

Legislative Council

Tuesday, the 15th November, 1977

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 2.30 p.m., and read prayers.

DRIVE-IN THEATRES

"R" Films: Petition

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [2.33 p.m.]: I wish to present the following petition from citizens and ratepayers of Kwinana, Rockingham, and Spearwood districts, protesting at the screening of "R"-certificate films in drive-in theatres—

The Honourable the President and Honourable Members of the Legislative Council.

The Petition of the Citizens and Ratepayers of Kwinana, Rockingham and Spearwood Districts respectively sheweth;

That being gravely concerned for the moral well-being of ours and other Australian children, we wish to protest most vigorously at;

1. 'R' rated movies being screened at Drive-in theatres which provide no safeguard from the moral pollution of impressionable minds of children who are readily afforded visual access to morally harmful scenes of debased human sexuality, and brutality, and violence, from vantage points of adjacent homes and thoroughfares outside the perimeters bordering Drive-in theatres.

2. The blatantly obvious violation of the law pertaining to the public exhibition of 'R' rated movies, in consequence, which prohibits their showing to persons from 2 to 18 years of age.

Your Petitioners, therefore, pray that your Honourable House will introduce such legislation as to your wisdom may seem proper for the preservation of the moral well-being of ours and other Australian children and your Petitioners will ever pray.

The petition contains 380 signatures, and bears the signature of the Clerk of the Legislative Council certifying that it is in conformity with the Standing Orders of the Legislative Council. I move—

That the petition be received, read and ordered to lie upon the Table of the House.

Question put and passed.

The petition was tabled (see paper No. 361).

PARLIAMENTARY COMMISSIONER'S REPORT

Tabling

THE PRESIDENT (the Hon. Clive Griffiths) I wish to lay upon the Table of the House the report of the Parliamentary Commissioner for Administrative Investigations for the year ended the 30th June, 1977.

The report was tabled (see paper No. 362).

SITTING OF THE HOUSE

Wednesday, the 16th November

The Hon. LYLA ELLIOTT. I understood that this was the last day of the session. Is it a fact that we are sitting tomorrow?

The PRESIDENT: It is not within my power to make that sort of decision.

The Hon. LYLA ELLIOTT: If we are sitting tomorrow, I would like to place a question on notice; otherwise I shall ask the question without notice. If I can be assured that we will be sitting tomorrow, I will ask the question on notice. Would the Leader of the House give me an indication as to whether today is the last sitting day of the session?

The PRESIDENT: At this point in time the House has not indicated whether it is sitting tomorrow. Certainly the President is not the person who makes that decision.

The Hon. G. C. MacKINNON: I seek the leave of the House to make a statement.

The PRESIDENT: Leave is granted.

The Hon. G. C. MacKINNON: As this matter is causing the honourable member such concern, I would like to say that I have considered two alternatives.

The alternatives are as follows: We could ask the President to leave the Chair at some stage of the sitting this evening, in order to await the further consideration by the Assembly of a number of matters of which we have to be acquainted. It is necessary for us to be acquainted of these matters because the Clerk of this House is also the Clerk of the Parliament and must be made officially aware of the acquiescence of the Assembly to certain measures so that they may thereafter be conveyed to the Governor.

The alternative is that we may finish earlier which would carry the disability that honourable members would be constrained, perhaps, to miss their special supper, and we would reassemble

tomorrow—hopefully just for the purpose of receiving the messages from the Legislative Assembly.

If we follow the second alternative one would expect honourable members to enter into the spirit of that decision and make the occasion one just for the receipt of messages. Depending on what happens during the day, I will have to make up my mind. My mind at the present time is well and faithfully fixed on the latter alternative; that is, to finish early and reassemble tomorrow for a very short time.

QUESTIONS

Questions were taken at this stage.

ACTS AMENDMENT (CONJOINT ELECTIONS) BILL

Second Reading: Defeated

THE HON. R. HETHERINGTON (East Metropolitan) [2.48 p.m.]: I move—

That the Bill be now read a second time.

While the Bill is being distributed, I think perhaps I should explain to the House why I am bringing up the Bill at this late stage of the session.

Being a new member, I had four Bills I wanted to bring before the House but I found they took longer to prepare and caused me more trouble than I expected. I was able to prepare two Bills in a reasonable time, and I thought I would leave the other two until the next session.

The Government adjourned the debate on my proportional representation Bill until the 24th December, and when that happened I decided that if the Government wanted to play games I would give it two more Bills to play with. The other reason I have brought them up, and this is a more important and substantive reason, is that I did not expect any very real debate on the Bills at this time of the session. It was not my intention, as the Leader of the House seemed to think, to provoke the Government into dealing with them admissively and immediately. I hoped the Government would just adjourn the debates on them and leave them on the notice paper when the session is concluded in order that the Government and honourable members might become aware of the contents of the Bills. If the House gives me leave I intend during the next session to bring the Bills up again.

This will give people like the Hon. Neil Oliver time to undertake research on the Bill and it will give the Government, if it so desires, time to consider these Bills as I believe they are quite important ones.

I would like to reply to the interjection made by Mr Gayfer the other day when he said I have done nothing but attack the institution since I have been here. I would deny that; I do not think I have attacked the institution. I presume by his reference to the "institution" he meant this House. I remind the honourable member, and other members, that this institution or this House, is part of a wider institution of Parliament, and that this Parliament is established on the Westminster system. Under that system there is a lower House which forms the Government; and an upper House which is a House of Review, and this provides the checks and balances which, rightly or wrongly, we have.

I suggest to honourable members that if they take note of some of my Bills, and even accept one or two of them or parts of them, they would in fact reform the institution of Parliament and make it a better institution. I will develop that argument at rather more length next session under one guise or another.

All I want to say about this particular Bill is that it sets out to provide that the term of office of a Legislative Councillor be twice that of a Legislative Assembly member. When our Constitution was first drawn up it was laid down that a member's term in the Legislative Assembly could be three years or less, but a term in the Legislative Council was fixed at six years; in other words, two Legislative Assembly terms. However, one of the things that can happen is that it is possible for this House to refuse supply and if it does so then, in my opinion, unless half its members have to face the electors, it is able to refuse supply irresponsibly in the sense that it does not have to become responsible for its actions before the people.

I have argued a number of times that the final arbiters are the people who put us here. For that reason I believe it is desirable to amend the Constitution in the manner outlined in the Bill.

I am not asking the Minister to reply today; I would be quite happy if he adjourns the measure because I would not expect we could debate it at this late hour of the session. This is merely a way to give notice that I hope to bring forward this kind of legislation in the next session of Parliament when it may be debated adequately. With those few words I commend the Bill to the House.

THE HON. G. C. MacKINNON (South-West—Leader of the House) [2.53 p.m.]: Under the circumstances I regard the speech just made by the Hon. Robert Hetherington as being quite specious because the moment this Bill is presented

of course we have notice of it. It could be presented on the first or second day of the next session and then we could go ahead with it. Once the Bill is here we can take it away and study it.

Nothing that the honourable member said really holds water. The Bill has been rushed through here for effect in the sure knowledge that it will be defeated one way or the other or set aside one way or the other, and then the honourable member can carry on in an aggrieved manner and say what a terrible place the Legislative Council is. There is not the slightest shadow of doubt that this will happen because it is what we have seen happen so often. As I said the other day, we were taught this trick by the late Hon. Ruby Hutchison.

The Hon. H. W. Gayfer: But new members usually take it to heart.

The Hon. G. C. MacKINNON: I can understand this; I think we can all understand it, but it does not necessarily mean we all have to condone it.

The Hon. A. A. Lewis: I do not know why we have to understand slow learners.

The Hon. G. C. MacKINNON: I think that is a bit rough.

The PRESIDENT: Order!

The Hon. G. C. MacKINNON: Nevertheless, I do not believe I ought to move to adjourn the debate. I felt I ought to say these few words to make my position quite clear. I do not think there is any need for the honourable member to threaten us. We might as well debate the matter now.

The Hon. R. Hetherington: I would not have regarded it as a threat.

The Hon. G. C. MacKINNON: Of course it was a threat.

The Hon. R. Hetherington: Different people see it in different ways.

The Hon. G. C. MacKINNON: Of course.

The Hon. R. Hetherington: I am sorry you feel threatened. It was not meant as a threat.

The Hon. G. C. MacKINNON: I do not feel threatened. In describing this tactic, I am loath to use the word "childish", but perhaps the word "foolish" will do. We know that the honourable member can introduce the Bill again next year so why not do it that way in the first place? Although I do not have the exact figure, it has cost something like \$860 to have these Bills printed. I do not mean it has cost the honourable member that, but it has cost the taxpayers that amount. The honourable member has taken this

action purely and simply so he can say that the Legislative Council did not give his Bill a hearing.

I move—

That the House do now divide.

Motion put and a division taken with the following result—

Ayes 19

Hon. N. E. Baxter	Hon. N. F. Moore
Hon. G. W. Berry	Hon. O. N. B. Oliver
Hon. V. J. Ferry	Hon. W. M. Piesse
Hon. H. W. Gayfer	Hon. R. G. Pike
Hon. T. Knight	Hon. I. G. Pratt
Hon. A. A. Lewis	Hon. J. C. Tozer
Hon. G. C. MacKinnon	Hon. R. J. L. Williams
Hon. M. McAleer	Hon. W. R. Withers
Hon. T. McNeil	Hon. G. E. Masters
Hon. I. G. Medcalf	(Teller)

Noes 7

Hon. D. W. Cooley	Hon. R. T. Leeson
Hon. D. K. Dans	Hon. R. Thompson
Hon. Lyla Elliott	Hon. F. E. McKenzie
Hon. R. Hetherington	(Teller)

Motion thus passed.

The PRESIDENT: The question now is—

That the Bill be now read a second time.

Question put and negatived.

Bill defeated.

MINING BILL

Second Reading

THE HON. A. A. LEWIS (Lower Central)
[3.00 p.m.]: I move—

That the Bill be now read a second time.

This Bill probably is unusual because it sets out the responsibilities of those people engaged in the enterprise of mining; these people include not only miners, but also the State Government and local government, private landowners, and concerned groups. It codifies the rights and corresponding responsibilities of all parties engaged in the enterprise of mining. At no time can mining take place unless those engaged in the enterprise are assured in real terms of their property rights or their security of tenure, without which they cannot underwrite their operation.

The Bill is based upon the following premises: That with the exception of land divested before January, 1899 all minerals are reserved to the Crown which accordingly has the right to grant access and property right to those minerals to persons separate and distinct from the rights of the holders of freehold property.

In the past, the encroachment of government into all areas of commerce but particularly, into the enterprise of mining has seen the erosion of security of tenure by virtue of the mining industry

becoming subject to arbitrary and discretionary power of law by regulation vested in designated authorities, the net effect of which is to destroy security of tenure and make the development of our mineral wealth the subject of political caprice rather than individual enterprise based upon the principles of property right and fair play.

The Bill is constructed in such a way that respects these rights, and the rights of all persons involved, in the forum of a court—in this case, the warden's court—and it is its function which forms the basis for this Bill; namely a public forum, in which all applicants and parties are judged fairly and upon their merits, subject to appeal to the Supreme Court.

In clause 8 there are added two new definitions—those of “mining enterprise” and “reasonably”—and I believe members will find these clearly defined.

Clauses 10 to 12 define the administrative powers of the Minister and sections 13 to 15 deal with the appointments and powers of wardens.

These powers are far greater than previously and the warden and the warden's court assume a power that takes their decision from advice to the Minister to a true decision-making tribunal.

Part III, division 1 has altered the requirements in regard to Crown land, and makes the approval of both Houses of the Parliament necessary to exclude this from mining. The rights of the private landowner have been set out in more explicit terms in sections 23 to 35.

In part IV of the Bill, conditions appertaining to prospecting, exploration, licences and mining leases have been set out more fully. The alterations give licence and lease holders more security, and, I believe, will be a take-off point for greater discoveries, and declarations of discoveries than this State has seen in the past.

Another improvement, I believe, is in clause 112, which provides a full basis whereby the warden's court may award compensation. This compensation is limited to damage due to mining, but of course not taking into account the minerals mined.

The traditional position whereby the miner is negotiating with the owner of private land with the gun of ultimate power of the State to compulsorily acquire the property of the private landowner concealed beneath his shirt, has been removed as it is a blatant transgression of rights of one of the parties.

Accepting the rights of both the miner and the private landowner the warden's court, with objective terms of reference from which

compensation can be awarded, is the only just and reasonable forum for the determination of an equitable basis for compensation to the private landowner where the parties are not able to mutually and voluntarily agree.

Section 21 of the 1975 Act has been deleted entirely. There is no justification whatever for the Crown having the right to resume land to effect a removal or for the responsibility to effect a compensation agreement with private landowners being placed with the miner; and in any event clause III of the Bill provides a basis whereby the warden can make that determination where the parties are unable to agree.

Mr President, at this moment in the mining industry there are hundreds of people from prospectors to magnates, who know of areas of extreme mineral wealth, but will not declare them, and for good reasons: They have no security of tenure or rights.

This Bill overcomes this and, we hope, incidents similar to those that happened in the coal fields of NSW recently.

There is need now for another take-off in mining and I believe this Bill, when passed, can stimulate this take-off.

It may be that some people would prefer the Bill to go further and do away with the distinction between prospecting and exploration licences, but I have tried to stick as near as possible to the general format and structure of the previous Bill.

Mr President, after I wrote that speech, to my hand this afternoon came a copy of the *Mining Journal* of Canada which contained details of the new mining laws in that country. Among the new laws, there is provision for the decisions of the Minister to be subject to appeal to a provincial mining judge; this is designed as a safeguard, to prevent abuses of the powers of the Minister. It was extremely interesting to read this new regulation, but unfortunately the paper arrived just before lunch today. It is good to see Canada is moving in this direction.

I commend the Bill to the House.

Point of Order

The Hon. G. C. MacKINNON: Mr President, I am concerned about this Bill in this respect: Here we have a major piece of legislation which seeks to repeal the current Mining Act and which purports to set up a new system of judicial determination and to give the power to refund fees. That is what I have been able to gather from only a quick glance at the Bill.

I would hope there is nobody in this House more jealous of the rights of this place than I. I

see nothing wrong with the statement which consistently is made that this is a very powerful House. As you are aware, Mr President, at times I have argued about certain decisions which in my opinion have tended to denigrate that authority.

Nevertheless, I can see very real difficulties if legislation as complete as this legislation purports to be can be introduced as private members' legislation. It would seem to me that legislation as all-embracing as this should be a matter for Government determination. It seeks to wipe out a very large Government department.

The Hon. A. A. Lewis: It is obvious you have not read the Bill.

The PRESIDENT: Order! I should like to know the point of order.

The Hon. G. C. MacKINNON: Mr Lewis is quite correct; I have not had time to read the entire Bill. From my quick reading of the Bill, it seeks to repeal the existing Mining Act and set up all these other things. This being the case, I should like your ruling, Mr President, as to whether this Bill in particular—and, of course, the particular would cover the general—may be introduced into this House without a message.

The PRESIDENT: The Bill contains 152 clauses on 101 pages, and three schedules. To make absolutely sure that I do not infringe those rights which the Leader of the House says he wishes so jealously to uphold, I will reserve the right to make my decision at a later stage, after having had the opportunity to study the Bill in some detail.

The Hon. G. C. MacKINNON: Under those circumstances, will it be necessary for me to move to adjourn the debate?

The PRESIDENT: The fact I have indicated I intend to study the question raised by the Leader of the House suspends any further action on this Bill. There is no need to move for an adjournment of the debate.

Debate adjourned until a later stage of the sitting.

(Continued on page 3478).

WUNDOWIE CHARCOAL IRON INDUSTRY SALE AGREEMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 10th November.

THE HON. LYLA ELLIOTT (North-East Metropolitan) [3.10 p.m.]: I am not very happy with this Bill; in fact, I was not happy a little over three years ago when the Government saw fit to

sell this State asset to private enterprise. At that stage the Wundowie industry employed about 400 people.

It is very interesting to look at the history of the Wundowie industry since that sale took place on the 1st January, 1975. I would like to remind members of a few things which the Premier and the Minister for Industrial Development said at the time when the Bill was being debated in the Parliament.

In *The West Australian* of the 16th November, 1974, the Premier (Sir Charles Court) had this to say in regard to the agreement between the State and Agnew Clough—

The agreement had been framed to provide continuity of employment and protect job entitlements of people now employed at Wundowie.

I shall come back to that a little later.

Another comment which the Premier made on the same day was that the combined venture would achieve economies which were impossible for the State-controlled industry to achieve. That is typical of the Premier's jargon.

Mr Garrick Agnew in the same newspaper was reported as having said—

Capital would be injected to modernise production so that the experience and skills of the Wundowie work force could be applied more effectively.

Site preparations for the vanadium project were expected to start next year. Pelletising, roasting and leaching plant would come on-stream late in 1976 or early in 1977.

I think it is very significant that two days before on the 14th November it was announced that the Wundowie industry had got out of its difficulties, and had made a profit that year. No doubt the Government and Garrick Agnew thought it was a propitious time for the takeover. The company must have been convinced it was a very profitable industry, because private enterprise is not in the habit of taking over what it regards as an unprofitable industry. It thought that the future of Wundowie was bright; and it made many promises, one of which was to start a vanadium plant.

Despite the fact that in 1974 the Wundowie industry was showing a profit, the Premier expressed concern about the taxpayers' money. In a letter to *The West Australian* on the 2nd December, 1974, he told us—

The State Government's main object in its negotiations with Agnew Clough has been to provide for the long-term security of the

industry and its employees and to relieve the taxpayer of a perennial burden.

In the same newspaper a letter from a Mr Tomlinson appeared. He pointed out that the Minister for Industrial Development, who was also supposed to be concerned about the taxpayers' money, had neglected to mention that one of the two blast furnaces had just been relined at public expense, and at a cost which would approach the cash price for the total of plant, equipment, goodwill, timber rights, and future profits.

As I have already said the Minister for Industrial Development (Mr Mensaros) was also supposed to be concerned about the taxpayers' money. In *The West Australian* of the 28th November, 1974, he was reported as having said—

The Government did not think it should be involved in industrial or trading enterprises. Taxpayers' money should not be at risk.

I would say that is a joke, when we take into account the fact that the Bill before us at the moment makes generous provision of taxpayers' money to the company which is now operating the Wundowie charcoal iron industry.

At the time, the people of Wundowie acclaimed the sale. There were statements in the Press such as "private enterprise would do a better job," and "the town will move ahead." I wonder what those people, who welcomed the takeover, now think of the situation; and what the 26 retrenched workers thought last year.

It might be recalled that on the 18th August last I asked a question as to how many people had been retrenched from the Wundowie Charcoal Iron and Steel Works during the financial year 1976-77. The reply was that 26 persons had been retrenched.

Despite assurances that other positions would be found for those people, in reply to my question—

What alternative employment was provided for them by either the State Government or Agnew Clough Ltd?

the Minister said—

Agnew Clough Ltd. collaborated with State and Commonwealth authorities in examining alternative employment opportunities which were very limited. Agnew Clough in fact offered alternative employment to one employee who declined.

So much for the employment opportunities.

Two years later we find that private enterprise has not delivered the goods. In addition to the

retrenchment of the workers I have referred to, and the fact that there is no vanadium plant ready to go into operation as it should on the 1st January, 1978—as provided in the original agreement—we now have the company seeking massive support from the taxpayers. This was a matter which concerned the Premier and the Minister for Industrial Development at the time of the sale of the Wundowie charcoal iron industry to private enterprise—when the industry was making a profit.

Let us examine the new agreement that we are asked to endorse. Firstly, I shall deal with the question of the taxpayers' money. The Minister in his second reading speech told us that, first of all, we would be releasing the company from its obligation to make further payments in respect of the loans set out in the seventh schedule of the sale agreement. Those loans amount to a total of \$700 000, and no doubt there is a great amount involved in respect of interest.

Firstly, we are giving the company \$700 000, but then we also provide it with a very generous freight subsidy. In the original agreement a freight subsidy of \$1.96 per tonne to a maximum of \$200 000 a year is provided; but now we are adding to that another \$3.92 per tonne, and increasing the total to a maximum \$1.2 million. It is to be made retrospective to the 1st May, 1977.

With regard to pay-roll tax we find that all this tax paid between May, 1977, and June, 1978, will be refunded. The Government is giving the company six years in which to pay the original purchase price which, incidentally, was peanuts. It was \$390 000 which was interest free.

It is not possible to assess the total amount involved, but a great deal of money has been granted to the company by the State, and involved is taxpayers' money which concerned the Premier and the Minister for Industrial Development when they were so anxious to sell this asset. What do we get for all this generous financial assistance? The Minister, in his second reading speech, said—

The agreement which is before the House has two main objectives—

- (a) to ensure commitment by the company for the continuing production of pig iron at least until June, 1978, and
- (b) to achieve a commitment by the company to the starting of construction of the Coates Stage I vanadium project before February, 1978.

I will deal first with the second paragraph. Clause

8 of the original agreement, dated the 1st January, 1975, provided that construction of the vanadium project had to commence by the 1st January, 1976, and be completed within 30 months. Within 36 months production had to commence, and that would have been on the 1st January, 1978.

Now we find that three years have passed and the company is being told that instead of starting production in January it will be required only to commence construction by then and production will not commence until August, 1979, 2½ years later than was originally proposed.

My main concern is paragraph (a) which indicates that one of the two main objectives is to ensure that the production of pig iron continues until at least June, 1978. I do not know whether members realise what this means—the date, June, 1978.

Proposed new clause 8B of the agreement has the effect of releasing the company from its obligations under clause 8(1) of the original agreement. Clause 8 of the original agreement provides that the company shall continue at Wundowie the production of pig iron for a period of not less than six years commencing on and from the sale date, at an average monthly rate of not less than 2 500 tonnes. The company is now to be released from that obligation because it will not be required to continue production for six years after the signing of the agreement. The Minister tells us it will be obliged to continue only until June, 1978.

My understanding of that provision is that the Wundowie works could close in June, 1978. I hope the Minister is listening to what I am saying because I would like him to reply to my comments.

The Hon. I. G. Medcalf: My ears are flapping; I am listening most intently.

The Hon. G. C. MacKinnon: He is even making many notes.

The Hon. LYLA ELLIOTT: Good.

The Hon. I. G. Medcalf: You have been quoting from the document and I have been studying it.

The Hon. LYLA ELLIOTT: I repeat that the Minister's own speech tells us that the company is obliged to continue the production of pig iron only until June, 1978.

A great deal has been made of the fact that construction of the vanadium plant is to commence next year and that it will go into production 18 months later. The implication is that this project will provide a great deal of

employment for the people of Wundowie. However, on page 10 of the Minister's speech notes he indicates that the Wundowie community has 300 workers. Then on page 11, when dealing with the vanadium plant, he says—

It is understood that the average construction work force will be 100 and that an operational work force of 90 will be required for the project.

What happens to the other 200 workers? That is what I would like to know. If 300 workers are to lose their jobs at the iron and steel works in June, 1978, what will happen to them?

The Hon. N. E. Baxter: It does not say that.

The Hon. LYLA ELLIOTT: The vanadium project will not commence until 1979 anyway, but even when it does, according to the Minister, it will employ only 90 people. I wonder what the Government is up to. It is giving millions of dollars of taxpayers' money to prop up a company to which it gave one of the State's very valuable assets three years ago. If it could justify the granting of the money on the grounds that it will keep people employed so that they will not be retrenched, those on this side of the House would support the Bill; but quite obviously, according to the Minister's speech, we are being told blatantly by the Government that 200 workers will lose their jobs at Wundowie after June, 1978.

We are not going to support a proposition which will result in 200 people losing their jobs. Therefore we will not support the Bill unless the Government can assure us that our understanding of it is incorrect. With those comments I will resume my seat, but I will be very interested to hear the Minister's remarks in regard to the Wundowie work force and its future.

THE HON. N. E. BAXTER (Central) [3.28 p.m.]: I envisage this Bill as a means by which the Government can assist Agnew Clough to continue to operate at Wundowie. These works are in the province represented by Mr Gayfer and me, and we know it very well. I know it particularly well as I have an adjacent property. I belong to the club and have known the town for many years, and I would like it to continue in existence for a long time. The Government is turning over backwards to help the company out of its present difficulties.

Admittedly the company bought the works from the Government in good faith, with the intention of carrying on production from two blast furnaces, but the turndown of iron sales since the company purchased the works has been so great that it has had to close one furnace and reduce production on the other. Despite this reduced

production the company has almost 60 000 tonnes which it cannot sell and it is in a bit of a dilemma.

Under the original agreement the company contracted to commence the vanadium project, which is called the Coates project. In case members do not understand what this means, I will explain that "Coates" is the name of some of the pioneers in the area and it was given to a siding which was east of Wundowie when the railway line was in existence. The Coates family lived in the area for years.

The deposit starts three quarters of a mile north of the siding, and extends westward right across the back of Wundowie and then several miles southward.

This Bill gives the company an opportunity to carry on and to try to establish the vanadium project. I do not know what are the prospects for sales—I have not followed the metal market—but there must be a market to some degree to enable the company to carry on.

The Hon. Lyla Elliott said the commitment under the Bill was to ensure the company continued production of pig iron until at least June, 1978. She implied this meant the company would then cease pig iron production altogether and 200 workers would have to be stood down. I cannot see that actually happening.

The Hon. Lyla Elliott: Is that your understanding of the agreement, too? Do you agree with my impression?

The Hon. N. E. BAXTER: Not exactly. In his speech the Minister said it would continue production of pig iron until at least June, 1978. The company could then feasibly continue production of pig iron after that date. Much would depend on the sales of the pig iron at grass in the meantime. If it could dispose of that the company would be foolish not to carry on production of pig iron, because I would say at that time it would probably be its only source of income.

The Minister for Lands and Forests has advised that the timber mill will close down on the 31st December, which will cut off that source of income. I hope that following representations to the Minister for Lands and Forests some arrangement can be made for thinning out a section of forest in the Dale area. If the Minister and the department agree to that, the mill may be able to continue for some time—not for a long time—using the timber from this area, thinning it out and leaving the younger timber for regrowth.

I see the Bill as an attempt to keep the industry floating. If by June, 1978, the company finds itself still in trouble, rather than let 200 people be

put off and let the town become almost a ghost town, no doubt the Government will again come to the rescue and help the company out. When one looks at the profit and loss of the company since it took over, the figures are comparable with what the Government was losing, in one way. In the six months to the 30th June, 1975, the company made a profit of \$135 000. In the 12 months to the 30th June, 1976, the company made a profit of \$536 000. In the 12 months to the 30th June, 1977, the company made a loss of \$1 662 000. The company could conceivably continue on to bankruptcy unless it is helped, and if it went into bankruptcy the town of Wundowie and the industry would be shut down altogether, because it is doubtful there would be a buyer unless the Government was prepared to buy the industry back from the company and carry it on as a losing proposition.

The Hon. D. W. Cooley: It should never have let it go in the first place.

The Hon. N. E. BAXTER: Why not?

The Hon. Lyla Elliott: The taxpayer is still paying for it.

The Hon. N. E. BAXTER: When this industry was first established in 1948 it was purely and simply a pilot plant. All the old machinery was brought down from the gypsum deposit near Lake Brown. It was put into Wundowie and converted into machinery to process and smelt iron ore and produce charcoal iron for sale overseas. At that time the prospects for the sale of charcoal iron were good because Wundowie was one of only two places where iron of this quality could be obtained. I am not sure whether the works in Sweden had been closed at that stage. Since then metallurgists have devised methods of upgrading iron from other sources to charcoal iron of equal quality.

In those years good markets existed and they continued for some time, although they fluctuated up and down. The manager of the works was constantly going to Europe and the Far East to try to obtain orders for ingots, and he was fairly successful. But everyone knows what has happened in the iron market in latter years. In Germany and Japan the requirements of steel manufactureres have dropped seriously, and production in Japan has dropped. So naturally there have been difficulties and there are still difficulties today.

We must look around the corner and hope there will be a lift in the iron market in the next few years. A downward trend does not usually continue for many years, and I believe in the next few years there will be an upward trend in sales.

The company and the Government will probably know what the future holds by the end of June, 1978, and will no doubt renegotiate the agreement so that the company can carry on, and the town and the industry will not die. For those reasons I support the measure.

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [3.37 p.m.]: I think this amending Bill must be looked upon as a first-aid measure, because that is all it is. The agreement is an attempt to render first aid to an ailing company in an ailing industry, and the reason the company is being given this assistance and generous package, as the Hon. Lyla Elliott described it—and as I described it, indeed—is the existence of the work force and the residents at Wundowie. There is no other reason whatsoever. It is naturally the Government's interest and intention to keep the work force and the town in existence for as long as possible.

It is of no use saying the Government should never have sold the industry in the first place. I think that was all the Government could do at that particular time, short of carrying it on as a continuing Government enterprise.

The Hon. D. W. Cooley: I do not think it would have lost so much if it had not been sold.

The Hon. I. G. MEDCALF: It is a matter of opinion whether or not it would have lost the amount it has lost. Mr Cooley may have a different opinion from mine.

The Hon. D. W. Cooley: It was almost given away in the first instance, wasn't it?

The Hon. I. G. MEDCALF: No. This again is a matter of political philosophy. I do not think the honourable member would want to sell any Government enterprise to private enterprise.

The Hon. D. W. Cooley: That is right.

The Hon. I. G. MEDCALF: That therefore determines his attitude to this matter, and it is irrelevant to the argument.

The Hon. D. W. Cooley: I do not think it is.

The Hon. I. G. MEDCALF: Well I do. Let us not carry on with it. It is a matter of political philosophy. Let us talk about the Bill we have in front of us. It is undoubtedly a matter of first aid. There is no need for me to go over what is in the second reading speech; it has already been referred to by Mr Baxter. The iron ore industry has come to a sorry pass and it will come to an even sorrier pass in the next few months, according to all indications.

It appears there are stockpiles of iron ore and steel all over the world; and this very small industry at Wundowie has itself got a stockpile

which will last for over a year. It has a stockpile which would take two furnaces two years to produce. Some of this stockpile is overseas, and some of it is here; and therefore the industry is in a parlous position because it cannot dispose of its product. It may be that the product it produces is not of as high a quality as some others—I am not saying it is not—and that may be causing a problem. Certainly the product is not of as high a standard as regular steel produced in the normal manner. Nevertheless there has been a market for it and we hope there will be a future market for it.

I think it is necessary for the Government to do all in its power to keep this community and this work force together; and that is the basis upon which this whole approach has been made. If members opposite criticise the Government for its generosity, then let them bear in mind the Government has not been generous to the company, except to allow the community to exist. If it were to decide not to do this, what would be the alternatives?

The agreement contains a default clause. If the company became in default the Government could claim that it was in default under the agreement and close down the works, or it could take back the works once more and proceed to run the industry itself. Those are the alternatives, and neither of them is very palatable because the Government has no wish to close down the industry. The Government wants the project to continue to run, and it wants to give it the opportunity to do so.

I might say, Sir, that this action has been taken by many a Government.

The Hon. D. W. Cooley: The industry would be closing down if there was not the power in the first instance.

The Hon. I. G. MEDCALF: I am sorry; I am really not with the honourable member.

This action has been taken by many a Government in many different circumstances. Just think of the help which was given by the Labor Government to the fruit cannery at Manjimup. Think of all the guarantees given by Labor Governments to industries from time to time which subsequently cost the Government some money to get out of. I am not criticising that at all; I am saying this business of fostering a community or industry in order to keep a work force in existence has been done frequently, and it is being done again.

It may be this is not the right policy; there are those who would say if it is not economically viable the industry should be closed down. However, the Government will not have a bar of

that argument. We do not propose to close down the industry; we propose to try to help it to continue.

The Hon. D. W. Cooley: You did it with the State sawmills; you gave them away.

The Hon. I. G. MEDCALF: Would Mr Cooley suggest that we close down Wundowie?

The Hon. D. W. Cooley: No, I am not suggesting that.

The Hon. I. G. MEDCALF: Then let me finish. That is an alternative we have rejected. We do not propose to close down Wundowie; we do not want to do that; that is why the Bill is before us. We want to give this industry and the community which it services a chance to continue.

The Hon. Lyla Elliott: What about the 200 people who will lose their jobs after June of next year?

The Hon. I. G. MEDCALF: I do not know anything about that. It is pure supposition on the part of Miss Elliott.

The Hon. Lyla Elliott: There is no obligation on the company to employ these people after June of next year. Isn't that a fact?

The Hon. I. G. MEDCALF: No, of course it is not. Nobody has suggested that we are in a position to impose an obligation on the company. However, we are trying to bring about a climate in which the company will be able to continue not only to run the new vanadium project, but also to continue to run the iron project.

The Hon. Lyla Elliott: You didn't mind imposing an obligation in the original agreement.

The Hon. I. G. MEDCALF: If we were to try to impose an obligation on the company to do all sorts of other things, it would walk out of this agreement. I was about to say that some very hard bargaining has occurred between the Government and the company over this matter. Lest it be thought that the Government is being generous to the company, let me point out it is not; the Government is being generous in the sense that it is doing something for an industry that is perhaps not economically viable in order to try to preserve the local community. We have done the best we can. We want the company to continue with the pig iron industry, and also to make a quick start on the vanadium project.

I could not tell members what the future is for the vanadium project, and they would not expect me to. Nor could I tell them what is the future for the iron industry; and, again, they would not expect me to. It may be that we are in for a good time, or it may be that we are in for a bad time. I would hope that we are giving the company the

chance to make a go of it; otherwise it could take the view that it will go to the wall, and the Government will not have a bar of that. As a Government I believe we are duty bound to adopt a responsible view and to try our best to keep the industry in existence.

The Hon. Lyla Elliott: I agree with you, but I think you are being too generous.

The Hon. I. G. MEDCALF: We could not do it on any other terms. The company could walk away from the agreement, and we would be forced to close down the industry. These are the terms which have been hammered out between the Government and the company.

The Hon. Lyla Elliott: So you would agree there is no obligation on the part of the company after June of next year?

The Hon. I. G. MEDCALF: Do not put words in my mouth. Miss Elliott said that. I did not say such a thing.

The Hon. Lyla Elliott: You must agree that the agreement says that in effect.

The Hon. I. G. MEDCALF: I am an agreeable person, but I am not prepared to agree to everything a member puts to me in a question. I have said, and Miss Elliott knows I have said it, that the company is obliged under the agreement to continue the pig-iron project until June of next year; and we hope it will become more viable and more successful.

The Hon. Lyla Elliott: "We hope".

The Hon. I. G. MEDCALF: Of course we hope so, and I am sure Miss Elliott hopes so.

The Hon. Lyla Elliott: There is no obligation.

The Hon. I. G. MEDCALF: We cannot impose an obligation in respect of something which depends upon market factors between now and next June. We will do the best we can to see the company is not placed in a bad position. If, hopefully, things turn out better then we will be able to keep the pig iron project in existence longer than that period. We do not want to close it down. We are trying to do the best we can, and that is the object of the agreement.

I thank Mr Baxter for his support of the Bill, and commend it to the House.

Question put and passed.

Bill read a second time.

Sitting suspended from 3.48 to 4.05 p.m.

In Committee

The Deputy Chairman of Committees (the Hon. R. J. L. Williams) in the Chair; the Hon. I. G. Medcalf (Attorney-General) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Second Schedule added—

The Hon. LYLA ELLIOTT: The Government has placed the Opposition in a very awkward position in respect of this Bill. My understanding of the procedure regarding the signing of agreements when the Tonkin Government was in office was that they came to Parliament for ratification before the signatures of the parties concerned were placed on the agreement. However, with this Bill we are placed in the position of a *fait accompli* being presented to us and this place becoming a rubber stamp.

I had in mind to move an amendment to delete clause 8 B(1)(b) of the new agreement which is the offending clause as far as I am concerned and which will, in my opinion, cost 300 workers their jobs after June next year. However, I am advised that because this is a legally binding agreement which has been signed by the parties involved, I cannot amend it but can only oppose it.

I do not wish to oppose the whole schedule because we support the granting of aid to Wundowie. We wish to see the place remain in existence and the work force maintained particularly at a time of high unemployment when these people have very few alternatives. For instance, many people have had their homes there for many years and do not want to leave the place.

We want to support the granting of financial aid to the company to enable it to continue its operations, but at the same time we express our very strong opposition to the clause in the new agreement which releases the company from any obligations to continue the production of pig iron after June, 1978. I am surprised that a man with the legal background of the Attorney-General should try to tell me that the Government "hopes" that the company will continue production after June, 1978. Surely to goodness hope is no substitute for a legally binding agreement, and the Attorney-General knows perfectly well that it is not. I am surprised that he should even try to put that one over us. He knows that the amending agreement releases the company after June, 1978, from the obligation which was contained in the original agreement. Clause 8(1)(a) of the original agreement states—

The company shall:—

- (a) continue to carry on at Wundowie the production of pig iron for a period of not less than six (6) years commencing on and from the Sale Date at an average monthly rate of not less than two thousand five hundred (2500) tonnes;

The amending Bill releases the company from that obligation. This means that 300 workers could lose their jobs in June of next year and only 90 of them will be employed in August, 1979, when the vanadium project becomes operational, if it ever does.

We can see ourselves faced with another agreement next year which would release the company from its obligations to continue construction of the vanadium project. I and the Opposition are very unhappy with this Bill and we are going to make sure that the people in Wundowie know exactly what has been put over them. I repeat: It is a very strong possibility that 300 of them could lose their jobs after June next year.

The Hon. I. G. MEDCALF: I am really sorry that the Hon. Lyla Elliott is so unhappy. I am afraid she has overlooked one thing; that is, the company could stop work tomorrow. Although she points to clause 8(1)(a) of the original agreement which says that the company shall continue to carry on at Wundowie the production of pig iron for not less than six years, and so on, there is another clause, clause 29—

The Hon. Lyla Elliott: I am aware of that.

The Hon. I. G. MEDCALF: —which gives the company the right to withdraw in certain events, one of which relates to market conditions.

If the company is unable to sell its products then under the *force majeure* clause it can plead delay, and it is able to delay the fulfilment of its obligations. In fact, the company can claim delay now. I understand the Government has been notified and is well aware that the company is in a position to delay the whole project now. Instead of that, the Government has arrived at a new agreement with the company in which the *force majeure* provision does not operate.

The Hon. Lyla Elliott: Only in respect of the vanadium project.

The Hon. I. G. MEDCALF: And also the other one. The company must continue with pig iron production until June, 1978. Under the new agreement it cannot claim any delay in the vanadium plant. There is no provision relating to market factors, and the company is bound to continue with the construction and completion of

the vanadium plant; but at the moment the company is not so bound.

The company has agreed to this in exchange for the concessions I have mentioned—pay-roll tax, Westrail freights, and loan concessions. In exchange for those concessions the company has now given up this *force majeure* provision in relation to its inability to sell its products of pig iron which applies until June, 1978, and in relation to the vanadium plant for the whole of the period.

Instead of, firstly, closing down the works; secondly, trying to force the company into bankruptcy; or, thirdly, trying to take over the industry and running it ourselves in a weak market situation, we have now concluded an agreement with the company whereby in exchange for these concessions, the company is prepared to forego its right of delay.

We have applied first aid to this industry in an attempt to keep it going. We hope the market situation will improve, but no legal safeguard can be written into the agreement. On the legal side we have taken out the delay provision in relation to markets in both instances.

I believe that is something which the honourable member has not taken into account. I hope what I have said will satisfy her.

The Hon. LYLA ELLIOTT: I do not know whether the Attorney-General expects me to be satisfied with his reply, because he has not in fact replied to the points I have made. He has talked about providing first aid to the industry at Wundowie, but it is a pretty expensive form of first aid.

According to my calculations, the freight subsidies are worth \$1.2 million per year. In addition to that, there is the \$700 000 representing loans it does not have to repay, and there is the pay-roll tax which we are giving back to the company. All this is to be given to the company for a mere six months of extra life to the industry. That is all that is guaranteed.

The Hon. I. G. Medcalf: That is not right.

The Hon. LYLA ELLIOTT: I am not opposed to the granting of these concessions to the company if it means the retention of the work force. However, in granting these concessions the Government fell over backwards to let the company off the hook after June of next year in respect of maintaining the work force. If conditions appear dark next year we could have another look at the situation. In its negotiations with the company the Government could have used the financial concessions as a lever to require the company to maintain the work force to 1981,

as provided under the original agreement which states that the company must continue with the production till then.

The Hon. I. G. Medcalf: Do not forget the delay provision.

The Hon. LYLA ELLIOTT: I know about the delay provision, but I am talking about the deal that has been done by the Government with this company. If the company finds that the world market is still depressed next year it can come back to the Government and say, "We cannot continue to maintain the work force at this level any longer. We will have to renegotiate the agreement." How do we know the world market will not improve? For all I know there could be an upward trend.

Certainly the Prime Minister keeps on telling us what a wonderful year next year will be. If there is to be all this progress in Australia then I suggest the markets for products such as steel and other metals will improve. The Government has fallen over backwards to let the company off the hook by granting it all this financial assistance. We do not object to that if we can see the results and the benefits to the people of Wundowie.

It is no good for the Government to say, "We hope the company will maintain its work force." That is nonsense. We should tell the company, "If you are to have all this money from the taxpayers we want to make sure that the people of Wundowie will have a secure future, and not for just six months longer."

The Attorney-General has told us that the vanadium project is not subject to the delay provision in the agreement. This project will employ 100 people on the construction side, and 90 people on the production side. I am not satisfied with what will happen to the remainder of the work force at Wundowie after June, 1978. We have no guarantee that 200 people there will not lose their jobs as soon as this agreement expires.

The Hon. I. G. MEDCALF: I wonder what the honourable member would have done if she had been confronted with this situation. By pleading under the delay provision, the company would be able to close the works and terminate the employment of 300 people when it started negotiations earlier this year. If it had done that the 300 people would have lost their jobs. In those circumstances what would the honourable member have done?

I believe we have obtained the best bargain we could have obtained from the company; it is not possible to bind the company any further. The concessions which have been granted to the

company have secured certain things at this point of time. Mr Baxter has told us that if a different situation develops we will have to face it when it arises.

This matter has been in the negotiation stage for some months. I know that the Minister for Industrial Development has been discussing it with the company for quite a long time. I believe it was some months ago that the company was able to claim the delay provision. If it had it could have terminated this agreement some months ago. For that reason we should endorse the agreement which is as good as any we could hammer out. There was hard bargaining between the Government and the company, and we could not expect anything harder than those negotiations. This is the best result we could obtain, and it has preserved the industry.

It is impossible for me to say we could not have obtained any further legal guarantees, but we cannot obtain legal guarantees from people who are not prepared to give them.

The Hon. Lyla Elliott: What about the provision in the original agreement requiring the company to continue for six years?

The Hon. I. G. MEDCALF: What about the delay provision? It negates that clause of the agreement. The agreement states that if the company cannot sell its products due to market factors it can invoke the delay clause, which means that the company need not fulfill its obligations.

The Hon. Lyla Elliott: It must justify its action.

The Hon. I. G. MEDCALF: It has already justified its action. It has told us about how much stock it is holding because the stock cannot be sold. The company made a loss of \$1.5 million last year.

The Hon. Lyla Elliott: And a profit of \$700 000 in the two previous years.

The Hon. I. G. MEDCALF: Last year there was a loss of \$1.5 million. There is also the fact that the company cannot now sell its stock. Surely this must impress upon the honourable member the situation in which the company finds itself.

We are trying to retain the work force at Wundowie by every means in our power. We do not want those people to leave; we want them to remain, and we want the industry to continue. We wish to give the industry every chance to succeed. As I have said, this is an expensive first-aid measure.

I do not believe we could have done any better. The company has now agreed under the new agreement to forego the delay clause, and that

will not apply to market factors in the future. I believe this is a very valuable agreement which we should all endorse.

The Hon. LYLA ELLIOTT: The Attorney-General actually destroys his own argument. By referring to the delay clause he is indicating we could have retained the original requirement on the company to undertake production for another six years, and if it got into a difficult situation it could seek to apply the delay clause. The difference is that if it seeks to apply the delay clause it would have to justify its action.

The Hon. I. G. Medcalf: It could apply that clause now.

The Hon. LYLA ELLIOTT: Under the amended agreement we are saying to the company, "You do not have to justify anything. Under the amended agreement we will allow you to stop the production of pig iron as from June, 1978. You do not have to give us any reason, excuse, or justification." If the Government had not amended the agreement, and left it on the original basis of enabling the company to resort to the delay clause, the company would then have to justify its action.

The Hon. I. G. Medcalf: It has no trouble in justifying its action.

The Hon. LYLA ELLIOTT: That is the Attorney-General's opinion. I am talking about the legal position under the agreement.

The Hon. I. G. Medcalf: The facts are there. The company could justify its action yesterday, today, and tomorrow.

The Hon. LYLA ELLIOTT: We could argue about this all day long. I warn the Attorney-General that the Opposition will let the people of Wundowie know exactly what this new agreement means to them.

The Hon. I. G. MEDCALF: What Opposition members say is their own business and I could not make them say anything or ask them to say anything else. If Opposition members wish to say something, they may do so. However, the facts are that the delay clause could have been invoked; it could be invoked today and it could be invoked tomorrow. I know the honourable member says she has examined the clause, but I think we should have a look at it and see what it says. Specifically, it mentions the inability to sell products profitably, or due to overall world market conditions. There is no difficulty in proving that.

The Hon. Lyla Elliott: That is not my point. You could have left the original clause in and if

the company wanted to resort to the clause it could have.

The Hon. I. G. MEDCALF: Had it resorted to it, there would have been a delay and pig iron production would have ceased; that would have meant termination of the work force. We would have lost 300 people straight away, as soon as that clause was resorted to. That is why we said we had to strike a bargain with this company. We had to remove that clause for the future. We had to have assurances for the continuation of the vanadium project. The leases and licences for that project are held outside this agreement, so they had to be incorporated in some other agreement. They are not contained in this agreement. We had to have an assurance that the vanadium project would continue.

We are saving what we can from a very difficult situation. We are trying to keep the town going and the work force employed. We are trying to do the best we can. Had we invoked that clause it would have meant the loss of 300 jobs.

The Hon. LYLA ELLIOTT: As I have already said, we will argue backwards and forwards all day on this topic; but I cannot allow the Attorney-General to have the last say. I do not believe the Government has obtained the best deal it could have obtained. I refer members to page 4, proposed new clause 8B of the agreement wherein it is stated that the Minister shall give notice to the company releasing the company from its obligations under clause (1) of Clause 8. Surely the original six years' provision could have been included. The original agreement provided that the company should continue with the production of pig iron for six years.

I think the Government obtained a poor deal. The Government has let the company off within six months. The company is obliged to extend the life of the town of Wundowie by only six months. I believe the clause should have been worded in such a way that production should have continued for at least six months and for a longer period and any change should be subject to justification. The agreement could then be renegotiated. The Government should not hand over to the company these massive funds which are in excess of \$2 million in return for which we receive a guarantee that the production of pig iron will continue for only six months, and the company will provide 90 jobs for people working on the vanadium project.

The Hon. I. G. MEDCALF: The Government has not handed over massive funds to the company. The Government has released the company from certain obligations. It is not right to say that all the Government has received out of

this is the continuation of production for six months. Negotiations started some time ago and the Government has kept Wundowie going as a result, in the knowledge that this agreement was to come before Parliament.

The bargaining between the Government and the company was very hard and this was the best deal the Government could get. Had we not obtained this agreement, we would have lost 300 jobs. We were not prepared to tolerate that and this is the best we could do. It is not right to say we could have insisted on clause 8 being invoked—the six-year term—because of the delay clause which allows the company to get out of it. The company could have proved without any difficulty that there are market factors which render continuation of production impossible.

The situation could have been outlined before independent arbitrators, and they would agree; the Treasury agrees also. This is the situation we have had to try to rectify in the best possible way. I believe we have done a good job by keeping the industry going and ensuring that we have a firm commitment on the vanadium project, which we now have. Otherwise this project would have fallen by the wayside along with the production of pig iron. What would have happened to the work force in the meantime?

The Hon. Lyla Elliott: It would not have fallen by the wayside; it would have started production.

The Hon. I. G. MEDCALF: The honourable member would not have found anyone who was willing to take over that project. The honourable member should tell me if she knows of anyone who would be prepared to buy the Wundowie industry. The fact is we are keeping this town going; we want to keep it going; we want to keep the work force employed for as long as possible. We believe it is right that the employees should retain their jobs. We have struck a hard bargain with the company. We have removed the delay clause under which the company was in a position to plead; and we have ensured that the vanadium project will proceed to completion. For those reasons, I believe the Committee should endorse clause 5 of the Bill.

The Hon. D. W. COOLEY: I believe the Minister hit the nail on the head when he said that different political parties adopt different philosophies. It is quite right that the Labor Party believes in maintaining Government enterprises and trying to work them in the best possible manner.

The Government has given the company the best possible terms it could. The Minister says that the Government is concerned only with the

interests of the workers. That is not true. The history of this industry indicates that the workers have been completely disregarded in respect of their future welfare. The whole town would have closed down had it not been for the intervention of the Tonkin Government. That Government took over this enterprise from Australian National Iron. ANI took over the Wundowie industry under a Liberal-Country Party Government and it received the most generous terms, as can be seen when one looks at the full agreement. That company was in a "no lose" situation.

I believe Agnew Clough is in exactly the same position under this agreement. Before this enterprise was taken over by the Tonkin Government, ANI which was allowed to pay off over a 20-year period the capital it had borrowed in order to purchase the plant initially was able to opt out of the agreement if the industry proved not to be viable at any time within that 20-year period. This in fact occurred.

It seems to me that the Government is so generous to big business in respect of these deals that big business does not have to put much effort into a project in order to make it work. I would be very interested to know how much the Government has spent on this plant in respect of its dealings with big business, and how much loss would have occurred had the Government continued to operate it in its own right. To my knowledge, this is the second time an agreement has been entered into in respect of this plant.

The Minister has indicated that the delay clause would have allowed the company to opt out six months ago. We are now jacking up the company with Government funds in order to keep it going. I will not accept that the Government is jacking up the company solely for the purpose of keeping those 300 men employed. The Government is using this as a means of promoting the interests of the people with whom it negotiated this agreement. The Government did the same thing with ANI and that company withdrew from the proposition. As soon as the executive of Agnew Clough discover there is nothing in it for them, they will walk away.

I do not believe we should fool ourselves into believing that the interest of the Government is directed towards the welfare of the workers on the job, because that is simply not the case. History proves that the working conditions for employees in that area have declined seriously under the agreements which have been made with the Liberal-National Country Party Governments. I well remember Mr Constantine coming to me at the time the Government operated the plant and saying, "For goodness sake do not go on with the

long service leave and service pay negotiations because we want to make it a viable proposition." The workers in Wundowie were persuaded to maintain their conditions at a depressed level to keep the plant operating.

After a short time Agnew Clough came along and saw the situation at Wundowie. I am sure Agnew Clough did not enter into the agreement with any thought of sustaining a loss. However, that company has found its situation has deteriorated and it now wants to opt out of the agreement at the expense of the workers and the Government.

Had a different philosophy been adopted to the project at Wundowie, the workers, the Government, and everybody else would have been in a better position, because had the Government been operating the plant it would have been trying to make it work. However, these agreements containing all sorts of concessions and benefits do not give any security if the company can opt out. The company will certainly opt out if it is not a viable proposition.

I would imagine the Wundowie project is a very small part of the total operations of Agnew Clough. However, we can achieve nothing here today, because the agreement has been signed already. I believe the Government is not looking after the best interests of the workers; I believe a great deal of the Government's actions has been in the interests of Agnew Clough.

The Hon. I. G. MEDCALF: Of course the Government is interested in keeping Agnew Clough viable because if it does not, what will happen to the workers? However, that does not mean the Government is giving Agnew Clough any more than it needs in order to retain the interest of that company in the Wundowie project. Basically, the Government is motivated by the desire to keep the work force and Wundowie in existence. To do that, it has to keep the company in a viable economic position; that is the reason for the agreement. Of course the Government has negotiated with the company and it has made an offer which (a) is acceptable to the Government and (b) is acceptable to the company. However, there was a great deal of bargaining before this agreement was reached.

I remind Mr Cooley he is surmising when he talks about whether the workers would have been better off had the plant been operated by the Government. Mr Cooley quite rightly says, and I agree with him, that it is also a matter of political philosophy. I do not think we should get involved in that at the present time. It is a matter of surmise as to whether the company and the

industry would have made more money had the Government been operating the plant, or had Agnew Clough been operating it. It is a matter of surmise as to whether the workers would have been better off had the Government been operating it, than they were with a private company operating it. I do not think we can draw any conclusions from that. One person may have one opinion and another person may have another opinion. Without any facts to guide us in a matter such as this we are really only talking into the air.

There have been many Government industries into which the Government has poured a great deal of money, and there has not been a great deal of accounting in relation to how much was spent on some of those industries.

It could have been quite the opposite to keep this industry as a Government enterprise instead of handing it over and selling it to private industry. It could have cost just as much—if not more—to retain it.

Again, we are in the area of surmise. I do not think there is any benefit to be gained from pursuing this type of discussion. The Government is trying to do its best in a difficult situation at Wundowie, and it has made an agreement which should enable the company to continue to keep the work force and the township going.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by the Hon. I. G. Medcalf (Attorney-General), and passed.

APPROPRIATION BILL (CONSOLIDATED REVENUE FUND) (No. 2)

Consideration of Tabled Paper

Debate resumed, from the 10th November, on the following motion by the Hon. G. C. MacKinnon (Leader of the House)—

That, pursuant to Standing Order No. 151, the Council take note of tabled paper No. 245 (Estimates of Revenue and Expenditure and related papers), laid upon the Table of the House on 21st September, 1977.

THE HON. G. E. MASTERS (West) [4.47 p.m.]: I would like to talk briefly to the Estimates on the issue of education and the financial allocations towards the educational system. I know it is considered to be somewhat of a sacred territory for the Labor Party which considers that

it has a just claim to the credit for educational improvements which have occurred. However, we maintain the improvements are the results of the efforts of all parties that have governed over a period of time. Perhaps the pre-school debate which took place earlier this session indicated that the Labor Party became somewhat irrational on the issue at times.

The Hon. R. Hetherington: I think that statement is a little unfair.

The Hon. A. A. Lewis: The Labor Party is irrational most of the time.

The Hon. G. E. MASTERS: I do not wish to provoke members opposite tonight because I am aware that time is short. We believe we have a just claim to share in the credit for the improvements. The education system has been the concern of Governments, whether they were Liberal Party, Labor Party or National Country Party.

It is interesting to observe the sums of money which have been spent over the last few years in the education system of this State. I wish to record that we have seen a steady improvement at all times. In 1973-74 a sum of \$139.2 million was spent out of the Consolidated Revenue Fund. That information appears at page 44 of the Financial Statement for that year, and denotes an expenditure of \$126 per head of population in this State. In 1977-78 we had an expenditure of \$337.8 million, representing \$279 per head of population. Those figures indicate a large increase in the capital expenditure in the educational system.

Vast sums of money have been spent in the past years, but that does not necessarily mean that if another Government had been in office the expenditure would have been any less. I make the point that all Governments have expressed their concern, and have endeavoured to further the education system.

My congratulations go to the Government for the increase in the number of teachers to be employed. I see from the Estimates that there will be an increase of something like 640 teachers, and an increase of 48 in aides. The teacher-pupil ratio at primary schools has dropped to 23.3 to one, and I believe the high school ratio is very much lower at something like 13.5 to one. I am aware there are some schools which have problems and certainly those figures do not apply to the difficult situation in some parts of the State. However, I sometimes wonder how much lower we can go with teacher-pupil ratio. Nevertheless, it is to the credit of the Government that it has been able to

reduce the figure so much during the past few years.

It seems to me that the major difference between the Labor Party Government and the Liberal-National Country Party Government, during the past few years, has not been in the expenditure of money but in the value gained out of that expenditure. I think we would all agree that the Labor Party, over the past years, has tended to believe that all problems could be solved by simply pouring in vast sums of money. We, as a Liberal-National Country Party Government realise this is not so.

It is to the credit of the previous Minister for Education, now the Leader of this House, that he brought the costs of schools down to a more realistic figure. He was responsible for the appointment of a committee to investigate costs in an attempt to cut down the costs to a more realistic figure. As a result of the investigation, the costs of building schools have stabilised to a certain extent.

As far as I am concerned the costs of schools are still quite enormous. A high school, built in five stages, costs \$1.6 million for the first stage. To accommodate 1 200 students, the cost of building the same school to the fifth stage is at least \$4.5 million and possibly \$5 million—which is a large sum of money.

A primary school capable of accommodating 250 pupils costs something like \$400 000—again a very large sum of money. Hopefully, as time goes by we will be able to contain costs instead of allowing them to escalate as has been the case in the past.

A criticism I have to level is at the Public Works Department and, in particular, the architectural division. It is my thought that over the past few years the architectural division of the Public Works Department has become an empire. I have to emphasise that this particular division costs the public something like \$15 million, and it has a salaried and wages staff of 1 980 people. When one considers a department costing \$15 million and employing nearly 2 000 people one wonders just how large it will grow.

I believe the architectural division should be more concerned with monitoring rather than taking over control. I understand that the architectural division carries out 70 per cent of the work for the Public Works Department, which means that only 30 per cent of the work goes out to private enterprise. If this is the situation I ask the Minister responsible to look closely at it in an attempt to reverse the situation. It seems to me that this enormous empire which has been built

up is costing the Government and the public money unnecessarily. There would not be one member of Parliament who has not suffered as a result of the bureaucracy of the architectural division. I am talking about school building programmes.

The Hon. W. R. Withers: Hear, hear!

The Hon. G. E. MASTERS: I will quote one example of a case which occurred when my province included the electorate of Girrawheen. A school in that area raised a large sum of money for the construction of a canteen. The committee put a plan to the Public Works Department in November of a particular year. The committee also had a builder who was prepared to build the canteen straightaway. The parents were all fired up and ready to go. The proposal went through the Education Department fairly quickly, but it became bogged down when it reached the Public Works Department, and the canteen was not constructed until April of the following year. The committee was pushed here and there and, in actual fact, the foundations for the canteen were laid before final approval was given because the parents were frustrated and it looked as though they would lose the builder. I am sure many members in this House have had similar problems and it must cost the public millions of dollars over a period of years.

Another area which I feel should be criticised covers the unduly stringent conditions laid down for the construction of buildings. In many areas the requirements are extreme, to say the least. I have spoken to many builders and architects who have looked at plans and the demands of the Public Works Department, and those people have said that the requirements are too extreme, and a waste of money.

The Hon. W. R. Withers: Totally unrealistic.

The Hon. G. E. MASTERS: I think some of the buildings I have seen are lavish. I have attended school openings where I have seen the style and the standard of the libraries and the other buildings to be far higher than those we would insist on in the construction of our own homes.

A school should be adequate, and it should meet the standards in the long term. However, quite frankly, there is considerable waste in the way they are being built. This type of extravagance does not apply only to education, but also to the construction of hospitals and other public buildings. Money is squandered in many instances on the construction as monuments to the architects.

Government buildings have to be constructed to

a standard, and in order to protect themselves public servants feel they are justified in demanding the highest standard possible and the best materials available. I believe we should be looking more to the private sector so that it can compete with the Public Works Department. The private sector can save the public a considerable sum of money. For that reason I hope there will be a change in the attitude of the Government, and the Minister dealing with the responsible department will attempt to wind down to a certain degree the operations of the architectural division. We would see a great saving in money by allowing more work to go to private enterprise.

With the massive investment of \$5 million, at least, in the construction of a senior high school we should be considering its usage. It seems to me that high schools receive little usage whereas they should be used six or seven days a week for 12 months of the year. A construction costing \$5 million should be considered as a community facility or a community building.

At least, there has been a start. Again I point to the work done by the previous Minister for Education—the present Leader of the House—who set up an investigation into the community use of high schools and schools generally. The committee was set up within the Education Department to look closely at this problem. The committee decided they would investigate 16 primary schools and 11 senior schools to see if they were being used to their full advantage. It seems that primary school classrooms were being used a great deal, but not so the high school classrooms. As time goes on the full use of school facilities will become more and more popular.

In many cases the recreational areas were used a great deal for most days of the year but the facilities mostly used were gymnasiums and halls. As a result of the survey it was found this type of facility was used almost every day of the week and almost every week of the year.

My own area of Kalamunda has such a facility and use is made of it for 12 months of the year. I understand that if one wishes to make a booking it has to be made 12 months ahead in order to obtain the use of that facility.

The Minister for Education of the day considered the use of schools as community facilities to be a good idea. The system is now being developed in conjunction with the Education Department, the Community Recreation Council, and local authorities. The three organisations are involved in the management and financial aspect. I believe as

time goes on the use of schools for community purposes will become more and more popular, rather than the use of those facilities solely as schools.

Community Recreation Council officers have travelled to many parts of the world looking at community facilities and community usage of such facilities. This council has put forward recommendations in regard to building design and I believe pilot schemes have been commenced in some areas. The Government should be giving the matter more consideration and it should encourage greater participation and involvement.

Again referring to my own area, I believe there is a point that is worth making. I have spoken before of the community usage of a hall-gymnasium facility. In the new developing areas—and I realise many areas are now beyond the developmental stage—an agreement or an arrangement should be entered into between the local authority, the Town Planning Department, and the Education Department, so that school facilities and community facilities, should be developed as a total concept on recreational areas. For example, Forrestfield is a quickly developing area, and the local authority has spent approximately \$250 000 on recreational facilities; a school has been built just some two kilometers away from these facilities. I guess the Education Department will go through the same process and develop its own recreational areas there.

I hope that in the future some arrangement can be made so that high schools and primary schools are established on recreational areas. In this way local authorities will become involved and there will be more joint ventures. I do not think there is any excuse for avoiding such an arrangement. In my opinion such a concept has not been developed earlier simply because of bureaucracy and petty jealousy. The point I am making is that local authorities should develop recreational areas adjacent to schools so that the facilities would be used by the school children during the day and by the residents of the community at night time, during weekends, and holidays. Hopefully this programme will go forward.

I suppose we could say there is duplication in other areas as well and in this context I am thinking of swimming pools, libraries, and the like. Why could not a high school library serve also as a community library rather than establishing two buildings in a locality as often happens? More and more time is available for leisure these days and the public use of such facilities is increasing.

It is a fact that school children attending

primary and high schools spend more time watching television than they do attending school, so these leisure problems should be looked at very carefully. Youngsters become involved with drugs, they drive fast cars, and indulge in acts of vandalism. Adults also have similar problems; they consume too much alcohol, they smoke too much, and frequently they are overweight. These problems often arise as a result of the lack of community facilities.

The high school concept as such should go, and the community facilities concept should be adopted. This system certainly works well in many countries including the United States of America, Europe, and the United Kingdom. Of course it involves the investment of large sums of money, but it seems to me such an investment is well and truly justified. We should consider carefully our school planning programme. I commend the Community Recreation Council for the work it has done and for the work it is continuing to do. I hope the Government will pay more attention to its recommendations and that in time the council will receive the support it deserves.

I do not think we can assume that a community facility will become financially viable; probably it will never make money, but the benefits socially and health-wise would be considerable, and these would more than offset the additional costs involved.

I hope that we will see changes in our education system and that a different style of planning will be considered by the Town Planning Department. We may be able to learn from other countries in this respect and put their ideas into effect here.

I support the motion.

THE HON. H. W. GAYFER (Central) [5.05 p.m.]: I take this opportunity to speak to the Estimates. I know it is a privilege for members of the Legislative Council to be permitted to speak to the Estimates in this fashion, and I compliment the Leader of the House for introducing this new idea. I must say it is a marked improvement on the earlier system. As a matter of fact, it gives members of the Legislative Council the same privileges as are given to members of the Legislative Assembly.

When the Leader of the House introduced the motion necessary for us to debate the Estimates in this way he said he considered that there were as many people in this House who know something about finance as there are in the Legislative Assembly.

It is not my intention to use or abuse the time allocated to me on a lengthy argument about road

funds or anything like that, and that should please the Minister for Transport.

The Hon. G. C. MacKinnon: No end!

The Hon. H. W. GAYFER: I will simply make some general comments on a few items.

I would like to refer to a matter relating to the Road Traffic Authority. I am concerned about the judicial consequences that flow from a conviction of drunken driving. At the present time I am interested in a case involving a young man who lives not far from me. This man's child has a known two years to live. He farms 1 000 acres of dirt.

This young man found he needed some capital and he was able to raise a loan to buy a second-hand semi-trailer truck so that he could move stock up and down to market. I realise he should have been cautioned about such an enterprise because not many make money out of transport!

This young man started on his venture. He had six months to make sufficient money to finance a trip to America and then to England—or vice versa—for his wife and child. So he was working very hard, but he makes no excuses for the fact that on one occasion he drank too much and he was apprehended. His licence will be suspended. No doubt he can apply for a provisional licence which is granted under certain circumstances, but all that takes time.

In my opinion the punishment for a first drunk-driving offence is too great. Many hardships arise when a driving licence is suspended. Perhaps we could provide for another category of punishment between that applicable for first and second offenders.

If it can be proved that quite clearly a person has driven with a blood alcohol content of more than 0.08, the magistrate should then examine the whole situation. If he feels that there are extenuating circumstances in a particular instance, he could place the defendant on 12 months' probation. I realise such a provision could not apply in cases where there was loss of life or serious bodily harm. In the case to which I refer, the man had not actually driven his vehicle, although he admits that he did intend to drive it.

Let us say that an offender is placed on 12 months' probation. If he does not drink to excess during this period, he would suffer no further penalty. Of course an offence would still be recorded against him. In many instances it could be said that the law is too harsh, and I believe many patrol officers concur in this view. I have talked with some patrol officers, and in certain cases they feel that offenders have been penalised

too severely for not observing propriety to the full extent.

The Hon. Grace Vaughan: The magistrate should make more use of pre-sentence reports.

The Hon. H. W. GAYFER: I have checked right through, and I believe there is nothing in the Act to permit the magistrate to do this.

The Hon. Grace Vaughan: But he could ask for a pre-sentence report.

The Hon. H. W. GAYFER: Certainly he could ask for a pre-sentence report, but the sentence is mandatory suspension of a licence for a person convicted of drunken driving. Such a person may then apply for a concessional licence and indeed a truck driver may well be granted permission to drive between points A and B for the purposes of his work. However, it often takes six weeks for such a concessional licence to be granted. That is as far as the law will allow such a person to go. There is no provision for a suspended sentence.

In the case to which I am referring I believe firmly that this child will die within this period of two years, and everyone to whom I have spoken feels the same way. This young man and his wife are convinced that he did the wrong thing in drinking to excess, and he would be quite prepared to pay whatever penalty is imposed after the death of his child. I wanted to bring this matter to the attention of the House, although some members may feel differently about it. Although I have made many inquiries, I have found no reference to a suspended sentence for such an offence in this State, or indeed in the Commonwealth.

The next point I wish to raise also refers to the Road Traffic Authority. I was rather intrigued to read a report in the *Daily News* of the 2nd November to the effect that the small wheatbelt town of Coorow was in deep mourning for a woman and her three young children who had been killed in a road accident. The names of the dead were given, and the report referred also to the surviving child. The Press report states, "The woman's husband, a barman in the area spent the night in hospital under sedation. He has not yet been told of the deaths, and until he is notified, no names of the victims will be available."

The man was under heavy sedation and he had lost almost his entire family. The *Daily News* said that until he had been informed of his loss, the names would be withheld. However, in its opening paragraph it printed the whole string of names. It was quite likely the *Daily News* for that day would be lying around the hospital for this man to pick up and read before the authorities had informed him, in the correct manner, of the death

of his wife and children. I know there is no law against it, but I believe it was very callous for the *Daily News* to go ahead and publish the names.

Another matter I raise also relates to the Road Traffic Authority, and it concerns the Minister directly. I refer to the recording fee for relicensing vehicles. I have been trying to acquaint the Minister for some time of the attitude of the country shires relating to this fee. The fee of \$4 was struck some four years ago to offset the cost of relicensing motor vehicles. Surely to heavens since that time, the sheer depreciation of money alone necessitates an increase in that recording fee. The figure of \$4 was not arrived at by the country shire councils but by the RTA, using its advanced equipment in the metropolitan area. I believe it has remained at \$4 quite long enough, and I support the country shires' request for an increase.

I raised this matter in 1976 and the then Minister for Traffic (Mr O'Connor) informed me his department had been conducting a survey in an endeavour to ascertain the actual cost of relicensing motor vehicles. The department found that the average cost over all agencies was \$3.50, while the cost to the RTA was estimated at \$3.13 per licence. The survey gave examples of our country shires whose costs ranged between \$1.90 and \$4.56 per licence. However, the great degree of variation in costs was due to the four shires using different methods of arriving at the actual cost.

In fact, a meeting held between the four shires concluded that the questions asked were so wide as to preclude a positive inquiry by the shires; no guidelines were laid down as to how they should arrive at the total cost. The Minister would realise there is likely to be a wide differentiation between the various shires in arriving at the actual cost in relicensing each motor vehicle. In some shires, it is necessary to employ one person full time to carry out this particular function, and that cost must be allocated to the recording fee. Other shires employ technical officers to examine vehicles, and this again would need to be taken into consideration. The shire council foreman, for example, could be delegated to inspect vehicles as they come in for relicensing. These activities involve the shires in considerable expense.

I am intrigued by two matters in this respect. I refer firstly to the apparent loss of \$450 000 in licence fees. An additional \$900 000 is to be raised by the last licence fee increase, \$450 000 of which is to go to the Main Roads Department. That is all very well and good, but the other \$450 000 must go somewhere and we have never

been told exactly where it is to go. If it is going somewhere, it must go to the RTA.

The Hon. D. J. Wordsworth: One thing for sure is that it cannot go to the RTA.

The Hon. H. W. GAYFER: It is going somewhere—to administration, or somewhere else.

The Hon. D. J. Wordsworth: It is going towards various road projects.

The Hon. H. W. GAYFER: Only half of the money collected by the latest increase in drivers' licence fees is to go to roadworks.

The Hon. D. J. Wordsworth: I am sorry; that is right.

The Hon. H. W. GAYFER: The other half obviously must go to administration; however, it is not going to the Main Roads Department administration.

The Hon. D. J. Wordsworth: That is right; it is not.

The Hon. H. W. GAYFER: I have been raising this matter for the last four months, and the Minister is only just starting to agree with what I am saying. I still want to know where that money is going.

It is high time the Minister took notice of the shire councils' pleas and increased the recording fee by \$1. I am aware that it is the motorist who will have to pay, but we must face the fact that the shire councils are trying to operate on the same level of funding they received four years ago.

A bulletin issued by the Country Shire Councils' Association of Western Australia on the 14th March contained the following statement—

The proposed pilot scheme to use selected garages for vehicle inspections in certain country towns is almost ready to commence. Should this scheme prove effective, it will obviate the necessity of the RTA erecting and equipping costly buildings in many country areas.

A similar bulletin issued only some two months ago after the association's last meeting contained the following motion—

51. RTA—VEHICLE INSPECTION SCHEME

"That in view of the fees payable under this proposed Scheme, the Road Traffic Authority be pressed to pay a similar amount to Local Authorities undertaking vehicle inspections."

NOTE: Local Authorities acting as Road Traffic Authority Agents receive only

the \$4.00 recording fee to cover the license recording. If approved garages are to receive inspection fees of in the order of—

	\$
Cars	4.50
Trucks	6.50
Semis	7.50
Trailers/Caravans	3.00
Motor Cycles	2.00

then surely local authorities would be able to justify a similar fee.

The local authorities believe they are entitled to be paid a similar fee for performing the same service.

The point I am driving at is that the \$4 recording fee received by country shires in most cases also includes an inspection fee. If the shire councils were not responsible for inspecting vehicles, possibly the fee of \$4 would be sufficient. However, the country shires do inspect vehicles and, to avoid the mudslinging which goes on in regard to country shire councils allowing unroadworthy vehicles to pass inspection, they do the job properly. If country shires go to the trouble of establishing garages within their areas and employing staff to inspect vehicles, surely they should be paid the same fee as the RTA pays to local garages for doing the same job. The country shires have been screaming about this matter for nearly two years, and it high time a decision was made by the Minister.

On Wednesday, the 21st September, 1977, I asked the following question of the Minister representing the Minister for Police—

- (1) If the RTA and the Police Department are separate bodies, why do RTA cars now bear the sign "POLICE" on the boot lid of their cars, and motor patrol bikes have "POLICE" on their windscreens?
- (2) If the RTA and Police are not separate bodies, how does he reconcile this action with the Minister's introductory remarks surrounding the Bill that established the RTA?

I received the following reply from the Minister—

- (1) While the RTA and the Police Department are separate departments, the traffic patrol consists of policemen made available to the authority by the Commissioner of Police—

There is a fine old marriage! The reply continues—

—and it is deployed and controlled by the authority.

Patrolmen are policemen and wear police uniforms. They are often required to carry out police duties and in these situations need to be identified as policemen.

The decision to display police signs on their vehicles was made by the authority at the suggestion of the patrolmen.

A most important benefit of the police signs on RTA vehicles is that with the numbers of RTA vehicles on patrol it must obviously have a deterrent effect on lawbreaking

- (2) The Act establishing the authority has not been changed and nothing has been done inconsistent with the Act.

I refer the Minister to the minutes of the Country Shire Councils' Association meeting held at the Merredin Shire Council on Monday, the 5th September, 1977. I will not refer to the entire document; I simply quote from page 5, which states as follows—

Both Cr. Scott—

I think he may be a representative of the RTA. The minutes continue—

—and Mayor Finlayson—

I think he also is a representative of the RTA. The minutes continue—

—commented that there had been a gradual movement away from the original principles of setting up the Authority; also there seems to be a more concerted movement towards the Police controlling traffic. Further discussion ensued.

RESOLVED: The Executive Committee strongly object to the way the powers and responsibility of the Road Traffic Authority are being eroded and requests a deputation with the Hon. Minister for Police & Traffic to discuss—

1. the erosion of the role of local government on the Authority;
2. appointment of an independent Chairman;
3. local government representation on the Authority.

The deputation to comprise—
President

Deputy President

Cr. N. G. King

Observers: Crs. C. P. Scott
W. C. K. Pearse
Mayor M. R.
Finlayson.

I have not raised this matter obliquely; everybody knows that is exactly what is happening with the RTA. Gradually, it is moving under the control of the Police Department. We also know from some of the motions moved in Parliament that it is the wish of some members that this should occur. However, it is certainly not my wish nor, I hope, the wish of my colleagues.

In fact, members may recall that when the Bill to establish the RTA passed through this place, I would not vote with the Government because I felt this authority should remain in the hands of the local governing bodies and that, if it were placed under the control of another department, this authority gradually would be eroded.

At the time, I also would not vote with the Labor Party, because I did not wish to head straight into a brick wall. I remember hoping somebody would call for a division when the question was put, but nobody did. I could not divide the House because I would have had to vote with the Opposition, which was seeking police control of traffic matters.

The Hon. D. W. Cooley: What a terrible thought that would be—voting with the Opposition!

The Hon. H. W. GAYFER: I do not mind voting with members of the Opposition when they support my views on a particular matter. However, on that occasion I did not agree with the stand taken by the Opposition.

Whatever I may have felt about the establishment of the Road Traffic Authority, if the general belief is that the control of traffic matters gradually is moving over to the Police Department, and if the shire councils' RTA representatives report that they believe this to be the case, surely it is about time we examined the situation to make sure the RTA retained its authority over traffic matters. It is as simple as that. We should not encourage this erosion of authority by putting "Police" all over the windscreens of motor cycles and on the rear of motorcars. Certainly the Government has an alternative reason but that does not justify what is the real aim, which is to gradually make this traffic control an appendage of the Police Force.

I sympathise with the executive of the RTA which is a body I never wanted in this area. I

believe the RTA is merely a means towards an end; it would appear that way. The Government seems to have said to itself it would set up the RTA and then gradually infuse it into the Police Force. The Government considers that this is what the people in the more populated areas want; that is, police control of traffic. There is an erosion of responsibility going on at present which concerns me.

I have a rather hardy annual here and I will not go into it at great length for fear of being told I am being repetitious. It concerns the comprehensive water scheme which was first mapped out in 1946 and promoted by the Hon. A. R. G. Hawke. The master plan should have been completed for a sum of \$18.6 million, or as it was in those days £9.3 million.

This scheme went along merrily in the first two phases. Suddenly we were confronted in 1968 with the third phase which looked like a goer, because it had the blessing of the Public Works Department. It was referred to the Commonwealth bureau for endorsement so that a dollar-for-dollar subsidy might be obtained to allow phase three to go ahead in the area of Corrigin and York. However, it was finally rejected by the Federal Government in 1969. I might inform Mr Cooley that it was not a Government of his persuasion. Later I shall deal with what the Labor Federal Government intended to do with it the next year, which was worse still.

We were told that, as sheep were not a viable proposition in 1969 when there was a drought, if we could put up a good case for handling cattle the matter would be reconsidered. Anyone who knows anything about the cattle industry since 1969 would know how far out the Government was in saying that was the best method under which it should be established. Since 1972 or 1973 cattle have been a distinct embarrassment to anyone owning them. I still have 100 head and they are an embarrassment. The situation may have improved a little but they are not a very viable proposition.

The Hon. A. A. Lewis interjected.

The Hon. H. W. GAYFER: I inform Mr Lewis that my family has kept cattle since 1917.

The Hon. A. A. Lewis: I thought you might want to give them away.

The Hon. H. W. GAYFER: I have a copy of the proposition put up in 1968 which I consider to be a well prepared and a wonderfully compiled document. I agree with everything in it. After several goes by the Government of the day—mainly through Sir Ross Hutchinson—it

received the approbation of the Cabinet of this State, but it did not get past first base in Canberra. In a letter to Mr Fairburn in November, 1967, Sir Ross Hutchinson said the early completion of the 1947 comprehensive scheme was considered to be the most important project in this State's water conservation programme.

I notice that in the Premier's Loan Estimate speech presented to the Legislative Assembly on Thursday, the 22nd September, 1977, he said that an amount of \$5.5 million had been provided for a start on construction of the De Grey River scheme; that there was a total of \$1.4 million to be spent on the Albany regional water supply; and that there would be work on major improvements to the Allanoooka headworks costing \$922 000.

That is all very good but work on our comprehensive water scheme has just stopped. In 1963 the scheme had \$700 000 spent on it; in 1964-65 over \$1 million was spent on it; in 1965-66 \$1.25 million; 1966-67 \$1.25 million; 1967-68, \$1.5 million; 1968-69, \$2 million; 1969-70, over \$2 million; 1970-71, \$1.7 million; 1971-72, \$2 million; 1972-73, \$2 million; 1973-74, \$1.1 million; and in 1974-75, the last time any money was spent on it, \$157 000. Those were State funds allocated to the work.

During the period of 1965 to 1972 the Commonwealth spent in excess of \$14 million. So there has been a total of \$24.98 million spent on a scheme that in 1947 was going to cost \$18.6 million.

We are in a position now where after many deputations to the Premier I have received a letter which I shall read to the House purely and simply because there are many inhabitants of our country areas involving 18 shires who are wanting to know what has happened to the comprehensive water scheme. The Premier's letter dated the 2nd June, 1977, is as follows—

On 2nd May you wrote re-affirming your general dissatisfaction that no extensions of farm land reticulation, under the Comprehensive Water Supply Scheme, have been approved since Stage 2 was completed in 1974.

I fully understand your disappointment because the districts of principal concern to you, namely York-Greenhills and Corrigin-Bullaring, were those which in 1968 had been selected for Stage 3 of the Scheme and included in the submission to the Commonwealth Government for financial assistance under its National Water Resources Development Programme.

Until 1972, when the Stage 3 proposal was rejected by the Commonwealth, the farmers in these areas were naturally confident that their properties would eventually be connected to the Scheme.

The report on farm water supplies which was prepared by the Department of Agriculture in 1973 has caused an extensive revision to be made to the earlier policy which had allocated top priorities to areas located within those boundaries of the Scheme which had been set in 1946. Since 1946 the wheatbelt has expanded considerably and much of it is in marginal areas with substantial farm water problems.

Many of these areas are assessed with a higher priority of need than the areas which are still unreticulated within the boundaries of the Scheme set in 1946.

The present position is that the State is still unable to finance the high cost of any significant extensions of the Scheme from its own financial resources and currently the Commonwealth will not provide special purpose grants for works of this nature.

It should also be understood that even if some funds were available, priority could not now be allocated to the areas within the Country Shire Councils' Association of W.A., Central Ward originally covered by the phase 3 extension.

Although the situation is not satisfactory from the point of view of the Central Ward, I trust that the foregoing explains the present situation and clears up any misconceptions in this regard.

I received that letter with a great deal of concern. First of all the central ward that the Premier spoke of is not a very old area by general State standards. However, it still contains the first settled country town in Western Australia which is York. It also contains the towns of Beverley, Brookton and Corrigin. It extends to Bruce Rock and Quairading, and it is in this area that we have been looking for water extensions. Yet it is said that other areas have higher priorities.

I cannot understand this. We have been waiting since 1948 for this scheme to be completed, yet in one note from the Premier the matter is dismissed. In 1968 the extensions had top priority with the Public Works Department but when the work was taken over by the Department of Agriculture it had another look at the system and decided that whatever the Public Works Department felt did not matter. The Department of Agriculture said all we had to do was build a

few more dams. We have been building dams since 1848.

I have many dams on my property, one of which has a volume of 17 500 cubic yards which is a rather huge dam for a farmer to have. Yet I will have to supplement that supply of muddy water at the end of December by carting water from the scheme supply. That is all right if the water can be collected successfully.

It is in this regard that I have mentioned previously the proposition of bringing water down from Dampier. I am convinced it is not only because of the expense of reticulation in this area that the Government has not gone ahead with the scheme. It is not just that fact which is worrying the Department of Agriculture. The Department of Agriculture has said that if farmers are given money outside the confines of the comprehensive water scheme then the water will fall on catchments and fill the dams. It said there would then be no worry and no need to put in any extensions to the comprehensive water scheme. This has been going on for a long time.

I know that from 1946 the cost of the scheme has risen from \$18.6 million, and by 1974 \$26 million had been spent in having the project only half completed. Surely the Government did not expect the cost to decrease. In my book the project should be completed. The Government should at least have expected there would be a natural increase in the cost of the work.

On the one hand we have the expenditure, and on the other hand we have the need, and that is well established. Mr Collett of the Public Works Department made an assessment of the surface water resources of Western Australia and he says there are quite a few water supplies in the south-west. However, in my book there are certainly not sufficient to supply beyond the south-west and to the mid-agricultural areas about which we are speaking. Consequently I believe we should be considering now the bringing of a water supply from the Fitzroy to Perth via Dampier. Members will recall that I raised this subject previously, and the papers ran a bit on it, not that that worries me at all, as long as I get the water.

The House may be interested in the reply I received from the Premier, dated the 31st August, 1977. It reads as follows—

Dear Mick,

Dampier to Perth Pipeline

I was interested to hear on Tuesday morning's A.B.C. News your suggestion that the natural gas pipeline to be constructed

from Dampier to Perth should be arranged to also carry water.

Following your comments, I have discussed the matter with the Minister for Fuel and Energy, and I understand that there are serious problems in the way of such multiple use of a high pressure gas pipeline.

As you are aware, it is not uncommon for pipelines to be constructed to convey a range of products in the petroleum and petrochemical industries.

That was a point I had made in my speech. To continue—

The several products to be moved in a common line are generally all liquids—different petroleum grades, and sometimes chemicals. All are transported, of course, at different times. Even then, the transport of multiple products is accomplished only with a considerable increase in complexity of the whole operation and the technique is used mostly for the batch transfer of generally similar types of liquid.

The gas pipeline planned for construction between Dampier and Perth will be a purpose-built project and will be in continuous operation for the transportation of gas. Such a pipeline would operate at a pressure of about 1 200 lbs/in.² and be equipped with gas compressors which would be installed at seven or eight points along the route. The gas pipeline would operate at very high velocities and great care is necessary to keep the system completely free of moisture to protect the compressors and the metering and protective devices, and associated telemetry from damage.

Designs are yet to be developed, but indications are, at this stage, that the pipeline would probably have a diameter of about 26", but would in no way be suitable for the transportation of water.

I understand that water would be transported in pipelines at very much lower pressure and lower velocities, and that both economic and technical considerations result in vastly different types of installations for these two different fluids.

I have missed a paragraph, but that does not matter. The letter then continues—

However, it seems that, on this occasion, we will not be able to take advantage of this proposal.

I am sure you will be enthusiastic, of

course, about the prospects of bringing gas to Perth and to the South West of the State. It will provide the opportunity to safeguard our future fuel supplies and to cater for expanded industry and processing activities in this area.

Yours sincerely,
Charles Court.

The Minister for Works had a bit of a go about it. On the 26th September he wrote—

Dear Mr Gayfer

The Hon. G. C. MacKinnon, Leader of the Government in the Legislative Council, has provided me with a copy of an extract from the transcript of a speech delivered by you regarding the possibility of jointly utilising a pipeline to convey water and gas from the north of the State.

The possibility of supplying water from the north of the State to meet the future demands of the south has been under investigation for some time. However, the cost factor involved is many times greater than the development of potential southern water resources and thus such a project is not financially feasible at present.

The south west is a region endowed with significant surface and groundwater sources and there is a large quantity of uncommitted potable water to cater for future expansion. The transporting of water from the north of the State is unnecessary and economically unsound at present.

Although it is possible to transport different materials with similar properties in the same pipeline, this does not apply to water and gas.

He goes on to deal with the incompatibility of gas and water of which I was well aware. The Minister said that the south-west is a region endowed with significant surface water and that the transport of water from the north of the State is unnecessary and economically unsound at present.

The comprehensive water scheme was to cost \$18.6 million in 1947. It cost \$26 million by 1974, and then it was only half-completed. The State and Commonwealth Government departments are obviously shying away from it now because of the cost involved. Does anyone consider that tomorrow's cost of either completing that pipeline or bringing water down from the north-west will be any cheaper than today? It will not be. If a thing must be built, it would be cheaper to have built it yesterday than to build it tomorrow. Tomorrow is too late.

When we consider that something like \$60 million all-up was spent on the Ord—

The Hon. J. C. Tozer: Nowhere near it.

The Hon. H. W. GAYFER: The cost does not matter. It improves the argument if it was any more. A huge amount was spent so that a few people up there would have a very nice, expensive dam—a large expensive tract of water—to attract people. In the south-west we do not want to attract people. We want to keep those who are there, and \$35 million—the amount spent on the Ord—would have been enough to complete the comprehensive water scheme in 1968.

I am not denying Mr Tozer what he has. All I am saying is that it is false wisdom to say that we have finished with the comprehensive scheme in the south because it is no longer viable.

The Hon. J. C. Tozer: I am not arguing about that.

The Hon. H. W. GAYFER: We hear all sorts of words like “viability”, “feasibility”, “expensibility”, and so on. These terms worry me because if we are frightened to act today for tomorrow, we will never do anything as statesmen, Governments, or anything else.

The department devised a scheme to get around the problem. It called it the on-farm water scheme and it is outside the comprehensive water scheme. If a farmer had a property outside the comprehensive water scheme and he was in a very unsound financial position—in other words, if every time he went to see his bank manager he was on his hands and knees before he even mounted the steps to the bank—he would probably get a loan for a dam provided it was outside the comprehensive water scheme. I did not know what the difference was across the borderline, but there must have been a difference. The loan was provided at a fairly low rate of interest—about 6 per cent—over a fairly short period of about 10 years. This was provided only after the farmer had been to his bank, then to the R & I Bank, and then back to his own bank with a bit of paper from the R & I Bank.

We have been complaining about the system for a long time, but the Premier, in his wisdom, this year has said, “We will fix this comprehensive water supply scheme once and for all.” On page 18 of the 1977-78 Financial Statement, presented in the Legislative Assembly on Tuesday, the 20th September, 1977, the Premier stated—

In these days of greatly reduced farm incomes, few farmers can afford to sink the bores or build the dams necessary to ensure a reasonable security of water supplies.

Then he went on at page 19 as follows—

Some details of the scheme are still under consideration and an announcement will be made shortly.

Provision has not been made in the budget for this item because it is proposed to use balances in the Delegated Agency Account for this purpose and it is expected that sufficient funds will be available from that source this year. Specific provision will of course need to be made in subsequent years.

The plan has been announced. It has not been finalised, but there has been a great deal of talk about it. The following was published in the *Farmers Weekly* on the 3rd November, 1977—

Government acts on loans plan for farm water.

The Minister for Agriculture, Mr Dick Old, is understood to have been pushing strenuously for a quick decision on the loans scheme because of exceptionally dry seasonal conditions this year.

That will do a lot of good this year! I can tell members that. The article continues—

In his announcement the Premier said that under the modified scheme, loans would be offered for the establishment of dams, bores and/or catchment, and certain other water supply works, as specified in the previous scheme, up to a sum of \$5 000.

In addition, consideration would be given to special cases which required more than \$5 000.

Allowance had also been made for farmers who wanted to develop more than one major supply.

Sir Charles said the interest rate would be 7 per cent with a one-year interest and repayment “holiday” and repayment would be spread over the following seven years.

The interest rate would be reduced progressively in line with any fall in bank overdraft rates to a minimum of five per cent.

An initial allocation of \$1 million had been made this year and the Premier said the government would “react flexibly to the on-going need for funds.”

The Premier, in his 1977-78 Financial Statement stated that no more would be required this year, but more would be required next year. The article continues—

Repayments would be paid into a revolving fund to enable more money to be lent.

I will leave the article at that point.

I want to make two comments here. Firstly, the barrier has been lifted. The means test virtually has been relegated to a lesser degree of importance than it had before. Therefore the barriers to the comprehensive scheme are no longer to be considered in respect of a loan for a dam or bore. I would say right now this spells the end of any future expansion of the comprehensive scheme in Western Australia. In a few years' time we will look back and realise that the introduction of the dams in these areas, where dams have not been considered to be trustworthy because of salinity and so on, was the escape avenue. An amount of \$1 million a year at 7 per cent is to be provided for the establishment of dams on farms.

This is a marvellous scheme, but the farmers will pay for the upkeep of the dams. The Government will not have to pay for the water pipeline. It will not have to put down the pipeline alongside the boundaries of the farms; which pipelines have meant security for many years in the past.

I feel a great deal of concern and I believe every one of us should feel very sorry that this is in fact the end of the comprehensive water scheme. When there is no policy for the extension of any pipeline from the comprehensive water scheme, I cannot imagine that once dams are put in under this financial arrangement there will also be a water scheme.

Of course, once that is accepted as the trading point between the comprehensive scheme and the farmers' desire for water—and, I might add, towns and other resources—there will be a terrific demand on the fund; and the Premier has said \$1 million per annum will be allocated.

Not being a bright sort of chap, I might need some assistance from the Attorney-General who may be a better accountant than I am. I looked at the Auditor-General's report to see what money was available in the Government delegated agency and I noticed under the heading "Farm Water Supply"—which is surely the only avenue through which the \$1 million will be available—that the total amount provided so far is \$1 million; the amount advanced on loan is \$789 790; the principal held, which must be the difference, is \$210 210; the interest collected amounts to \$754, which must be the interest already accrued on the \$789 790; and the total cash held is \$210 964. Where in the name of goodness is the \$1 million which will be available? An initial allocation of \$1 million has been made this year.

In his Financial Statement the Premier said—

Provision has not been made in the budget for this item because it is proposed to use

balances in the Delegated Agency Account for this purpose and it is expected that sufficient funds will be available from that source this year.

I do not deny that there will be sufficient funds. The only difference is that instead of equipping 200 farms with 200 dams we will put down 42 dams at a cost of \$5 000 a dam. If that is to be the yardstick, we will be continually waiting to try get assistance for water supplies.

I believe much has yet to be done in respect of on-farm and country towns water supplies in the southern part of this State. Every year we see people leaving farms and country towns. They are not leaving simply because they want to go to the city. They are leaving because they want amenities and attractions, such as perhaps getting a little bit of water for the garden now and then, and having electricity without the need to crank up an engine at 11 o'clock at night if friends come in.

Sitting suspended from 6.04 to 7.30 p.m.

The Hon. H. W. GAYFER: I am sorry that one or two members are not present tonight because I now intend to speak about the closure of railway lines. I have been very intrigued during this session to listen to speeches made by various members about the imminent closure of railway lines, a matter which I believe arose originally from an article which appeared in *The Sunday Times* about a month ago.

I must admit that when I saw the article something seemed to ring a bell, especially when I read of the railway lines that were said to be under consideration for total closure. I have listened to the various speeches that have been made here and in another place in connection with the closure of railway lines, and I cannot help thinking that some people have very short memories.

In 1955 the report was brought down of an interdepartmental committee which was appointed to investigate the problems of road and rail transport. That report was noted by the Government of the day, which happened to be a Labor Government. The documents and the report compiled by that committee make very interesting reading. The report was compiled by three commissioners who were instructed to inquire into the matter, one of whom was Mr G. D. Leach, the Commissioner of Main Roads, and another was Mr A. G. Hall, the Commissioner of Railways. The name of the third commissioner escapes me at the moment.

It was decided that action in respect of that report would be commenced in the Legislative Assembly in the following year, 1956. In that year a motion was introduced by the then Minister for Transport, a gentleman who was well known for his very clear understanding of his portfolio and his insistence always when he moved a motion that he expected it to be carried. I am referring to the Hon. Herb Graham, who moved the following motion in the Legislative Assembly for the discontinuance of certain railway lines—

That in the opinion of this House, having regard particularly to the considerations referred to in Appendix "A" to this motion, the services provided by the railways listed in Appendix "B" to this motion should, notwithstanding certain other considerations, be discontinued and that such railways should cease to be operated.

Appendix "A."

- (1) The annual cash deficits of the State railways.
- (2) The condition of State railways generally and particularly of the railways listed in Appendix "B."
- (3) The need for improvements in the economical operation of the State railways, and for the concentration of railway resources to permit of all-round improvements in the cost of operating the railways.
- (4) The facts that the railways listed in Appendix "B" are unprofitable and that their rehabilitation and operation would involve heavy expenditure when compared with existing and anticipated future traffic on those railways.
- (5) The rising costs of operating railways.
- (6) The need to avoid, to every possible extent, any necessity to increase rail freights on the remaining railways, and to provide for the adequate rehabilitation and operation of the remaining railways.
- (7) The recovery of materials for use on other railways.
- (8) The availability and use of other means of transport.
- (9) The most satisfactory and economical employment of staff.

Appendix "B."

Railways.	Length of Railways. Miles.
Meekatharra to Wiluna	111
Cue to Big Bell	19
Malcolm to Laverton	64
Geraldton to Ajana	67
Wokarina to Yuna	38
Burakin to Bonnie Rock	76
Mukinbudin to Lake Brown	8
Lake Brown to Bullfinch	50
Bullfinch to Southern Cross	22
Boddington to Narrogin	51
Busselton to Margaret River	38
Margaret River to Flinders Bay	29
Elleker to Nornalup	61
Brookton to Corrigin	56
Lake Grace to Hyden	58
Katanning to Pingrup	59
Gnowangerup to Ongerup	<u>35</u>
	<u>842</u>

That made a total of 842 miles of railway line of the recommended total length of 1 532 miles, which was mentioned in the report to which I have referred. During the course of a subsequent speech, the Hon. H. E. Graham, then the Minister for Transport, made the following comments which are recorded on page 3069 of the 1956 *Hansard*—

To some extent I must repeat what I said when introducing the motion. Many people seem to find it impossible to accept the fact that a new form of transport has been born and that it has been proved. To hear some of those who protest, it would be imagined that the people in the areas concerned would be without transport or communication of any sort—in other words, that a heartless Government in Perth was going to cut them off entirely from contact with civilisation or alternatively that the charges that they would be called upon to bear would be so terrific as to impose a crippling burden upon them.

We can all indulge in flights of fancy; we can erect our men of straw and then have a certain amount of fun in trying to knock them over, but this is an important and serious matter to the whole of Western Australia. The railway system, unfortunately, is a mill-stone around the neck of the State.

Those were the words of the then Minister for Transport when he introduced what became known as the Railways Discontinuance Bill, which I am sure Mr Baxter will remember.

Mr Graham's motion was accepted in due course, but with the inclusion of a lengthy

amendment moved by the then member for Nedlands (Mr Charles Court). I will not read out that amendment because it is rather lengthy, and it is not necessary for me to read it at this stage.

Needless to say the motion which I have read out, supplemented with an amendment which deleted nothing from it, was carried. That motion was the result of agreement reached between Mr Graham and Mr Court at that time in the Legislative Assembly. Subsequently it was agreed by this House that the report should virtually be implemented.

I would remind Mr McKenzie that when the vote was taken in the Assembly the result was: Ayes 25, Noes 6. Unfortunately one of our members was away, so of our six Country Party members only five were present to vote against the motion; and a Liberal member (the Hon. Stewart Bovell) crossed the floor and joined the Country Party to vote against the combined Liberal-Labor forces in respect of the discontinuance and closure of 1 532 miles of railway line.

I have listened to debates in this Chamber all year, well remembering those circumstances. I did interject once, and Mr McKenzie said, "That was yesterday; we are thinking of tomorrow." That is quite true, but I am telling him that as a member of the National Country Party, and living in the area served by the now closed Corrigin-Brookton railway line, and knowing the economic importance of railway lines to our grain handling system in Western Australia, I am very much opposed to the closure of any railway lines which provide a service for agricultural commodities.

The Hon. F. E. McKenzie: Thank you.

The Hon. H. W. GAYFER: The other thing I would like to say is that there seems to be a strong rumour in country areas that a general closure of railway lines is to take place, and that it is to be brought about by the Government of the day. As a member of the Government, let me say if that is true then I am not being told what is going on.

I hasten to say that after listening quietly to the initial onslaught of the railway personnel who approach me in the various towns I visit, I always tell them that in fact the Labor Party joined with the Liberal Party to close railway lines in 1956, and it was the Country Party which stood against it. I remind Mr McKenzie and others of that fact.

The article in *The Sunday Times* makes interesting reading because it is a rehash of what was originally put before the Parliament and what originally frightened the country people in 1956 when that motion was passed.

The Hon. F. E. McKenzie: Possibly it would be an entirely different situation now. Perhaps you would now vote with the Labor Party.

The Hon. H. W. GAYFER: Naturally the honourable member says that because he is in Opposition now, but when his party was in Government and was considering the implementation of the recommendations of the interdepartmental committee it adopted a different attitude. I did not agree with that attitude then, and I do not agree with it now, because I do not think there is any substance in what is being said in country areas. Certainly some of the lines mentioned in the list on page 20 of the interdepartmental report of 1955 have been closed. However, let me tell Mr McKenzie that Westrail has been working hard on the upgrading of certain sections of the main Kulin line, which is one of those which was proposed to be closed. In fact, a total upgrading of that line from Narrogin to Kulin will be completed by December, and this will enable us to transport grain in trucks loaded to full capacity, and not with the 12.5 tonne limitation that applies at present.

I am not denying the fact that this railway needs a lot of upgrading and I also know the trucks require a great deal of attention. However, at the same time if there is any talk about the big bad wolf trying to close railway lines, let people remember that originally Labor members sided with the Liberals to implement the report to which I have referred, and it was the Country Party which stood against it.

THE HON. N. E. BAXTER (Central) [7.43 p.m.]: In addressing myself to the motion moved by the Leader of the House in respect of the Council taking note of tabled paper No. 245, I would like first to offer my congratulations to the Hon. John Williams on the speech he made a week or two ago explaining the situation of the Alcohol and Drug Authority and what it had achieved in the past few years.

I well remember, as Minister for Health in 1974, fairly early in my term in that portfolio the Hon. John Williams, Dr John Pougher, Mr Doug Coates (Secretary of the Medical Department), Mr Colin Lee and myself sat around a table in my office and discussed what we should do to commence the Alcohol and Drug Authority in Western Australia.

It was not an easy task to launch this authority. First of all we had to work out how we would proceed, and then we had to look to where we would obtain funds; in all, a terrific amount of work was required in connection with the establishment of the authority.

Thank heavens I had people such as those who attended that meeting, particularly the Hon. John Williams, to assist me when I was the Minister. At that time nobody else in Western Australia knew more about the subject and the situation than the Hon. John Williams. I can assure the House that throughout the period when the establishment of the authority was taking place he was an absolute tower of strength to me; and although he attributed much of the credit to me, the credit is mostly his. He did a wonderful job.

When it came to setting up the authority one could not do anything else but recommend to Cabinet that a man of the calibre and knowledge of the Hon. John Williams be selected as chairman of the authority. One dislikes to make political appointments, but this was not a political appointment as the Hon. John Williams was selected and elected as chairman of that authority because of his capabilities, his knowledge of alcohol and drug matters, and his association with the setting up of the authority to which end he had done a considerable amount of work.

There have been critics of the appointment of the Hon. John Williams to that position, but the work he has done in just over three years is a wonderful credit to him and he has shown that it was not just a political appointment. I know the long hours he has put into this authority and the great amount of trauma he has suffered as a result of the criticism. Nobody knew better than I and the Hon. John Williams that there would be problems with this authority, because we cannot mix together alcohol and drug dependants, psychiatrists, and others who have to deal with them, and expect them to go along on a smooth track. If one did expect that one would be a super-optimist because those who have been associated with these people—and I think the Hon. John Williams would agree with me—know that they can create one big headache.

I think what has occurred within the Alcohol and Drug Authority has been a credit to the Hon. John Williams, his colleagues, and those associated with the authority over the years. When the authority was formed in addition to the Hon. John Williams we appointed Mr Laurie Turnbull, Dr Arthur Newnham from the VD Clinic, and Dr Frank Farrelly from the Mental Health Services, as members to get on the authority a cross-section of people who were interested in the subject, who knew about alcohol and drug dependants, and who had devoted a lot of their time to the subject.

The Hon. John Williams told the House what the authority has done. One day I attended a meeting of 15 to 20 businessmen who comprised one committee alone to look at what could be

done about the effect of alcohol in industry. This is only one part of the situation because we have come a long way. Anybody who despises or criticises the authority—and such opinions have been voiced—needs to take a good look at himself, to think of what the authority has done in the intervening period, and to consider whether the criticism was justified.

I applaud the Hon. John Williams and thank him very sincerely for the great assistance he gave me and for the wonderful job he has done. I should like to see him carry on as chairman of the authority for some time until he feels he has found a worthy successor to take his place, because the job will not be easy for anybody.

I turn now to a different subject, although it is still connected with the medical field, and that is the hospital development programme. I spoke earlier in the session about the financing of hospital development. In the last day or so I received a copy of the annual report of the Public Works Department for 1977. I looked through the report to find the mention of hospitals, and on page 51 I found the following

The Queen Elizabeth II Medical Centre—Podium and Ward Block estimated value of electrical work is \$5.27 million.

I refer to an earlier part of the report which is headed, "Hospitals Design and Investigation Branch" under which the following appears—

THE QUEEN ELIZABETH II MEDICAL CENTRE

Development of this project continued during the year.

Projects under construction and completed were:—

Upgrading Emergency Centre
Department of Radiotherapy
Diagnostic Centre
Landscaping and Roadworks

Projects under construction and design:—

Podium Ward Block
State X-Ray Laboratories

Projects under briefing and design:—

Podium Ward Block
Services Block
Public Health Laboratories—North

I wonder what one of our recent Governors, Sir Charles Gairdner, would think of the omission of the name of the Sir Charles Gairdner Hospital from these references to works being undertaken for the Sir Charles Gairdner Hospital on the Queen Elizabeth II Medical Centre site. I have been rather intrigued by statements in the media

about the development of this project which invariably has been referred to as the Queen Elizabeth II Medical Centre rather than the individual organisations in the area which include the University Medical Laboratories and the State Health Laboratories. I should not like to see the day when we forget that the hospital was named after such a wonderful man who did such a wonderful job in this State, and for whom everybody in Western Australia has a very deep respect. I hope in the future that in such reports it will not be forgotten that the podium and ward blocks are being erected for the Sir Charles Gairdner Hospital complex because I know how I would feel if something was named after me, I was in the position of Sir Charles, and my name faded into the background. It was never intended that this should be so when the name was changed from the Perth Medical Centre to the Queen Elizabeth II Medical Centre. I know this because I was involved very closely in the change and had to take the matter up with the chairman of the trust, who is now the Chief Justice.

I raise this matter because I should like to see even the organisations within this centre mentioned in reports, and when members of the Press are reporting these matters I hope they keep in mind what I have said. If members look at the rest of the report they will find that all the other hospitals are mentioned by name, and they include the Fremantle Hospital, the Lakes Hospital, the Wanneroo Hospital, the Port Hedland Hospital, the King Edward Memorial Hospital, the Royal Perth Hospital, the Royal Perth (Rehabilitation) Hospital, the Moora Hospital, the Osborne Park Hospital, the Leonora Hospital, and the Rottnest Island Nursing Post. All those hospitals are mentioned in the report.

This is a very interesting report. I hope members, particularly the new members, can obtain a copy of it because in it they will be able to see the comprehensive development being carried out in Western Australia.

The hospital development programme this year was estimated originally, under the terms of the five-year plan, to cost about \$40 million. Because of the reasons I gave on a previous occasion that sum has been cut to about \$28 million, but I think the Government will have to find a little more money than that before the end of the financial year.

During the debate on this motion the Hon. Norm Moore referred to the Leonora Hospital and said that it did not appear that much progress had been made with it. I had a look at the Leonora Hospital during November, 1974, which was very early in my term as Minister for Health.

Admittedly it was in a fairly poor state. It is a very old timber-framed hospital and it was naturally in a very poor state, because of the climate and the age of the buildings. It did not cater for many patients but it was decided that we would see what could be done at Leonora, keeping in mind that many places in the State also needed to be upgraded. The first thing we had to do was build new nurses' quarters before anything could be done about the hospital. These quarters are now being finalised and the old nurses' accommodation will be bulldozed so that we can reach a position where the new hospital can be erected and the old buildings demolished.

Unfortunately before we could make much progress, although the plans were being drawn, the cyclone which struck Port Hedland cost the State about \$1.25 million; and a further cut in funds this year, particularly by the Commonwealth Government, makes it all the more difficult to proceed with the plans as originally envisaged.

Also on that topic we had a problem at Kambalda where there was no hospital but just a makeshift building to cater for the large population in that town. In addition, a hospital improvement was needed at Nannup; and there was a requirement for alterations to Norseman Hospital because of the mining that was going on. Those are only a few of the hospitals which needed upgrading.

If one looks through the Public Works Department annual report one will find that the amount of work being done is fairly great. It will give members an understanding of what the Government is up against in providing finance, plans, and everything else that is needed for the development of our Western Australian hospital programme, because it includes the huge developments being undertaken in the teaching hospitals, which improvements are needed to cater for the population by 1980.

I should like to comment on what the Hon. A. A. Lewis said in regard to the Donnybrook Hospital which is in the area he represents. During Mr Lewis' speech the Hon. V. J. Ferry interjected and said, "It is hard boiled!" Then Mr Lewis said—

For five years I have been endeavouring to get something through the Government's shell on the Donnybrook Hospital. I agree with the Hon. V. J. Ferry that it is hard boiled.

I do not think Mr Lewis put very much fuel on the fire on that occasion to boil the billy because the records show that he was elected to

Parliament on the 16th December, 1972, which is less than five years ago, and the only reference I can find to the Donnybrook Hospital during the time I was the Minister was on the 22nd October, 1975, when I received a deputation from the President of the Shire of Donnybrook-Balingup who was accompanied by Mrs Trigwell and Mr Bernie Langridge.

The deputation included also the Hon. T. O. Perry, the Hon. A. A. Lewis, and Mr T. Jones, MLA. From memory, I believe Mr T. Jones introduced the deputation. At that time it requested some improvements, but no major works, to the hospital. These were required mainly because it had not been used as a general hospital, but had been used for extended care patients. Most of these patients were geriatric patients, a term which we do not now use very frequently; it was used mainly for aged persons.

The request was for a day room/TV room and for more adequate toilets and showers to cater for the patients. There was at that time no suggestion that a redevelopment programme was necessary; but the deputation hoped improvements could be made which would give also more privacy so that three people would not have to be accommodated in one room.

There was also a problem in relation to doors not being of an adequate width to enable wheel chairs to pass through them and there was some difficulty in the bathroom with wheel-chair patients. At that time I stated, as Minister for Health, that I would have the building examined and the department would see what improvements could be carried out. As far as I am aware, no letters were received from Mr Lewis during my term of office.

At that time a great deal of work was going on in that province. Major additions were under construction at Katanning Hospital and many improvements were being carried out at Wagin. A great deal of money was being spent at Dumbleyung and money was being spent also at Collie.

The honourable member has not been neglected in his problems with regard to assistance in hospital development. I know the department as soon as possible will get to work on the Donnybrook Hospital, but it is a large programme and a much more costly one than the suggestion made by the deputation in 1975. At the present time I believe the estimated figure of \$750 000 will need to be spent to bring the hospital up to a reasonable standard.

There is only one other matter on which I wish to comment at the present time; that is in regard

to the St. John Aerial Ambulance Service. When I first heard about the proposal which involved Apex raising \$100 000 in order to buy an aeroplane to serve as an aerial ambulance, I was interested in the matter. At the first opportunity, I spoke to Mr John Manford, President of the St. John Ambulance Association. When I was at Government House one evening I asked Mr Manford whether he and his secretary or representative would like to talk to me and to the officers of my department about the situation. I was very concerned that in this State we had a Royal Flying Doctor Service operating from Jandakot, Kalgoorlie, Meekatharra, Derby, and Wyndham. I was particularly concerned with the service operating out of Jandakot where there are a number of planes, including Beechcraft Barons and pressurised Cessnas, which are already supplying an aerial ambulance service as required. I agreed that there was some necessity for an air ambulance to service areas where ground ambulances had to travel long distances. In this situation the ground ambulance could perhaps be replaced by an aerial ambulance.

However, nothing resulted from my approach to Mr Manford, so I made a second and a third approach. You, Mr President, know what happened at the third approach. Finally Mr Manford and the Secretary of the St. John Ambulance Association agreed to have a discussion at my office in Murray Street. They were accompanied by Dr Ozer. We discussed the whole situation. It was agreed a working party would be set up to discuss an integrated service operated by the St. John Ambulance Association and the Royal Flying Doctor Service. This was the only sensible way to approach the situation. It is all very well to buy an aeroplane, but somebody has to fly it; somebody has to service it; the money must be provided for the servicing; parts must be provided; and there are all sorts of costs involved. The St. John Ambulance Association is not sufficiently wealthy to provide the sort of money which would be necessary for an aerial ambulance service.

I believed that if we integrated the services we would have the assistance of the Royal Flying Doctor Service which already was set up at Jandakot with the necessary workshops, hangars, and mechanical services. The St. John Ambulance Association could have provided a pilot and the service could operate on an integrated basis. Unfortunately, a month or eight weeks after this meeting I was no longer Minister for Health and I was out of touch with the internal operations of the department. I am not aware of the situation in regard to the working party; but apparently one of

the participants involved was not willing to go ahead with the suggestion of a working party and an integrated flying doctor service.

When the Hon. Margaret McAleer was speaking on this subject I believe she mentioned she had been told that this service could be operated at a cost of 45c per kilometre or mile. I very much doubt that, because the State pays the Royal Flying Doctor Service at the rate of \$1 per mile. Discussions I have had recently with a certain person, who has a reasonable amount of knowledge of the service, indicated that there was no possibility of a service being operated at a cost of under 75c per kilometre or mile. I believe that figure is nearer the truth than the figure of 45c. Costs increase when it comes to overhauling and servicing these planes.

I am not sure whether the St. John Ambulance Association has bought a plane. I believe it charters a plane. I am not sure whether Apex has raised \$100 000 for the plane; but this is the situation. I am hoping that the parties will get together. By the "parties" I mean the department, the Royal Flying Doctor Service, and the St. John Ambulance Association. I hope they will discuss the concept of an integrated service.

The Royal Flying Doctor Service is carrying out emergency flights. The new aerial ambulance of the St. John Ambulance Association is carrying out flights which are not urgent. I cannot find out on what basis it is operating. It appears that some of the flights are not urgent. The Government pays the inter-hospital costs for any patient who has to be transferred from a country hospital to a city hospital; therefore, the Government is the one which will be paying the piper in this case.

I have been told that there is a stage where it becomes uneconomic to operate an air ambulance service. I believe it is uneconomic to operate such a service inside a 200-mile radius. If the Royal Flying Doctor Service starts flying people who are only 100 miles away, it will find it is operating a very expensive service for which the Government is asked to pay. These are the sorts of things which should be considered.

I hope the parties will get together and discuss the situation. A working party was set up and endeavoured to reach some agreement in order to provide an integrated service. It is all very well for the St. John Ambulance Association to say, "We run an air ambulance service", but if three or four cases are urgent at one time it is not possible to carry them on one plane. It will be a long time before the association has enough planes to carry out a full service where, if there is a serious accident or a serious illness, people may be

transferred to a hospital from a remote area. At the present time the only service available to do this is the Royal Flying Doctor Service which has the planes at its disposal. It is very clear that an integrated service is necessary. Two separate services would be very expensive for this State to run. I support the motion.

THE HON. G. C. MacKINNON (South West—Leader of the House) [8.10 p.m.]: I thank honourable members for their contribution to this motion over a reasonably lengthy period. Members would, of course, understand that I do not intend to answer the points they have raised over such a long period. Nevertheless, a number of the points raised have been forwarded to the departments concerned, and I hope some members have actually received advice in one form or another from those departments. Those who have not will probably receive notes in due course.

Members have availed themselves of the opportunity to speak on a very wide variety of subjects and a number of the points raised were very interesting indeed. One of the matters raised excited the attention of both the Hon. D. J. Wordsworth and myself in different capacities. It has been mentioned several times in both Houses of this Parliament; that is, the use of emission control devices on vehicles. These devices were installed with a great degree of enthusiasm a few years ago and they are now beginning to have their effect on cars. On some of the bigger and heavier cars there is good reason to believe that they are having a fairly marked effect on the mileage per gallon and the power output of the vehicle.

People who drive very small cars tell me the emission control devices seem to make very little difference. Indeed, one or two people have told me they actually improve the mileage per gallon. I do not know about that. I know that people to whom I have spoken who drive big cars are quite sure they do fewer miles to the gallon. Frequently the mileage per gallon is markedly less and the acceleration is drastically reduced.

There is also a very real feeling that as time goes on by, and the motors wear and the emission control appliances become older, they will become far less effective. Another problem is starting to rear its head and that is the general wear and tear on the car seems to be accelerated; it seems to take place at a much greater speed than was usually the case.

The difficulty with all these situations is they are so hard to prove. The people who use the cars are fairly sure that what they complain of

actually happens. Friends of mine who live in the country and own agencies for vehicles tell me they are plagued to death by people who buy new cars, then bring them back and say, "I do not get as many miles per gallon as I should. I do not get the acceleration I should get." If they have had that car for a year or so they say, "This car costs me a lot more to maintain; it is noisier; it smokes more." The difficulty is to prove these things scientifically in order to determine that the emission control devices are working as they are supposed to work.

The angriest people, of course, are those who live in the country areas where the small amount of pollution does not matter a great deal. In fact, in country towns people enjoy the smell of petrol fumes because it means there is someone else in the town. That might be a slight exaggeration. One can understand the very real desire to have emission control devices in San Francisco and Los Angeles, areas which are notorious for their chemical smog. However, that certainly would not apply in the Hon. Bill Withers' electorate, say at Halls Creek. Indeed, it does not apply to a great extent anywhere in Western Australia, because we live in a very windy part of the world and most of the pollution is either 70 miles out at sea or 70 miles inland over the desert within about 24 hours.

This is a matter which is raising its head and it is something we have to look at. It is more than a superficial worry. We spoke earlier during this session on a motion dealing with uranium during which some pointed comments were made about our energy resources and about our oil supplies running out. This is one of those situations where conservation is opposed to environmental control because we must, of course, conserve our oil resources and at the same time we must protect the environment. This is an area where we could be in conflict.

That is only one example of the very interesting matters which were raised. On a couple of occasions we listened to the Hon. John Tozer, who also spoke on this motion. The Hon. N. E. Baxter referred back to his three years' experience as Minister for Health. The Hon. H. W. Gayfer, this evening, spoke on a subject dear to his heart—transport. We know, of course, that he has an encyclopaedic knowledge of the subject because of his position as Chairman of Co-operative Bulk Handling, and the transport difficulties that organisation has to face in transporting the colossal wheat harvest in this vast State of Western Australia.

I repeat that whilst I am not in a position to answer all the matters raised, most of the points

which members would expect to be answered have been sent on to the responsible Ministers. Not everything which has been mentioned has been referred, because sometimes a member expressed an opinion or stated a point of view in order to have it recorded in *Hansard*, so that it could be quoted by that member or by other people at some future date. A selection of the items raised has been sent forward where it is considered an answer is necessary.

I thank members, and I trust they will vote in favour of the motion.

Question put and passed.

ELECTORAL ACT AMENDMENT BILL | (No. 2)

Assembly's Message

Message from the Assembly received and read notifying that it had rejected the Bill.

BUSH FIRES ACT AMENDMENT BILL

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

BILLS (7): RETURNED

1. Marine Navigational Aids Act Amendment Bill.
2. Western Australian Marine Act Amendment Bill.
3. Taxi-cars (Co-ordination and Control) Act Amendment Bill.
4. Marketing of Eggs Act Amendment Bill.
5. Workers' Compensation Act Amendment Bill (No. 2).
6. Criminal Code Amendment Bill (No. 3).
7. Off-shore (Application of Laws) Bill.

Bills returned from the Assembly without notice.

PARLIAMENTARY SUPERANNUATION FUND

Financial Statement: Tabling

THE HON. G. C. MacKINNON (South-West—Leader of the House) [8.20 p.m.]: I desire to lay upon the Table of the House the Parliamentary Superannuation Fund Financial Statement for the year ended the 30th June, 1977.

MINING BILL*Second Reading*

Debate resumed from an earlier stage of the sitting.

President's Ruling

THE PRESIDENT (the Hon. Clive Griffiths): Honourable members, I am now prepared to give my decision on the question raised by the Leader of the House with regard to the legality of the introduction of the Mining Bill.

The Leader of the House has asked for a ruling as to whether this Bill is one which requires a Message from the Governor for the appropriation of revenue.

To impose a charge on revenue, a Bill must contain a provision for the actual appropriation of money. It is not necessarily an appropriation if expenditure appears to be involved in any proposal, as the funds may be provided from an existing vote contained in the Appropriation Act or another relevant Act.

I have studied the Bill, and I can find no specific provision for the appropriation of revenue, but I believe that if this Bill were to be passed it would not be possible for the administration it proposes to be set up without a separate appropriation of funds.

It so happens of course that the annual Appropriation Bill has already been passed earlier in the session and a study of that Bill reveals that it contains the necessary funds for the Mines Department to function, so that the separate appropriation exists.

I have come to the conclusion that this Bill does not, in itself, appropriate revenue, and I rule it to be in order.

In giving this ruling I wish to say that a study of the records shows that Bills providing for the setting up of various types of organisations have been introduced and passed without being supported by a Message from the Governor. I mention two of these; the Inspection of Machinery Act of 1922, and the Supreme Court Act of 1935. In these, as in the Bill now before the House, the necessary funds were provided in the Appropriation Act, and no recommendation from the Governor was necessary.

Debate Resumed

Debate adjourned, on motion by the Hon. G. C. MacKinnon (Leader of the House).

Sitting suspended from 8.25 to 9.41 p.m.

BILLS (2): RETURNED

1. Land Act Amendment Bill.
2. Liquor Act Amendment Bill (No. 2).

Bills returned from the Assembly without amendment.

ADJOURNMENT OF THE HOUSE: SPECIAL*Complimentary Remarks*

THE HON. G. C. MacKINNON (South-West—Leader of the House) [9.42 p.m.]: I move—

That the House at its rising adjourn until a date to be fixed by the President.

In moving this motion I come to the point where it is customary for the Leader of the House to reflect upon the session which is about to conclude, and to convey appreciation and good wishes to all concerned in the operations of Parliament House in general, and in the workings of the Legislative Council in particular. It is an accustomed practice which I am only too pleased to follow.

It could be argued that this has not been a very heavy session in comparison with some recent years. Nevertheless, some 83 Bills have been dealt with—30 of which originated in this House. A total of 72 Bills have been passed, four have been defeated, one has been laid aside, one has been adjourned, and several others have been allowed to lapse.

At the risk of inviting comment to the contrary, I believe that with relatively few exceptions the legislation dealt with was well received and I would like to record my thanks to both Government and Opposition members for their contributions to the debates throughout the session.

I believe the experiment we continued with regard to speaking to the Budget papers worked particularly well this session, and I was very pleased with the response to that procedure.

The changes which have been made to the Standing Orders with respect to procedure in dealing with Bills and the Budget papers has meant a marked reduction in the time spent in certain formalities. This has been achieved without any detriment to the consideration of those measures which have been received and, in fact, has provided us with more time to consider them seriously.

This is the first time these changes in procedure have operated. The changed procedures together with the degree of co-operation the Leader of the Opposition and his colleagues have been prepared to grant, have enabled this Chamber to conduct its business efficiently and with a minimum of delay.

I particularly want to acknowledge the co-operation which has been apparent. Whilst we can

disagree as forcefully as ever, with the knowledge of what is happening we do manage to get through the work in a better manner. I hope we have, anyway!

I would like to acknowledge the point raised by certain Opposition members recently with regard to difficulties sometimes experienced in their endeavours to research and speak adequately on Bills.

I appreciate that at times the business of the House does tend unintentionally to become rushed and, with limited numbers on the Opposition side, proper and considered debate on their part is virtually an impossible task. I appreciate that.

Let me assure all members that the spirit of co-operation as far as possible will remain readily available from this side of the House. If members will indicate their interest and intention on any particular Bill before the House, I am sure suitable arrangements will be undertaken.

The closing days of a session of course invariably bring about unavoidable pressures on both sides which, of necessity, will always remain with us. We just have to live through those difficulties and we always manage to, albeit occasionally with slightly frayed tempers.

A great deal of the legislation dealt with this session can be regarded quite rightly as machinery measures attracting little debate. However, there have been a number of items of public interest and benefit involving community welfare, health, child welfare, and not least, a further step towards the complete abolition of death duties.

I do not wish to elaborate on this session other than to say in its first eight months in office the Government is satisfied with its achievements towards the implementation of those matters of policy which were enunciated at the recent election.

Mr President, for the first time you have had the privilege of witnessing a session of Parliament from a higher place than that to which you were previously accustomed, and no doubt your comments on the proceedings of the past few months will better reflect those events for the benefit of members.

You have presided over this Chamber with a degree of excellence which augurs well for the future. You have maintained the discipline and dignity of the House with great credit to yourself and I am sure, to your predecessors. We congratulate you on a job well done, and I wish to convey to yourself and Mrs Griffiths very best wishes for continued good health and happiness.

To my ministerial colleagues in this Chamber, I would like to record my thanks for their support. Several members of this House are worthy also of special mention for their efforts on the various committees.

The Chairman of Committees (the Hon. V. J. Ferry) has filled the position most ably, with assistance from his deputies, the Hon. John Williams, the Hon. Don Cooley, and the Hon. Tom Knight. No doubt members will join with me in a vote of thanks for their contribution to the conduct of the business of the House.

Those members who are associated with the Standing Orders, House, Library, and Printing Committees will forgive me if I do not go through the whole list of names. Nevertheless, I express the appreciation of myself and this House for their contribution.

May I extend my appreciation for the co-operation of Mr Dans and his colleagues, and I express also my best wishes to them for the festive season.

We all know the value of a good Whip, even if we learn the hard way. I record my appreciation to the Hon. Gordon Masters for his active support. Of course it has become something of a joke in this House to refer to the special sort of shop steward we have, and at least we can always get an argument about cricket when we are playing the English.

Mr Masters has been very supportive to me in this, my first period as Leader of the House, and I have appreciated that.

I now come to the officers of the House without whom this place would not be possible. Their attitude makes our whole job so much easier. For many years now we have been favoured by a great team of officers in this Chamber, headed by the Clerk of the Council, (Mr John Roberts). Unfortunately Mr Roberts is fast approaching the age of retirement and it is noticeable that officers seem to retire at a younger age all the time. It may be that as we grow older they seem younger. I understand that Mr Roberts will be retiring, and it is to his credit that we can anticipate continued strength and stability which devolves from his teachings and fine example to those who will carry on after he has left us. Of course we will have the opportunity at a later stage—although not in this session—to speak about that particular subject. I will take the opportunity to speak at that time.

I must thank the House Controller (Mr Bernie Edmondson) and his staff, and Mr Jim Cox and the *Hansard* staff. I must thank also the telephonists, the secretarial staff, the police, and

the Press, all of whom play their part so that we may work here in a comparatively undisturbed fashion. We are all aware that jobs are not done simply by the waving of a magic wand, but by very good staff. It shows good management that so many tasks are accomplished without our noticing.

It would be stretching the imagination for me to imply that on the closing of this session of Parliament we can all look forward to a break and relaxing in that atmosphere of goodwill which should prevail at this time of the year. We all jokingly ask fellow members when we come back, "How was the holiday?" We happen to be engaged in a business—politics—where one is hard put to have a complete break unless one goes overseas. However, such is the proclivity of Australians to travel now that wherever we go we are almost certain to meet someone we know who wants to talk about politics.

I never cease to be amazed that we are lampooned from one end of the country to another. Nobody ever lets us get away from our work. Perhaps if we did we would be the ones to be disappointed.

On a personal note I would like to thank honourable members for the help I feel I have had in my new role this year as Leader of the Government in this Chamber. It is a very great honour and one which I would be less than human if I did not openly admit that I have enjoyed. I have enjoyed it the more because I felt that I perhaps have had a little more support than I may at times have deserved. I have felt that support, and I have felt at least the co-operation of those to whom I do not look for help. Co-operation is a great thing to have and I believe we are the better for it. Perhaps we can debate things, not with less acrimony, less heat, or less point, but certainly to more purpose.

Mr President, from my wife and I, I wish everyone good health and happiness, a happy Christmas and a prosperous New Year.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [9.54 p.m.]: I would like to support in general the remarks made by the Leader of the House. I have not had the good fortune, as Mr MacKinnon had, to prepare speech notes.

First of all, Mr President, I would like to congratulate you on conducting this House in a very efficient manner and with an even hand. Observing other people's functions, not only in Parliament but indeed in every walk in life, we believe that their task is fairly simple until the time arrives when we have to perform that task.

We then realise all the problems that accompany it and that, Sir, is an approach you must live with every day of your life.

Being a member of Parliament of course bestows on one very great privileges. Everyone here would agree, and particularly the new members, that the obligation not only in the Parliament but in every walk of life outweighs the privilege. Indeed in any walk of life that bestows some privilege, on many occasions the obligation outweighs the privilege. As a member proceeds in the parliamentary scene, he comes to realise this more and more. The same thing applies not only in Parliament but also in the areas of commerce, industry, and unions. However, I am not here to talk about that tonight.

I would like to pay particular tribute to all the staff of Parliament. I will not name them one by one, although I will refer to some of them, including Mr David Stephens, whose wine club I have the honour to belong to even though I forget to pay my dues from time to time, and when I receive a bill it is rather frightening! I mention this club because it is one indication of the spirit that prevails in this place.

I would like to thank the Clerks of Parliament, and in particular Mr Roberts, who I believe may or may not retire before the next session. I well recall that when I entered Parliament, along with Miss Elliott and others, Mr Roberts conducted a class because many new members entered Parliament at that time. Perhaps I am quite incorrect in referring to it as a class, but Mr Roberts arranged for a talk in this Chamber and even the controller came along to speak to us.

I can remember the advice and the words of wisdom that were given to us by Mr Roberts and other members of the staff of Parliament, because they have stood me in good stead, even to the extent of informing us to write letters. I was not particularly naive at that time, but we were given helpful information about how to write letters to Government departments. There should be more of this type of thing.

I believe that our democratic system is under great challenge today, as indeed it should be. Members have heard me talk on this matter before, but I would not want to see it changed. However, I think the methodology must be changed in the future to fit in with the concept of a free-flowing society. Perhaps we spend too much time on trivia, and not enough time in making decisions.

I make those comments because we are a very small Opposition numerically. I have said previously that even if there were only one of us,

that one would still be putting forward the view of the minority.

In the future, whichever party is in government, I would like the Government to look very earnestly at the committee system of dealing with legislation. Mr Ashley, who visited Westminster recently, will be aware that every Bill in that Parliament goes to a committee before it is introduced in the House of Commons. It would not be unusual, and certainly it would not be unwise, for us at least to examine such a system even if we do not adopt it overnight.

Having made those comments, I will not continue in a philosophical manner. However, I would like to thank everyone in the Parliament of Western Australia for their co-operation and help, for the friendship that has been displayed in this place whether—and I use the term jovially—by friend or foe. After all, one of the great attributes of our system is that we have Parliament by argument. We win some and we lose some!

There is a great deal of comment today that that system will not prevail. However, it has served us reasonably well in the past and I suggest that with a few minor changes it will serve us well in the future.

Certainly, I did not come here to dislike or to ridicule people. I have said on many occasions that I would defend, to the best of my ability, the right of anybody to hold and to express any opinion that he has, and I certainly still hold that view.

I have just been handed a note, "Don't forget your colleagues." I did not intend to forget my colleagues. However, I will come to that in a moment.

It is reasonable to think that we are English-speaking people, and that we voyaged to the four corners of the earth taking the English language with us. With it, we took a certain amount of culture and thinking. We should be very proud of the fact we have been able to take these things we were so fortunate to get together, and to implant them in the minds of other people.

If we look around the world today, although we did a lot of bad things in the days of colonialism, we see the emergence of the third world. Do not let us forget that. The world is not going to be the same place 10 years from now as it is today, and despite the fact many of those countries have—if I may use the word, Mr President—socialist Governments, on many occasions they are socialist Governments based on the Westminster system. So, we have done a great deal of good in our voyage to different areas of the world.

I wish to thank very sincerely my nine

colleagues on this side of the House. We have one member who has determined he will be an independent, but he is still a very firm friend of mine and still votes with us, so I include him. I thank my colleagues for the dedication and application they have shown to their various tasks throughout the year. I cannot speak for future leaders on this side of the House, but I could not have wished for better co-operation, for a better contribution, or for more loyalty from any of them, and I thank them quite sincerely.

My colleagues, one and all, have been sincere in their dedication to the Labor Party; they have been forthright in their contributions to the debate in this House; and they have been loyal to me and to one another. If a person can claim that, he is an extremely lucky man. It is only by chance I am the leader; there could be another leader on this side any day of the week. Though small in number, our contribution to the debate has been very good—in fact, second to none. The Opposition has contributed in no small way to the efficient operation of this House.

I agree with the Leader of the House that most of this session has been concerned with machinery-type Bills. To me, this represents the slowing down of the kind of euphoria we have been in for some years. We are now settling down to tackle some very stiff problems which rhetoric and publicity will not solve. They will be solved only by legislators thinking very deeply about their responsibilities, and I hope we are equal to the task.

In conclusion, Mr President, I should like to wish everyone a very happy Christmas, and a prosperous, fruitful and peaceful New Year. That includes the Clerks of the House, the attendants and last, but not least, the people who serve us in the dining room, who come in for all kinds of criticism from time to time but without whose support this House would not function. Indeed, my good wishes go to everyone who contributes to our system of government, whether he be the person at the front door, the person down below washing the dishes or whoever it may be; they are all playing their part.

The Hon. R. F. Claughton: Do not forget our poor long-suffering wives.

The Hon. D. K. DANS: As Mr Claughton reminds me, I should not forget our wives. I suppose we must make our peace with them ourselves; certainly, nothing I say here will impress them very much. The wives of members of Parliament often lead a very lonely and sometimes frustrating existence. They do a great job in supporting their husbands.

The Hon. Grace Vaughan: I think you should be talking about the spouses of members of Parliament.

The Hon. D. K. DANS: That is so. I am a male chauvinist pig; I suppose that is the way we are bred and it takes some time to get used to the new order. I really should refer to the long-suffering spouses of members of Parliament, all of whom must put up with a great deal.

I have great pleasure in supporting the remarks of the Leader of the Government in the Legislative Council.

THE HON. H. W. GAYFER (Central) [10.05 p.m.]: As one of the senior members of our small band of National Country Party representatives, speaking from what I referred to earlier in the year as "donkey's corner" I feel it would be wrong if I did not respond to the remarks of the Leader of the House and the Leader of the Opposition.

In particular, Mr President, we should be primarily concerned with complimenting you on the excellent example you have shown us during this session. I believe you have grown in stature. I certainly knew you had it, and I believe we have learned a lot from the manner in which you have conducted the proceedings.

The Leader of the House, of course, is our guiding officer in this place; we thank him as the Leader of the House, and we thank his ministerial colleagues. Possibly we have given him a few anxious moments; we apologise for them, but that is just the nature of our breed.

I wish to compliment the Leader of the Opposition, as I always do. It is a pleasure to listen to him speak in the debate; he handles his debate exceptionally well, particularly when he is speaking on a subject on which I agree with him.

The Hon. D. K. Dans: At least you are honest!

The Hon. G. C. MacKinnon: I thought you were going to say, "on a subject he knows something about."

The Hon. H. W. GAYFER: The Whips of the parties have done a very good job throughout the session, as have the members who have supported us and those with whom we have had to wrangle.

It is a great privilege to sit in a House of Parliament and I believe each and every one of us should be thankful we have been given the confidence of our electors to come here and do our best to represent them. I believe we should be honest to ourselves; that is the main thing in life to expect from a member of Parliament and I believe that is all people expect of us. I have always said that if a member of Parliament or, for that matter, anyone in the community, can go to

sleep at night without a worry on his shoulders and wake up refreshed in the morning, he knows he is doing a good job in his particular field.

People in the outside world seem to think our work starts and finishes with the debates in this House, but the greater part of our work is carried on outside this place; we do many a good day's work when the House is not sitting. Here, of course, we rely upon the good services of the presiding officers and their staff.

I refer firstly to the Clerk of the Council (Mr Roberts). I hope he does not intend to retire before next year; in fact, I think he will still be with us next year. I thank also the Assistant Clerk, the clerk assistants, the attendants, the messengers and everybody else who looks after us. I thank the *Hansard* reporters, members of the Press, and the controller and his staff.

Tonight we were given the traditional diary—a tradition which was not observed in the Legislative Assembly when I was a member of that Chamber. Possibly, it is one of those niceties of life one comes to expect in this Council in which we are privileged to sit. I thank Mr Roberts and his clerks for that little nicety, and the way they observe this tradition; we certainly appreciate it.

It also is quite an experience—having worked in a House which had no members of the opposite sex—to find four females sitting in this House. That really makes my day; the four of them have been quite magnificent. There is no doubt they have their own original ideas, but I would not like to see too many more of them; however, I am quite prepared to accept the four we have. They are doing a very good job and certainly pull us into line at times.

Like Mr Dans, I extend my good wishes to our spouses. He said our wives lead a frustrating life at times; I am sure there are some husbands of members who would lead equally frustrating lives on some of the occasions when we sit all night!

Mr President, I believe we should think back and reflect on the session which is about to conclude. I think it was Banjo Patterson who said "For good undone, deeds mis-spent, and resolutions vain". That is about it; we have done our best. We have adjudged legislation as we saw it. We have tried to give an honest opinion in respect of anything placed in front of us. I would like to hope that this House of Review will continue to do so.

Finally, I believe it is my privilege to offer on behalf of my National Country Party colleagues, whose assistance I have greatly appreciated during the year, our sincere best wishes for the

Christmas that shortly will be on us—they seem to appear so often when one is a member of Parliament—and a bright and prosperous New Year. We certainly hope all members will have a chance to spend some time with their dear ones. I think this is one of the bad points about parliamentary life; one spends so little time at homes with one's family and friends. Next year, as the Hon. Tom McNeil might say, let us come back here and get into it. In the meantime, it is nice to know nice people and, in particular, Mr President, it is nice to have served under you.

THE HON. V. J. FERRY (South-West) [10.12 p.m.]: It gives me a lot of pleasure to add my few words to the remarks made by the Leader of the House, the Leader of the Opposition, and the Leader of the National Country Party.

Firstly, to you, Mr President, I thank you for your superintendence during the session now drawing to a close. Some of us found ourselves in new positions this session. I found myself as Chairman of Committees in which capacity I particularly want to thank my deputies, the Hon. R. J. L. Williams, the Hon. T. Knight, and the Hon. D. W. Cooley for their ready assistance and co-operation at all times.

I extend my thanks to the Leader of the House, the Ministers and all members for their co-operation over the last few months. The complete co-operation of the House has been evident at all times, for which I am very grateful. I believe the working of the House at all times has been of a very high level and I am sure this is only because of the understanding and co-operation between each and every member, most ably assisted by the officers of the House.

I especially would like to thank the staff of *Hansard*; I think they deserve some sort of recognition. I do not know whether we could strike a special medal for them in this Silver Jubilee year, but they have a most difficult time on occasions in this House and I am sure they have our respects for the job they do and the good humour with which they go about their work.

I should like to add my best wishes to everyone for a very happy festive season and I look forward to the session ahead in the new year with a great deal more confidence than I had at the beginning of this session as Chairman of Committees.

I conclude my remarks by thanking—as did Mr Gayfer—the officers and staff of the House for the annual gift which has become somewhat of a tradition in this place. I refer to the diary, which is appreciated by all members. I thank everybody for their help, and wish them well for the festive season.

THE HON. R. HETHERINGTON (East Metropolitan) [10.15 p.m.]: I hope it is not thought presumptuous for a new member to speak on this occasion but it is because I am a new member that I wish to speak. When new members are elected to this place—and in some ways I have been newer than most and busier than many—they can make fools of themselves if they are not careful; and we are very reliant not only on the officers of this House who have done me and people like me sterling service—and for this I thank them—but also on you, Mr President, for your quiet and kindly guidance which is sometimes unseen by people other than the new member.

I should also like to thank the members of this House, not only my colleagues behind me who have given me great assistance, but also members opposite who in many ways have been of great assistance to me and, I am sure, to all other new members, not only for the harsh lessons they have taught us but also for the quiet lessons they have taught us when they signalled that we were perhaps about to do something foolish and prevented us from making more gaffs than we otherwise would have made. In this way I found the House to be extremely tolerant and I am grateful for that, and I add my thanks to all those people whom everybody else has thanked.

I was tempted to move an amendment to this motion that we adjourn until the 24th December so that the Leader of the House could give me a Christmas present by reading my Bill, but it seems hardly appropriate. Instead I shall wish him and everybody in the House the compliments of the season, and I look forward to a vigorous battle next year.

THE PRESIDENT (the Hon. Clive Griffiths): Honourable members, before I put this motion I should like to thank the Hon. Graham MacKinnon, the Hon. Des Dans, the Hon. Mick Gayfer, the Hon. Vic Ferry, and the Hon. Robert Hetherington for the very kind remarks which they have made about me personally; and I also thank them on behalf of members of the staff to whom they also directed their compliments.

As President of this Legislative Council for the first time, at the beginning of the session I approached the position with some trepidation. Due to the co-operation that has been extended to me by all members from both sides of the House, I should like to think that we have had one of the most successful sessions of Parliament in my time in the House; and it is a compliment to each and every member of the House that I am able to say that.

To the Clerks I owe a very great debt of gratitude. I refer particularly to Mr Roberts who, as we all know, has no peer in his knowledge of the proceedings of this House; and his wealth of information with which he assists your President is greatly appreciated. Mr Ashley, the Clerk Assistant, has been a great tower of strength to me also, as has Mr Hoft who was Acting Clerk Assistant for a great length of time. I am very appreciative of the way in which he helped me and the very tolerant manner in which he put up with my constant requests for advice and information in those early weeks.

All members of the staff have my sincere appreciation. I should like to express particular appreciation to my secretary who again saw fit to put up with me and carry out the work on behalf of the constituents whom I represent.

Mr Ferry indicated the debt of gratitude that we owe to the *Hansard* staff, and I share those sentiments. I do not know whether we can accede to his request to strike a medal for them because that would require the appropriation of funds and I am sure members would agree that we are not in a position to do this! However, we are entitled to express our appreciation to them.

On behalf of my wife and myself I should like to extend to each and every one of you and your families the very best wishes for a very happy Christmas and a healthy and prosperous New Year.

Question put and passed.

House adjourned at 10.20 p.m.

QUESTIONS ON NOTICE

MEEKATHARRA-MULLEWA RAILWAY LINE

Report

251. The Hon. F. E. McKENZIE, to the Minister for Transport:

Will the Minister table the report on the Mullewa-Meekatharra railway line as compiled for the Government by Maunsell and Partners?

The Hon. G. C. MacKinnon for the Hon. D. J. WORDSWORTH replied:

Yes. I have pleasure in tabling Maunsell and Partners report.

(See Tabled Paper No. 362.)

RAILWAYS

Dongara-Eneabba

252. The Hon. F. E. McKENZIE, to the Minister for Transport:

- (1) On what date did construction of the Dongara-Eneabba railway commence?
- (2) What was the date of its completion?
- (3) What was the weight of the rail used?
- (4) Were the sleepers used suitable for conversion to a standard gauge railway line?
- (5) Excluding buildings, what was the total cost of construction of the line?

The Hon. G. C. MacKinnon for the Hon. D. J. WORDSWORTH replied:

- (1) 12th November, 1974.
- (2) 30th April, 1976.
- (3) 82lb per yard.
- (4) Yes.
- (5) \$7 291 106.

QUESTIONS WITHOUT NOTICE

HIGH SCHOOL

Swan View

I. The Hon. LYLA ELLIOTT, to the Minister representing the Minister for Education:

- (1) In view of the fact that structural and other provisions are being made at Hollywood, Willetton, and Wanneroo High Schools to enable physically handicapped children in the western, southern, and northern suburbs to be accommodated at those schools, will the Minister assure me that the same facilities will be made available at Swan View High School; namely—

- (a) ramps to enable access to all ground level rooms;
- (b) toilets specially designed to accommodate a wheel chair; and
- (c) the organisation of an appropriate range of subjects in ground floor level classrooms to provide a wide variety of options to handicapped children?

- (2) If not, will he explain the reason for the discrimination against the children of the eastern suburbs?

The Hon. G. C. MacKINNON replied:

I thank the honourable member for advising my colleague, the Minister for Education, of her intention to ask the

question. He has been able to supply me with the following answer—

- (1) Yes.
- (2) Not applicable.

PRE-PRIMARY CENTRES

Funds and Non-Government Schools

2. The Hon. R. Hetherington (for Hon. R. F. CLAUGHTON), to the Leader of the House representing the Minister for Education:

Further to my question of 9th November, 1977, regarding payments for pre-school age children, will the Minister advise—

- (1) If the amount of \$110 per capita for independent schools is also paid to centres operating under the Pre-School Board?
- (2) If not, what are the various payments made in respect of children attending these centres?

The Hon. G. C. MacKINNON replied:

I thank the Hon. Roy Cloughton for giving my colleague, the Minister for Education, some notice of this question. He has supplied the following answer—

- (1) No.
- (2) Salary costs for teachers and aides are paid in full for five year old children. In a centre with fifty children this assistance is approximately \$346 per child per year.

KIMBERLEY ELECTION

Telegram

3. The Hon. D. K. DANS, to the Attorney-General:

- (1) Is the Minister's statement as reported in *The West Australian* of the 12th November, 1977, an accurate account of the events relating to the dispatch of a telegram to the presiding officers in the Kimberley?
- (2) If so, will he table the original cable presented to him for scrutiny together with any covering documents requesting his advice?

The Hon. I. G. MEDCALF replied:

I thank the honourable member for telephoning this message through to my office, which is slightly different in form from the question he now asks. However I think the difference is irrelevant. The answer to the original question is—

- (1) I refer the honourable member to the statement which I made to the House on the 10th November, 1977, which is an accurate statement as to my involvement in this matter.
- (2) I have not made a detailed comparison of the newspaper report with my statement to the House. I assume the reference to the cable is a reference to the telegram. I have never had any papers or other documents in connection with the telegram. The Crown Solicitor produced a draft of the telegram which we settled together. If the final form of the telegram was changed from the original draft it was in minor detail only. No original draft or copy was retained by me or the Crown Solicitor. I assume the only copy of the text as settled is held by the Electoral Department. This was produced to the Court of Disputed Returns.

MINING

Diamond Exploration in the Kimberley

4. The Hon. LYLA ELLIOTT, to the Leader of the House:

I apologise for not having had a chance to give the Minister any notice of my question. I did want to place it on the notice paper for tomorrow.

- (1) Is it true, as the Aboriginal leader Mr Jack Davis has claimed at the meeting just held outside Parliament House, that the Government is anxious to amend the Aboriginal Affairs Planning Authority Act, to clear the way for mining, including diamond exploration, in the Kimberley?
- (2) Will the Leader of the House assure the House that no member of the Government holds shares in any of the mining companies now seeking diamond exploration permits in the Kimberley—Conzinc Rio Tinto Australia, Stockdale, or Dampier Mining?
- (3) If the Leader of the House is unable to give the information today, would he undertake to obtain and supply it to me?

The Hon. G. C. MacKINNON replied:

- (1) to (3) In answer to part (3) of the question, "Yes". I will obtain the information and supply it to the member. In order to clarify the situation, I take it that when the

member refers to members of the Government she does not, in fact, mean the Government party, but the Cabinet.

The Hon. Lyla Elliott: Yes.

The Hon. G. C. MacKINNON: Thank you.
