also asked whether the air was recirculated throughout the train or whether it was drawn from the outside and the Minister replied that the air was recirculated.

The SPEAKER: The honourable member has another five minutes.

Mr. O'Connor: I said 80 per cent. was recirculated, and 20 per cent. was new air.

Mr. MOIR: I then asked the Minister what steps were taken to recondition or purify the air, to which he replied as follows:—

> Air is recirculated with limited admission of fresh air from bleed points, i.e., 80 per cent, recirculated air: 20 per cent. new air. There is no purification.

So on that long train, which possibly carries hundreds of people, the passengers are breathing the same air over and over again, because there is no fresh air.

One young fellow whom I asked about this said it affected him very badly. When I asked him whether he suffered from chest trouble he said he did not, but he still found it necessary to stick his head out of the window in order to breathe in some fresh air.

The people occupying cabins in the train cannot do this, of course, because everything is air-conditioned and sealed. When the Minister gave me the answers to which I have referred, I asked him whether he had received any complaints and he said that there were some complaints respecting temperature, humidity, and various odours, but these complaints had been made verbally to the technician on the train.

Mr. O'Connor: The complaints to which you referred were the first indication I had.

Mr. MOIR: In his answer the Minister did not go on to say—as I would have expected him to—that the matter would be investigated and that some remedial action would be taken.

Mr. O'Connor: We have to co-operate with the Commonwealth on this.

Mr. MOIR: If the Commonwealth Government is satisfied with these conditions that is no reason for the State to be satisfied with them.

Mr. O'Connor: Some of its wagons are involved.

Mr. MOIR: If the Commonwealth Government is prepared to subject its passengers to this sort of thing there is no reason for us to do the same. Let us have some system of change at Kalgoorlie so that the Eastern States passengers travelling from Kalgoorlie to Perth can do so in comfort. I am sure they will bless the Government for any step it might take in this direction.

Mr. Gayfer: The last idea of comfort on that line was not too good.

Mr. MOIR: This is a new train and I admit it is beautifully appointed, but one does expect to travel in comfort on such a train. I would far sooner travel on the *Kalgoorlie Express* than on this new train.

Mr. O'Connor: Is the air conditioning your only complaint?

Mr. MOIR: There is one other complaint I have apart from the air conditioning, and it refers to the fact that the Government has seen fit to introduce a charge of 25c for a cup of tea and a biscuit. So if one is travelling with one's wife it costs 50c for two cups of tea and two biscuits.

Mr. Brady: They will be able to pay the interest on their loan after all.

Mr. MOIR: I think the Government should have a look at this matter. I have travelled on the *Kalgoorlie Express* for many years and passengers have always been given a cup of tea and a biscuit in the morning, apart from which they have always been provided with the morning paper.

Mr. Gayfer: You were not paying him; you were tipping him.

Mr. MOIR: The Treasurer was not paying for this. I have travelled on the train for many years, and I paid for the meals out of my own pocket. I hope the Minister for Railways will have a good look at this matter. It is a black mark against what otherwise is a very good service.

Debate adjourned, on motion by Mr. Cash.

House adjourned at 10.10 p.m.

Legislative Council

Thursday, the 21st August, 1969

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

QUESTIONS (5): ON NOTICE

1. and 2. *These questions were postponed.*

3. ARCHITECTS BOARD

Election of Members

The Hon. J. HEITMAN (for The Hon. CLIVE GRIFFITHS) asked the Minister for Mines:

> Would the Minister supply the names, and the date that they were elected, of the six members of the Architects Board who are elected by the registered architects?

The Hon. A. F. GRIFFITH replied:

Mr. K. C. Duncan, elected December 1966.

Mr. M. F. Parry, elected December 1966.

Mr. M. Fairbrother, elected December 1967.

Mr. E. MacDonald, elected December 1967.

Mr. A. Ednie Brown, elected December 1968.

Mr. G. Harler, elected December 1968.

4. TRAFFIC

Collisions at Hay Street and Mitchell Freeway Intersection

The Hon. R. H. C. STUBBS (for The Hon. F. R. H. LAVERY) asked the Minister for Mines:

Since the Bailey bridge to the Mitchell Freeway was opened to traffic—

(a) how many collisions between motor vehicles have occurred at the traffic lights on the corner of Hay Street and the Mitchell Freeway;

(b) has any investigation been carried out in regard to the cause of these collisions by—

(i) the Traffic Department; and

(ii) the Main Roads Department;

(c) has a "cause" been established; and

(d) are there any engineering difficulties preventing a safer control of the lights synchronisation at this danger point and those lights on the Hay Street-Elder Street intersection?

The Hon. A. F. GRIFFITH replied:

(a) Sixteen accidents have been reported since the traffic signals at the intersection of Hay Street and George Street were commissioned on 29th May, 1969, the date of opening the Bailey bridge.

(b) An examination of the accident pattern by the Main Roads Department indicates that the main cause appears to be the failure of westbound motorists to obey the red traffic signal.

All accidents were recorded by the Police Department as being due to negligent driving with the exception of two rear end collisions.

(c) Answered by (b).

(d) These signals are synchronised with the Hay Street/Elder Street signals so that a motorist clearing Elder Street would normally clear the George Street intersection.

To provide added safety, the "all red" phase at George Street was extended on 7th August, 1969. Only one accident has been reported since that date.

5. AIR POLLUTION

Cement Works at Rivervale

The Hon. J. HEITMAN (for The Hon. CLIVE GRIFFITHS) asked the Minister for Health:

(1) Would the Minister advise the date that the Rivervale Cement works commenced manufacturing lime?

(2) Has the Air Pollution Control Council, during any of its 14 visits, or at any other time, since the 20th September, 1967—

(a) measured the amount of lime dust being discharged into the air during peak manufacturing periods;

(b) measured the amount of cement dust being discharged into the air during peak manufacturing periods?

(3) If the answers to 2 (a) and (b) are "Yes", what is the amount in each case?

The Hon. G. C. MacKinnon replied:

(1) 31st August, 1957.

(2) (a) No.

(b) No.

(Equipment to make these measurements has been on order since 5th May, 1969).

(3) Not applicable.

ADDRESS-IN-REPLY: NINTH DAY

Motion

Debate resumed, from the 20th August, on the following motion by The Hon. J. Heitman:—

That the following Address be presented to His Excellency:—

May it please Your Excellency: We, the Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the Speech you have been pleased to deliver to Parliament.

THE HON. F. R. WHITE (West) [2.40 p.m.]: I rise to support the motion before the House, and in doing so I would like to take the opportunity to refer to

mining activities within the South-West Land Division and, in particular, within the metropolitan region.

We are all aware that recently a number of applications for mining tenements were lodged with the Mines Department. These were mining tenements on Crown land such as the reserves in the Swan-Guildford area and mining tenements on private land, as in the case of Mahogany Creek. On the 11th July in *The West Australian* eight advertisements were inserted by Mr. C. C. Cheyne who, I understand, is a member of Swan Portland Cement Ltd. These eight advertisements were referring to the application for the right to mine alumina material over a total of 1,280 acres of private property in the Mahogany Creek area.

It was purely by accident that a Mrs. Wrenthe, a local resident, happened to see these advertisements in the Press and, as a result, she advised her neighbours following which a meeting was held by the Mahogany Creek Progress Association on the 16th July. Later another public meeting was held at Mundaring by the Mundaring Citizens' Association on the 21st July. At the latter meeting the member for the area (Mr. Craig, M.L.A.), Mr. Gannon of the Mines Department, and I, were present. It was a very well attended meeting, in excess of 80 persons being present. Mr. Gannon, Mr. Craig, and I addressed the meeting and listened to the various complaints.

The main complaints from those at the meeting were that they had not been advised, either individually or through their local authority, that such mining was intended in the area; that the peace and tranquility of the area would be disturbed; that heavy trucks which obviously would be carrying this alumina material from Mahogany Creek to the cement works would damage the roads; and that scars would develop within the area, scars such as those which can be seen in the foothills of the Darling Range where gravel and bauxite have been removed from very large areas. It was stated that these scars at Mahogany Creek would remain in existence for many years.

Those at the meeting also objected because they said that a natural tourist area and lovely picnic spot containing valuable fauna and flora would be permanently destroyed; and that valuable timber would be destroyed, because quite a proportion of the 1,280 acres fell within Forests Department land.

During his address Mr. Craig made a statement which was published in the Press the following day. It was to the effect that in his opinion the Mining Act was archaic. Since then I have made a complete study of the Act in relation to the Mahogany Creek area, and I must admit I agree with Mr. Craig's statement, and I hope to be able to prove this during the afternoon.

A decision was made at the meeting on the 21st July to arrange a deputation to the Minister for Mines. This deputation took place at a later date and comprised six nominated persons, Mr. Abbey, and me. I introduced the deputation, and the discussions lasted for one and a half hours. The deputation was well received by the Minister and every courtesy was extended. Those in the deputation expressed their feelings, and the Minister assured them he would give every consideration to the queries they had raised. He advised them he would subsequently, if the warden upheld these applications, give his decision.

After we had been received by the Minister, I assured the members of the deputation I would have a good look at the Mining Act to see whether the applications were in conformity with it and whether the correct procedures were being carried out. In my endeavour to do this, the first thing I wanted to determine was the difference between a mine and a quarry. I could not help but feel that the extraction of material such as bauxite or alumina for cement purposes would necessitate the removal of large volumes of earth from the surface of the land. This, to my way of thinking, would indicate that the activities would tend to fall into the category of quarrying.

The Mining Act obviously would deal with mining, so I felt it necessary to gain a very clear understanding of the words "mine," "mining," "minerals," and other associated terms. This was when I, as an ordinary floor member of Parliament, immediately came up against what I consider to be a tremendous difficulty. I endeavoured to obtain a judicial ruling or opinion from someone, and I found that unless I was prepared to pay a lawyer out of my rather meagre expense account, there was no avenue through which I could obtain a judicial opinion.

It appears that we, who, as members of Parliament, are responsible for the formation of legislation which, at some time in the future inevitably may come before a court of law and be ruled upon, are unable to obtain any judicial help to understand legislation or learn about interpretations.

Consequently, I had to turn to another source. As a result I searched through the building and ultimately came across five volumes which are termed *Words and Phrases Judicially Defined*. These five volumes are not to be found in our library, but in the office of the Clerk of the Assembly. It is a valuable set of books containing words and phrases which have been used in Supreme Court cases throughout the Commonwealth.

There is a very interesting little supplement in the back of each book which contains words and phrases which have been judicially defined and applied to Australian court cases especially. During my speech I will refer to this book and to the other volumes as "Words and Phrases."

Another book which I found to be rather invaluable in my search for judicial understanding was *Halsbury's Laws of England,* 3rd Edition, No. 26. This also contains judicial terms and phrases, which have been defined as a result of Supreme Court cases.

Having found some material into which I might delve, I decided I would endeavour to find the judicial meaning of the term "quarry." I find that in *Halsbury's Laws of England,* a quarry is defined on page 318 as—

> Surface workings leaving no roof overhead.

In the *Halsbury's Laws of England,* I found that in the case of Scott *versus* the Midland Railway Company, a quarry was defined as—

> A gravel or sand pit may be a quarry, but a heap of furnace slag is not.

I have included that definition for a particular reason; namely, in case any member interjects during the course of my speech.

Another book to which I referred is a recent publication. In fact, it was published in 1968. I refer to *Chambers Dictionary,* which is a book to which most people could have access. Reference is made to the word "mine" in this dictionary. It says—

> A place from which minerals are dug; not usually including building stone; and legally distinguished from a quarry by being artificially lighted; a cavity in the earth.

It would appear that a quarry would be an excavation on top of the ground which was not artificially lighted. According to *Chambers Dictionary,* the term "mine" would appear to be an underground excavation which had to be artificially lighted.

I sought further clarification of the term "mine" in *Halsbury's Laws of England* which state that it is an underground excavation. In Words and Phrases, in the case of the Federal Commonwealth Commissioner of Taxation *versus* Henderson in 1943, a mine was defined as—

> A subterranean excavation for the purpose of getting minerals.

In Words and Phrases, the word "mine" is defined in another case; namely, N.S.W. Associated Blue Metal Quarries *versus* The Federal Commissioner of Taxation in 1956. The term is defined as—

> Underground workings and not open cast workings or quarries.

So far I have dealt with the terms "quarry" and "mine." Naturally we need to understand the meaning of the term "mineral"; because all applications which are made for the purpose of mining materials such as bauxite, which is used in the production of alumina and cement, come under the heading of "mining tenement." My research reveals a mineral to be any substance obtained by mining.

When the Mining Bill was introduced in 1903, the then Minister for Mines (The Hon. H. Gregory, M.L.C.) gave a very lengthy second reading speech in this House. When I read that speech, I could not help but feel his intention was that the term "mineral" should mean an ore containing some metal—whether it be a base metal or otherwise—which would need to be extracted from the ore that had been mined.

The original legislation was finally passed in 1904. Section 115 of that Act gave an interpretation of terms. It is under this section that the term "minerals" as related to mining on private property is defined. It says—

> In this Part of this Act, unless the context otherwise indicates, the following terms have the meanings set against them respectively, that is to say—
>
> "Minerals."—Antimony, bismuth, copper, iron, lead, manganese, mercury, silver, and tin, and the ores and earths of these metals, and gems and precious stones.

I submit that in that definition of "minerals" we find that all minerals, other than gems and precious stones, are metallic elements, of which there are very few in nature. The total number of elements, whether metallic or non-metallic, in a free or combined state on the earth's surface is only 92.

We have in Western Australia a small number of metallic elements which are classified as minerals, and the ores or any earth in which they lie would be classified as minerals, too. It would appear that the term "minerals" implies a metal or a metallic ore.

I proceed now to a most important term; namely, "mining." After all, we are dealing with the Mining Act. We are dealing with mining tenements and, consequently, the term "mining" must have a great deal of importance.

In Words and Phrases, in the case of the Crown *versus* Drake Brockman in 1943, the word "mining" is referred to as—

> The extraction of something from the ground beginning with the actual removal of either the product itself or that which contains it; for example, goldbearing quartz from the soil and ending with the production of the product itself.

This seems to support the definition of the term which is contained in section 115 of the original Mining Act, under the heading "Interpretations." It supports that a mineral shall be a metallic element, or an ore from which that metallic element will be extracted.

As we are dealing with the Mining Act, a person who mines a mineral would be called a miner, and on page 5 of the Mining Act a miner is defined as any person being the holder of a miner's right. That brings in another term—a "miner's right." That is a piece of paper giving a miner the right to mine. But what can a miner do if he is in possession of this right? Remember, I am dealing specifically with the problem that has occurred at Mahogany Creek where Mr. Cheyne applied for eight mining tenements.

I will pick out the appropriate parts of section 26 of the Mining Act which apply to the privileges that a miner has if he is in possession of a miner's right. Subsection (1) states that a miner has the right to mine for any mineral on Crown land. Subsection (8) states that he can cut timber for mining purposes on Crown land, except in the South-West Land Division. Regulation 229 under the Mining Act states—

> No person, except he is the holder of a registration certificate as prescribed by timber regulation 1, shall cut timber on a coalmining lease or other mining tenement in the South-West Land Division of the State as described in the Land Act, 1898.

At the bottom there is a footnote which says "Now the Land Act of 1933."

Regulation 229 applies specifically to the rights of a miner to be able to cut timber in the South-West Land Division of the State. This area stretches from as far north as the Murchison River. If one travels south-east from where the Murchison River enters the Indian Ocean until one comes to the No. 1 rabbit proof fence, and then south along that fence until one gets to the coast, and then one follows the coast all the way back to the entrance to the Murchison River, the land enclosed would be the South-West Land Division. That is very roughly the position.

It is a very vast area and it was proclaimed under the Land Act originally to protect valuable timber resources in the south of the State. Also it necessitated the inclusion of regulation 229 under the Mining Act and in this regard I would like to ask a question: If this regulation is enforced, how can anybody in the South-West Land Division conduct an extractive industry, such as the mining of bauxite or the removal of alumina material, without denuding an area of timber? The regulation does say, however, that the timber can be cut and felled provided the person on that particular claim has a registration certificate as provided for by timber regulation 1.

The Hon. A. F. Griffith: Did you make any inquiry about this?

The Hon. F. R. WHITE: Yes, I have been to the Mines Department.

The Hon. A. F. Griffith: If you have been, you had better tell the whole story.

The Hon. F. R. WHITE: There is now no such regulation under the Land Act. The last record of that regulation under the Land Act was in 1918. In that year the regulations under the Land Act were revoked and were brought under the control of the then Woods and Forests Department. So it would appear that we have one regulation which is archaic because the Act to which it refers no longer carries the particular requirement.

The Hon. A. F. Griffith: Didn't you have this explained to you?

The Hon. F. R. WHITE: No, they found it very difficult. The timber clause was written into the Forests Act, not as regulation 1, but, if I remember rightly, as regulation 4. If it were made to apply, then it would only allow a timber cutter to fell the timber and leave the stump in the ground. With a specially registered hammer the timber cutter would then have to mark the top of the stump and also mark the base of the trunk of the tree which had been felled.

So it would appear that in order to carry out an extractive industry, if the appropriate regulation did exist, the timber could not be bulldozed and the land denuded for that particular purpose. Section 26 (9) of the Mining Act makes the first reference, and the only reference in the Act, to the removal of stone, clay, or gravel, and it states that a miner's right will entitle a miner to remove stone, clay, or gravel for his personal use in connection with mining, except on exempted Crown land.

Gravel would be another material which would come within the term "extractive industry." It would appear from what I have said before concerning minerals that gravel would not supply any metallic content, such as is a requirement under the Mining Act, and therefore gravel pits would normally not come under the scope of the Mining Act unless, of course, it was for the miner's own personal use in mining operations.

Similarly, the removal of stone or clay would come into the same category. Once again I should like to make reference to the case of the Midland Railway Company *versus* Miles. This referred to the express and implied rights of working minerals. The finding was—

> That the power to win and work will not be implied if the process, as in the case of quarrying, will be destructive of or permanently injurious to the surface.

The type of mining for minerals suggested by these mining tenements most certainly would be destructive and permanently injurious to the surface. So it would appear that if there were another court case on these grounds, the court may find an illegal operation being conducted under the auspices of the Mining Act.

I have spoken a great deal about Mr. Cheyne and his applications for mining tenements, and I will now consider his application in very close detail.

Point of Order

The Hon. A. F. GRIFFITH: On a point of order, Mr. Deputy President; while I do not wish to interrupt the honourable member's speech, I feel obliged to point out that the mineral claims to which he is referring have yet to be determined by the Warden's Court, and his remarks may well be *sub judice.*

Debate (on motion) Resumed

The Hon. F. R. WHITE: In his applications Mr. Cheyne has applied for mining tenements, other than a lease, in the form of a claim for mining on private property. In each of the eight claims the word "private" has been mentioned.

I have checked the area which these claims cover and it appears—and I say appears, because the officer in the Mines Department was not too sure himself while checking the plans—that only three of the particular applications would apply to private property; the other five would apply to Crown land. The application states that it is for the purpose of mining alumina materials for cement production.

It mentions alumina materials—materials containing alumina—therefore an ore of alumina; alumina Al_2O_3. Alumina is a common compound extracted from bauxite for the final production of aluminium metal. The alumina material which it is proposed to mine in this area will be an ore, but the metallic content of that ore is not intended to be extracted from the ore.

Accordingly, I maintain that this material would not come into the category of a material under the Mining Act. A little further down we find that the mineral field in which each of these applications has been made is the south-west mineral field. The south-west mineral field is covered by regulation 229 in regard to the cutting of timber. If the material applied for could be classified as a mineral, it appears it would make it very difficult for the material to be removed in view of the timber restrictions.

There is one other section of the Act to which I would like to make reference. We find that mineral claims can be applied for on Crown land or on private land. We find, however, that some Crown land is classified as reserved land. One particular type of reserved land would be gazetted roads.

On pages 16 and 17 of the Mining Act we find section 30 which, in effect, says that the Governor may authorise any holder of a miner's right to occupy lands and reserves, if he sees fit. But the Act then goes on to say that in such a case the Minister, on receipt of an application under section 30, shall cause notice thereof to be published in the prescribed manner and no authority to mine shall be granted if, in the opinion of the Minister, any valid objection is lodged within the prescribed time after publication of such notice. It then makes reference to the fact that a sum of $10 "shall be deposited with every application to meet the cost of publishing notice thereof, and of an inspection of and report upon the land applied for." The Act then continues—

> Where any such land is situated within a municipality, a copy of the application shall be delivered or sent by post to the mayor.

In checking the land covered by these applications of Mr. Cheyne's, I find there are public gazetted roads lying within the area covered by the applications. We know from the publicity and from my previous statements today that the local authority was not advised of these applications, and yet section 30 says that, upon receipt of an application, the Minister shall advise the mayor of the municipality. The municipality involved is the Shire of Mundaring. It does not have a mayor but it does have a president and, under the Act he should have been the officer to receive written notification of these applications. However, he did not receive this notification.

I do not want to pursue this particular aspect indefinitely.

The Hon. A. F. Griffith: You are trying a mineral claim case in Parliament. I tried to tell you that this is *sub judice.*

Point of Order.

The Hon. F. R. WHITE: Mr. Deputy President, I should like to have your ruling on that particular statement of the Minister's. I am afraid he has me out of my depth.

The DEPUTY PRESIDENT: Would the Minister for Mines please state his objection?

The Hon. A. F. GRIFFITH: I imagined, Sir, you might have given the honourable member a lead on this sort of thing. The way I see it is that these mineral claims are still a subject for determination. I did not object to the matter; I merely asked you whether you would remind the honourable member that this was so. I believe this may be interpreted as *sub judice* because these applications are still to go before the Warden's Court; and, finally, a determination, whether or not the mining leases are to be granted, has to be made by me.

The Hon. J. J. Garrigan: And approved.

The Hon. A. F. GRIFFITH: Yes. I merely suggest neither the local shire, the objectors, nor the applicant should be in any way prejudiced; and, bearing in mind that I have received a deputation on this matter—as was stated by the honourable member—I thought it might be propitious for him not to mention the subject in such detail. However, if he chooses to carry on I cannot object.

The DEPUTY PRESIDENT: The Minister has raised the question as to whether the matter under discussion by Mr. White would create a situation in which his remarks are *sub judice*. I shall leave the Chair until the ringing of the bells.

Sitting suspended from 3.24 to 3.54 p.m.

Deputy President's Ruling

The DEPUTY PRESIDENT: My ruling is as follows:—

> In view of the question being raised by the Minister, the Hon. F. R. White asked for a Ruling as to whether the matter of mineral claims being discussed by the Hon. Member are *sub-judice*.
>
> Precedent shows that the *sub-judice* rule bars reference to all cases criminal and civil awaiting or under adjudication in all courts at all levels.
>
> In view of the fact that a determination has not yet been made by the Wardens Court on the application for the claims mentioned, and the possibility of prejudicial effect by discussion in the House, I rule the matter to be *sub-judice* and that these applications should not be further mentioned in this debate.

The Hon. A. F. GRIFFITH: With your permission, Mr. Deputy President, I would like to make it clear that I did not in any way wish to prevent the honourable member from criticising me, the administration of my department, or the Mining Act. However, I tried, through you, Sir, to give him a lead that in my opinion this matter might be *sub judice*. Of course, general references in this House as to what a member thinks by way of criticism are, to my mind, quite permissible. But when we get down to the point of mentioning a particular case then I would say that I am grateful, Sir, for the information you have given us.

Debate (on motion) Resumed

The Hon. F. R. WHITE: I accept your ruling, Sir. I feel I have made my appropriate comments concerning the Mining Act in general, and I will leave the rest at this stage.

THE HON. R. F. CLAUGHTON (North Metropolitan) [3.56 p.m.]: First of all I would like to congratulate Mr. White on his depth of research in preparing the speech we have just heard. Recently I spoke on the same subject during the debate on the Supply Bill, and following that I was rather surprised at the attitude adopted by the Minister for Mines when replying to the debate.

The remarks I made were directed at drawing attention to the fact that when such claims were made a case had to be presented to the court in each instance. There is no overriding authority which can deal with these claims. The Minister adopted rather a political stance when referring to this, and I was disappointed in him. I considered that as a Minister he could have adopted a more statesmanlike approach. To show that this is not something I have developed on my own, I would like to refer to a number of statements that have been made, and I am sure the Minister would not accuse these people of being against the development of the mineral resources of the State—a statement which he made in connection with myself.

First of all, I would like to refer to an article by Professor Main which appeared in the University gazette of October, 1968. Many of us became acquainted with this gentleman at the Tuttaning Reserve where he demonstrated to us the natural relationship of fauna and flora. When flora is destroyed or burnt back, then the locality becomes uninhabitable for fauna. In other words, one depends upon the other. So when flora is removed during mining operations, it does not affect just one section of our native life. I will refer to what Professor Main had to say in an article which was headed, "Problems of Nature Conservation" on page 38 of the University gazette for October, 1968. I will not quote all of this article; I will quote certain parts. He said—

> . . . it has become obvious that these distinctive symbols of Australia will not persist in the face of agricultural and pastoral development. It is clear also that most of the plants and animals which together produce the unique character of the Australian bush are, unaided, unable to persist in the face of changing circumstances, especially of rapid clearing with modern mechanical aids.

> Thus the problem of implementing an adequate policy of nature conservation is assuming more formidable proportions as increasing development highlights the erosion of our natural heritage.

Again, on page 41, Professor Main said—

> The Wild Life Authority rightly considers additional reserves as a matter of urgency and is actively seeking to have more reserves gazetted and vested so that all environments and the associated flora and fauna will be adequately represented in secure reserves.

Later on, he had this to say—

> Meanwhile events are moving in the right direction, and those interested in nature conservation should see that the momentum gained is not lost.

Professor Main was giving credit to the Ministers concerned for the increasing number of reserves that are being created, and the research that is being undertaken in this State, Tuttaning Reserve, which we visited, being an example.

Again, in *The West Australian* of the 14th August there is a long letter by Vincent Serventy. In part, he says—

> There are very few conservationists who would claim that the State position with regard to national park and nature reserve management is satisfactory. There are none who would say the area and spread of these reserves are adequate.

He went on to say—

> . . . we still have a very long way to go.

He also refers to moves to retain open space along our coastline, and questions whether we have sufficient open space along our southern and south-west coastlines.

In *The West Australian* of the 15th August there is a report of a decision given by Mining Warden J. B. Anton. He is reported as follows:—

> Mr. Anton recommended approval to the Minister for Mines, subject to stringent conditions to be drawn up on expert advice. He said that the minister should consider the effect of mining on flora and fauna throughout the State.

In *The West Australian Year Book, 1969*, the heading, "Conservation of the Flora" appears at page 59, and the following is recorded:—

> Because of the growing need for land for agricultural and pastoral use, conservation of the flora on land not yet cleared is a matter of urgency.

There is still a great deal to be done. Under that heading there is also a brief reference to the effect of mining operations.

At page 79 of the same year book, under the heading of, "Conservation of the Fauna" the following appears:—

> . . . the position of the native fauna is serious.

That is only a brief quote, but it does help to emphasise the need for conservation. I do not want to pursue the matter further. The point I was making at the time was that there is perhaps a need to set up a similar authority to that which is referred to in the report by the Chairman of the Reserves Advisory Council, appearing at page 20 of the Annual Report of the Department of Lands and Surveys for the year ended the 30th June, 1969. Number 4 of the functions and powers of that council reads as follows:—

> To consider whether Legislation is desirable to create a Statutory Authority.

I think, possibly, that this is what should be done. This annual report, in speaking of mineral claims, also contains the following:—

> It seems quite incongrous that whilst Parliament creates the Reserves "A" class and the instrument of vesting declares that they shall be held for the protection of flora and fauna, the natural scenic beauty and the use and enjoyment by the people, the National Parks Board has to attend a public hearing before a Mining Warden to establish why the Reserve should not be subject to destructive mining activity.

I have no doubt the Minister for Mines does approach these matters with a great sense of responsibility. In a debate on a Bill introduced last year he spoke in a way that would indicate that land was to be rehabilitated, and I have no doubt that this will receive serious attention.

However, as I said before, plants and animals are interdependent, and in some instances it is very difficult indeed to re-establish the fauna that existed before the commencement of mining operations. Again, in the 1969 report of the Lands and Surveys Department, mention is made of the results of some experiments conducted in King's Park. Reference is made to the efforts that were taken to collect fertile seeds, and the success achieved in trying to raise plants from seeds. In fact, not much success has been achieved with a number of these experiments. In the case of *Verticordia grandis* (Scarlet Featherflower), the seed material gathered was less than 3 per cent. There are other examples mentioned in this report which members can read for themselves.

The Hon. G. C. MacKinnon: What is it in its natural environment?

The Hon. R. F. CLAUGHTON: That is not mentioned in regard to this particular example, but in regard to another species it is stated that it is less in its natural environment than in experiments conducted at King's Park. It would vary with different plants.

I now wish to deal with education. A great deal has been heard over the past year on this subject, and one cause of the so-called crisis in education was obviated only recently by awarding higher rates of pay to teachers. I consider, however, that this aspect plays only a small part in the real crisis of education. The real difficulty lies with the efforts that are made to introduce new methods into a traditional education system.

So, here again, in order that I will not be accused that these comments are entirely of my own making I will make reference to the writings of several other people to add support to my argument. The first of these which I would like to quote appears in *The West Australian* of the 10th May, 1969, as follows:—

> Material instead of teachers suggested.
>
> The so-called crisis in education is a world-wide phenomenon.
>
> Its roots lie in a general decline in the relative status, financial and social, of teachers and in the demand for increased educational standards in a period of information and population explosion.

They were the comments expressed in a letter to the editor by Mr. J. Lumsden, senior lecturer in psychology, of the University of Western Australia.

In September, 1968, the Australian National Advisory Committee for U.N.E.S.C.O. held a national seminar on educational planning at which a paper was presented titled, "Approaches and Priorities Relating to Educational Planning in Developing Countries," by Mr. J. G. Massee. On page 2 of that paper, speaking of our rapidly changing environment, he states—

> Though educational systems, too, have grown and changed with unaccustomed speed, they have not done so nearly fast enough to keep pace with the rush of events around them. Accordingly, there has by now arisen a serious disjunction, a disparity taking many forms, between educational systems and their environment. This disparity, with all its many aspects, is the hallmark of today's worldwide educational crisis.

The Hon. G. C. MacKinnon: Could you not say the same thing about roads, airfields, and virtually everything else?

The Hon. R. F. CLAUGHTON: If the Minister cares to pursue those matters he can do so in a speech he makes himself. The paper from which I have just quoted calls for more public dialogue and examination to ascertain exactly what we seek to obtain from an education system. It is not enough, simply to say, "Our old system is no good." We have to know actually what we want; that is, the sort of system we desire, the goal we are aiming at in adopting it, and what we hope to achieve from it.

Mr. Massee considers that in our case it is not enough for the Education Department and its experts to draw these plans themselves. The public should be given a chance to participate in any discussion on, and the drawing up of, such plans. Under our system, with the regulation that prevents teachers from making public statements that might be considered to be criticism of the Education Department, a definite lack of discussion on education subjects exists. This is to the detriment of our society.

We would, I think, advance more rapidly, and with a great deal less stress and distress if the subject were debated more freely and publicly. For instance, the Parents and Citizens' Federation and the Teachers Union are calling for independent inquiries into education at all levels. The response of the Education Department in this State, as reported in *The West Australian* of the 25th July, 1969, was that a departmental inquiry would be conducted by its research branch. Such an inquiry may or may not involve the Parents and Citizens' Federation, or wider sections of the public.

Yesterday Mr. Medcalf spoke about tribunals. People gain a lot more confidence if they are able to see and participate in all the inquiries that are conducted. In his paper, from which I have just quoted, Mr. Massee also called for planning and research as soon as we have determined what our aims should be. A great deal of planning and research would be required to ascertain how these plans can be carried into practical effect.

Dr. T. L. Robertson, President of the Australian Council for Education and Research, has also spoken along the same lines. A report which appeared in *The West Australian* of the 27th January stated that new policies on education in Australia had rarely been based on research done in this country. It seems that we have drawn our results from experiments which were conducted in other parts of the world and from systems which have been adopted by communities, the needs of which were very different from our own. Therefore, those systems may not necessarily be successful in Western Australia.

The place of the teacher in the education system has been commented upon, and in this respect I refer to the statements made by Mr. Lumsden. He said that Government investment of moneys in the salaries paid to teachers might, perhaps, be better spent on material aids for teaching. He went on to say—

> The remedies for the problem are unlikely to be found in traditional means. It is not at all certain (what evidence there is suggests otherwise) that smaller classes are the answer. And, in any event, small classes are simply not feasible without a serious dilution of the quality of the teaching force.

If we are to have smaller classes then we will need a greater number of teachers. If this problem is to be overcome then a greater amount will have to be spent on teaching aids.

Speaking at a seminar at the Institute of Technology, Mr. Anderson, a research officer in university education, had this to say when speaking on new directions in tertiary education—

> One might envisage the school of the future which has on its staff a certain proportion who are fully trained and qualified experts at the teaching level, backed up by a variety of other types of staff.

He makes a comparison with a public hospital which has specialist doctors, nurses, and other assistants.

I now refer to the Dettman report on secondary education. On page 111 the following, in relation to the place of teachers in the education system, appears:—

> The full implications of this report for teacher education are such as to warrant further detailed investigation by the responsible authorities. In particular we envisage considerable changes in the role of the teacher. He should become less a dispenser of information and more a person who structures learning situations and guides learning activities. He is likely to be able to specialize more in relation to the subjects which he will be required to teach, but will need to have a better understanding of the nature of adolescence and the process of learning. He will also need to be able to function as part of a teaching team and take advantage of the opportunities being provided by advances in educational technology. He will need to grow professionally so as to become more independent and accept more responsibility. For example, the abolition of external examinations will mean that teachers must accept responsibility for the evaluation of their students. Such progress will depend on adequately prepared teachers. This will require adequate programmes for pre-service and inservice education.

As an aside to this matter I would refer to the drive by the department to obtain trainee students. Among the issues which have been pursued by the Teachers Union, one sought higher allowances for the trainees. I trust that its move to obtain an increase in these allowances will be successful, because the quality and the ability of our future teachers depend on it.

It is interesting for us to look at a survey which has been undertaken in Melbourne in regard to the intentions of trainee students to remain in the teaching profession. Perhaps a similar survey could be made in Western Australia to determine whether teachers, after they have commenced teaching in the schools, intend to remain in the department. The Melbourne survey indicated that only 40 per cent. of teacher undergraduates felt that teaching was their main vocation. These are students undergoing training at the University. Of those surveyed, 19 per cent. expressed the intention that they would leave the teaching service within three years—which is the period of the bond in that State.

This survey also indicated that 37 per cent. of the science teacher undergraduates also intended to leave the service within three years; the reason being that the rewards in the private sector for science graduates are far greater than those provided to science teachers. The salaries and conditions under which teachers work have an important bearing on the retention of teachers in the service. This is a point which the Teachers Union in this State has been trying to put across.

In regard to research into education we find that Western Australia's expenditure in this direction has been very parsimonious. Over recent years a great number of changes have taken place in the curriculum in the schools. In my last year of teaching in primary schools I found that every area of the syllabus was undergoing experimentation. In addition to their ordinary work the teachers have to bear a great load in following the changes in the various areas of the curriculum. I consider that many new ideas have been adopted as a result of experiments overseas, and these do not necessarily apply to conditions in Western Australia. It seems that when they are adopted they are not researched thoroughly beforehand. They are simply implemented in the schools.

To illustrate the amount that has been spent on educational research in Western Australia, I refer to the Annual Estimates for 1968-69. The total estimated expenditure for education was $44,325,000, but the amount allocated to research into education was only $30,000, or .07 per cent.

of the total. The Director-General of U.N.E.S.C.O. has suggested that 2 per cent. of the education budget of a country should be allocated to this research. If Western Australia had adopted this percentage then on a total expenditure of $44,000,000 the amount allocated to research into education would have been about $886,000. In fact the amount allocated was $30,000. If the amount allocated was only 1 per cent. there would be $443,000 available for research. The figure of 2 per cent. has been supported by Dr. Robertson.

In the last session of Parliament I asked a question on the expenditure of this amount of $30,000 allocated to research. The reply indicated that $19,000 was for research, and $11,000 was for inservice training. So, the actual amount allocated for research was, in fact, less than .07 per cent. Of the $19,000 allocated for research, $8,000 was spent in travelling and on mileage allowances. Therefore the expenditure on research into education appears to be infinitesimal, compared with the total education budget. I should hasten to add that some research programmes are conducted within schools among the students, and if this was taken into account the allocation would be greater than $30,000. Even allowing for that, the amount which the State is spending on educational research falls far short of what it should be.

This is shown in a number of fields in education. Early in the last session of Parliament I asked a question in relation to the work study undertaken in the implementation of the Achievement Certificate in the high schools, and to the additional work and time involved on the part of teachers. I received a reply that this had been investigated, but no records had been kept. I was told the results were reproduced on pages 147 and 148 in the Dettman report. On examination we find these pages show a suggested subject timetable; but nothing at all about the extra time which teachers have to spend on duties connected with the Achievement Certificate. If that is an example of the results which have been produced in this State, it shows that what has been done is not sufficient.

I asked some questions in the last session about the special schools for native children, and about what had been done to assist the teachers with back-up service and with special materials. One can imagine need for a specialist in anthropology who would understand the conditions of the native children, and would know what was required to fit them into the education system. I received the reply that special inservice courses for teachers were held every two years to train teachers for these special schools for native children; and that appointees were specially selected from volunteers for these positions.

We found that of the 49 teachers who were specially selected, six came straight from the Teachers' College. Education of aboriginal children is probably one of the most difficult tasks which faces the teacher; yet six teachers straight from the Teachers' College were selected—but on what experience I do not know!

Of the 49 teachers, 20 had three years' experience or less. These were the people entrusted with the job of raising the aboriginal children to a level where they might compete in the white society. It is no wonder that education of native children is, very largely, a failure.

The Hon. V. J. Ferry: What standard of teacher would you suggest should teach the natives?

The Hon. R. F. CLAUGHTON: I suggest someone who has had more than three years' experience. I also suggest that such teachers should undergo a special course in the methods to be adopted during teaching, and also a course in anthropology in order that they might understand the conditions under which these people live and something of their background and customs. I know that the teachers learn a certain amount on anthropology while they are training, but this does not amount to much until they get out into the field. A refresher course is then required or a specialist to visit the teachers in order that more effective material might be made available to deal with the problems involved. I do not think that this section of the department's work has developed to any degree at all; this applies not only to the native children but also to the special classes in schools.

I think that this is as much as I will say today. I could cover many other fields in education, but I do not want to overburden the subject at the moment. Opportunities will arise during other debates for me to pursue the subject.

THE HON. CLIVE GRIFFITHS (South-East Metropolitan) [4.33 p.m.]: I wish to support the motion moved on opening day by Mr. Heitman, and in doing so I desire to make a few comments on several subjects.

Firstly I would like to add my congratulations to those already extended by one honourable member to the Minister for Fisheries and Fauna for the excellent tour of the Western Australian Marine Research Laboratories which he organised last week in order that all members of Parliament might have an opportunity to become conversant with the great steps being made in Western Australia with research into marine life and fisheries in general.

The Hon G. C. MacKinnon: Thank you!

The Hon. CLIVE GRIFFITHS: Whilst I knew that the laboratories existed, I was unfamiliar with the exact nature of the work being carried out. The officers who spoke to us indicated that Western Australia is certainly leading the way in this type of research in Australia and, indeed, I would say we are well up with research being undertaken elsewhere in the world. I would like to thank the Minister for the opportunity he gave members to see for themselves.

Although at times I violently disagree with some of the things the Minister for Health says and does, and even introduces into this House—

The Hon. A. F. Griffith: I thought you were softening him up a bit!

The Hon. CLIVE GRIFFITHS: —this certainly does not prevent my paying him a compliment. Everyone would agree that he has studied the portfolios he handles and is very conversant with them. I think all the departments under his control are being well looked after.

The Hon. G. C. MacKinnon: That is very kind of you!

The Hon. CLIVE GRIFFITHS: However, this fact does not deter me from disagreeing with him in the future.

The Hon. V. J. Ferry: Your comments sound like a little fish bait!

The Hon. CLIVE GRIFFITHS: I believe that a member of Parliament has three courses open to him during the debate on the Address-in-Reply. The first is that he can stand up and praise everyone and say what wonderful things are being done, in which case he would certainly reap great rewards—if that is the right phrase —from the Ministers, and they would think him a very nice fellow. The second course open to a member is for him to criticise those things he feels need criticising in the hope that the Minister—if it is a Government department being criticised—will take notice of those comments with a view to rectifying some of the anomalies.

The third course open to a member is for him to sit down and say nothing and then, probably, everyone would be happy! I am going to adopt the first and second courses.

The Hon. A. F. Griffith: I did not think for a moment you would adopt the third course!

The Hon. CLIVE GRIFFITHS: No! The Minister is not that lucky! I began by giving the Minister for Fisheries and Fauna some praise.

It is true that unless a person becomes involved in some way with certain problems or inadequacies, he does not even know they exist. One subject brought to my attention—and I believe something should definitely be done about it—is the situation regarding the Metropolitan Water Supply, Sewerage and Drainage Board's regulations. Under those regulations every conceivable item used in plumbing or the water supply services in the State must be inspected and branded.

I was very pleased the other day when the Minister for Works announced that the provisions with regard to the use of plastic pipes in household installations was to be relaxed. This of course, is a step in the right direction and is an indication that we are getting "with it" a little. However, some of the regulations and old-fashioned ideas with which we have to live and under which the building and plumbing trades have had to work for so many years are definitely in need of reform.

I have here a copy of the regulations and it is the most fantastic document I have ever seen. It is headed, *Metropolitan Water Supply, Sewerage, and Drainage Act, 1909-1956 By-Laws.* Some of these by-laws were probably not so bad in 1909, but circumstances are different today. The absurd situation is that every length of copper pipe which comes off the assembly line must be tested and stamped by the water board before it can be used. We must bear in mind that this pipe passes through a die and it is impossible for one piece of pipe to vary from the next. Yet each length must be tested and stamped. Every single tap used in Western Australia has to be taken to the department and individually checked and stamped before it can be sold or put into a house.

Once again, in 1909 this was probably not a bad idea because a great deal of this apparatus was made by hand, and one fellow making something could make it perfectly while the fellow next to him, who might perhaps be a little tired, might cut a faulty thread. However, all these fittings are now produced on a turret lathe and it is impossible for one thread to vary from another. They are all manufactured on an assembly line basis and each one is identical. If one is faulty every one will be faulty, but if one is right, they will all be right.

Another factor we must bear in mind is that each of these items involves an inspection fee and this, of course, increases the price of the article to the consumer.

I am hoping that something will be done about these by-laws and that the Government will instigate some reform. I will read out two of the by-laws to give an idea of what I mean. Under the heading of "Part V. Water Supply Plumbing," by-law 65 (3) reads—

> A charge shall be made by the Department for testing and branding all pipes, fittings, and apparatus to be used in connection with water supply plumbing work.

This confirms what I have just said; that is, that every single piece of apparatus must be tested and branded.

The Hon. F. R. H. Lavery: Does this not apply to the electrical trade, too?

The Hon. CLIVE GRIFFITHS: No. That is an entirely different kettle of fish.

The Hon. F. R. H. Lavery: That is why we get so many faulty parts in electrical equipment!

The Hon. CLIVE GRIFFITHS: I do not agree with the honourable member. What happens with regard to electrical equipment is that when a manufacturer produces anything he submits it to the supply authority in one of the major States. This authority examines it very carefully, a comprehensive check being made. If the piece of apparatus conforms with the requirements, it is given an approval number. There is an arrangement between the States, too. If a fitting is approved in Western Australia it is automatically taken as being approved in other States, and *vice versa*.

If something is later found not to conform with the approved standard, the supply authority withdraws the approval number, and that apparatus is not permitted to be sold. However, this does not happen very often because a manufacturer must set up his machinery to make these pieces of equipment and it is a costly business. If he sets up the machinery to manufacture apparatus in conformity with the requirements, there would be no point in his then altering it so that the fittings were manufactured incorrectly. I hope I have answered Mr. Lavery.

As I have said, in the plumbing business, every fitting has to be tested. Members can imagine how much time is consumed on these inspections. It is not as though a person can take something to the department this morning and wait while it is inspected, or even pick it up in the afternoon or the next morning. In some instances it is necessary to wait weeks.

The Hon. R. H. C. Stubbs: What type of materials would take weeks?

The Hon. CLIVE GRIFFITHS: All of them.

The Hon. R. H. C. Stubbs: What type of plumbing material would take weeks?

The Hon. CLIVE GRIFFITHS: It is not the actual physical testing which takes the time, but the delay is caused by the build-up of work. For example, someone may wish to have taps tested but he may have to wait a month while the people concerned are testing other items. Only two men are engaged on this testing.

The Hon. J. Dolan: Would not the inspector go to the place of manufacture and do his work there? It seems obvious.

The Hon. CLIVE GRIFFITHS: Of course this is what should be done, but it is not what is done, by any manner of means. An alternative method would be to take every 297th item—or something like that—which came off the assembly line and have a look at it. That is obviously the way it should be done in this day and age. However, the work is still being carried out under regulations passed in the year 1909.

A further point I wish to mention is that manufacturers who produce this type of equipment are controlled by the Australian Standards Association. Their factories comply with these standards.

I would like to mention a problem which occurs only in Western Australia; it does not occur in the other States. A long time ago when I was in business I was the service representative in Western Australia for an Eastern States company which manufactured a particular type of hot water system. A diabolical scheme, which had been worked out by the water supply department, applied to the manufacture of hot water systems.

Members will know that a pressure reduction valve is used on all hot water systems. What happened was that the company in the Eastern States had to send a valve to Western Australia, where it was checked, given the required setting, and sealed. Then it was sent back to the Eastern States where the manufacturers built it into the hot water systems. Then the whole hot water system, together with the valve which had been built in, had to be taken to the water supply department again, where the whole lot was tested and checked. Indeed, the pressure valve was rechecked and resealed. Only then, was the company allowed to sell.

I suppose this would not be a bad idea if one wanted to make people buy goods manufactured in Western Australia; because this method certainly makes the cost of goods manufactured elsewhere so prohibitive that the manufacturer cannot sell. The method I have described certainly costs a lot of money.

If it is a type of apparatus that is not manufactured in Western Australia, then the Western Australian public pay a far greater price for it than do the people in the Eastern States. I can assure members of that. This is the kind of thing that happens.

A couple of factories in Western Australia make cisterns for toilets. Members can imagine how many of these articles are sold; but, apparently, every single one has to be sent to the water supply department to be tested, and every single one takes four gallons of water to be tested. Members can imagine the amount of water involved, just to mention one item. We talk about trying to conserve water, but my information is that four gallons of water are used on every testing, and every cistern is tested.

The Hon. W. F. Willesee: That does not necessarily mean that four gallons of water are lost.

The Hon. CLIVE GRIFFITHS: It goes down the drain.

The Hon. W. F. Willesee: It might be in a revolving tank.

The Hon. CLIVE GRIFFITHS: It might be, but it is not. As far as these cisterns are concerned, the same situation as I mentioned in connection with the hot water systems applies. Before the cisterns are manufactured, a valve assembly is submitted for approval. Once that is approved, it is taken back and fitted into the cistern. Then the cistern is taken to the water supply department and the minimum four gallons of water which I have mentioned are put through the cistern. If the person concerned has only one try to test the cistern, he uses four gallons. If it coughs while the water is going through, then the cistern has to be tested again.

I bring this point to the attention of the Minister and I hope that the pattern set by the Minister for Works the other day will be followed. I am referring to the announcement made by the Minister for Works to the effect that plastic pipes will be able to be used in certain circumstances. I trust that this is an indication that at least we will have a serious look at some of the very obvious anomalies that exist as far as this particular set of by-laws is concerned. I bring it to the attention of the Minister only because it is something that I came up against and I consider that it needs consideration. Further, it is the kind of thing that nothing is ever done about until somebody says something about it. I do not know whether I should say this or not—

The Hon. V. J. Ferry: But you are going to say it, anyway.

The Hon. CLIVE GRIFFITHS: I do not want to create the impression that what I will suggest does happen, but it certainly could happen; namely, if the person who wishes to have his taps examined and checked were to complain about the situation, one could imagine where his taps could be put on the list of priorities so far as testing was concerned. I stress that I am only sugegsting that this could happen and I am not at all suggesting that it does happen. Possibly for this reason people do not complain, but accept the regulations as one of the difficulties of life.

The Hon. R. H. C. Stubbs: Many of these taps are hidden taps in bathrooms and therefore they have to be checked before they are installed. It would be very costly to alter them afterwards.

The Hon. W. F. Willesee: Mr. Clive Griffiths should think that one over.

The Hon. A. F. Griffith: What category does that fall into; namely, one, two, or three?

The Hon. CLIVE GRIFFITHS: That is fair enough. However, if a manufacturer produces a tap which works efficiently, it is reasonable to assume that all such taps will work after the plumber installs them. Certainly if it did not work, it would cost some money to alter the position. However, the same rule applies in reverse. Many taps do not work even after they are tested, and many concealed taps break down, because I have seen this happen. The odds are about the same.

I suggest that if a periodical check of such taps were made, it could be assumed that the bulk of the taps were all right. By all means they should be examined, but at the same time I consider it is absurd to examine every single tap that is used in Western Australia.

The Hon. R. H. C. Stubbs: People who pay money to get these installed are paying good money and are therefore entitled to get quality products and work.

The Hon. CLIVE GRIFFITHS: They are getting it.

The Hon. R. H. C. Stubbs: That is because they are tested.

The Hon. CLIVE GRIFFITHS: I can see the honourable member is not on my side. Nevertheless, I bring this matter to the attention of the Minister and I hope he is more sympathetic than Mr. Stubbs.

The Hon. W. F. Willesee: As soon as I get a tap that does not work, I will blame you.

The Hon. CLIVE GRIFFITHS: I have had taps that do not work.

The Hon. W. F. Willesee: Never; you must be strong enough to turn one off.

The Hon. CLIVE GRIFFITHS: Another matter I wish to discuss concerns the Police Department. I could talk on many matters connected with the Police Department, but the subject I will mention first is a little different from most. The situation in the Police Force is that if a policeman resigns for some reason or other, he is not allowed to rejoin if he changes his mind, say, in 12 months' time.

Again, I think this is an old-fashioned regulation more appropriate to the year 1909 than to the present day. In this day and age people move about frequently and have numerous opportunities which did not exist in days gone by to further their own education by going from one job to another. Surely this widens the outlook of people. I consider that the regulation which prevents a policeman from reapplying to join the force should be disallowed. He might be a first-class policeman. Goodness knows, apparently we are having great difficulty in obtaining people to employ at this point in time and, consequently, I cannot see anything wrong with a policeman being allowed to rejoin the force.

There were many times when I was in business when I was pleased to re-employ men who had previously worked for me.

Certainly this action caused no ill effects to my business or to my clients. I have mentioned this matter of the Police Force, because I wonder why the position exists.

Another matter I wish to discuss while on the subject of policemen is the question of salaries. Recently policemen were given an increase in salary, and quite rightly so. However, it always seems to me that the person who really needs a rise—that is, the man who is at the bottom of the list—receives very little while the man on top of the list receives a huge rise. I wonder if this is some kind of time-honoured formula.

The Hon. E. C. House: It is the carrot to encourage him to get to the top.

The Hon. CLIVE GRIFFITHS: Yes, but in some fields of employment a person has to wait 15 years before he goes to the next rung of the ladder. In the meantime he has to live for that 15 years, or whatever period it may be. I believe that policemen have a very responsible job and one which is thankless so far as some people are concerned. Consequently, I consider we should pay our policemen the top wages. If we want the top people in the Police Force then we should pay the top money. This should be done, even if it means a drawing together of the highest and the lowest salaries paid. The men on the highest wages have responsibility but they are paid for it. However, in my opinion, the men at the bottom of the ladder are entitled to more money even though the responsibility may be less. There should not be—

The Hon. F. R. H. Lavery: Degradation?

The Hon. CLIVE GRIFFITHS: Yes, that is the word. The fact is that policemen are leaving the force. Some very good policemen whom I know left the force simply because they had been offered other jobs which would give them more money. I know also that some of these same policemen perhaps wished after a while that they had not left the force. This comes back to the point which I wish to make; namely, in these circumstances consideration should be given to allowing them to reapply.

Another matter has come to my notice which I do not think is right. I refer to an action of the Totalisator Agency Board. I know absolutely nothing about the T.A.B.; in fact, I would not even know how to go about putting money on a horse. I had a look inside the door of a betting agency once and saw all sorts of charts and sheets, and men with pieces of paper. I do not know how these agencies work.

The position I wish to mention is that the T.A.B. has taken over a couple of agencies in the city, which previously were let out to agents. Now they are no longer being run by the agents but by the T.A.B. When that body took over the agencies it discharged the male employees who were working there and replaced them completely with female assistants. I have nothing against this if there are no males available to do the job. Certainly I have nothing against a female working if she wants to work. However, the fundamental right of a man to have the job is foremost as far as I am concerned. Has the T.A.B. taken over these agencies and simply said, "We are going to replace the males with females"? I think the females are paid the same amount of money as the males and, as far as I know, that factor has nothing to do with it. I am not sure on this point, but I am led to believe that the money is the same.

A man may have been working in a particular establishment for a very long time and suddenly he finds he is without a job. He is then in a very difficult situation, because he may not be able to get another one. For example, a man may be partially incapacitated and this could represent the kind of work which he could do to maintain himself.

I think the principle is wrong. I might be wrong, but I consider the principle of replacing male workers with female workers is not right. Some member on the other side of the House may be able to tell me whether this principle is right or wrong, but it seems to me to be wrong.

The Hon. W. F. Willesee: Are you sure it is a principle and not a question of merit in each instance? I hesitate to think it is a principle.

The Hon. CLIVE GRIFFITHS: Apparently men were working in the agencies and doing a good job, but because the T.A.B. took over the agencies, suddenly the men were deprived of their jobs.

The Hon. W. F. Willesee: I see your point, but I doubt whether it is a principle.

The Hon. CLIVE GRIFFITHS: The next subject I wish to discuss is concerned with some remarks made by Mr. Willmott when he spoke last evening. I mention this because, although the honourable member referred to it last evening, and I want to reply to him, I had intended to speak about it in any case. I disagree with some of the things Mr. Willmott said, and I certainly disagree with his contention that the 65 miles per hour speed limit has not contributed anything towards a reduction of the road toll.

That is a matter of opinion. I do not know whether it has contributed to a reduction of the road toll, but I am confident that the 65 miles per hour speed limit has not contributed to an increase in the road toll. Also, I wonder how the honourable member would be able to work out what a person would do when he got into difficulties in a motorcar travelling at 75 miles per hour. I wonder how he would ascertain whether a person was competent to

handle any difficulties that occurred at that speed. In most cases a person who gets into difficulties at a speed like that has no chance of getting out of trouble. Very few people who have encountered an awkward situation at a speed of 70 or 80 miles per hour have survived and have been able to say, "I am a competent driver because I got out of such a situation." Mr. Willmott might be one of those people. I am not suggesting that he could not get out of a situation like that.

The Hon. V. J. Ferry: He would get out of anything.

The Hon. CLIVE GRIFFITHS: Probably. However, I am a firm believer in the 65 miles per hour speed limit. I do not say that I have not been guilty of travelling at a faster speed. I have, but I do not like it and I certainly did not like the convictions that I received on one or two occasions for doing so. In my view the speed limit is a step in the right direction and I certainly would not support any move to do away with it.

There was something else the honourable member said last night which I found difficult to believe also. He said that nothing takes the place of experience, and with that statement I do agree. However, Mr. Willmott went on to say that he first learnt to drive a motorcar in 1914, and the vehicle he used was a 1912 T-model Ford. There are one or two points about that statement which I find difficult to believe. Firstly, in 1914 my colleague would have been a very young boy, but perhaps he could have learnt to drive a motorcar at the age he would have been in that year. However, what I do find extremely difficult to believe is that Mr. Willmott would have been driving a motorcar that was two years old. I think he would have been driving the latest model. He certainly would not have been driving a two-year-old model.

The Hon. F. D. Willmott: I didn't own it. My father did.

The Hon. CLIVE GRIFFITHS: That is all the more reason for my saying that the honourable member would not have been driving a car that was two years old. His father would have had the most up-to-date motorcar.

The Hon. V. J. Ferry: It was an up-to-date motorcar in those days.

The Hon. CLIVE GRIFFITHS: But it was two years old.

The Hon. V. J. Ferry: They did not bring out a model every year in those days.

The Hon. F. D. Willmott: Do you know how long a T-model Ford lasted in those days?

The Hon. CLIVE GRIFFITHS: Quite a long time.

The Hon. F. D. Willmott: My word it did.

The Hon. W. F. Willessee: Not after you drove it!

The Hon. CLIVE GRIFFITHS: The point I wanted to make in regard to traffic control is this: I wonder whether the Government has given thought to the position that obtained in Queensland at the beginning of this year. I have not followed up this matter to see whether the Government has any ideas in this direction, but when I was in Queensland earlier this year I found that the Premier of Queensland had introduced a scheme which at that time made headlines in the newspapers. Apparently the authorities in Queensland had been in difficulties—particularly the Police Force—as regards the trapping of traffic offenders. As a result the Premier of Queensland (Mr. Bjelke-Petersen) decided to do something about the matter.

There was a belief in Queensland that traffic patrolmen were hiding behind hoardings, around street corners, under trees, and so on, in order to catch traffic offenders. When some unsuspecting motorist who was exceding the speed limit went past the traffic patrolman would jump out from behind wherever he was hiding, apprehend him, and take the necessary action to prosecute. Apparently this sort of thing was going on in a wholesale fashion in Queensland, and a certain section of the people there believed that this was simply because the Government's sole intention was to obtain revenue instead of trying to reduce accidents and stop people from breaking the law.

I am wondering whether the Government in this State has had a look at the plan which was put into operation in Queensland. I do not know whether there is any merit in it but it seems to me that there could easily be. The Premier of Queensland started a campaign which he called "Show the uniform." That was the slogan which was used. There were to be no plain clothes policemen; every policeman had to make himself clearly visible and not hide behind a tree, and signs had to be displayed to notify people of the fact that a radar trap was ahead of them. We prosecute people here if they notify some other motorist that there is a radar trap ahead.

While the signs about radar traps, to which I have just referred, were being made, notices were displayed in the Press to tell people where the radar traps were located. I will read one of the newspaper advertisements to give members an idea of what was done. I quote—

> Radar Trap Signs Soon
>
> Today could be the last day metropolitan radar road traps will be advertised in *The Courier-Mail*.

Police hope signs will be placed at the head of streets from tomorrow thus eliminating the need for advertising.

Here are locations of today's traps:—

Abbotsford Road (2)—Bowen Hills and Mayne.

Beaudesert Road (2)—Cooper's Plains and Moorooka.

Cavendish Road (2)—Coorparoo and Holland Park.

Kingsford Smith Drive (3)—Breakfast Creek, Eagle Farm, and Hamilton.

Old Cleveland Road, Camp Hill.

Sandgate Road (2)—Clayfield and Nundah.

Wynnum Road (3)—Cannon Hill, Morningside, and Norman Park.

Every day while I was in Queensland the same sort of advertisements appeared in the Press telling people where the radar traps were, and that was done until such time as the large signs were made and erected.

In a leading article of *The Courier-Mail* of the 7th January, under the heading, "Premier's Plan to Cut Road Toll," the following appeared:—

The plan of the Premier, as Minister in charge of Police, to make a further attack on the State's road toll begins today.

Mr. Bjelke-Petersen, in the series of decisions he has made—the provision of notices of radar traps, the upgrading of traffic control in the Police Force, the identification of police cars, the "show the uniform" campaigns during holiday periods, and the step up of road education campaigns in the country—probably acted with several motives.

His overall aim, of course, is to further reduce the Queensland road death toll. Last year Queensland was the only State to show a reduction in road deaths. In some cases the increases in deaths were appalling. The decline in Queensland was at least a part success for the Government's traffic programme.

This programme drew public criticism both of the Police Force and the Government. The police were accused of being lazy, over-officious and "sneaky," and the Government of being revenue-hungry. Some of this criticism was justified.

Inherent in Mr. Bjelke-Petersen's new plan is an attempt to secure public co-operation by presenting the Traffic Police squarely and openly to drivers. He is asking the safe driver to accept the traffic police as his friend, and he is showing the unsafe driver that the police are about and visible.

The test of the new plan will be in its results, and if it is to succeed a degree of responsibility will be needed on the part of the drivers.

It would, for example, be lunacy if motorists obey speed limits only in areas notified as radar trap areas and drive recklessly elsewhere. The Premier's decisions put it fairly and squarely on motorists to obey the law, and on police to behave in a sensible and rational manner in curbing lawbreaking.

There was a later report in the Press stating that the number of people breaking the law had been reduced considerably, and that the general tenor of road behaviour had changed for the better, to such a degree that it was apparent to everybody.

It seemed to me to be a new approach, and was certainly an approach opposite to the one adopted in Western Australia. I put it to the Minister that perhaps it would not be a bad exercise to find out how the Queensland scheme has progressed during the seven or eight months it has been in operation. We could find out whether or not the trend has continued, or whether people have fallen back into their old bad habits.

The Hon. F. R. H. Lavery: The same sort of scheme was adopted by the Traffic Department in 1922 and was in operation for about five years.

The Hon. CLIVE GRIFFITHS: Here?

The Hon. F. R. H. Lavery: Yes, in Western Australia.

The Hon. CLIVE GRIFFITHS: I do not know about that, nor do I know whether it worked satisfactorily. Even if it were not successful in those days, there is still a reasonable chance that the scheme would be successful if it were introduced today. The fact of the matter is that the people in Queensland, by the introduction of this scheme, were tending to look at the Police Force in the light in which its members should be looked at. The police should be used to stop people from breaking the law; they are not there to watch people break the law and then prosecute them. I am hopeful that perhaps we can take some measure of notice of what was done in Queensland, particularly if the subsequent results have proved to be successful.

The next subject with which I wish to deal is that of air pollution, and in particular the pollution caused by the Swan Portland Cement Company as it affects the area south of the river. I asked some questions on this subject and I spoke briefly about it during the debate on the Supply Bill. I suggested that the amount of pollution caused by this company was

increasing and, as a natural corollary, the number of people being affected was increasing because of the dust being discharged.

I asked the Minister a question today and I have only just received the answer to it. I asked whether or not the Air Pollution Council had measured the quantity of dust which was being discharged from this factory since the 20th September, 1967, when the officers started to make the 14 visits that the Minister said they had made. I was certain that when the Minister replied he would say that these officers had measured the quantity of dust, and I was dumbfounded to find out that they had not.

I am hoping that the reason the Minister sought to answer me in this manner was that perhaps I precluded him from giving a full answer by limiting my question to the 20th September, 1967. Perhaps these measurements were taken on the 19th September, or some time previous, because I do understand a test was made of the amount of dust discharged with the fumes. I understand that this is so, but I could be wrong.

The Hon. G. C. MacKinnon: We are carrying out dust tests at stationary testing points around the area.

The Hon. CLIVE GRIFFITHS: I was under the impression that a test had been carried out to measure the exact amount of dust being discharged. If this has not been done it had better be done as soon as possible.

The Hon. G. C. MacKinnon: For what purpose?

The Hon. CLIVE GRIFFITHS: Because it will indicate the amount of dust being discharged, and it will also help the Minister to hasten his ideas a bit.

The Hon. G. C. MacKinnon: We know it is too much.

The Hon. CLIVE GRIFFITHS: We do not seem to be doing much about it. The factory in question was built in 1921; the file I have is dated the 3rd July, 1947.

The Hon. G. C. MacKinnon: You are begging my question. It is an academic exercise and they are too busy for that.

The Hon. CLIVE GRIFFITHS: I would like to know what they are busy doing.

The Hon. F. D. Willmott: Making dust.

The Hon. F. R. H. Lavery: You mean you are interested in what is not happening?

The Hon. CLIVE GRIFFITHS: That is right. This is the sort of thing people are having to put up with, and we must bear in mind that this problem has been in existence for a great number of years and that everybody has been aware of it. I will read a small extract from the annual report of the president of the company, dated 1968, which states—

> In recent years the company has greatly increased its lime production. During the last year to the 30th June, 1967, an increase of 29 per cent. was recorded following gains of 20 per cent. and 55 per cent. during the two preceding years. Cement production has remained constant at about 40,000 tons per annum. Further expansion of lime production is envisaged as the capacity of the kiln was increased two years ago.

While I understand the company does enjoy a non-conforming use right, the Clean Air Act was introduced, as I understand the position, because somebody was genuinely interested in maintaining a clean atmosphere in the City of Perth. In other words, the same people were certainly opposed to the air being polluted.

The Hon. G. C. MacKinnon: It was not somebody, but a Government of which you happen to be a supporter.

The Hon. CLIVE GRIFFITHS: I know that.

The Hon. J. Dolan: We all supported it.

The Hon. CLIVE GRIFFITHS: The legislation was supported because members felt they were genuinely interested in preventing air pollution; that was their sole purpose in supporting the legislation. My understanding of the position was, and still is, that the whole purpose of the exercise was a genuine desire to prevent air pollution.

If this is so, the company in question should be compelled to seek permission if it intends to diversify its activities and expand its production, or if it seeks to increase the output of these obnoxious fumes.

The Hon. G. C. MacKinnon: From whom should it get permission?

The Hon. CLIVE GRIFFITHS: From the necessary authority. When the Minister seeks to carry out alterations to his house, it is necessary for him first to obtain permission from the local authority. This permission must be obtained before any alterations can be done.

The Hon. G. C. MacKinnon: Is that so?

The Hon. CLIVE GRIFFITHS: If the Minister does not know this, it is about time he learnt. A further point is that before the local authority grants permission for any alterations it sends the application to the Metropolitan Region Planning Authority.

The Hon. G. C. MacKinnon: But this is an existing factory.

The Hon. CLIVE GRIFFITHS: That is right, but this is the existing procedure. When a factory is discharging fumes which are polluting the air, and when it has no apparent means to prevent such discharge of fumes, stern measures should be taken if any application is made by such factory to expand its activities. In this case, however, we are allowing the company to expand—and this is recorded in the annual report. Yet the Minister for Health tells us that it has not been possible to solve the problem.

The Hon. G. C. MacKinnon: Up to date.

The Hon. CLIVE GRIFFITHS: I would like to quote something that was said the other night. I made some comment that I believed the problem was one of finance and that if the company could not afford the money then perhaps the Government should step in. I also said that the industry in question was enjoying non-conforming use rights. At this stage the Minister for Health interjected, and I said, "That is a very interesting piece of information from the Minister—very interesting." I then said—

> Now we are back to the point where we do not know when the problem will be overcome. The Government has asked the company to do something and order some equipment, which is unavailable; and the problem is beyond the ability of the technical experts of the world to solve.

The Minister then interjected and said, "You are exaggerating again," to which I replied, "I am merely repeating what was said." At this point the Minister for Health interjected, "I said the problem was not a financial one but a technical one." The Minister for Justice—who, as we all know, is completely unbiased, and would certainly not convey the impression that justice was not being done—then said—

> Did you hear the Minister for Health say it is beyond the technical possibility of anyone in the world?

The Hon. A. F. Griffith: Get off your box!

The Hon. CLIVE GRIFFITHS: My reply to the interjection of the Minister for Justice was, "He said that."

The Hon. G. C. MacKinnon: Jolly good.

The Hon. CLIVE GRIFFITHS: I have the greatest respect for and confidence in *Hansard* and the reporters' ability to record accurately what is said in the House. I will read what the Minister for Health had to say.

The Hon. G. C. MacKinnon: You do that.

The Hon. CLIVE GRIFFITHS: He said—

> Strange as it may seem you are quite wrong; it is not a question of money. The problem is completely technical and nowhere in the world have they yet found a solution to it.

The Minister emphatically denied having said this and the Minister for Justice also said that he had not said it.

The Hon. G. C. MacKinnon: I did not agree with you when you said that it was insoluble. The key word is "yet." It will be solved, but it has not been solved yet.

The Hon. CLIVE GRIFFITHS: The Minister for Health denied having said it, and he continues to deny having said it, even though it is in *Hansard*.

The Hon. G. C. MacKinnon: It is not insoluble; it has not been solved yet.

The Hon. CLIVE GRIFFITHS: I only mentioned that to indicate that I am 20-odd feet away from the Minister for Health and I heard him say this, but the Minister for Justice did not hear him say it even though he is sitting alongside the Minister for Health. This shows that my hearing is better than that of the Minister for Justice.

The Hon. A. F. Griffith: If you do not put that pencil down you will hit Dr. Hislop on the head with it!

The Hon. CLIVE GRIFFITHS: The menace to which I have referred is allowed to continue and I can read story after story from this file of 1947 indicating that Governments and everybody else were anxious to do something about the matter. Dr. Latham spoke about the problem in July, 1959. There is a further note which states that the Government will inquire into the dust problem. This is dated the 1st February, 1963. Another note on the file states, "People worried by dust nuisance," and this is dated February, 1962. A further reference mentions the dust nuisance in South Perth in 1956.

The Hon. W. F. Willesee: If you go back far enough you will blame the Labor Government for it.

The Hon. CLIVE GRIFFITHS: The Labor Government did make some comments about it, but the fact remains that the people are continuing to have to put up with this nuisance. If my memory serves me correctly, it was estimated in 1956 that it would cost £2,500,000 to shift the factory in question. I have no idea what it would cost now. No attempt was made to shift it, however, and it still goes on blatantly polluting the air.

Surely the people of Perth do not have to put up with this sort of thing because the factory is enjoying non-conforming use rights! Surely the time must come when the people will be considered! I do not want to be misunderstood. I am not suggesting that we shift everything that happens to upset people in some way or the other. This factory, however, has, over the years, had many opportunities to shift its location.

I am quite sure that the passing of the Clean Air Act was an indication that we were concerned about air pollution, but if the Act as it stands prevents us from taking the necessary action we should amend it to enable such action to be taken.

The Hon. G. C. MacKinnon: The principle of the Act is that the firm must use all practicable means. This was because of the fairness of Parliament.

The Hon. CLIVE GRIFFITHS: Even though the company has not been able to reduce or control the dust nuisance, we still come back to the point that we do not want our air polluted.

The Hon. G. C. MacKinnon: Tell me what Act you would use to order the company out?

The Hon. L. A. Logan: And what money you would use to buy it out.

The Hon. F. R. H. Lavery: I am sure that if Sir Halford Reddish wanted the company out he would get it out.

The Hon. CLIVE GRIFFITHS: The Clean Air Act could be used. Surely it contains sufficient power for the purpose.

The Hon. G. C. MacKinnon: You suggest we pass a separate Act to get this firm out of that position?

The Hon. CLIVE GRIFFITHS: It seems to be the only way. We talk about conditions in the rest of the world and how we would like the conditions in Perth to be, but the Minister does not want to introduce an amending Bill which would affect this company. It must be done.

The Hon. G. C. MacKinnon: I was interested in your solution.

The Hon. CLIVE GRIFFITHS: That is the only way I can think of. As the Minister has already indicated to me, this could only be decided in a court of law; but I have doubts whether the non-conforming use right would extend to the manufacture of lime. I do not know the position in regard to the manufacture of cement, and I know less regarding the manufacture of lime. However, if the company has changed, or altered its equipment in any way at all, to deviate from the manufacture of cement to the manufacture of lime, I maintain its non-conforming use right has been violated. This, of course, is a matter of opinion.

The Hon. G. C. MacKinnon: Did the company have to make alterations? I did not think it did.

The Hon. CLIVE GRIFFITHS: I think so. The company certainly had to make some alterations because it put in a new plant. I am wondering whether we are tackling this problem or are adopting the attitude that as it is too big—it has been with us for a long time— and we are not sure how to go about it, nothing can be done. If people do not complain, the problem will remain. I think we should face up to it and take some positive action.

The other night I said that if it is beyond the financial ability of the company —this could even extend to the shifting of the company—I would go along with the idea of the people being asked to contribute.

The Hon. G. C. MacKinnon: Do you mean the people or the Government?

The Hon. CLIVE GRIFFITHS: The Government is the people. In making this suggestion I am in pretty good company, because it is recorded in this file that Mr. Graham, who was Minister at that time, made a similar suggestion. In the interests of everybody, I feel that this factory must go. It is inevitable; so why not now?

I have now covered the points upon which I wished to speak and I thank members for listening to me. I trust the Minister will have a look at the matters I have raised because I feel sure there is room for improvement in regard to some of them. I have much pleasure in supporting the motion.

Debate adjourned, on motion by The Hon. R. H. C. Stubbs.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [5.34 p.m.]: I move—

> That the House at its rising adjourn until Wednesday, the 27th August.

Question put and passed.

House adjourned at 5.35 p.m.

Legislative Assembly

Thursday, the 21st August, 1969

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

QUESTIONS (37): ON NOTICE

1. NATIVES

Reserve at Carnarvon

Mr. NORTON asked the Minister for Native Welfare:

(1) Has a start been made on supplying the native reserve at Carnarvon with an adequate water supply?

(2) If "Yes", when is it anticipated that the work will be completed?

Mr. CRAIG (for Mr. Lewis) replied:

(1) Yes. A contract was let earlier this month.

(2) Within 10 weeks.