 169,000, which is an increase of 41 per cent. The revenue expenditure on education has increased by 207 per cent. and I would say that since 1959 the Government has brought a new look to education. We have provided more schools, and more finance, and we have reduced class sizes, despite controversial reports in newspapers and publications. Bigger subsidies have been made available to parents and citizens' associations, and the list of subsidised items has been added to. I would say that, State by State, the comparison would show that Western Australia has done equally well in education as any of the other States in Australia.

I would remind the Opposition, the Teachers Union, and the parents and citizens' associations, that if valid comparisons are to be made, they should examine carefully the items which are included in the Education Estimates of each State.

I will take this opportunity to thank those members on the other side who, I understand, circulated copies of my speech on education during the Address-in-Reply debate. It was apparently considered that the people who received the copies of my speech were interested, although they have expressed some different views from mine. If we compare Australia with other countries, with regard to education, we will find that the percentage of gross national product spent on education requires close study. Items listed under education expenditure vary from country to country.

In the present Budget the Education Vote from revenue is \$55,376,000. That is an increase of \$8,930,000 over the year,

which is an increase of 19.2 per cent. I think this is an achievement in itself. Perhaps we could cite illustrations of where more money could be spent on education, but more money could also be spent in other directions if it were available.

Referring now to social welfare, the Treasurer gave details of the expenditure which is to be made. If we include as social welfare expenditure the expenditure on hospitals and medical services, we will find that the total amount of these items will be nearly \$30,000,000. That is an increase of 18.7 per cent. on the 1968-69 figure.

In the field of mental health, we will spend just over \$6,000,000, which is an increase of 15.3 per cent. on last year. Expenditure on social welfare services, including education, law and order, public safety, public health, child welfare, and any other type of public welfare services, increases year after year. Western Australia has set an outstanding example to the other States because on a *per capita* basis of expenditure it is the second highest in the Commonwealth.

The Leader of the Opposition, when speaking on the Budget, tried to bowl out the Treasurer on several occasions. I thought he was wide of the wicket every time. In his first attack he criticised the Government for extravagant spending, but he did not back up his attack with facts and figures. He was using a political cliché.

The Leader of the Opposition suggested that free public transport should be provided to reduce the problems associated with the traffic flow into our capital city, and he quoted other countries where this has been tried out and experimented with. However, my information is that in the one or two major countries of the world where this method has been tried out it has proved a complete and utter failure. The public transport did not get many more passengers. If anything, the increase in passengers was merely the normal, natural increase in regard to the use of public transport. People throughout the world still prefer to use their own cars, and this would apply more so in Australia than in any other country.

The Leader of the Opposition attacked the Premier's proposals for land tax exemptions. He said there were very few properties in the metropolitan area which would qualify to be exempted. In the first place it seems to me the Leader of the Opposition was pretty disappointed that the Premier said in his Budget speech such a worth-while measure would be introduced, despite the fact that I understand 60 per cent. of the residents of Melbourne will pay no land tax under the new proposals.

In Western Australia just under 180,000 land tax assessments are sent out each year. Once the new proposals are implemented next year only 50,000 to 60,000

assessments will be issued, which means that under the new scale 120,000 people whose properties are assessed below \$6,000 will now gain up to \$34 a year because they will be exempted from paying land tax.

If we take figures for properties with a taxation value of \$7,000 to \$10,000—and the percentage of these blocks compared with the percentage of blocks in the under \$6,000 range is not as large—we find that the owners of those blocks will save between \$26 and \$32 per year. Members will find that the majority of home owners in the metropolitan area and nearly all in the country, bar an isolated one or two in each town, will not have to pay land tax on improved residential land under the new proposals.

I remind the House that in 1968 an amendment was made to the land tax assessment legislation whereby a young couple who purchased a block on which to build a home may have their land tax rebated for four years prior to their home being built; and, of course, this benefit will continue under the proposals brought forward by the Premier this year. I believe the current land tax adjustments provide wide benefits for the community, and I hope that much more publicity will be given to them. I hope that members of the Opposition will appreciate that two-thirds of the constituents in their electorates will in most cases benefit materially.

It seems to me, from reading the reports of land agents and other people interested in land problems—and I heard an interjection from the other side of the House about this earlier—that land prices are easing. I welcome proposals such as the one concerning Sorrento and Mullaloo in which serviced blocks will be placed on the market at less than \$4,000. This is the result of a Government policy under which rezoning has been conditional on the blocks being put on the market at below \$4,000.

Mr. Graham: The Opposition suggested this years ago.

Mr. CASH: This will set lower market prices for other subdivisions. The extensive television and newspaper advertising seems to indicate that many developers are anxious to quit their blocks of land before the prices drop further.

One of the factors contributing to the high price of land is that the land market has been played like the share market. Rumours of rezoning combined with predictions of future land prices from computers create their own result. If I may talk about computer predictions for a moment, these have been used to create the result that a person wants to create. These sorts of predictions come from people in the economics section of the University. They tend to say that land is worth, say, \$5,000 today, and they run that information through the computer and the

computer predicts that it will be worth \$10,000 at some future date, and this is publicised throughout the community. It is not a first-class proposition to suggest, by publishing such a forecast, to the community that there is a chance to make \$5,000 or whatever the figure might be.

This sort of prediction entices young people to go out and buy a block of land and join the ranks of speculators. They get an assurance from somebody who seems to be an authority and who uses some sort of machine to predict the price of land that land values will increase. So they put their money in because that person says land which is worth \$5,000 now will be worth \$8,000 in two years' time, and it seems to be a pretty good thing.

I would say that those people use computer predictions in much the same manner as do the chartists on the stock market. Chartists plot out the future possibilities in the stock market and then recommend people to buy certain stock. This creates a speculator demand on the market and the following week it is found that the price of the stock is pushed up. I think the position is the same with land prices and I would say to those people at the University that they themselves have done more than many other people to create high land prices in the community.

Of course, recent auctions of land have been conditioned by Government actions such as making more land available and increasing tax on unimproved land; and this has encouraged landholders to put more and more land onto the market and thus help to force down the price. I believe that if people—thinking people, anyhow—stayed away from auctions the price of land would settle. The computer forecasts of land prices for this year were wrong, because the mechanical brain computed that land at City Beach would sell for \$13,000 this year; but the average price at the last Perth City Council sale was \$10,640.

I noticed in the newspapers that the computer economist was pretty upset about this because his mechanical brain was proved to be wrong and he made excuses for it, but anyone who understands computers knows that they make some glaring mistakes, and there are examples of this all over the world. My advice to young people is to turn the market into a buyer's market rather than let it remain in any way a seller's market. This can be done by shopping around for land.

There is one matter which I think the Government should look at, and that is the protection of members of the public against salesmen and firms who methodically set out to cheat them. I have asked questions in this House regarding the establishment of a consumer protection council, but the Government has not proceeded very far. I understand that some people believe the consumer protection

council in Victoria has not been very effective, that it does not seem to have enough powers to effectively protect the public, and that therefore any such council created in Western Australia would need to be armed with more power in order to make it effective.

One of the things that affects people in this country is inertia selling. This is a sales technique which commits a consumer to buy goods he does not want and has not ordered. He has no obligation if he returns the goods within a specified time, but it is hard for people outside the immediate city area to comply with this condition. If a person receives goods into his home through the postal services, even though he has received them on the basis of not wanting them and he has not sent for them, he is legally obliged to maintain the goods in new condition and may not use them for any purpose.

I understand that in the State of New York a recipient of such goods may consider them a gift, and dispose of them in any way he thinks fit. I think this is a good suggestion. I hope the Government will eventually have a look at the suggestion of a consumer protection council and examine the laws of the State of New York and every other State in so doing.

Again, I think we need to protect the consumer against false advertising, misleading prices, and quotes which turn out to be something else when the items are purchased from a store. We find that in the servicing of appliances there seems to be a fair amount of misrepresentation. Some servicing representatives—and I do not mean all of them—rely on, or take advantage of, the consumers' or users' lack of technical knowledge. They point out all sorts of things that they say are wrong with an appliance and take it away and bring it back with an extraordinary bill, which some people cannot afford to pay, and which is sometimes nearly as much as a new article.

There is also occasional overcharging for service work, and this could be looked into by a consumer protection council. Service organisations send a man to do a job in a suburb, and he charges a travelling fee. Quite often he could well do five jobs in the same suburb on the one day, or even in one morning, with perhaps two or three streets separating each job, but the invoices sent to the separate consumers would each bear a travelling charge.

A suggestion has been made—even within the realms of this Parliament—that we should merely let the buyer beware. However, I do not agree with this. I think the Government and the Parliament exist to protect people in the community who cannot look after their own commercial affairs because they have not the educa-

tion or ability to examine or understand some of the simplest forms or documents connected with financial transactions.

I think this 1969-70 Budget looks well ahead, and aims to keep the State moving. We still have some problems to solve; we have problems in housing and land, and also in the effects of the drought. But these are problems with which the Government is endeavouring to deal. The High Court decision on stamp duty will certainly have an effect on the raising of State revenue. We had a promise from the Prime Minister prior to the Federal elections—and I am certain that what he said before the elections will be what he says after the elections—that he would see that the States did not suffer. The Prime Minister said he would see what could be done to ensure that State revenues were not affected.

Speaking of Commonwealth-State relationships, I think there is a need to negotiate a new formula for State finance, and I know that the Premier, having had a great deal of experience and having spoken up strongly for Western Australia over a great number of years, will go to Canberra to make the Commonwealth fully aware of the need to negotiate a new formula which will be acceptable to Western Australia, and one that will be of benefit to this State for the full number of years the agreement will run.

I think the Commonwealth Government will appreciate the problems of Western Australia, because our contribution to the economic structure of the nation is growing rapidly. I believe as our mineral contribution continues to grow so will the people throughout Australia—not only in Canberra, but in all the capital cities—realise that Western Australia is doing something for the benefit of every Australian; and the revenue from Western Australia will make a contribution to the Treasury of Australia in many ways.

One last thought before we suspend for tea: Despite the very unsettled weather last Saturday, our team is in pretty good spirits. We congratulate our skipper for his 10 years of service to the State, and we express very strong support for his Budget proposals.

*Sitting suspended from 6.15 to 7.30 p.m.*

**MR. GRAYDEN** (South Perth) [7.30 p.m.]: The point on which I wish to touch in this debate is the question of fishing. I notice from the Budget that last year we spent \$595,458 and it is anticipated that this year we will spend \$682,000. It seems to me rather silly to spend this amount of money if as a result of a simple act of administration the State is likely to face a cost in excess of the \$682,000 mentioned. I refer, of course, to the action taken in connection with the closure of various loops in Shark Bay.



Recently a statement appeared in *The West Australian* from the Minister for Industrial Development to the effect that in renewing the temporary reserves which would result in the closure of loops at Shark Bay we would in no way affect the fishing at Shark Bay. This, of course, is not at all correct. Perhaps I ought to quote for the sake of accuracy the actual statement the Minister made. It is as follows:—

Therefore it was given the right to undertake these studies subject to very strict conditions, and on the best advice the Minister for Mines and the Minister for Fisheries and Fauna could obtain. Just in case there is any misunderstanding about this, or any suggestion that this is detrimental to the fishing industry, I hasten to say that the man who advised the Government is an expert on whiting and his services have been sought by F.A.O. to advise it on the development of fisheries and their conservation in other countries. This man is no amateur weekend fisherman and is not an ordinary administrative officer within the department; he is a man with a world-wide reputation. It was he who drafted the conditions which are attached to the temporary reserve.

In other words the Minister was suggesting that the closure of the loops in question could not possibly have any deleterious effect on the Shark Bay fishery because the action was taken on the best advice of the Minister for Fisheries. Subsequently the member for Gascoyne asked a question on this point as follows:—

- (1) Will he state the name of the world expert on whiting who gave his opinion on the closing of loops and inlets at Shark Bay?
- (2) What are his credentials?
- (3) On what dates did he visit Shark Bay?
- (4) Was he accompanied by an officer of the Western Australian Department of Fisheries and Fauna; if so, who was that officer?

The Minister replied—

- (1) to (4) The person concerned is an officer of the Department of Fisheries and Fauna and a Bachelor of Science with considerable experience of Shark Bay.

He is also currently engaged on further Shark Bay studies.

The fact that he was asked by F.A.O. to do a research programme would presumably entitle him to be regarded as a world expert or at least someone of international standing.

The member for Gascoyne was apparently not satisfied with the answer he received because he asked a further question of the

Minister representing the Minister for Fisheries and Fauna as follows:—

- (1) Who is the officer in the Fisheries and Fauna Department who was requested by the Food and Agriculture Organisation to do a research programme?
- (2) What was the nature of the research programme he was requested to carry out by the F.A.O.?

The Minister replied—

- (1) The services of Mr. R. C. J. Lenanton were sought earlier this year under the Australian South Pacific Assistance Programme to provide research advice for the British Solomon Islands Protectorate.

The rest of the answer is not significant. What is significant is the name of the officer who advised the Government on the closure of loops at Shark Bay. Subsequently I asked the Minister representing the Minister for Fisheries and Fauna—

- (1) What advice did Mr. R. Lenanton tender to the Government in respect of the closure of inlets in Shark Bay?
- (2) When was the advice tendered?
- (3) Was the advice in writing?

I received the following answer—

- (1) Mr. Lenanton appeared before and gave advice to General Fisheries Advisory Committee on the subject of whiting in Shark Bay.
- (2) November, 1967.
- (3) He submitted a preliminary report on the status of the Shark Bay whiting fishery.

This is the advice to which the Minister was referring when he assured the House that the Government had acted on the best advice of the Fisheries Department; he was referring to this particular officer. The significant point so far as I am concerned is that the advice tendered by Mr. Lenanton was tendered nine months after the Government had granted the reserves. That is the first significant point.

The other point of significance is that the preliminary report submitted by Mr. Lenanton was by no means in favour of the closure of the Shark Bay fishery. The contrary was the case and Mr. Lenanton said in his preliminary report to which the Minister for Industrial Development was referring—and this is the only reference made to the closure of the loops—

Presumably as a result of the influx of Mandurah fishermen, the catch/effort fell to a reasonably stable level from 1958-1963. It is suspected that the fall to a lower level from 1964-1967 is a result of the Salt Works closing off valuable nursery areas in 1963. Another substantial nursery area was closed off in August, 1967. This may further deplete the fishable stock.

That was the only advice that was tendered to the Government by Mr. Lenanton and this advice was tendered eight to nine months after the Government had granted the temporary reserves. Notwithstanding that fact, the Minister for Industrial Development was able to assure the House that the action taken was on the best possible advice of the Fisheries Department. I repeat the statement—

Therefore it was given the right to undertake these studies subject to very strict conditions, and on the best advice the Minister for Mines and the Minister for Fisheries and Fauna could obtain. Just in case there is any misunderstanding about this, or any suggestion that this is detrimental to the fishing industry, I hasten to say that the man who advised the Government is an expert on whiting and his services have been sought by F.A.O. to advise it on the development of fisheries and their conservation in other countries.

Here we have an unequivocal statement by the Minister for Industrial Development to the effect that the Government acted on the best possible advice; advice which was received many months later and which was contrary to what the Minister led the House to believe.

I want to emphasise the fact that this was the advice acted on by the Minister. I would like to refer again to the question I asked which was as follows:—

- (1) What advice did Mr. R. Lenanton tender to the Government in respect of the closure of inlets in Shark Bay?

The Minister replied—

- (1) Mr. Lenanton appeared before and gave advice to General Fisheries Advisory Committee on the subject of whiting in Shark Bay.

I asked the Minister representing the Minister for Fisheries and Fauna—

Will he lay on the Table of the House all papers relating to the views of officers of the Department of Fisheries and Fauna in respect of temporary reserves Nos. 4172H, 4173H and 4174H, and the effect closure or possible closure of inlets has had, or may have, on the Shark Bay fishing industry?

The Minister replied:

Yes. Tabled herewith are copies of reports and research information from Fishing Industry News Service published in March and June, 1969. Research is continuing and the provisional conclusions reached in the attached reports are subject to modification.

In other words the papers laid on the Table of the House are all the papers in the possession of the Department of Fisheries and Fauna which relate to the closure of the loops at Shark Bay. I have

taken photostat copies and I would like to quote certain extracts to show the advice which was before the Minister at the time the particular decision was made. At that time in the Fisheries Department we had as the top research officer Mr. Bowen. He wrote a minute to the Director of Fisheries—it was Mr. Fraser at that time—in respect of the possible closure prior to the granting of the leases. The minute reads as follows:—

The areas required by Shark Bay Salt Pty. Ltd. are most certainly occupied by small fish of commercial importance at the present time. Last year Research Officers Slack-Smith and Lenanton carried out a brief study of Useless Inlet area, especially that part which Shark Bay Salt Pty. Ltd. now requires for the production of salt. The study showed that the area is important for small whiting, snapper, yellow-fin bream and mullet. It is not possible to say exactly what part this Inlet plays in the maintenance of the Shark Bay fishery. However, there is little doubt that the shallow water areas of Shark Bay are of major importance as a habitat for small fish and as these habitats are destroyed the fishery will gradually decline.

The annual production of fish from Shark Bay is usually about 1.2 million pounds, with the dominate species being whiting (0.4 million pounds), mullet (0.45 million pounds), and snapper (0.2 million pounds). These are the species, the young of which inhabit the lower portion of the inlets.

In Shark Bay there is approximately 30 fishermen dependent upon the Bay for a livelihood. The annual value of the fishery is approximately \$120,000. Shark Bay is also a tourist centre with fishing as a main attraction. In future years the value of tourism, with fishing playing an important part, may be far greater than the value of commercial fishing.

Snapper also support a fishery outside Shark Bay. During June, July and August Fremantle fishermen work the snapper patches and catch up to 1.5 million pounds per year worth approximately \$150,000. Recruitment to this fishery is also probably dependent upon the Shark Bay nursery areas.

This, I repeat, is the advice of the senior research officer given to the director on the 18th November, 1966, when he heard there was a possibility of a salt works being established at Shark Bay.

The next item on the file of papers which was tabled in the House is from the director himself—he is the administrator, and he was relying heavily on information given to him by his senior research officer. He emphasises this in a minute on the file.

This officer said that he had had a visit from a representative of Shark Bay Salt Pty. Ltd. and obviously this had been arranged by some other department. The following minute for the information of the Minister for Fisheries and Fauna was placed on the file:—

Mr. Dodd, of Shark Bay Salt Pty. Ltd. called to see me yesterday afternoon. He said he expected that if the company's application for the Useless Inlet area be granted, the production of salt would rise to some 500,000 tons annually. Later, if the Cararang area could be secured, production could possibly be doubled. In that case a chemical industry based on the bitterns could operate economically. This could employ a great number of people. The Useless Inlet plus Useless Loop project would have a work force—largely Denham people. he hoped—of 30 or 40.

The price negotiated with Japan for the sale of the salt is \$9 a ton C.I.F. This means an industry worth 4 to 5 million dollars annually, even if the Cararang project does not go forward. The fishing industry at Shark Bay (excluding prawns) has a value not greatly in excess of \$250,000 annually. It supports about 30 families, either wholly or partly.

We can imagine this officer's attitude from his concluding paragraph when he refers to "the only suggestion I can make at this stage." I quote—

Submitted for your information. The only suggestion I can make at this stage is that it be a condition of any lease that if the areas are abandoned dams constructed to seal them off be removed or, alternatively, a reasonably wide opening be bulldozed through them. This would to some extent enable the waters concerned to resume their normal function as nursery areas for young fishes.

That is the second piece of information on the file. There are only two other items, but they are most significant because this is the information on which the closure was based. A letter or a minute from an inspector R. Smith who was based at Shark Bay—he is still there—to the supervisory inspector had this to say—

I wish to report a matter of grave concern to the fishing industry at Shark Bay.

The Salt Works have closed off Bibbagiddie at the bottom of Useless Inlet, and thousands of snapper, whiting, etc., will die. I believe they also intend to close off Cararang Loop. If they are allowed to keep taking these breeding grounds, the fishing industry here at Shark Bay will be destroyed.

Could you look into the matter as it is a situation that will effect the

living of 30 fishermen at Shark Bay. I have enclosed a part of an old chart marking the areas concerned.

That was written on the 21st February, 1967 and, on the 27th February, 1967, inspector Smith again wrote to Mr. Fraser, the Director of Fisheries and Fauna, as follows:—

On Sunday, 26th February I made a patrol to Useless Loop to investigate the fishermen's complaint that the Shark Bay Salt Co. had closed Bibbigiddie at the southern end of Useless Inlet.

I contacted Mr. J. Smailes, the manager of Shark Bay Salt, who drove me to Bibbigiddie and showed me the dam they had put across. The area they have closed off comprises 3,000 acres with an average depth of 11 ft. Snapper, mullet and whiting are locked off from the sea and will die as the salinity of the water increases.

Mr. Smailes then drove me north to what is called the Guano dump and pointed out the area which they are going to close in June. This area also comprises 3,000 acres of water with an average depth of 7 ft.

These areas are nursery areas for fish and the local fishermen are very concerned about their future, and are sending a petition to Mr. MacKinnon the Minister of Fisheries and Fauna.

I have forwarded a map to Supervising Inspector, Mr. Bramley, with the areas marked and have taken photo's of Bibbigiddie which I will forward as soon as they are developed.

The closing of these areas would have an adverse effect on the fishing in the Shark Bay area.

Mr. Smailes informed me more information could be obtained from their office in Perth.

That is the only information on the file which was available to the Minister at the time the decision was made. No-one could possibly suggest that there is anything there which would enable the Minister for Industrial Development to say that the decision was made after taking the best advice that the Minister for Fisheries and Fauna could get. Yet that statement was made. As a matter of fact, as I said before, the Minister for Industrial Development went much further when he said—

Just in case there is any misunderstanding about this, or any suggestion that this is detrimental to the fishing industry, I hasten to say that the man who advised the Government is an expert on whiting and his services have been sought by F.A.O. to advise it on the development of fisheries and their conservation in other countries

And so the Minister went on. It was an unequivocal statement made by the Minister that the closure of these loops would

not have a detrimental effect on the fishing industry and that, in fact, the Minister for Fisheries and Fauna had acted on the best advice possible. That was the advice which I have already read to the House. In my view this is extremely serious.

In 1967 the Minister for Fisheries and Fauna appointed an advisory committee to inquire into the fishing industry at Shark Bay. I shall not read the whole of the report made by the committee, but I would like to make particular reference to what the committee had to say about Useless Loop and Useless Inlet. It reads as follows:—

The Committee found opinion unanimous that the closing of Useless Loop and Useless Inlet for the production of salt was harmful to the fishery. These were nursery areas for prawns and fish.

Three years after the closing of Useless Loop there was a big drop (60,000 lbs.) in the whiting catch. (See Fig. II of Appendix B). This period represents approximately the time it takes for whiting to grow from spawning to catchable size.

The committee formed the opinion that the shallow water areas of Shark Bay are inhabited by juveniles of the dominant species in the catch. They felt that there is little doubt that further closing off of these nursery areas can only lead to the continued decline of the fishery.

This will mean a lower take of fish and a lesser supply of fish available to the local processing works.

This was the advice tendered to the Minister for Fisheries and Fauna later that year by the fisheries advisory committee—on the 17th November, 1967. We must consider that date and bear in mind that the leases were granted in March of that year. Apparently the first inkling that the Minister had of the preliminary report by Mr. Lenanton was when the document to which I have just referred reached him; because the information was contained in that report.

Yet the Minister for Industrial Development indicated that Mr. Lenanton had advised the Government in this matter notwithstanding the fact that that gentleman did not submit a preliminary report until many months later.

Had the information which the Minister for Industrial Development gave to the House not been given I think members would have had no option but to agree to the motion moved by the member for Gascoyne and, in those circumstances, two of the temporary reserves in the Shark Bay area would not now be held by Shark Bay Salt Pty. Ltd. After I had spoken on the matter the Minister for Industrial Development said that there were individuals in this House who were prepared to

kick the Australian company in the teeth. That was the statement he made because this is what he said—

I deplore the advocacy of the member for South Perth that the Texada company should virtually be allowed to export limitless tonnages . . .

Then a little further on he said—

We have the extraordinary situation of individuals wanting to kick the Australian company in the teeth to clear the way for the overseas companies, with which I negotiated very strict conditions.

I want to make it quite clear that it certainly was not my intention to kick the Australian company in the teeth. I made it perfectly clear at the time that with Useless Inlet and Useless Loop the salt company had adequate areas to enable it to carry on. It was a criminal thing at that stage, especially as the company was in financial difficulties, to take steps to close Brown Inlet, which is sometimes referred to as Cararang Inlet. It is about 20 miles from the salt works, and there is another area a further 20 miles away—about 40 miles from the salt works. It was criminal to even think of closing those areas and destroying them as nurseries for the Shark Bay fishing industry—particularly as at the time the future of the Shark Bay salt works was by no means certain.

Only the other day there was a statement in *The West Australian* the heading of which was "Salt Project Has Loss of \$800,000." The situation of this company has always been most precarious; its position has always been economically unsound. As has been pointed out before, Texada, which is operating 30 miles north of Carnarvon, could produce 3,000,000 tons of salt per annum. At the moment it is a by-product, or it will be a by-product when the production of potash gets under way. This company has been told to stockpile its salt and it can sell only if it can find markets which will not jeopardise those of the existing salt companies. According to the Minister for Industrial Development the extent of the salt potential for Texada is 2,000,000,000 tons—that is the proven potential.

The company can produce 3,000,000 tons annually, but cannot sell it unless it can find overseas markets which will not depress the market for other salt companies. While that situation is obtaining at Lake McLeod, at Shark Bay we are doing everything possible to bolster up Shark Bay Salt Pty. Ltd. I go along with this. However, I say that the company can effect all sorts of economies and can remain a viable industry—even though it will never be a lucrative one—by utilising the two loops it has already. These two additional loops need not be closed; that is the important point.

The Minister said that the closure was to be effected on the best possible advice. The advice was tendered several months after the decision was made; and then it was contrary to the information given by the Minister. These are both extremely relevant and serious points, but quite apart from them a very serious aspect is that Brown Inlet, one of those to be closed by the company, is an area very much larger than the area of the Swan estuary, which starts at the Fremantle Traffic Bridge and runs right up to the Causeway. The other day I asked the Minister the approximate size of the Swan estuary and he replied that it was 7,200 acres and extended from the Causeway to the Fremantle Traffic Bridge.

Now, Brown Inlet is 10,000 acres. What situation have we reached when we can say to a salt company that it can close off an area of water of this size, not to produce salt, but to see if it will be satisfactory for its purposes. This is what has been done. The company can build a bar across the mouth of the inlet and evaporate the water in the inlet to see if it will be satisfactory. We are going to close off this area of water which is much larger than the Swan estuary, which is 7,200 acres, while Brown Inlet is 10,000 acres.

It is not only the closure of the 10,000 acres of water, or 15 square miles, which is important. This is the most picturesque water in Shark Bay. The inlet is 10 miles long and on both sides are huge ranges which shelter the inlet and make it an ideal breeding ground for young fish. It is, in addition, an ideal stretch of water for tourists.

The situation is that we are going to permit the company to take this action; and we have made this decision extremely lightly.

We know that Ministers of this Government will go to the most far-flung towns in Western Australia to attend various functions and meetings; and this is all to their credit. I have been amazed at times to learn that a Minister has gone to a place like Wyndham to open, say, a public building or attend a meeting which is of consequence to the local people. Only last week the Premier went to the border of Western Australia and South Australia to attend a function in connection with the bituminisation of the Western Australia section of the Eyre Highway.

Ministers are extremely busy men but, despite this, they are constantly travelling to remote areas of the State in the performance of their duties. Yet an area bigger than the size of the Swan estuary is to be closed and not a single Minister has even been there to inspect it! This is an extraordinary situation!

Here we are living in the year 1969, in an age of conservation, and yet we permit this company to close an inlet covering

an area of 10,000 acres or 15 square miles, notwithstanding the fact that the Department of Fisheries and Fauna has indicated that the inlet is of tremendous importance to the fishing industry. We have given permission to the company to erect a bar across the inlet which action would be the equivalent of permitting a bar to be erected across the Swan River at the Fremantle Traffic Bridge and so allow the Swan estuary to dry out. It is equivalent to that, and yet not one Minister has been up to the area to gain first-hand knowledge of the area. The situation I have been discussing concerns only Brown Inlet, but not very far away is situated Depuch Inlet which covers 12 square miles or 8,000 acres. But again no Minister has been to Depuch Inlet to have a look at it to ascertain its importance to the tourist industry or the fishing industry. No officers of the Department of Fisheries and Fauna have been sent to the area for this particular task. No doubt, officers of the department have been in the area on occasions and know of this particular spot, but their advice has not been needed.

I repeat that we are not talking only about the Shark Bay fishing industry, although it is of tremendous importance. We are also talking about tourism. If one went to Shark Bay at the moment for a holiday one would have great difficulty in obtaining accommodation at the caravan park, the hotel, or any other place. During holiday periods, the space between the cars towing caravans on the northern highway would be virtually only 200 yards. This gives an indication of the popularity of Shark Bay and similar places as tourist resorts. Without doubt Brown Inlet, to which I have been referring, is the most attractive area of Shark Bay with its 10 miles of sheltered and relatively deep water. It would be 11 feet deep, or thereabouts. It is a nursery ground for young fish and yet is to be closed without a single Minister having inspected it.

We have in this House a member who represents the electorate in which is to be found the Mandurah estuary which comprises the Peel Inlet and Harvey estuary covering 32,700 acres. How would the people of his electorate feel if we were to permit a bar to be constructed across the mouth of the estuary and allow an estuary to dry up? But that is precisely what is being done at Shark Bay.

Useless Loop, which has already been quoted, comprises 4,888 acres, while the area of Useless Inlet is 6,000 acres. Now we are to close Brown Inlet with 10,000 acres and Depuch Inlet with 8,000 acres. They are all big areas of water. We would be told we were out of our minds if we suggested the same thing be done with the Mandurah estuary or the Swan estuary; yet we think nothing of doing it at Shark Bay, notwithstanding the fact that the officers of the Department of Fisheries and Fauna have indicated that these inlets

are of tremendous consequence to the fishing industry. I am convinced that the areas would not have been closed had the Minister for Industrial Development not made the statement that the Government was acting on the best possible advice it could obtain.

Mr. Graham: Would you say the Minister was guilty of wilful misrepresentation?

Mr. GRAYDEN: He may have been misinformed himself. I do not know what happened.

Mr. Graham: He gave assurances, and repeated them.

Mr. GRAYDEN: I will say, though, that it is a serious thing that the Minister concerned should, firstly have had so little regard for conservation as to champion the closure of these inlets in these circumstances and, secondly, that he should have assured the House that the closure of the inlets was done on the best advice that the Minister for Mines and the Minister for Fisheries and Fauna could obtain, when in fact it was not.

The DEPUTY SPEAKER: The honourable member has another five minutes.

Mr. GRAYDEN: I do not know who is acting for the Minister for Industrial Development, but I do think the House is owed a full explanation, if an explanation is available, of what has happened in this respect. I believe immediate action should be taken to prevent the permanent despoliation of these two inlets—Depuch and Brown—until such time as the full effect on the Shark Bay fishing industry can be thoroughly researched. No specific research has been undertaken on that particular aspect. No-one has done this.

Under sections 276 and 277 of the Mining Act the Minister for Mines can at any time cancel a temporary reserve. Therefore, all is not yet lost! In view of the information given previously and the manner in which the House made the decision—largely on the advice and assurances of the Minister for Industrial Development that this was not going to affect the fishing industry—I am going to ask the Government to ensure that the Minister concerned revokes these two temporary reserves. He has the complete power to do this. I will ask that this be done so the effect of the closure of these inlets on the fishing industry can be established.

Knowing the Premier's regard for conservation and his interest in tourism, I am quite certain that if he travelled on a launch along these two inlets—and if members were to accompany him—these inlets would not, under any circumstances, be closed.

During the last two days there has been a controversy about a small portion of the Swan River. I was opposed to the reclamation proposal, but many members took the opportunity provided by the Minister for Fisheries and Fauna to inspect

the area in question. Members thought that project sufficiently important to do so. I want to say that the area involved at Shark Bay is infinitely more important than the area or the Swan River in question, and it behoves every member of this House to personally go to the area to see exactly what will be done. I therefore hope the Government will go out of its way now that the matter has been brought to its attention to make it possible for members to see precisely what is going to be done in respect of the closure of these two inlets.

MR. NORTON (Gascoyne) [8.14 p.m.]: I listened with great interest to the member for South Perth in respect of the closure of the loops at Shark Bay. I dealt very fully with this subject recently in a motion before the House and as a result of the debate I learned something which has caused me very great concern; that is, that we were given by a senior Minister misleading or untrue statements as to the actual facts of the case.

To my mind the Minister did not know anything at all of what he was talking about. He was trying merely to talk his way out of something in which he had been caught up. I believe I would have had an excellent chance of having the House pass that motion if the Minister had not made a certain statement, which was quoted by the member for South Perth a short while ago. When the Minister for Industrial Development was speaking on the motion which I moved he said—

I hasten to say that the man who advised the Government is an expert on whiting and his services have been sought by F.A.O. to advise it on the development of fisheries and their conservation in other countries. This man is no amateur weekend fisherman and is not an ordinary administrative officer within the department; he is a man with a world-wide reputation. It was he who drafted the conditions which are attached to the temporary reserve.

The conditions attached to the temporary reserve were to the effect that if the bars or dams put across the inlets were reopened the fish would go back into the areas and breed again.

The Minister said it was a person of world renown and an expert on whiting, but he did not name him. In fact, I interjected and asked his name, but apparently my interjection was missed.

Mr. Ross Hutchinson: The member for Gascoyne should not forget that the Minister who said this was not handling the portfolio of fisheries. He was trying to relate some information given to him by the Minister.

Mr. NORTON: The Minister for Industrial Development still gave the information and came in very quickly with the

words "I hasten to say." My motion was debated on the Wednesday. On Thursday, the 9th October, I handed a question to the Clerks, which reads as follows:—

- (1) Will he state the name of the world expert on whiting who gave his opinion on the closing of loops and inlets at Shark Bay?
- (2) What are his credentials?
- (3) On what dates did he visit Shark Bay?
- (4) Was he accompanied by an officer of the Western Australian Department of Fisheries and Fauna; if so, who was that officer?

I think the Minister for Works will agree this was a perfectly fair question to ask. It was handed to the Clerks, as I have said, on the Thursday and it appeared as question 2 on the notice paper of Tuesday, the 14th October. However, on that day the question was postponed. The Minister for Industrial Development had had all day Friday, all day Monday, and part of Tuesday to obtain the answer but he did not do so.

Mr. Ross Hutchinson: I repeat that he was trying to make available some information from the Minister for Fisheries and Fauna.

Mr. NORTON: That has nothing whatsoever to do with it. I asked a straight-out question of the Minister for Industrial Development and he had two and a half days in which to obtain the answer.

Mr. Ross Hutchinson: It was when he was speaking that he mentioned the world expert.

Mr. NORTON: Unfortunately, I was not in the House when the question was postponed nor was I here when it was answered on Wednesday, the 15th October. The Minister came up with the answer after three and a half days, and in saying that I am leaving out the weekend. The Minister said—

- (1) to (4) The person concerned is an officer of the Department of Fisheries and Fauna and a Bachelor of Science with considerable experience of Shark Bay.

I mention at this point that I had asked the Minister in part (1) of my question to state his name, but the Minister did not do so. He said—

He is also currently engaged on further Shark Bay studies. The fact that he was asked by F.A.O. to do a research programme would presumably entitle him to be regarded as a world expert or at least someone of international standing.

Surely between Wednesday of one week and Wednesday of the next week the Minister could have obtained the name of that officer from his colleague in another place!

Mr. Ross Hutchinson: That was the answer supplied to him.

Mr. NORTON: I had asked a straight-out question; namely, "What is the name of the officer?" I followed that up with a question directed to the Minister representing the Minister for Fisheries and Fauna. I did not ask him exactly the same question, but it was very close to it. My question was—

- (1) Who is the officer in the Department of Fisheries and Fauna who was requested by the Food and Agriculture Organisation to do a research programme?
- (2) What was the nature of the research programme he was requested to carry out by F.A.O.?

The Minister came back quite clearly and said—

The service of Mr. R. C. J. Lenanton was sought earlier this year under the Australia Pacific Assistance programme to provide research advice for the British Solomon Islands Protectorate.

Then the Minister went on to say exactly what he was doing. The Minister for Industrial Development would not have been put to any trouble to answer the question I had asked him. After all he came out very deliberately and said, "I hasten to say that the man who advised the Government. . . ." The Minister knew who it was, but he did not want to admit it. He said that Mr. Lenanton gave advice, but when I looked through the various documents which have been tabled in the House I found it was not Mr. Lenanton at all who gave the advice. Quite a different set of circumstances applied.

First of all we must bear in mind that the conditions were attached to the temporary reserves before the 31st March, 1967. In July, 1967, the Minister for Fisheries and Fauna called for a report from the general fisheries advisory committee into fishing at Shark Bay. That is when Mr. Lenanton gave his advice, but that advice was not tendered to the Minister until the 17th November, 1967, which members will realise was some seven or eight months after the temporary reserves were granted.

The conditions were put on the temporary reserves prior to the 27th March, 1967. The story is written in a file which was tabled recently and which is headed, "Whiting Fishing at Shark Bay." It is addressed to the Minister for Fisheries and Fauna and is signed by Mr. Fraser, the Director of Fisheries and Fauna. The report is dated the 18th November, 1966, which is practically five months prior to the granting of the reserves. This is what it says—

Mr. Dodd, of Shark Bay Salt Pty. Ltd. called to see me yesterday afternoon. He said he expected that if

the company's application for the Useless Inlet area be granted, the production of salt would rise to some 500,000 tons annually. Later, if the Cararang area could be secured, production could possibly be doubled. In that case a chemical industry based on the bitterns could operate economically. This could employ a great number of people. The Useless Inlet plus Useless Loop project would have a work force—largely Denham people, he hoped—of 30 or 40.

The price negotiated with Japan for the sale of the salt is \$9 a ton C.I.F. This means an industry worth 4 to 5 million dollars annually, even if the Cararang project does not go forward. The fishing industry at Shark Bay (excluding prawns) has a value not greatly in excess of \$250,000 annually. It supports about 30 families, either wholly or partly.

Now we come to the crucial part. It says—

Submitted for your information. The only suggestion I can make at this stage is that it be a condition of any lease that if the areas are abandoned dams constructed to seal them off be removed or, alternatively, a reasonably wide opening be bulldozed through them. This would to some extent enable the waters concerned to resume their normal function as nursery areas for young fishes.

Members will see it was definitely not Mr. Lenanton who recommended that the particular condition should be included in the temporary reserves; it was the Director of Fisheries and Fauna.

As I said before, it concerns me that senior Ministers will simply jump up and have something to say. I will not say that all Ministers do this, because I know they do not; but one did; namely, the Minister for Industrial Development. Of course one has to take it for granted that what he is saying is the truth unless one can prove it to the contrary. I have now proved it to the contrary and I wish to complain to the House that the Minister misled the House to this extent. If he has not the true facts then he should say nothing.

Mr. Ross Hutchinson: I do not think he was misleading the House.

Mr. Graham: I beg your pardon?

Mr. NORTON: Why did he not answer the question which I asked him?

Mr. Ross Hutchinson: He finished up answering it.

Mr. NORTON: He did not. I obtained the answer from the Minister representing the Minister for Fisheries and Fauna. The Minister for Industrial Development dodged the answer and he had three and a half days in which to obtain the information.

Mr. Ross Hutchinson: When he first mentioned the world expert on whiting, he did not know the name of the man.

Mr. NORTON: He had three and a half days in which to find out.

Mr. Ross Hutchinson: That was over the weekend.

Mr. NORTON: No. He had Friday, Monday, Tuesday, and half of Wednesday.

Mr. Rushton: Does the member for Gascoyne believe that the Minister for Industrial Development normally evades questions? I do not think he does.

Mr. NORTON: The noisy scrub bird again! He definitely evaded the answer. We cannot get away from that. I definitely protest that this kind of thing can take place. It makes one wonder just what sort of information one is getting and whether it is what it should be. I definitely wish to lodge a protest in this particular case, and I think I have every justification for doing so.

I agree 100 per cent. with the member for South Perth in what he said. I think I pointed out all the facts on Shark Bay fishery when I moved my motion. For this reason, I will not go back over them now, but I do lodge this protest at the way we were treated on this particular motion.

Sir David Brand: I am quite sure the Minister for Industrial Development did not do it deliberately.

Mr. NORTON: I am sorry the Minister for Industrial Development is not in the Chamber so that he could answer. Unfortunately I cannot wait for him to come back.

Mr. Graham: Why would he say something so palpably untrue?

Mr. Ross Hutchinson: As what?

Mr. Graham: The advice to the Government was not that everything was well in Shark Bay. There was no such advice from anyone concerned.

Mr. Ross Hutchinson: That is not so either.

Mr. Graham: It is so. The member for South Perth read out all the relevant documents.

The DEPUTY SPEAKER: Order! Will the member for Gascoyne please proceed?

Mr. NORTON: With pleasure, Mr. Deputy Speaker, but the interruption has given me a chance to sort out my papers.

I now wish to touch on education so far as remote areas are concerned. There are three-year high schools in the remote areas of this State, and under the present set-up there is very little prospect of getting five-year high schools.

While the Minister told me a couple of years ago that the department has no actual regulations so far as numbers are concerned in respect of fourth and fifth-year high schools, it is generally conceded



that the student enrolment must be at least 30 children in the fourth year for a school to qualify. If the people in the outback areas are provided with the necessary facilities they will definitely make use of them.

These days when parents are planning the education of their children they usually consider the educational facilities available—particularly those relating to secondary education—to see whether it will be possible for the child to continue its education during the last five years of its schooling.

In the case of children who after three years at one school go somewhere else to complete the final two years, the parents feel that it would be preferable to spend the few extra dollars to send the children away for the first three years in order that they might continue at one school for a period of five years.

The enrolments have been fairly steady at Carnarvon over the past three years. In 1967, we had 49 students in the third year, while in 1968 we had 52 students, and in 1969, 41 students. The majority of these students sat for, and passed, their Junior examination. But these students are those who are forced to go through to the third year in secondary education on account of the age limit.

It is quite enlightening to see the number of children leaving Carnarvon each year. I asked the Minister for Education whether he could give me some indication as to how many children were going away from school each year to attend school in the south. He said he was unable to do so, and I am not surprised. However, I obtained these figures from another source, and, strangely enough, that source was the Minister for Transport.

Mr. O'Connor: He is a very knowledgeable man.

Mr. NORTON: I asked the Minister for Transport how many air fares were paid for children travelling south, to school, from Carnarvon and Exmouth. I discovered that during the years 1966, 1967, and 1968, an average of 107 children went south by air to school each year from Carnarvon. Apart from that there was an average of another 19 children a year who travelled south by bus. This made an average of 126 children who travelled south each year for their education. If we had a four-year or a five-year high school available in the district and we had only a third or a quarter of the children who go south to school, we would have the figures required to make it a five-year high school.

Instead of this we find the Government is paying out—and this is a conservative estimate—\$5,320 on air fares. This means that the parents themselves must be paying at least another \$10,640 on air fares alone over and above the amount paid by

the Government. The children who are in their fourth and fifth year would each be receiving another \$200 a year for going south to continue their education. So it can be seen that all in all the Government is paying out a great deal of money for virtually no return; whereas by establishing a four and five-year high school the Government, although it would only break even, would save the parents a considerable amount of money.

I am sure the people of the north and the remote areas have proved that if they are provided with the necessary facilities they would make full use of them. This was quite evident when I persuaded the Government to open a hostel at Carnarvon. The first year the hostel was only two-thirds full, but ever since there has been a waiting list of pupils wanting to get in to take advantage of the opportunity to be educated in the district.

So far as it goes the education in Carnarvon cannot be bettered anywhere. The teachers there do a wonderful job. Indeed, the mathematics and science master at Carnarvon was responsible for teaching one of the top boys in the State last year. I think this boy had an average of 95 per cent. in his Junior which, of course, is a very good effort.

While on the question of schools I would point out that the Carnarvon Primary School made application to the Education Department for permission to use a mobile canteen. It wanted to use this canteen, which it could buy cheaply, for a year or so until it was possible to raise sufficient money to build a permanent canteen at the school.

For some unknown reason the Education Department and the Minister turned down the request. I believe the excuse was, "Where are you going to get the power from for this canteen and what are you going to do for your drainage?" Surely the health inspectors at Carnarvon could approve or disapprove of such things as drainage and the rest. As a matter of fact I believe that if these inspectors had been approached on the question the drainage would have been no problem at all.

The mobile van in question was in excellent order and it would have provided the school with all the facilities required for running a canteen. Apart from this it would have saved the children from having to trudge across the road and up the street to the various cafes to buy their lunches. It would have avoided a traffic hazard and it would have provided money for the school. This would have been run by the parents and citizens' association, which does a very good job in trying to secure funds for the school in question. I cannot see the reason for the refusal of the request. As I said, the canteen would only have been used until \$3,000 or \$4,000

was raised which, together with a subsidy from the department, would have enabled the school to provide a permanent canteen for the children.

It would have been possible for this canteen to provide the children with a far better type of meal than they would get up the street, where they buy their pies, pasties, and soft drinks. Apart from this the children would be confined to the school grounds; they would not be roaming all over the town. I just cannot understand why the Minister refused this request.

The other matter I wish to mention, and which I will continue to mention, is the damming of the Gascoyne River. It seems to me that the moment we reach the stage where tests have been carried out and recommendations made by one set of engineers or consultants, we immediately appoint another set to make further recommendations.

We find that recently Sir Alexander Gibb and Partners were asked to make recommendations in this connection. These consultants put out quite an extensive report but after going through the report and then considering the report put out by Scott and Furphy in 1960 or 1961, we find Sir Alexander Gibb and Partners made virtually the same recommendations as were made by Scott and Furphy.

It is a strange thing, but every time we employ consultants to consider certain proposals we find they extract recommendations from one report or another and then weave those recommendations into the recommendations which they themselves bring down. I cannot understand why we cannot be provided with a dam for an industry which is worth \$4,000,000 a year; an industry which has progressed on its own around family units. The industry has not been built up by large firms or finance companies; it is one that has grown into a huge industry as a result of its own efforts.

If, however, the river fails to run this year not only will the industry in question be in jeopardy but the town's water supply will also be in dire straits because the more the water table is lowered in and around Carnarvon the more encroachment there is from salt water from the marsh areas in the north and south. If a dam were built in the Kennedy Range there would be no difficulty in securing water because there would be a constant flow throughout the year which would constitute many times the volume of water required by the industry in that area.

I understand the main objection to the Kennedy Range site is that there may be some encroachment of salt water. But what happens to the salt water every time the river flows? Does it not flood into the river and soak into the sand of the river bed? The small amount of salt water mixed with the 850,000 acre-feet of water

from the Kennedy Range area would not be very much and even if we did have a slightly higher salinity it would be better than being without water altogether; it would certainly be better than drawing water from the marsh areas. If the river ceased to run we would have sufficient water for nine months, but we have not got sufficient water for 12 months at the moment. So something must be done urgently; half measures are no good at all.

The industry at Carnarvon must be kept going to keep up with the food supplies of the north and south of the State. It must expand because we have an expanding population, as the member for Mirrabooka explained, and this expanding population must be fed. If the supplies from Carnarvon are cut off and there are no beans, tomatoes, capsicums, or other out-of-season vegetables available the housewives, and indeed every person in the State, will probably feel the effect. So it is not just Carnarvon which will be serviced but the whole of Western Australia. I trust the Government will take some immediate action to see that the dam is built in the very near future.

I wish to refer to one other matter: the dredging of what is known as the south arm of the Gascoyne River at Carnarvon. The Minister has stated that the dredge which is working at Teggs Channel is not capable of opening the bar into the estuary at Carnarvon. However, I request that the dredge be taken further down Teggs Channel and a small cutting be made towards the mole which has been built there.

At the present time the bar across the estuary at Carnarvon has a minimum depth at low tide of 18 inches. That will not take a power dinghy, let alone a power boat. Quite a number of power boats at Carnarvon cannot get across the estuary bar even at full tide. The boats have to anchor at Teggs Channel and the crews have to come ashore in dinghies. If Teggs Channel were dredged the boats could anchor in calm waters and the owners would be able to go ashore knowing that their boats were safe. The dredging of the channel would also be a godsend to the fishing industry because the fishing boats could anchor at Carnarvon and the crews could obtain their stores and go to the pictures or enjoy themselves at the hotels. The deepening of the channel would not only serve the people at Carnarvon, and the fishing fleet, but it would also be a tourist attraction. I trust that favourable consideration will be given to the three points I have mentioned.

**MR. O'CONNOR** (Mt. Lawley—Minister for Railways) [8.48 p.m.]: Adverse weather and abnormal conditions have closed the duck season. However, I think some members have diverted their attention to another field and have declared an open

season on the railways. I want to take some time to reply on behalf of the railways.

I feel that the attack on the railways was carried out in a similar manner to a duck shoot because only a few shots have hit the target and a number have been very wide of the mark. I also feel that some of the hunters' buckshot has hit their companions, and one of the big guns has backfired.

The Leader of the Opposition referred to railway finances, and much of what he said in this regard was correct. However, some of what he said was misleading, although I am not saying that the Leader of the Opposition was misleading the House when he commented. I would like to clarify the position as far as the railways are concerned.

We have had a rail deficit for 1968-69 of something in the vicinity of \$10,000,000. This figure is about \$5,400,000 more than was budgeted for. Interest and depreciation totalled about \$16,000,000, and that is a fair burden as far as the railways are concerned. However, if we want efficiency, and if we want to keep up with modern world standards, we must be prepared to spend money. It must also be borne in mind that the standard gauge railway not only operates within the State, but also links the State with the whole of the Commonwealth.

The railways had an operating surplus of something over \$6,000,000. This was \$5,800,000 less than the budgeted figure. Therefore, it can be seen that had the figure been anywhere near what we had budgeted for, we would have had a deficit of something like \$4,000,000. That figure is approximately the deficit we had last year.

I think it would be unfair to say that the cause of our loss this year was interest and sinking fund because if we look at the figures it will be found that in wheat freight alone we were down \$6,000,000. That is a little more than our budgeted loss. As I said, the department was \$5,800,000 down on the budgeted figure, and the decrease in freights on wheat cartage was in the vicinity of \$6,000,000. In essence, the reduction in freight was due to the decrease in wheat cartage, which further resulted in a return of \$6,000,000 less than was budgeted for.

I might add that the information supplied by Co-operative Bulk Handling showed that at the 1st July, 1,893,000 bushels of grain were still in the country areas. That represented a cartage figure of something in the vicinity of \$10,000,000, and was approximately double the storage in the country at the same time last year.

This heavy decrease in the cartage of grain cannot be dismissed lightly because we had the equipment and the staff and

could have easily handled the wheat had it been available, and had it been necessary to cart it to the port.

Over and above the loss on grain cartage the department had an increase of \$1,080,000 in its wages bill due to increases in the basic wage. This increase had to be covered after the Budget was declared, and it was not a small amount to account for.

The last freight increase was back in 1965. On top of the \$1,080,000 increase in the wages bill, the department provided for deferred leave for the first time. In the past, although leave has accumulated, it has not been provided for financially. As I have said, the last financial year was the first occasion that financial provision for leave were taken into account and that added a further \$312,000 to the deficit.

Depreciation and interest for the year accounted for an additional \$1,157,000, and most of this was involved in the standard gauge line—I must admit to that fact. The earnings of the department increased by \$2,473,887, and the most important factor for that increase was the haulage of nickel. I must say that we were a little disappointed with iron ore haulage from Koolyanobbing which has still not increased beyond 1,100,000 tons.

I did mention that the last freight increase was in 1965 and we have taken out protracted figures of anticipated basic wage increases from 1965 to 1973-74. It is estimated that in the year 1973-74 the basic wage increase will be \$13,500,000 for that year alone. So it is quite obvious that we must endeavour to improve our position and improve the economics of our operations where possible and whenever possible. The department must cart as many bulk commodities as it possibly can because they will help in the overall operations as far as profits are concerned.

The Leader of the Opposition mentioned three points when he was speaking and I would like to touch on them briefly. The first related to the dieselisation of the trains on the Katanning line; the second referred to the details regarding the sale of the State Shipping Service; and the third point was the spending of tens of thousands of dollars in employing private lawyers.

Dealing firstly with the dieselisation of the trains on the Katanning line, at page 1470 of *Hansard* the Leader of the Opposition quoted from the *Great Southern Herald* as follows:—

In a special statement made available on New Year's Day, the Minister for Railways, Hon. R. J. O'Connor, said it was not the Department's intention to close Katanning as a railway centre and he could see no wholesale transfer of staff from the town.

On page 1471 of *Hansard* the Leader of the Opposition said—

Following the statement that Katanning would not be upset very much, and that there would be no major movement of staff, we find the following in the *Great Southern Herald* of Friday, the 29th August, 1969:—

The Leader of the Opposition then quoted again from the *Great Southern Herald* as follows:—

The Minister for Railways, Hon. R. J. O'Connor, has released details through the member for Katanning, Hon. C. D. Nalder, on proposed transfers of W.A.G.R. staff from Katanning. It is anticipated some 37 men and their families will leave the town.

That is quoted a little out of context and I would like to quote from the article in the *Great Southern Herald* of the 20th December, 1968. I take it this was the article from which the Leader of the Opposition was quoting. It is headed, "Projected railway transfers could threaten Katanning" and reads as follows:—

There have been firm rumours circulating in Katanning this week that the W.A. Government Railways intend to close down the loco establishment by June next year.

That is, June, 1969, and I ask members to particularly take note of that. Following the publication of that article I spoke on the telephone to the Secretary of the Katanning Shire Council, in January, and I conferred with the Deputy Leader of the Government, the member for Katanning. I was invited to visit Katanning, which I did on the 10th March. On that occasion I had discussions with the shire council and members of the Railway Officers' Union. I have a copy of some minutes from which I would like to read some extracts as follows:—

Yesterday, the 10th March, I visited Katanning and had discussions with the Shire Council regarding the future Railway operations in that area. I advised the Shire, as you had previously advised me, that there would be no wholesale taking away of Railway men in June of this year as has been rumoured.

That statement is contained in the communication: There would be no wholesale taking away of railway men in June of this year. To continue—

I advised that it would be the end of 1970, or possibly up to June 1971, before dieselisation had a great effect in the area.

Further, in the same communication, I had the following to say:—

I also advised the Shire that when the time came for the movement of staff from the area, and there would be about 26 moving, we would give consideration to those who had houses in

the area and assist in what way we could. I explained that assisting in what way we could, would be along the lines that firstly we would ask for volunteers to move from the area to other points. If we could not get sufficient to do this then we might have discussions with the Unions on the basis of first in first out of the area. However, I explained that as 1970-71 was a fair way away there could be some alteration to the information I gave them but that we would do whatever we could to assist as far as the Railway employees who had homes in the area.

It is obvious from that note, that I said not before June, 1969.

Mr. McIver: What is the purpose of shifting them at all?

Mr. O'CONNOR: I will give the member for Northam more detail in a few minutes. To confirm what I said at Katanning, I have a letter dated the 29th March, 1969, addressed to the Secretary for Railways, from the union part of which reads as follows:—

On the 10/3/1969 Mr. O'Connor, Minister for Railways, was able to relay certain information to the Joint Railway deputation about a reduction in staff. We feel that if the Minister was able to do this, then the matter must have been discussed with the Commissioner and other representatives of the Department.

We would therefore appreciate being brought into the picture so that employees may be able to make arrangements with a degree of certainty.

So, on that basis, I do feel the comment that I stated there would be no wholesale movement of staff, is not quite correct and not justified.

I would also like to quote an extract from the *Great Southern Herald*. The headline reads as follows:—

W.A.G.R. Employees put Their Case to J. T. Tonkin.

The article then continues—

The railway workers' claims were put to Mr. Tonkin during a public meeting.

The president of the Katanning A.L.P. branch, Mr. C. Eaton, introduced Mr. Tonkin to the meeting, which was attended by about 15 members of the railway unions and eight other people.

The report goes on to state—

The public meeting was not a political one, he said.

I find that a little hard to accept in view of the discussion with the president. The Leader of the Opposition (Mr. Tonkin) was reported as having said that the railways had committed a series of blunders including the chord line to be built at Kelmscott and a large sum of

money that had been wasted on work at Collie which was not required. The Leader of the Opposition went on to say he did not like the situation relating to dieselisation of the railways at Katanning and that he would oppose it.

I feel it would be a retrograde step to oppose dieselisation because I have discussed this subject with the Deputy Commissioner of Railways, and I have ascertained that by dieselising that section of line the railways and the State would save \$600,000 a year. Anyone who opposes the dieselisation of locomotives serving that line without giving consideration to saving the State \$600,000 a year would not be thinking very clearly.

This is a most important factor, bearing in mind that the railway men who are employed at Katanning will not lose their jobs, because there are ample positions offering in the department. Some of them may have to be transferred to Tambellup, which is not very far distant.

It is realised that some of the men occupy houses in the area and we are prepared to take this into consideration by not transferring, until the last, those workers who have been occupying houses for the longest periods of time.

Apart from the saving in cost to the railways, the time saved in making the trip from Albany to Narrogin is between one and a half and two hours. Such a factor must also be taken into consideration because the saving in time is important both in the transport of freight, and the transport of passengers who are travelling around that area. Therefore, in short, dieselisation will save a great deal of money and time not only as far as the Railways Department is concerned, but also the people of Western Australia.

Mr. Nalder: Katanning is not the only town that is affected.

Mr. O'CONNOR: That is correct. Here again I do not know of any railway workers who will lose employment as a result of this, because there are many jobs available in the department. Despite what the Leader of the Opposition might say, we are extremely short of men in many departments.

Mr. McIver: It is quite evident that the Leader of the Opposition has been reported out of context. Evidently he was not opposing the dieselisation of that section of the line but the transfer of people who are working on the railways in the Katanning area.

Mr. O'CONNOR: I may be wrong in what I have said, but if we were to leave those people to occupy jobs that have become redundant it would mean that the railways would suffer unnecessary loss. If one were running a business such as the railways, action such as that would not be very profitable. I think the steps taken by

the department are quite correct, and we will take into consideration any inconvenience that may be caused to the railway men in the area at the time of their transfer. Initially we will try to move those who will volunteer to be transferred rather than issue a direction to men that they must be transferred elsewhere.

Mr. Nalder: I think the Leader of the Opposition went down there for the good of his health.

Mr. O'CONNOR: Apparently he did not go down there to attend a political meeting, because that was the statement made in the local newspaper.

Mr. McIver: It was a pity he did not go down there more often.

Mr. O'CONNOR: It is a pity, but he is a busy man, of course, and he is unable to go down there as often as he would like.

I now wish to refer to the comment that was made by the Leader of the Opposition on State ships. I will touch on this subject only briefly, because the matter has been mentioned in the House previously. It is beyond my comprehension how the Leader of the Opposition obtained his information. As he will not state in the House, or anywhere else, the source from which he obtained it, I am at loss to understand how information such as this could be obtained by him. Whilst the Leader of the Opposition was quoting this information I interjected by saying—

You said in Forrest Place that the Government had shelved the project for the sinking of the railway. . .

The Leader of the Opposition then admitted this, and at a later stage he stated that the only reason we did not sell the State ships was that some transport operator had approached the Government and said that it would not stand for it. Representatives of an organisation came to see me and I discussed the proposition that was put forward, but no acceptable proposition was put forward. Therefore it is completely inaccurate for the Leader of the Opposition to say that some person approached the Government with a view to preventing the sale of the State ships.

I did speak to one group and I will not mention its name and in so doing, I am following the example of the Leader of the Opposition in not disclosing the source of his information. However, the statement the Leader of the Opposition made that a transport operator approached the Government and stated it would not stand for the sale of the State ships, is completely inaccurate. Further, the statement he made that he had definite information that we had sold the State ships is not accurate, either. As a matter of fact, the organisation that approached me did not finally put forward the proposition for the purchase of the State Shipping Service, but a proposition that it

wanted to reserve some space regularly on ships travelling to the north-west, and I had a discussion with that organisation on that basis.

There is not one atom of truth that we had an official proposition for the purchase of the State Shipping Service. I qualify that by saying that initially when the company made its approaches I did bring before Cabinet the fact that it had approached me and had asked for authority to communicate with the Government. However, no acceptable proposition of any magnitude was made to the Government.

The next question referred to by the Leader of the Opposition had relation to the Transport Department. In his remarks on this matter, on page 1473 of *Hansard*, he is reported as follows:—

That is the Government's Budget.

The Government could improve its financial position if it stopped squandering its money in certain directions and stopped incurring unnecessary expenditure. Why should the Government go to the lengths it has and employ private firms of lawyers to take prosecutions under the Transport Act when the Crown Law Department could undertake most of this work? Why?

I would like to quote the figures relating to what the department expended on this work over the last three years. I take it that in making his comment the Leader of the Opposition was referring not to the Transport Act but to the Road Maintenance (Contribution) Act.

In 1966-67 the amount of contributions paid to solicitors was \$4,840, and the amount received through the court was \$1,408. The balance outstanding was \$3,432. This is not the actual cost to the Transport Department, because there is the possibility of getting some of this back. Therefore, the expenditure by the Transport Department on this item would have been \$3,432 at the most in 1966-67. In 1967-68 the amount of contributions paid to solicitors was \$17,138. The amount received through the court was \$10,528, and the balance outstanding, \$6,610. In the following year, 1968-69, the amount of contributions paid to solicitors was \$22,718; the amount received through the court was \$15,908, and the balance outstanding, \$6,810. Therefore, the total cost to the department for three years for this item would be no more than \$16,852 and in regard to this, we must take into consideration that some of this money could be received subsequently.

I do not think that is a great amount for the department to spend on the services of private solicitors over a period of three years. It must also be remembered that the officers of the Crown Law Department are engaged on

other work. They take out briefs and are engaged on work relating to crime and other legal matters; and, as far as I am concerned, I do not think that the staff of the Crown Law Department should be increased to such a peak that when there is a lull in the amount of the work it has to do, some of its officers would be idle. At the moment the Crown Law Department farms out some of its work to private solicitors.

The member for Northam, during his speech, referred to the number of derailments that have occurred on our railways. I wish to make some reply because this matter has been the subject of Press publicity which was quite unfair. I do not deny that several derailments have occurred on the railways, but it must be borne in mind that over the years derailments have always occurred and unfortunately these accidents will continue to happen. However, there has not been a great increase in the number of derailments in recent years. The member for Northam stated there had been 40 derailments in 16 months, and I do not deny this.

However, it must also be considered that all the derailments are not major ones. If, for instance, one wagon leaves the track that is classed by the department as a derailment. I think the member for Northam would agree that during the year probably only five or six major derailments occurred.

Mr. McIVER: That number would still cost a great deal of money.

Mr. O'CONNOR: I do not deny that, nor do I deny that we should do everything possible to prevent derailments occurring, because not only do they cost money, but there is always a chance of the loss of life or serious injury. I now wish to correct a statement that was made by the member for Northam during the course of his speech. He said—

I can say that every derailment which occurred in 1968 was caused by the deterioration of the permanent way

The member for Northam will probably agree that this is not correct, because it is definitely incorrect. In 1968, the year that was mentioned, 34 derailments occurred. Eleven of these were caused because of the permanent way, but there has been no sudden increase in derailments caused by permanent way faults. I think there were three major derailments in 1968. The one that occurred on the Kalgoorlie line was caused by heavy rain and subsidence under the line. This probably could be considered as being caused by lack of maintenance on the permanent way.

The second major derailment which occurred that year was at Mundijong. This was caused by human error when the

driver of the locomotive went through the red lights. The third occurred at Gingin where one train crashed into another.

Mr. McIVER: You are well aware that the derailments to which I referred were those mentioned in the findings of the board, and those findings were submitted to the Commissioner of Railways, and possibly to yourself.

Mr. O'CONNOR: The statement the honourable member made in this House was not correct, and I thought he would have taken the opportunity to correct it.

Mr. McIVER: I agree partially with what you say about the derailments. What I was referring to were the derailments mentioned in the findings of the board.

Mr. O'CONNOR: It was quite some time later that the honourable member mentioned those points. What he said was—

I can say that every derailment which occurred in 1968 was caused by the deterioration of the permanent way.

Mr. McIVER: I did not mention Gingin.

Mr. O'CONNOR: I did not say the honourable member did. He said that the state of the permanent way was the cause of the derailments. In 1966-67 there were 31 derailments in the railways, 17 of which were caused by faults in the permanent way.

Mr. McIVER: Too many.

Mr. O'CONNOR: I agree, but there has not been any sudden rise in the number of these derailments. I was disappointed to hear the honourable member shaking the confidence of the public in the department; this reflected not only on the department but on the employees.

Mr. McIVER: Are you aware that another major derailment has occurred at Pioneer, since that time, and that this involved tankers and trucks? This was caused by the state of the permanent way.

Mr. O'CONNOR: In 1967-68 there were 34 derailments, of which 11 were attributed to the permanent way. In 1968-69 there were 36 derailments of which 13 were attributed to the permanent way. Therefore in that period there has been a reduction in the number of accidents attributed to the permanent way, but this was not reflected in the information which the member for Northam gave to the House. We should do all we can to ensure that the number of accidents is reduced.

While we do not have as many men employed in the permanent way gangs as we had previously, a lot of this work is being done by mechanical maintenance. This offsets the reduced numbers in the gangs. However, we get more work done with the equipment we have for mechanised maintenance.

The honourable member mentioned the Amery-Kalannie and the Burakin-Bonnie Rock railway lines; but these lines are being maintained by the cyclical maintenance system. This means that all the major work—principally resleepering, subsequent resurfacing, and reballasting—is carried out at about four-yearly intervals. An amount of \$175,000 was spent on special maintenance over the past two years on this work, and additional work is currently in hand.

In my view the member for Northam put forward his case in an endeavour to obtain an increase in wages for the staff concerned. I do not blame him for doing that. In reading his speech, that appeared to be his reason. Unfortunately I was not present when he spoke, but subsequently I did read what he said. On the Kalgoorlie line and some other lines a track recorder is used to test the track to ensure that it is in good condition. From the information that has been given to me I understand that this recorder can detect minor faults on a track, which a track runner could pass over.

Mr. McIVER: You have been fed with a lot of rubbish.

Mr. O'CONNOR: I can only give the information which I believe to be correct. That is what I am doing. Some of the gangs have been moved away from the smaller towns, and we have stationed caretaker gangs in some of the larger towns.

The member for Northam made some comment about economists being engaged to make specific studies to reduce gang manpower. That is not correct, because no economist has been specifically organised for that purpose. In view of the labour shortage, and in view of the departmental advice which I have received, it seems that the best way to maintain the track is to adopt the method of mechanised maintenance. This is advice which came from the engineering section.

A further point made by the honourable member related to the staff, and I feel that he was putting up a case in an endeavour to obtain an increase in wages for them. The advice I have received from the department is as follows:—

Track staff in this department work under one of two awards—the Railway Employees Award or the Government Construction and Maintenance Award.

The rates of pay and industry loading in both awards are determined by decision of the Industrial Commission. The rates of pay are in line with those awarded railway track staff in other States.

Generally the A.W.U. Award (the Government Construction and Maintenance Award) covers employees on construction and special maintenance work and the Railway Employees Award covers generally track men on normal maintenance work.

Those employed under the A.W.U. Award are paid above the basic wage as follows:—

		Margin	Industry allowance	Service payment	Total
1st year	...	5.15	3.50	—	8.65
5th year	...	5.15	3.50	1.75	10.40

The rates under the Railway Employees Award are as follows:—

		Margin	Industry allowance	Service payment	Total
1st year	...	4.85	.50	—	5.35
5th year	...	7.10	.75	1.75	9.60

The employees are treated as individuals by the department, because wherever possible an endeavour is made to obtain houses for them.

The member for Northam said that every attempt should be made to give the men more overtime; if overtime is required to be done, the department will offer it to the men. However, in some sections of the department extreme difficulty has been experienced in getting the staff to work overtime, and I refer specifically to the boilermakers at the Midland workshops. Their refusal to work overtime restricts the amount of work that can be undertaken at those workshops. If the boilermakers continue as they are doing, the work will be six months behind schedule.

Mr. McIver: What have the workshops got to do with the permanent way employees?

Mr. O'CONNOR: They are employed by the same department. The honourable member has asked the department to give them more overtime, but one section of the employees refuses to work overtime.

Mr. McIver: Are you happy with the state of the permanent way?

Mr. O'CONNOR: I will never be satisfied with the state of the permanent way until we reach the stage where there are no derailments at all. I am afraid that there is not a railway line in the world where derailments do not occur.

Mr. Brady: The department is asking some of the men to work too much overtime and they are cracking up.

Mr. O'CONNOR: That is not the reason.

Mr. Brady: It is the reason. I can assure you that in the last two or three months some tradesmen have cracked up, simply because they have been working too much overtime.

Mr. O'CONNOR: I have documents which show the reason why they are not working overtime, but what the honourable member has just said is not one of those reasons.

Mr. Brady: Today a smaller amount in workers' compensation is being paid than has been paid for many years past.

Mr. O'CONNOR: That might be a good trend, and I hope it continues.

Mr. McIver: Will the Minister comment on the gang of three men at Kalannie who have to be responsible for 140 miles of track?

Mr. O'CONNOR: The member for Northam also referred to the brake power of trains. I have conferred with the department, and the advice I have received is as follows:—

In recent months tests have been made in connection with the safety of trains with 50 per cent. brake power. The tests have confirmed that brake power on trains under the instruction is satisfactory. However in view of representations made on this question a trial period of 12 months is now in course under which trains operating from Midland, Avon Yard and Merredin depots will in all cases have the brake connected throughout the train.

Another point made by the honourable member was the use of contractors in railway track maintenance. We have been using these contractors on some lines, and generally their work has been most successful. The engagement of contractors was brought about partly by the reduction in the labour force, and the difficulty of obtaining replacements. I think that most enterprises in this State experience the same difficulty.

Mr. McIver: That is a lot of rubbish.

Mr. O'CONNOR: The member for Northam said that one group which had a contract with the department went bankrupt. That is correct. This group approached the department to advise that it could not complete the work. The work that had been done was checked by the department and was found to be satisfactory.

Mr. McIver: Why not investigate the standing of contractors before they are given the contracts?

Mr. O'CONNOR: If the honourable member knows the firm in question he will realise that it is a reputable local firm and one which has done good work.

Mr. McIver: With the way things are going the department will accept anybody.

Mr. O'CONNOR: That is not right. The honourable member is reflecting on the officers of the department.

Mr. McIver: They are disgusted with the work that has been done for the amount that has been paid out.

Mr. O'CONNOR: They will be disgusted when they learn what you have said.

The DEPUTY SPEAKER: The Minister has another five minutes.



Mr. Jamieson: Give him an extension of time.

Mr. O'CONNOR: I will not need it. The member for Swan made some comment about the Midland workshops, and he asked whether those workshops were working to capacity. The workload in the workshops is such that the staff is working to capacity, and shift work and overtime could be worked in some sections. This is not possible at present because of an overtime ban imposed by the boilermakers. With the output being limited to this degree, new construction work will continue to fall behind. If it continues we will have to get other organisations to do the work.

Mention was made by the member for Northam about a contract having been let to a firm in South Australia. This was a contract in respect of the standard gauge line. The difference between the two tenders amounted to thousands of dollars. If the lower tender had not been accepted the Commonwealth would not have paid the difference. We accepted the lower of the two tenders, and although some of the work is being done in this State, I see nothing wrong with the practice, because it gives the people in this State work which they would not otherwise have got.

The member for Northam inquired as to how much maintenance was being done on the Kalgoorlie line, and what amount of testing was being undertaken. I have mentioned the track recorder which is being used by the department. The Kalgoorlie track is being tested at regular intervals, and this work will be continued.

The member for Swan made some mention about advertising hoardings on railway property. We will do something about that matter, and the hoardings will be improved. He also said that he had to wait 20 minutes at the railway crossing at Midland Junction on Friday last. I have checked with the department and I found there was a holdup at that crossing on that night. This was caused by an accumulation of equipment in the railway yard. The department is taking action to see that this does not occur again. It was unfortunate that this accumulation of equipment occurred.

**MR. TOMS** (Ascot) [9.30 p.m.]: It is not my desire to take up very much of the time of the House, but I would like to touch on two or three subjects. I am pleased the member for Mirrabooka is in his seat because I would like to say that I believe the Minister for Industrial Development must have left his trumpet behind and given it to the member for Mirrabooka to play! He certainly played a tune tonight!

Mr. Ross Hutchinson: It was a good speech.

Mr. TOMS: I would not say so, because the honourable member is not a babe in the wood.

Mr. Graham: I'll say he isn't!

Mr. TOMS: I have heard him make a couple of provocative speeches in this House, but the rate at which he reads his speeches makes it impossible for anyone to interject. He seemed to get a great deal of satisfaction from the fact that many people in the metropolitan area will be exempt from paying land tax. However, I am afraid it will not be very long before the same honourable member will be receiving complaints from those in the area he represents.

Mr. Cash: All representations will be looked at.

Mr. TOMS: I know that all representations will be faithfully received! If the job is easy it will be done; but if it is difficult, it will be put off.

From my reading of the amending Bill which we have recently passed, I believe there will be a number of people who will not be able to do anything with property in deferred urban areas or with land that is under a blanket cover for resumption. These are the people who will be slugged. I had today placed before me information concerning 10-acre lots in the Morley district. The valuation of one of these lots is \$18,940. The tax for this property under the new scale will be \$256.45 a year.

Mr. Cash: What is the market value of the property now?

Mr. TOMS: I am indicating what these people will pay, and they can do nothing with the land because it is in a deferred urban area. A lot on the opposite side of the road is valued at \$18,650, and the owner of that lot will be called upon to pay \$251.37. A block right next door is owned by the State Housing Commission and, under the Act, because the land is owned by the Crown, it will be exempt from rates. The value of that block, which is exactly the same size as the other one, is \$18,960. These are the anomalies which will occur under the new scale of tax on unimproved land. This burden will be carried not only by these people, but by those who own land along the Beechboro-Gosnells highway because they own land with which they can do nothing.

The member for Mirrabooka interjected a moment ago and asked the current market value of the blocks. The only alternative open to these owners is to sell their land to development companies or people who are prepared to hang onto the land. As I have said, these blocks are in Morley and are defined as deferred urban, but they should have been thrown open years ago. They are situated only 5½ miles from Perth and their value is \$8,000 an acre.

These are the matters which the Government should be studying very closely. This is why the price of land is being kept high. Eventually these development companies will be successful in having the zoning changed from deferred urban to urban and then gradually they will let the lots onto the market.

I stated that I was pleased the member for Mirrabooka was in his seat. He gave us a dissertation on cricket. He was obviously very interested in cricket, but I always thought it was a game for the fair-minded. However, some of the remarks he made did not appear to me to be along those lines.

Mr. Jamieson: They were just not cricket!

Mr. TOMS: That is right! I believe that many of the ratepayers and taxpayers in his area will be wondering just what sort of a googly he is going to bowl at them when they get some of their rate notices, particularly their land tax assessments.

I have mentioned only three lots, but there is a big group owned by the State Housing Commission. I have mentioned many times in this House that I do not know where the Government gets its idea of opening up corridors. For instance, there is one in the Gosnells area which is 11 miles from Perth, and it stretches to Armadale. I do not know why the Government finds it necessary to do this when very good land is available in the Morley area.

I am very concerned about the development companies which are involved between Mullaioo and Bayswater. They have successfully applied for rezoning of the area from deferred urban to urban. It is people like these who are helping to keep up the price of land. It matters not what steps the Government takes in regard to increasing taxation on unimproved land because the person who will pay the piper in the end is the person who buys the land. All the extra charges will be ultimately reflected in the price paid by the purchaser.

I know it is easy to criticise, but I believe the Government itself has let the matter go far too long. When blocks were around the \$3,000 mark members on this side of the House drew the attention of the Government to the price of land and the way it was increasing. It is no good waiting until the figure has reached the \$6,000 or \$7,000 mark before trying to shut the door. But that is what this Government has done.

When I was talking about this subject on another occasion the member for Dale interjected and said that I would hurt people who had obtained blocks of land. I stated then that the longer we let the situation remain unchecked, the more people we would finish up hurting. The truth of my remark is evident in the present situation concerning housing.

The price of land is reflected in the increasing number of applications received by the commission. I believe that it is the heritage of everyone in the State to be able to buy a block of land and erect on it a house of the design desired. But in Western Australia, particularly, the situation has gone haywire. When he was here, the then Minister for Works (Mr. Wild) said that private enterprise and the Government could work very well together to build houses. I am afraid that that was just an ideal as far as he was concerned because the position has never been worse than it is today.

It would appear that the Government is keen to get away from the idea of people living as human beings and being able to live on their own on a block of land on which they have been able to erect their own house. It seems as though the development is all centred around flats, home units, and the like. I believe this is contrary to the way Australians desire to live.

Recently friends of mine visited friends of theirs who live in a home unit. They were told not to use the toilet after 10.30 p.m. because if they did so the noise would wake up those in adjoining units. They were told that they could not have the TV turned up loud because if they did this would also disturb other tenants. This is how couples are trying to live these days.

During the weekend I had occasion to visit a migrant family who live in a block of flats erected by a development company. I was amazed at the position in which these people are placed. They have been in the country for about 16 months, and when they first arrived they placed their name with the Housing Commission because they realised the situation concerning the price of land, etc. For a two-bedroomed unit in this highly developed flat area, they are paying \$20.50 a week. Both the husband and his wife work in order to be able to put a few dollars a week away for a block of land. They feel the situation is almost hopeless.

The member for Mirrabooka said that the population is growing and that the Government has been responsible for this. I do not think it can take any credit for the population increase, but the Government has certainly been responsible for the increase in the price of land.

Mr. Bovell: My word, the migration programme has been responsible for an increase in the population!

Mr. TOMS: The Government has been responsible for it all right, but it has fallen on real bonanza times, because the previous Government was not permitted to export even 1,000,000 tons of iron ore.

Mr. Dunn: At 3d. per ton!

Mr. Graham: You know it was not 3d. per ton.

Mr. TOMS: No. The member for Darling Range has probably heard that figure mentioned so he has to repeat it.

Mr. Graham: He probably heard it in the Liberal Party kindergarten!

Mr. TOMS: Do you mind if I continue, Mr. Deputy Speaker?

The DUPLY SPEAKER: Order!

Mr. TOMS: I had occasion the other evening to try to stop a dialogue. I do not mind interjections if they are sensible, but I think sometimes interjections are used to repeat information heard. As I just said, the member for Darling Range has probably heard someone quote a figure and he has plucked it out of the air.

I am amazed at the conditions under which some people live in this State which is supposed to be a State on the move. I wonder which way it is moving! The children living in the block of flats to which I have referred were told they could not run on the lawns. There is a river at the back of the units, but the children are not allowed to swim in it. The family has a 14-year-old boy and a 7-year-old boy and the younger lad is rather brilliant, but he is becoming depressed because of the way he has to live. He has had to be transferred to a special class at school because of the conditions under which he is living.

There is no doubt about the State being on the move. However, it is not moving in the right direction. I cannot understand members of the coalition Government, and particularly members of the Country Party, not having taken steps years ago to stop this escalation in land prices, which is being reflected in the country now and worrying the farmers. Because of the high value of the land, the farmers are worried about death duties which must be paid. In some cases farmers are finding it necessary to sell part of their farms because of the ridiculous values placed on their properties.

During the last few years big companies have come in and taken quite a rake off. They are doing well. However, the State is obtaining only a few cents per ton for iron ore. The Minister for Railways told me one night that when the companies do eventually finish here, we will have some catchment areas for water in the north.

I do not know who will work around these catchment areas. The catchment areas in Midland and Bellevue had to be fenced at one time to prevent children from drowning in them.

I felt I had to draw the attention of the House to the position of those people who own unimproved land in deferred urban zones and who are the subject of a blanket

cover which prevents them from selling their land unless they agree to accept a ridiculous price for it.

Mr. Runciman: What do you suggest the price of land should be?

Mr. TOMS: There is no block of land in the metropolitan area today that should be priced at over \$800. Let us take a balance in values. In 1946 any servicemen returning from the World War could have bought a block of land in the metropolitan area for \$200. At that time the basic wage was \$9.10 a week.

Mr. Dunn: In 1928 one could have bought a block of land in Scarborough for \$20.

Mr. Jamieson: You are bowling some good bumpers and you have them ducking!

Mr. TOMS: In those times, a person could have bought a block in Bayswater and in many other parts of the metropolitan area, with the exception of City Beach, at the price of six or seven weeks' wages. That is, at the base rate of pay. Today, when the base rate of wages is \$35.80—four times the ruling rate of wages in 1946—the same blocks are fetching \$5,000 and \$6,000. So on today's rate of pay, one would need to expend 110 or 115 weeks' wages to buy the same block that one could buy for six or seven weeks' wages in 1946. Yet members continue to say that the price of land is increasing at a normal rate.

Mr. Rushton: One could save in those days.

Mr. TOMS: I know that a man could get value for his pound in those days.

Mr. Bovell: That is, if he had a pound.

Mr. TOMS: We hear a great deal from those members occupying the back benches on the Government side of the House, but they do not say what they really think. I seem to have touched a few of them on the raw, but I know that if the Government does not hurry up and do something to ease the housing position and stem the rising price of land the position will become untenable. Also something should be done about those people who are being caught up in grandiose schemes on the highways and byways where land is under a blanket cover and yet they are called upon to pay tax on unimproved land. I do not know where we are going to finish up.

I ask the Government also to consider the position of those people who are living under the conditions to which I have referred, particularly migrants in flat areas. This person who saw me on Sunday told me that he would like to bring out other members of his family, but he had advised them not to come out because he was unable to obtain a house. This is the position we have reached.

Sir David Brand: In view of what you said about flats, were the Wandana flats a good idea?

Mr. TOMS: The Wandana flats are reasonably controlled and were erected at a time when it was urgently necessary to house people in a particular class.

Sir David Brand: There is still a demand for housing for those people now.

Mr. TOMS: There would not be too many people with children living in the Wandana flats. I am certain that there are no young children in those flats, because we are told that the children are not allowed to play on the lawns surrounding the flats. In any event, flat life is not very suitable for families. Every member of this House would possibly have his own little quarter of an acre or one-fifth of an acre and every resident of this State should be in a similar position. However, an ordinary worker will not be able to own a block of land until the price of land returns to a reasonable level.

MR. FLETCHER (Fremantle) [9.51 p.m.]: I was expecting some honourable member on the other side of the House to rise to his feet, but in view of the fact that we can speak on a multiplicity of subjects during the debate on this Bill I intend to take the opportunity that is offering.

The honourable member who has just resumed his seat spoke about housing. I am pleased to see that the Minister for Housing is in his place, because I wish to point out that he presented some plans in respect of Fremantle. As a consequence of the demand for housing that exists in the locality I can already fill many times over the accommodation he promised. I hope his plans for housing in the area will not be delayed as long as the construction of the Fremantle bridge that was promised by the Minister for Works. That bridge was to extend from Point Brown at North Fremantle, but I will deal with that subject later.

The first problem I shall raise is in respect of housing. The honourable member who has just resumed his seat referred to the overcrowding which exists in flats and the difficulties associated with that problem. These problems face migrants particularly. I dealt with this matter during the debate on the Supply Bill. However an article which subsequently appeared in a newspaper caused me to ask a question in the House. The Press referred to qualified migrants and the failure of the State to make use of the migrants and their skills, which, it said, has always been a hindrance to Australia's effort to attract the people we need to develop our continent.

This was exactly the subject of my comment the other evening. Unless there is adequate housing, we will not attract migrants to this State. I referred to the

fact that I had written, in desperation, to the Minister for Immigration, because the Minister for Housing was unable to provide a house for a migrant family with five sons. The tradesman took his five sons to South Australia and I mentioned what a loss this was to our State.

In addition to the frustration which these people experience, unfortunately unscrupulous landlords often inflict an additional bond upon them in respect of property. This imposition was previously called key money. On Tuesday, the 9th September, 1969, I asked the Minister representing the Minister for Justice, the following question:—

- (1) Does any legislation exist under which a tenant may appeal for assistance against unreasonable retention of a tenancy bond by a landlord?
- (2) If no protection exists, is any legislation contemplated for this purpose—
  - (a) this session;
  - (b) next session?

The answer given to the second part of my question was a flat "No." In other words, no legislation is contemplated to stop unscrupulous people from imposing bonds upon unfortunate tenants who are already paying disproportionate rentals for inadequate accommodation. The Minister replied to the first part of my question as follows:—

- (1) There is no legislation, but a tenant may have a dispute as to retention of any portion of a bond determined by a court.

This is a ridiculous situation. The tenant is not only charged an exorbitant rent for inadequate accommodation but he has a bond inflicted upon him, and if he questions the legality of the retention of that bond he has to go before the courts and of course he needs the assistance of the legal profession to do so. I do not wish to cast any reflections upon the legal profession, but one does not get legal assistance for nothing. It is not fair to impose an unreasonable rental, an unreasonable retention of a bond and, at the same time, expect the unfortunate person who questions it to meet the expenses associated with litigation.

I do not know if the Government condones this situation, but I certainly know the Opposition does not condone it. However, I expect the Minister for Housing, as well as other members on the other side of the House are tired of hearing the Opposition complain about the housing situation. It is, nevertheless, totally inadequate to house the existing population let alone those who come here as migrants.

I shall next refer to a leading article under the heading "Value for Money is Needed" which appeared in the *Road Patrol* of October, 1969. The article states—

It is a disturbing fact that over the next five years the total moneys to be returned to the States for roads will fall short of the estimated fuel tax collections by well over \$400,000,000.

Those are alarming figures. I emphasise that of the estimated fuel tax collections the disbursements to the States will fall short by well over \$400,000,000. Is the Treasurer listening to these figures? If he is, I point out that a different situation occurs in Australia from that which occurs in other countries in the world. The article says—

Among the countries which reserve for roads purposes the total revenue from fuel taxes are the U.S.A., Japan, Sweden and New Zealand.

This shows that these other countries expend their total revenue from this source on roads. I do not deny that Western Australia has bitumen roads from Esperance to Carnarvon and beyond, or from Perth to the South Australian border. However, I assert that Western Australia could have still better roads if the total revenue from fuel tax was disbursed to the States.

The article states—

The advantages to the nation of providing an adequate roads system are not measured only by such material considerations as the boost to the economy . . . The sum of human suffering resulting from road accidents cannot be assessed but an authoritative estimate gives the yearly cost of road accidents in Australia as about \$800,000,000.

This is a staggering figure, as members will appreciate. I have other figures to support the claim that the yearly cost of road accidents in Australia is \$800,000,000. In the president's annual address in 1969 to the Australian Automobile Association, we find that figures released recently for the 12 months ended July, 1968, show that there were 58,759 road traffic accidents involving casualties and that there were 3,382 road deaths. This represents one every 2.6 hours. It also shows that 82,210 persons were injured which represents one every 6.4 minutes. Apart from this, 50.9 per cent. of those killed were under the age of 30 years and 60.5 per cent. of those injured were under the age of 30 years. The figures show that 29.6 per cent of persons killed were under 21 years and that 38.4 per cent. of those injured were under 21 years of age. We also find that 39.2 per cent. killed were drivers and that 36.5 per cent. of all accidents occurred on straight roads.

The point I am endeavouring to make is that better roads and better facilities on roads can and will cause fewer accidents despite the ever-increasing amount of traffic on those roads. Accordingly I make the point that if this State were to receive

its entitlement in respect of the \$400,000,000 held by the Federal Government, our Treasurer would have more to spend on our roads to help create a safer situation.

The next matter I wish to mention has some relevance to the last subject raised. I received certain correspondence from the city librarian in Fremantle. I will not mention any names, but he addressed correspondence to me pointing out that the employee who wrote the attached letter did not know of any way to make her anxiety known to the proper authorities so he urged her to write a letter to myself as the member for the area.

The city librarian said he knew from his own experience that this question was of grave concern to many parents. He added that in other parts of the world—Chicago for instance—the occasional false alarm or hoax is accepted as part of the cost of the assurance of total security. He said he was sure our citizens would feel the same way about this matter. The librarian went on to say that the hospital told Mrs. — that her daughter had lost a considerable amount of blood and he said that one shudders to think of the consequences of a greater delay than the half hour she had to wait to be picked up by the ambulance.

It will be gathered from the final paragraph the concern which the librarian felt. He signed his name.

The lady in question wrote to me and briefly her complaint was—

On the night of the 23rd April our daughter 14 years old fell through a plate glass window and was very badly cut. A youth went to ring an ambulance and was told one could not come to the call of a child, the youth ran back to tell an adult to ring and in all it took half an hour for the ambulance to come to her aid; the accident occurred at the Coolbellup Shopping Centre, this child of ours could have bled to death while waiting. Isn't there some way that a call can be made from a child.

The letter goes on in the same fashion and finishes up by saying that surely something can be done. The lady then signs her name. Let me say here that recently Press publicity was given to the fact that ambulances have been called out on hoax calls. While I sympathise with those concerned this sort of thing is inevitable. I replied to the city librarian on the 26th May and said briefly—

The majority of the community would, I am sure, agree that it would be better for an ambulance to attend any number of suspected hoax calls rather than risk loss of life as a consequence of ignoring a call from any person, including a child.

As each ambulance is fitted with 2-way radio, it is surely an easy matter for a driver to report to his station for re-direction, if necessary, in the event of an improper call.

If he has to return to his station and await another call, little is lost in the exercise. As a consequence of stations being located at no great distance one from another in the metropolitan area, it would, I am sure, be unusual for an ambulance to travel more than 10 miles.

I should be grateful if you would make the attached copy available to the lady mentioned. You will both be further informed, and thank you for bringing the matter to my attention.

So that the lady concerned would know that her member was on the job I wrote to the Administrator of the St. John Ambulance Association and part of the letter reads as follows:—

You will note my comments to the Fremantle City Librarian. I could have further elaborated by assuming that Police and Fire Stations would answer hoax phone calls, and ask subsequent questions, if necessary.

As I pointed out these hoax calls are inevitable and if I read all my correspondence it would show that it is far better to take notice of every call and consider it a *bona fide* call rather than ignore one such call. I wrote to the Administrator of the St. John Ambulance Association, Wellington St., Perth, and also to the St. John Ambulance office at Fremantle. The letter I wrote to the branch of the St. John's Ambulance Association at Fremantle was acknowledged. After taking note of the matter I had raised, the administrator of the Fremantle Sub-centre said that in due course I would receive a reply to the allegations contained in my letter from the general secretary, head centre, Perth. He then signed his name as administrator for that area. I received correspondence on the 19th May from the city librarian but to this day I have heard nothing from the St. John Ambulance headquarters on this matter. The branch at Fremantle was courteous enough to reply but somehow the association at headquarters seemed to have overlooked what I consider to be a very serious subject.

As I said, I have seen references in the Press to the effect that ambulances have been brought out on hoax calls but the St. John Ambulance Association should not suspect any call as being a hoax call. I will now go into the question of the additional manning of ambulances. The St. John Ambulance Association still continues to function in other ways apart from supplying ambulances. I know it is a splendid worth-while organisation and that it trains young people in this type of work.

I suggest that the young trainees who are being taught could be taken out with a view to being given first-hand experience in ambulance work even if it were only to hold a patient on a stretcher. Perhaps they could give assistance by holding a respirator against a patient's mouth, or supervise the tying of a tourniquet, or help in applying pressure to the brachial artery or the femoral artery.

I would draw the attention of the House to an accident that took place in Scarborough. The unfortunate ambulance driver was on his own and he was faced with several patients who were lying on the road. He gathered up the two who had suffered the most severe injuries, but when he arrived at the hospital, one of the patients was dead. I have it on very good authority that had there been an attendant in the ambulance—even a trainee—to assist in the manner I have mentioned, two lives would have been saved instead of just one.

How often is this sort of thing repeated? I do know that at this moment the St. John Ambulance Association is in the process of employing additional personnel in ambulances to prevent the type of situation to which I have just referred; but they are only in the process of doing that. I have made a suggestion that some of the people who are being trained by this organisation could accompany the ambulances, and in the emergencies I have mentioned they would be of considerable help to the injured.

My next topic is fishing. Firstly, I would like to refer to a question which I asked the Minister representing the Minister for Fisheries and Fauna on the 4th September. The question was—

Is he aware that—

- (1) (a) many responsible crayfishermen concerned with conservation of crayfish assert that deep water female crays, taken with the "tar spot" during the months of February-March, invariably when processed expel immature spawn from the decapitated carapace; and
- (b) it is estimated that hundreds of thousands of potential crayfish are in this manner lost to the industry in subsequent seasons?
- (2) As the survival prospects of crays in "berry" or in the condition mentioned in (1) is dubious if "thrown back" after being hauled and handled from depths up to 90 fathoms, will he seek the opinion of departmental officers and fishermen regarding the closing of the season during the critical period or conditions mentioned?

The reply of the Minister in part was as follows:—

- (1) (a) Yes. However, the peak of egg laying of rock lobster is October, November, and December. The peak of larval release from these "berried" female rock lobster is from November to February.

To interpolate, this is the period when the crayfishing season should be closed, because the crays are in berry.

Mr. Rushton: What months are you referring to?

Mr. FLETCHER: I would be grateful if the honourable member did not interject, because his constituents do not include many crayfishermen. In answer to the second part of my question the Minister said—

However, it seems likely that the present fishing pattern is not affecting the numbers of young rock lobsters entering the fishery.

I dispute that contention. I frequently go out fishing with some of my constituents, and I have seen what takes place. The conscientious fisherman throws back an undersized cray. These crays which are not in spawn seem to disappear immediately; they go backwards and disappear to the seabed. I found that crays, particularly those which are in spawn and have been drawn up from, say, 90 fathoms, float lethargically before sinking slowly to the bottom. I suspect that when they arrive at the bottom they are dead. Since a crayfish in berry has anything up to 400,000 eggs, I dispute the Minister's assertion that the season being open during the time the crays are in berry is not having a detrimental effect on the crayfishing industry.

On the 6th August I asked a question of the Minister representing the Minister for Fisheries and Fauna in regard to the catches of crayfish. The first two parts of my question were—

- (1) What was the weight in lbs and value of crays taken for the years 1965-66, 1966-67, 1967-68?  
(2) What is the catch in lbs to date this season?

The answer was—

	lb.	\$
(1) 1965-66	17,794,000	11,380,000
1966-67	18,956,000	11,344,000
1967-68	22,041,000	16,875,000
(2) 1968-69	18,000,000	18,500,000 (approx.)

For the edification of members, the weight of the catch in 1968-69 was down to the catch in 1966-67, in comparison with the maximum catch of 22,041,000 lb. in 1967-68. That is a difference of some 4,000,000

lb. in weight. I am sure that the fishermen do not wish to see a decline in the catch, and they are very concerned with the trend. That was why I asked the question. In my view, during this critical period the crayfishing season should be closed, because the crays are in berry.

Even at the risk of being at variance with the experts, I say that crayfish in berry are only caught in deep water. On only one occasion have I seen a crayfish in berry in shallow water, but unfortunately it was speared. That was at Rott-nest. The crays appear to spawn in deep water, and in the larval stage rise to the surface and drift hundreds of miles out to sea; subsequently they drift back to the shallow water. This is equivalent to a nursery in which they grow up. I say that crayfish spawn in deep water. For the reasons I have given I think that the catching of crayfish during the period they are in berry should be prohibited.

Mr. Rushton: You did not mention the months.

Mr. FLETCHER: In reply to my question the Minister mentioned the months of November to February. I suggest the crayfishing season should be closed during that critical period.

On the 6th August I also asked a question about the escape gaps in crayfish pots. Some members might not understand what is an escape gap. It is a gap in a crayfish pot which is approximately 12 inches long and two inches wide, and through this gap the undersized crayfish are supposed to escape. The substance of my question was that the escape gap should be 180 degrees opposed to the haulage rope.

The DEPUTY SPEAKER: The honourable member has another five minutes.

Mr. FLETCHER: I thought I had 45 minutes altogether.

The DEPUTY SPEAKER: The honourable member has.

Mr. FLETCHER: I would ask you, Mr. Deputy Speaker, to check on the time again.

This is the vital point I am attempting to make. By asking question No. 7 on the 6th August, I wanted to stress that the hauling rope should be directly opposite the escape gap. In his reply the Minister said that the crays would be pushed towards the escape gap and could not get out in any case. I have been out with some crayfishermen and I know that unfortunately their cray pots are not so overcrowded as to prevent the undersized ones getting out when hauled in in the manner I have suggested.

I submit that if the hauling rope was opposite the escape gap, and the pot contained six crayfish, three of which were undersized, as the pot was pulled towards

the surface, there would be a greater prospect of the undersized crays falling through the escape gap as a consequence of the direction of pull.

I know the Minister understands me, if no-one else does. I believe my argument is valid. In order to conserve crayfish, the Minister in another place has told the underwater clubs, the members of which go out on a Saturday afternoon or Sunday to catch a meal, that they cannot do certain things. One of the stipulations is that they are not allowed to spear crayfish. I believe that those who catch crayfish in this manner would be creating only a fraction of the percentage of damage done to the industry in the other respects I have mentioned.

I would not like to see these people who indulge in a healthy sport, and at the same time take perhaps a half a dozen crayfish, stopped from doing so, because the cray-fishing industry can be damaged to a greater extent as a consequence of the various points I have raised. I resume my seat on that theme, and very much regret that I will have to wait for another opportunity to convey the wealth of other available material to the House.

**MR. BERTRAM** (Mt. Hawthorn) [10.23 p.m.]: I do not think many people would cavil at the proposition that as good a test as any of civilization is the degree to which justice is carried out and the degree to which men are sensitive to wrongdoing and desirous of righting it. I think that is well worth repeating because it is pretty important in regard to the matter on which I wish to speak for a short time this evening. Therefore I repeat that as good a test as any of civilization is the degree to which justice is carried out and the degree to which men are sensitive to wrongdoing and desirous of righting it.

**Mr. Ross Hutchinson**: Or the degree to which a community cares for its sick and aged.

**Mr. BERTRAM**: Yes, maybe. I think that the community will react very favourably and do the right thing on any matter which justifies some action on their part and requires them to do the right thing. The matter on which I wish to speak tonight concerns Bernard Kenneth Gouldham. I speak entirely on my own initiative and not at his behest or with any encouragement from him or anyone else. Also, what I may have to say does not reflect on the judiciary and certainly should not be construed by any stretch of the imagination to imply anything along that line.

The Bernard Kenneth Gouldham case is, to say the least of it, a most exceptional one, and I propose first of all, therefore, to trace the history of his case, because, of course, if we do not know what it is all about, we can hardly make a judgment or be justified in urging that something should be done. Therefore, as briefly as I

can, I will trace the history of his case. I will be as brief as I can, maybe at the expense of a little accuracy—but not very much I hope—to convey what is in fact the real story.

The position is that on the 11th August, 1964, Gouldham was charged with an offence under section 532 of the Criminal Code. The offence was to the effect that on the 14th February, 1961, he gave to his principal with the intention of deceiving him an account which omitted to state explicitly and fully that £400, which was the currency at the time, had been deducted for his own use from moneys received for his principal.

Gouldham's alleged principal was a man named Sharrett. In short, what was said was that he helped himself to a secret commission. Gouldham was committed for trial on this offence in the lesser court on the 7th September, 1961, and on the 11th October, 1961, he was by a jury found guilty of the offence.

On the 25th October, 1961, he was sentenced to a term of 12 months' imprisonment with hard labour. He then appealed against that conviction, but his appeal was dismissed, and he served his sentence. He did, of course, receive certain remissions, and in the ultimate he served something like 47 weeks of imprisonment, and that included a space of time at the place to which we refer as Fremantle gaol.

Now Gouldman, so far as I can see, has always contended that by January, 1961, his principal, Sharrett, knew he, Gouldham, had received £400 from another man, named Tafford, with whom Sharrett had entered into a contract before he, Gouldham, delivered the account in February, 1961. I want members to note that the offence was alleged to have occurred in February, 1961, which was when Gouldham delivered the alleged false account. Gouldham said that he was not guilty because Sharrett knew the substance of the transaction and knew that he would receive £400. He knew this in January, one month beforehand.

Of course, it followed that if this were so, Sharrett was not deceived by anything which was omitted from the account; nor in that case could it be said that Gouldham had, by omitting anything from the account, an intention to deceive. Let us assume he did it. It is one thing to do it inadvertently for some reason and it is another thing to do it deliberately.

Gouldham, being aggrieved by the finding of guilty against him, has fought continuously and energetically to clear his name, and he has now, in fact, achieved that goal, but a lot has occurred in this time. At the beginning of the episode he was 49, but he is now 57 years of age.

On the 2nd August, 1965, four years after he was convicted, or thereabouts, Gouldham made a complaint charging that



Sharrett, his alleged principal, had committed an act of perjury. On the 17th December, 1965, Sharrett was committed for trial in respect of that alleged offence. Gouldham was taking the initiative in person; it was not taken by the Crown, although I understand that in the first instance he gave the Crown an opportunity to take the initiative, but the Crown declined to do so.

It was then a question of whether Sharrett would stand his trial in the Criminal Court, and this was a question for the Minister for Justice to decide. The Minister declined to indict Sharrett so Gouldham took the next step by applying to the Supreme Court for leave to supply private information. This he did under section 720 of the Criminal Code, and his action was referred to the Full Court of the Supreme Court on the 20th May, 1966. His application was refused and he was ordered to pay costs.

The next step he took was to present to the Minister for Justice a petition, this time acting under section 21 of the Criminal Code. However, the Minister informed Gouldham he did not consider that, within the meaning of section 21 (b) of the Code, he should go to the Court of Criminal Appeal for an opinion. That was the end of that move.

Gouldham's next move was by way of entering an appeal against his conviction. It will be remembered he appealed shortly after he was convicted in 1961 and here he was, some years later, seeking to appeal again. He said he had obtained fresh evidence which would clear him, but on the 17th June, this year, that appeal was dismissed because it was said that an accused person has the right of appeal only once. That, of course, was his second time and his rights had been exhausted. Therefore, his second appeal failed.

When Gouldham's second appeal failed a further application was made on his behalf to the Minister who, on the 10th July of this year referred the whole case to the Court of Criminal Appeal as he was enabled to do under section 21 (a) of the Criminal Code. It is interesting to note that subsection (1) of section 689 of the Criminal Code provides, amongst other things, that a Court of Criminal Appeal, in an appeal against a conviction, shall allow such an appeal if it thinks that the verdict of the jury should be set aside on the ground that there was a miscarriage of justice.

As I sought to indicate earlier, a very important ingredient of this offence—like most offences—was a mischievous intent: the intention by Gouldham to deceive Sharrett. It could be inferred from Sharrett's evidence that prior to Sharrett receiving the account from Gouldham in February, 1961, Sharrett knew of an

arrangement whereby Gouldham was to be paid something; that something had been paid but he did not know how much.

That is the story up to that point. In or about July or August, 1969, for the very first time, Gouldham became aware of the statement which had been made on the 5th June, 1961, eight years or more before. This was a statement which had been written or typed and actually signed by Sharrett in the presence of a detective sergeant. Just a moment ago I stated what Sharrett said on oath at Gouldham's trial.

In the statement which is dated the 5th June, 1961, four months before Gouldham's first trial, Sharrett said that he had been told that Gouldham was to receive the sum of £400 thereby completing the link of the story which Gouldham put up at all times. That statement came into the possession of Gouldham eight years after it was made.

The matter was then taken back before the Full Court of the Criminal Court, and two judges concluded that once Sharrett gave evidence at Gouldham's trial which was inconsistent in material respects with the statement which he made on the 5th June, 1961—the statement which had been out of circulation for eight years—there was an obligation on the prosecution to inform Gouldham of the existence of that statement of the 5th June, 1961.

The majority of the judges of the Full Court therefore ruled that Gouldham's original trial was unsatisfactory and the majority of the court felt justified in quashing that conviction. It quashed Gouldham's conviction—which was made against him in October, 1961—on the 17th October, 1969—eight years later. The appeal was heard on the 16th September of this year.

That is a pretty long time to be under a cloud, but Gouldham did not just sit down and lament his position. He sought to do something. Whether he made the right moves at the right times is another matter, but he tried to clear his name and persisted over a long period of time.

For the purpose of this discussion I will refer to Gouldham's conviction as the wrongful conviction. Gouldham went bankrupt in 1962, and is still an undischarged bankrupt. A delicatessen which he and his son operated in Dalkeith failed. He was deprived of his real estate agent's license, and he forfeited a sizeable income which would have been derived from transactions under his estate agent's license. I think he was also a mortgage broker and that business, of course, disappeared. Gouldham's family was ostracised and had to leave their Dalkeith residence and go elsewhere.

Mrs. Gouldham had to take a job as a companion. Mr. Gouldham has been obliged, by reason of the stigma attached to his name, and financial stress, to live

in something which may be described with some accuracy as a shed. He could not get employment, for obvious reasons, after 1962 when he was discharged, and his son had difficulty in getting employment. Mr. Gouldham had to go out, more or less, as an itinerant salesman of cigarettes. He was suspended from his lodge and asked to resign from his yacht club. At the age of 57 he now finds himself not in a position where he may shortly retire but in a position where he must start afresh to establish himself in an occupation which, it is hoped, will financially enable him to retire at a standard of living equal to that which he would have enjoyed through his station in life prior to being charged in 1961.

Put in another way, Mr. Gouldham has been denied eight years or thereabouts—perhaps it is less—of his normal life. What do we do about this? Do we do absolutely nothing? Do we offer an apology? Do we make any amends at all?

Laws exist in some countries to ensure that people who are wrongly convicted are properly compensated and there have been instances where wrongly convicted people have been compensated.

There are, of course, those soulless people who say that he is lucky to get off and he ought to settle for that. I am certainly not one of those. I would be a little more tolerant of that view—extraordinary though it may be—if I could be satisfied that every person who offends against our laws—and criminal laws in particular—received his just deserts. However, I think that all members are well aware that many offenders—and offenders in respect of significant crimes, unfortunately—are never charged, let alone convicted and sentenced to serve a sentence.

In matters which are dealt with both within the parliament and outside of it we are apt to get bogged down and make things far more difficult than they really are. We should try to avoid that situation. Is it not fair to say that where the law finds a man guilty he pays his debt to society? This is what happens and this is what should happen. Also, it is fair to say that where a man is charged but is found not guilty he does not pay a debt to society. The proposition I advance is that where a man is not guilty but has paid a debt to society—through imprisonment with hard labour—he should be compensated when he is found not guilty. To my mind this is elementary justice.

Some months ago the member for South Perth urged the House to support a proposition which would enable a man named Page to be given a fresh trial. The House supported the motion for the obvious reason that it was very worth while and meritorious. I could not see that anyone had any choice but to support it.

Mr. Jamieson: He is still waiting for the trial. It takes a long time.

Mr. BERTRAM: That may be so. I believe the case to which I am referring is of far greater significance and cries out for justice even more than that case, which had plenty to justify it.

What concerns me, of course, is that nothing will be done about it. I asked a question the other day and the answer I received did not stimulate my confidence that Gouldham would receive much by way of amends. The question I asked was—

In view of the fact that Mr. Bernard Kenneth Gouldham has been found not guilty of an offence alleged to have been committed by him in 1961, and for which he has served the sentence then imposed, namely imprisonment for 12 months with hard labour, and bearing in mind that in the United Kingdom and elsewhere, wrongly convicted persons have been awarded significant compensation, what amends by way of compensation and/or otherwise, if any, is proposed to be made to Mr. Gouldham, and what other action, if any, is proposed in respect of this matter generally?

The answer was—

The question of compensation has not been considered by the Government.

This is not a particularly encouraging answer. I have outlined the circumstances of the case, because I believe Parliament should know them. However, I am also concerned to see that this man receives justice. I certainly hope other members feel the same concern and, if they do not, I would like to know why.

As I have said, I take the view that if members of the public were acquainted with the facts of this case they would be the first to want to do something because of what has happened to this man. If members of the public had individually had the experience he has had, they would expect to be compensated. I say that each and every member of this Parliament would expect to be compensated in similar circumstances. I certainly would: make no bones about it! I say, too, that individual members of the Government would expect to be compensated and I see no reason for not having such an expectation.

The position now is that the man has been found to have done no wrong. Let us assume for just one moment that he is fortunate and that he is, in fact, guilty of an offence. I am certainly not conceding this, but I put it forward simply as an example. The fact remains that our legal and court procedures with respect to methods of trial have run the full course and have found that he is not guilty, and that is the test. A guilty man

pays the penalty; even if the verdict is wrong, he has to serve his sentence. What about the man who is found not guilty but who has, in fact, served his sentence and has had to wait for eight years during which time his life has been substantially ruined? Should he not receive compensation? He has been humiliated, humbled, and put to expense. He has suffered a very considerable loss and surely I do not have to argue this point.

Let us look for a moment at the legal expense involved. I do not know how many times the man has been to court. It is true the Law Society has come to his rescue, and this has taken some of the burden from him or, at least, if it has not done that, it has given him some respite, because he will be able to pay the costs over a space of time. The costs have been very significant.

Initially there was the trial, then the first appeal, the case in the lower court involving Sharrett, and the motion in the Full Court of the Supreme Court with regard to his private indictment of Sharrett. In the latter case Mr. Gouldham not only had his own costs to pay but he was ordered to pay Sharrett's costs. In addition there was the second appeal. So it goes on, and I do not know whether I have covered them all. This will merely give an indication of the expense with which he has been faced so far as court actions, are concerned, but this is a mere bagatelle compared with the loss the man has really suffered.

From time to time I have said that the Parliament ought to offer leadership, which is something very different from taking a dogmatic and dictatorial stance. It is a very sad commentary when we acknowledge that a man has been denied justice but we are not prepared to do something about it. I do not consider this to be an idealistic outburst, but a realistic comment, and I certainly hope that something may result from it; that I may have contributed in some way towards this man's being compensated and granted an opportunity to obtain some recompense for the eight years of his life that he has lost.

Debate adjourned, on motion by Mr. Rushton.

### **BILLS (3): RETURNED**

1. State Housing Act Amendment Bill (No. 2).  
Bill returned from the Council with amendments.
2. Land Act Amendment Bill (No. 3).  
Bill returned from the Council without amendment.
3. Bush Fires Act Amendment Bill.  
Bill returned from the Council with an amendment.

## **ADJOURNMENT OF THE HOUSE**

**SIR DAVID BRAND** (Greenough—Premier) [10.53 p.m.]: I move—

That the House do now adjourn.

With your indulgence, Mr. Acting Speaker, might I just make some comment regarding the sittings of the House next week. As members would know, I was hoping that we would finish on Friday next, but it is fairly apparent we will not be able to do this. For my own part, I have two Bills to present to the House before the session concludes. They are important, having regard to the changes that we propose in the Stamp Office and the establishment of a separate Commissioner of Stamps in this State.

I regret that these Bills have been delayed and on that account I do not think we will be able to finish on Friday next. However, we propose to sit on Wednesday next at 2.15 p.m., as on Thursday, and we will adhere to the proposal to sit at 11 a.m. on Friday. If it appears that we cannot finish within reasonable time on Friday we will adjourn some time before tea and sit again on Tuesday and go on until such time as we finish.

Question put and passed.

*House adjourned at 10.54 p.m.*

## **Legislative Council**

Tuesday, the 4th November, 1969

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

### **QUESTIONS (2): WITHOUT NOTICE**

1. **PRESIDENT OF THE LEGISLATIVE COUNCIL**  
*Birthday*

The Hon. A. F. GRIFFITH: I desire to address a question without notice to you, Mr. President. I understand it is your birthday today and, in addition to being your birthday, I believe you have covered yourself with glory in another respect?

Would you accept from me, speaking on behalf of all members of the House, best wishes for a happy birthday.

[Applause.]

The PRESIDENT: I thank Mr. Griffith and other members for their good wishes. Actually, I could go into quite a discourse as to whether or not it is my birthday because I am one of those oddities whose birthday was never registered.