Legislative Assembly

Thursday, the 16th October, 1969

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

QUESTIONS (28): ON NOTICE

1. ARCHITECTS

Builders' Registration Act

Mr. GRAHAM asked the Minister for Works:

How many architects are registered as builders under the Builders' Registration Act?

Mr. ROSS HUTCHINSON replied:

Seventeen architects.

2. RAILWAYS

Standard Gauge Locomotives

Mr. McIVER asked the Minister for Railways:

(1) How many standard gauge locomotives are in service in the W.A.G.R.?

(2) Is it a fact that a number of these locomotives are not being utilised?

(3) If "Yes", what is the reason?

Mr. O'CONNOR replied:

(1) 42.

(2) Yes.

(3) Restricted grain haulage and also completion of the standard gauge project which will enable discontinuance of narrow gauge operations between East Northam and Kalgoorlie.

3. WHEAT BINS

Contamination

Mr. McIVER asked the Minister for Agriculture:

(1) Have any wheat bins in this State been contaminated with weevils or other pests since last season's grain was stored in bins?

(2) If "Yes", would he outline the situation?

Mr. NALDER replied:

(1) Some light infestations of wheat weevils have been recorded.

(2) No major trouble has been experienced or is expected this season. As located, infestations are fumigated by officers of Co-operative Bulk Handling Ltd.

4. ROADS

Swan Freeway

Mr. HARMAN asked the Minister for Works:

(1) Is it a fact that the path of the proposed Swan freeway has been replanned insofar as the east Maylands area is concerned?

(2) If so, would he table a plan showing the new route proposed?

Mr. ROSS HUTCHINSON replied:

(1) Although an amendment to the alignment of Swan River drive freeway across the Maylands peninsula as shown in the metropolitan region scheme was suggested in the De Leuw Cather report on the freeway system, the alternative alignment has not yet been adopted, so no firm plan is available.

(2) Answered by (1).

5. PUBLIC TOILETS

Shopping Centres

Mr. HARMAN asked the Minister representing the Minister for Local Government:

(1) Are there any regulations or local authority by-laws having application in the metropolitan area which ensure that public toilets are provided at shopping centres or forums?

(2) If not, is any action contemplated to ensure such facilities are provided in the future?

Mr. NALDER replied:

(1) No, but the provisions of the Health Act are used by municipal councils which require these facilities to be provided.

(2) No.

6. TRAFFIC LIGHTS

Inglewood and Maylands

Mr. HARMAN asked the Minister for Works:

(1) Does the new Commonwealth Aid Roads Agreement provide for an increase of the installation of full traffic lights in the metropolitan area?

(2) Can he indicate when it is planned that full traffic lights will be installed at the intersection of Grand Promenade and Beaufort Street, Inglewood, and Eighth (or Seventh) Avenue and Guildford Road, Maylands?

Mr. ROSS HUTCHINSON replied:

(1) The new Commonwealth Aid Roads Act provides funds for the construction of urban arterial roads. Such construction may include the installation of traffic control signals.

(2) The installation of traffic control signals at these intersections has not been programmed for 1969-70. Installation after that time will depend upon overall priorities.

7. CHIROPRACTORS

Registration

Dr. HENN asked the Minister representing the Minister for Health:

(1) Has the Chiropractors Board made any rules since 1964 prescribing the course of study and training, including practical experience, to be undertaken and the examinations to be passed by persons desiring to be registered as chiropractors under the 1964 Act?

(2) Has the Chiropractors Board made any rules determining the qualifications to be held by persons desirous of becoming students of chiropractic since the Chiropractors Act became law in 1964?

Mr. ROSS HUTCHINSON replied:

(1) and (2) See Chiropractors Registration Board rules, 27th April, 1966.

8. LOCAL COURT RULES

Proposed Amendment

Mr. BERTRAM asked the Minister representing the Minister for Justice:

Relevant to the proposed amendment to the Local Court rules tabled on the 7th October, 1969—

(1) As to proposed rule 2(f) (iii) —by what statistical facts is the increase of $3.00 per cent. to $4.00 per cent. justified?

(2) As to proposed rule 2(f) (iv)—

(a) what is the poundage presently payable under a warrant of possession;

(b) will the total charge by bailiff be the same whether he—

(i) is or employs his own removalist; or

(ii) engages a third party as his removalist?

(3) If "No" to (b), is it not desirable that the charge should be the same?

Mr. COURT replied:

(1) The increase was not based on statistical facts but was assessed to give an overall increase in the return to bailiffs having regard to general—I emphasise the word is "general" and not "generous"—increases in costs which have occurred in all areas.

(2) (a) The existing scale of bailiff's fees prescribed under part 2 of the appendix to the Local Court rules does not specifically provide for the payment of poundage under a warrant of possession, but for many years, some clerks of court, with the approval of the magistrate, have allowed a special fee of 5 per cent. of the annual rent on the issue of a warrant of possession.

(b) The scale of fees provides that the clerk may allow a reasonable amount for removal expenses. This would be dependent on the circumstances of each case.

(3) Answered by (2).

9. *This question was postponed.*

10. WAR SERVICE LAND SETTLEMENT PROPERTIES

Titles and Rent

Mr. MITCHELL asked the Minister for Lands:

(1) Who holds the titles or securities over war service land settlement properties in Western Australia?

(2) To whom is the annual rent payable?

(3) What was the amount of rent paid by war service land settlers in the years 1967-68 and 1968-69?

Mr. ROSS HUTCHINSON (for Mr. Bovell) replied:

(1) Minister for Lands.

(2) Minister for Lands, for transmission to the Commonwealth Government.

(3) (a) Financial year 1967-1968—$552,904.

(b) Financial year 1968-1969—$585,315.

11. ABATTOIRS

Strike at Midland

Mr. MITCHELL asked the Minister for Agriculture:

(1) What alterations have been carried out at the Midland Abattoirs recently to cause the excessive steam which is said to be the reason for the strike which took place last week?

(2) If steam were the cause of the strike, could not some action have been taken earlier to eliminate the cause?

(3) Is he aware of the disastrous effect this strike is having on an already badly hit industry?

(4) Would not the effect of the strike be to further increase the price of meat to the consumer even though it is in glut supply?

Mr. NALDER replied:

(1) No alterations have been made. The excessive steam has been produced as a result of the insistence of the Department of Primary Industry on maintaining the temperature of the water used for washing carcases, etc., at a minimum of 180°F.

(2) Experiments have been carried out over the past seven or eight months to improve the situation, and considerable improvement has been effected.

(3) Yes.

(4) No.

12. LOCAL COURT

Fremantle

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

(1) Am I correctly informed that the Fremantle Princess May School buildings are to be used to house the Fremantle Local Court?

(2) If so, will this, subject to building modifications, provide accommodation for all court personnel and court proceedings?

(3) If "Yes", what use will be made of the existing court buildings?

(4) Could accommodation pressure at the Fremantle traffic office be relieved by carrying out some traffic duties at the existing courthouse when vacated?

Mr. COURT replied:

(1) No. The site has been set aside for future development as a courthouse and police station. The position set out in answer to the honourable member's question on the 22nd August, 1968, is unaltered.

(2) to (4) Answered by (1).

13. *This question was postponed.*

14. WATER SUPPLIES

Guilderton

Mr. GRAHAM asked the Minister for Water Supplies:

(1) Will he lay on the Table of the House the file dealing with the provision of a public water supply at Guilderton, and specifically with any approaches which might have been made for its installation?

(2) If not, why not?

Mr. ROSS HUTCHINSON replied:

(1) and (2) No; however, the honourable member may view the file in my office if he so desires.

Mr. Tonkin: What is the reason for withholding a file like that?

15. WHEAT

Quotas

Mr. H. D. EVANS asked the Minister for Agriculture:

(1) By how much is it anticipated that the Western Australian wheat yield will exceed the delivery quota allocated to this State for 1969?

(2) Will growers be permitted to deliver wheat over and above their individual quotas to the limit of the State quota if circumstances permit this to be done?

Mr. NALDER replied:

(1) It is not expected that the wheat harvest will exceed the delivery quota allocated to this State for 1969.

(2) Co-operative Bulk Handling Ltd. expects to accept all wheat grown in Western Australia this year.

16. COURTHOUSE

Collie

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

(1) Is he aware of the limited office space available for staff at the Collie courthouse?

(2) If "Yes", is the department planning any alterations to overcome the problem?

Mr. COURT replied:

(1) Yes.

(2) The planning of alterations is dependent on availability of funds.

17. CHILD WELFARE DEPARTMENT

Collie Office

Mr. JONES asked the Minister representing the Minister for Child Welfare:

Has the department made a decision on suitable accommodation for the Child Welfare Department at Collie?

Mr. ROSS HUTCHINSON replied:

Yes.

18. COLLIE COAL

Investigations: Cost

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

What was the cost of the recent investigations carried out by Eastern States mining authorities on the Collie coalfield?

Mr. ROSS HUTCHINSON replied:

$1,213.22.

19. SWAN AND MANDURAH ESTUARIES

Size

Mr. GRAYDEN asked the Minister for Works:

What is the approximate size of—

(a) the Swan estuary;

(b) Mandurah estuary,

in acres?

Mr. ROSS HUTCHINSON replied:

(a) Area of Swan estuary from the Causeway to the Fremantle traffic bridge—7,200 acres approximately.

(b) Mandurah estuary, comprising Peel Inlet and Harvey estuary—32,700 acres approximately.

20. STATE GOVERNMENT INSTRUMENTALITIES

Salaries and Conditions of Employment

Mr. BURKE asked the Premier:

Will he advise whether there is in existence a direction or suggestion, written or verbal, from either himself or Cabinet that State Government instrumentalities shall not vary salaries or conditions of employment in any way which might embarrass the Public Service Commissioner and, further, that they must consult the Public Service Commissioner before agreeing to any changes in salaries or conditions of employment?

Sir DAVID BRAND replied:

A circular to Ministers was issued on the 10th August, 1961, which, whilst recognising the autonomy of certain Government instrumentalities, boards, and trusts, requested the continued co-operation of these authorities in consulting the Public Service Commissioner on salary and classification fixation matters.

This consultation was considered desirable to ensure a uniform approach to salary fixation, and to ensure that classifications granted in one organisation were not out of line with standards adopted in others and in the Public Service.

21. HOUSING

Four-bedroomed Accommodation

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

(1) What number of applications for four-bedroomed homes are listed with the State Housing Commission for—

(a) rental;

(b) purchase homes?

(2) What number of these homes were constructed during the years—

1965-66,

1966-67,

1967-68,

1968-69?

(3) What is the average waiting time for applicants listed for four-bedroomed accommodation?

Mr. O'NEIL replied:

(1) (a) and (b). As near as can be assessed approximately 700. These would include both individual rental and purchase applications as well as dual applications. Applicants do not designate on the form of application the size of accommodation required. This is assessed by the commission.

(2) 1965-66—58.

1966-67—60.

1967-68—64.

1968-69—72.

(3) Immediate in certain circumstances but varying in the metropolitan area and major country towns determined by the number of applicants and availability of this class of accommodation.

Eligible applicants wishing to utilise their own land can obtain immediate financial assistance to build.

To assist in housing larger-sized families the commission has made arrangements with other Government departments to utilise suitable dwellings resumed by those departments but not, for a period, required by them.

22. EDUCATION

Teaching Aids and Library Subsidies

Mr. DAVIES asked the Minister for Education:

(1) Will he list the form of subsidy applying to teaching aids, libraries, etc., available to parents and citizens' associations and schools?

(2) What amounts of money have been paid as subsidies to—

(a) Government; and

(b) non-Government,

schools for each of the last three years?

Mr. LEWIS replied:

(1) The form of subsidy applying to materials available to parents and citizens' associations and schools are outlined in detail in schedule 6 of the Education regulations, 1968.

(2)—

	Government	Non-Government
	$	$
1966-67	119,429	31,066
1967-68	138,569	27,151
1968-69	147,371	33,169

23. EDUCATION

Tuition Fees and Textbook Subsidies

Mr. DAVIES asked the Minister for Education:

(1) What amounts of money have been paid as tuition fees for students attending non-Government schools for each of the years since the scheme was introduced in 1965?

(2) What has been the cost, to date, of subsidisation of textbooks to students in Government and non-Government schools for each year since the scheme was introduced?

Mr. LEWIS replied:

(1) 1964-65—Nil.

1965-66—$533,422 (18 month period from inception January, 1965).

1966-67—$396,987.

1967-68—$577,203.

1968-69—$786,258.

(2) Scheme commenced January, 1969.

	Non-Government	Government
1968-69—	$86,935	$251,529

24. WATER SUPPIES

Aeration of Chlorinated Water

Mr. JAMIESON asked the Minister for Water Supplies:

(1) What metropolitan areas are supplied with water which has not been aerated between the time of chlorinating and reception by consumer?

(2) Would consideration be given to aerating all metropolitan supplies before supply to consumer so as to allow dissipation of chlorine?

(3) Can he explain why the smell of chlorine is so prevalent in water in some suburbs of Perth when it is averred by his department that Eastern States cities have a greater percentage of chlorine placed in their supplies yet there is no apparent smell of chlorine?

Mr. ROSS HUTCHINSON replied:

(1) In general terms those areas between the Darling Ranges and the main metropolitan service reservoirs at Mount Yokine, Mount Eliza, Melville, Hamilton Hill, and Lake Thompson: these areas are supplied directly from trunk mains and represent about 50 per cent. of all consumers supplied.

(2) No. Aeration by exposure to the atmosphere in a service reservoir is technically impossible for water supplied directly from trunk mains.

(3) Odours arising from chlorination of water is a complex problem and can arise from a variety of causes. The particular problem to which the honourable member refers is confined to a small part of the metropolitan system and is already the subject of active investigation with a view to alleviating the problem.

Problems similar to ours have been experienced in the Eastern States.

25. LEPROSY

Medical Officers and Nurses: Training

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

(1) What training is given the 20 district medical officers supervising the control of leprosy?

(2) What training is given the public health nurses who are assisting in this work?

(3) Has the medical officer in charge a degree in tropical medicine and, if not, does he not agree that this is necessary?

(4) What experience did he have in the treatment of leprosy prior to his appointment?

(5) Does the Northern Territory health authority insist that a tropical medicine degree must be held by medical officers in charge of leprosy control?

Mr. ROSS HUTCHINSON replied:

(1) They are given descriptive literature and instruction at Derby Leprosarium.

(2) Similar to (1).

(3) He has not a degree in tropical medicine nor is it considered necessary.

(4) Fourteen years' practice in the Kimberleys including diagnosis and treatment of leprosy.

(5) No.

26. TRANSPORT

Road Permits

Mr. McIVER asked the Minister for Transport:

(1) Is the Director-General of Transport considering changes in relation to granting of road permits in this State?

(2) If "Yes", would he outline the situation?

Mr. O'CONNOR replied:

(1) Yes.

(2) The Director-General of Transport has put before me recommendations for a change in transport policy in this State.

These recommendations are toward minimising as far as possible Government regulation of transport and allowing the forces of market competition to distribute traffic over the various transport services; i.e., a policy which gives users some freedom of choice in the solution of their transport problems.

Details of the policy change and the clearly defined steps which must be taken for its implementation are given in the Director-General's annual report for 1969, a copy of which has been tabled.

27. LICENSING LAWS

Investigating Committee

Mr. GRAHAM asked the Minister representing the Minister for Justice:

(1) Will he suggest to the committee investigating the licensing laws that some sittings be arranged for evenings in order to give workers and others occupied during the day an opportunity of presenting their views?

(2) If not, why not?

Mr. COURT replied:

(1) and (2) The Minister for Justice has been advised the procedure adopted by the committee is to require written submissions in the first instance. If sufficient submissions are received, which would merit sittings outside normal hours, consideration could be given to the matter. The committee has invited the public to submit views either formally or informally.

28. *This question was postponed.*

QUESTIONS (2): WITHOUT NOTICE

1. WATER SUPPLIES

Guilderton

Mr. GRAHAM asked the Minister for Water Supplies:

Referring to question 14 on today's notice paper, I draw the attention of the Minister to the second part of the question, and I ask—

(1) Why will he not table the file requested?

(2) If he does not relent and I take advantage of the offer of viewing the file in his office, does that mean that I am bound to secrecy in respect of anything I might read in the file pertaining to the particular matter about which I seek information?

Mr. ROSS HUTCHINSON replied:

(1) The matter of a Minister tabling files is one that has exercised the minds of members of Parliament over many decades and through many Governments.

I am not going to attempt, at this time, to endeavour to answer this problem or this question fully, save to say that the answer would be a complex one.

Perhaps I might say, as a general personal belief—and one which I think is adhered to by other members of Cabinet—that it is unwise for working files to be tabled in Parliament.

In, perhaps, slightly further explanation, I might say—

Mr. Tonkin: Unwise, from whose point of view?

Mr. ROSS HUTCHINSON: I am trying to go on in further explanation.

Mr. Tonkin: I know what you are trying to do.

The SPEAKER: Order!

Mr. ROSS HUTCHINSON: If this is necessary, and one would have thought that in the case of the Leader of the Opposition it would not be—

Mr. Tonkin: Thousands of files have been tabled.

Mr. ROSS HUTCHINSON: —necessary because he has had the experience of rejecting requests for files to be tabled.

Mr. Tonkin: Over the years, hundreds have been tabled.

Mr. ROSS HUTCHINSON: And the Leader of the Opposition has also refused to table files on many occasions.

The SPEAKER: Order!

Mr. ROSS HUTCHINSON: In any case, I go on to say that I do not believe it is a wise practice for working files to be tabled, because working files are just that, and they contain working views that are expressed. Very often they contain matters which are not meant for the public eye and this does not mean to say, honourable

members of the Press, that there are any dark secrets associated with this matter.

Mr. Tonkin: Not much!

Mr. ROSS HUTCHINSON: Try to be your age; the older you get the more foolish you get!

Mr. Tonkin: You are getting personal.

Mr. ROSS HUTCHINSON: You are being stupid, with that comment.

Mr. Tonkin: You know quite well you are talking a lot of nonsense!

The SPEAKER: Order!

Mr. ROSS HUTCHINSON: I leave the House to judge who is talking nonsense; be as loyal as one likes. In any case, for the reasons I have attempted to state, I do not believe it is wise to table working files.

Mr. Graham: What about the secrecy aspect?

Mr. Tonkin: That is not wise, either.

Mr. ROSS HUTCHINSON: Although this may not be believed, there is nothing in the file that is dark and deep or secret in any shape or form.

(2) When a file is not tabled—and this does not mean that no files will be tabled in the future; I have taken a stand on this one—and in the case of files which may be viewed in the Minister's rooms, it has been traditional that the information obtained is for the personal use of the member inquiring, and not for release to the public. Otherwise there would be no purpose in withholding files from public gaze. In this case the honourable member would be held to this traditional viewpoint.

If the honourable member, in further explanation, desires to ask questions about the Guilderton water supply, and if he wants to probe any aspect of what has been done there, in any shape or form, I promise to give him adequate replies.

Mr. Tonkin: Can he use the information?

SMOG

Investigation in America

Mr. TONKIN asked the Minister for Industrial Development:

If, as I believe, he will shortly be visiting a city in California which is regarded as the most smog-affected city in the world, will he take advantage of this excellent opportunity to investigate the prevailing conditions with a view to using the knowledge so gained to protect those districts in Western Australia which could be subjected to the development of smog from the large industrial enterprises being established?

Mr. COURT replied:

The Leader of the Opposition was good enough to give me advance notice of this question just prior to the sitting, and I appreciate that notice. Firstly, I am not quite sure to which city he is referring.

Mr. Tonkin: Los Angeles.

Mr. COURT: Most of my time in California will be spent in San Francisco. However, it is possible I will go to Los Angeles, which city I know very well. As part of my normal duties, when abroad as Minister for Industrial Development, I make it my business to watch the effect of industry, not only with respect to smog, but also with respect to other aspects. This includes the effect on transport and whether the industry is in a good or a bad location. I have also observed the incidence of smog which has bedevilled some cities.

I have also made it my business to examine the industrial research being carried out in Europe where an advanced stage has been reached in respect of this question of trying to overcome the existing smog problem.

My main purpose is to follow a line of prevention rather than a line of cure. I think the Leader of the Opposition has foreshadowed that prevention is better than cure.

I can assure the House that if, in the course of my work abroad, I do have an opportunity to gain information which will be of advantage to us in the siting of industry and the handling of industrial problems, advantage will be taken of that opportunity. However, I do record that in our own case we have, in most instances, anticipated some of these problems, and through our own Statutes we have established organisations such as the Air Pollution Control Council. Nevertheless, it is my duty to study the matter, and I appreciate the honourable member's interest.

BILLS (2): INTRODUCTION AND FIRST READING

1. Land Tax Act Amendment Bill.
2. Land Tax Assessment Act Amendment Bill.

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

METROPOLITAN MARKET ACT AMENDMENT BILL

Council's Amendment

Amendment made by the Council now considered.

In Committee

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

The amendment made by the Council was as follows:—

New Clause.

Insert a new clause, to stand as clause 2, as follows:—

S. 1A added. 2. The principal Act is amended by inserting after section 1 a section as follows—

Definition. 1A. In this Act unless the contrary intention appears—

"owner" in relation to a vehicle means the person who is the holder of the requisite vehicle license under the Traffic Act, 1919, in respect of the vehicle, or, if the vehicle is not licensed under that Act, the person who owns the vehicle or is entitled to the possession of the vehicle.

Mr. NALDER: I move—

That the amendment made by the Council be agreed to.

When this Bill was previously before the Chamber in the course of debate it was pointed out that there should be some definition of the owner of a vehicle. The reason given was that some difficulty may be encountered in ascertaining the owner of a vehicle if it was found in the precincts of, or on the land owned by, the Metropolitan Market Trust.

There is no difficulty associated with the amendment, and it defines who is the owner of a vehicle. The amendment has been on the notice paper for some time and I suggest that the Committee should agree to it.

Mr. BERTRAM: Like the Minister for Industrial Development, I believe we should act to prevent, rather than to delay and then have to cure. This is the approach we should adopt in matters which come before the Parliament. When the Bill was before the House on the 2nd September last, I pointed out to the Minister certain aspects which I felt were worthy of comment. Finally, I pointed out to him that I would not support the Bill in its then form because it contained a reference to an owner of a vehicle, but did not contain any definition of an owner.

I explained that it would be futile to allow the Bill to proceed through the House only to go to another place and be passed there in its completely useless condition, because it could not be adequately enforced. Alternatively, the Bill would have to be amended in the other Chamber, which would mean the time of this place would be wasted. The Bill is now before us for the second time and, in the interests of efficiency, I suggest it should have been before us only once.

I do not believe, any more than other reasonable people believe, that the Opposition has the right to knock Bills. However, when a proposition is brought forward in the form of a simple Bill such as this, I think some heed ought to be taken of what we say. The Government should not bring down the heavy iron hand of might is right and hope for the best.

It is encouraging that the Bill did not become law in its original form and I would hope that we may learn from this experience and that in future we may debate Bills fully in this place rather than steamroll them through. I ask members: Would they obtain any satisfaction from taking a case to a court of law knowing in advance that they would not be heard and the decision was a foregone conclusion? That is a ludicrous concept, and it is equally ludicrous that a Bill should be brought before the House and not dealt with properly.

Mr. GRAHAM: I appreciate the remarks of the member for Mt. Hawthorn, which will apply equally in respect of order of the day No. 3. However, I think it is being a little too legalistic to want a definition of the word "owner." This word appears in other Statutes in respect of vehicles. Surely the situation is at least reasonably clear, because vehicles are licensed and there is a name registered with the traffic authority.

I have no objection to the requested amendment, except to make these further comments: If it is necessary to define everything that appears in a Statute we will end up with terrific volumes. To indicate what I mean, I point out that in the clause with which we are dealing it is stated that regulations may be made

for prohibiting or regulating the parking or standing of vehicles. What is the definition of "parking" as against "standing"?

We could include a reference to the Traffic Act, because in that Statute regulations appear which go into some detail to explain the difference between the two. Will the Market Trust make its own definitions of what constitutes the driver or the owner of a vehicle? Will it follow that in the Traffic Act there is no requirement for the Trust to do so, because this is what one might call private property; it does not include roads or places to which the public at large has access?

Where will we finish up if we commence this task of going into fine definitions? Perhaps to indicate more clearly what I mean, and to put it on the record, I will paraphrase regulation 103 made under the Traffic Act—"Parking" means a person shall not permit a vehicle, whether attended or not, to remain stationary except for the purpose of avoiding conflict with other traffic, or of complying with the provisions of any law, or of immediately picking up or setting down goods.

"Standing" on the other hand, in relation to a vehicle, means that a person shall not stop a vehicle and permit it to remain stationary except for the purpose of avoiding conflict with other traffic or complying with the provisions of other laws.

There is nothing in this Bill to suggest that these will be the definitions, or that parking and standing will be anything at all that might, for the time being, be the opinion of the Metropolitan Market Trust. I do not know whether or not it is a question of good sense prevailing, but I ask again: Is it necessary, wherever a word or term appears, to have a definition of it in the Statute concerned or to relate it to a definition in a Statute somewhere else?

The Minister will appreciate I have no objection in principle to what he proposes to do. To me an owner is an owner and there are documents and official records to show who is the official owner. In the matter of a driver other than the owner, I admit the situation is a little more complicated, but at least there is something there which would enable us to identify the overwhelming majority of people offending against the proposed regulations. In the matter of standing and parking there is, of course, no definition whatsoever.

I would regard this as being somewhat domestic: in other words, we are seeking to clothe the trust with sufficient authority to enable it to conduct its affairs within its own boundaries and in its own ways.

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

Report

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

ASSOCIATIONS INCORPORATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 9th October.

MR. BERTRAM (Mt. Hawthorn) [2.53 p.m.]: According to the Minister representing the Minister for Justice, this Bill comes to us for two reasons: firstly, because inconvenience is caused to associations incorporated under the Associations Incorporation Act of 1895-62 when people are absent from this State. I would like to stress the words, "absent from this State"; not resident out of this State. The second alleged reason is that associations desiring registration of instruments under the Transfer of Land Act are put to inconvenience, according to the Minister, by having to affix a memorial to every instrument sought to be registered under the Transfer of Land Act.

In regard to the first proposition, my recollection is from a brief perusal of the Minister's notes of his speech—and I admit I did this some time ago—that there was no case—which, of course, is typical—advanced to support what is supposed to be wrong with the Act and which therefore justifies this amendment.

The case in support of the second ground of objection—which is a monumental one—is that on one occasion under the Transfer of Land Act, 1893, an association desiring to dispose of a number of parcels of land had been required to lodge at the Land Titles Office no less than 12 memorials. We must bear in mind at this point that this legislation became law in 1895—not in 1965—and there has only been one such case.

Let us assume that allegation is true and that it is not merely an example of gross inefficiency or perhaps a legacy of a clash of personalities between somebody and an officer of the Land Titles Office. As I say, let us assume that all this is right. This is the only piece of evidence there is to justify the amending of the Act; to justify the taking up of the time of this Parliament and of its members; and to justify the consuming of public funds.

That is the case which is before the House to justify bringing into operation this pretty costly machinery. As I have said, this inconvenience has been caused once in a period of something like 85 years. In any event it is not necessary to file a memorial with each transaction if the transactions occur in fairly close sequence; if there is only a matter of days, or perhaps weeks, involved the Land Titles Office can say, "You filed a memorial yesterday;

do not bring another one here. Quote the instrument number if you wish. We have no desire to clutter the office with 12 memorials when one will do." Nor has the Land Titles Office any desire to clutter its records with 12 declarations, which are far more cumbersome and which are proposed in the amendment to this Act.

In short I do not believe that an isolated case of inefficiency in connection with an Act—conceding everything the Minister has said as being accurate—is sufficient justification to amend an Act of this Parliament, because there has not yet been and there never will be an Act of this or any other Parliament which does not cause some hardship or inconvenience to somebody or other at some time or other.

This is one of those unfortunate aspects one encounters in a society which is as diverse as ours. If there is a case to support the amendment in the Bill the least that could have been done in the interests of courtesy and common sense was to let the members of the House hear of it; they should not have to start foraging round when the Bill is brought here.

As I have said on a number of occasions in the very short space of time I have been a member of this Parliament, I think that when a measure is brought down we should be told exactly why it is before us. Certainly we should not be left without any case or without any evidence. I do not think this is asking too much.

At one stage it was said that this Bill will require associations to follow a line of procedure set forth in the Companies Act; that is to say, the procedure to be followed by the companies. As I understand the position that is not an accurate statement at all. I do not think there is anything in the Companies Act which lays down any machinery about the affixation of the common seal; there is nothing about memorials. I doubt whether the words "common seal" are much used at all in the Companies Act.

As I understand the position, what happens with companies currently, and since the coming into being of the Property Law Act, is a rather simple procedure, and it is covered by section 10 of that Act. Perhaps it will not do any harm to read the first subsection of that section. It states—

> A deed shall be deemed to have been duly executed by a corporation aggregate in favour of a purchaser, if the seal of that corporation is affixed to the deed in the presence of and attested by a person who is its clerk, secretary or other permanent officer or his deputy, and a member of its board of directors, council or other governing body.

The amendment before us will not achieve what that provision achieves for companies now.

If an instrument under the Transfer of Land Act is presented to the Titles Office, and it has the common seal affixed, and the signatories of the persons in the presence of whom the common seal was affixed are those mentioned in section 10 (1) of the Property Law Act, then my information and understanding is that that is the end of the matter.

If, however, an instrument is presented by a company for registration at the Titles Office, and the signatories of those people before whom the common seal of the company was affixed are different—that is, there were three directors instead of one—then and only then would the Titles Office require the company to send a letter setting forth a copy of the appropriate provision of its articles of association, so that the Titles Office may be aware of the reason for the departure from the very simple requirements of the Property Law Act.

As I see it, it is hardly correct to say that we will bring the associations into line with the procedure applied to companies. It appears, at the very best, that what we are doing is to complicate the procedure and to make it more difficult for people who are not lawyers, who are not skilled in the law, who from time to time find themselves in charge of the affairs of little associations, and who may pick up a copy of the Associations Incorporation Act. When they get that Act and the Bill before us in its present form, they will experience a fair amount of confusion. I will point out the reason for that in due course. So, we are not streamlining the procedure, and we are not bringing it into line with that applied to companies. We are breaking into some new area, quite unnecessarily, and quite inefficiently at that. I propose to show why.

Perhaps now, and this may be a little out of order, it is appropriate to talk for a moment about the Associations Incorporation Act; that is to say, the principal Act which is sought to be amended. This Act is of 1895 vintage, and was last amended in 1962. It refers to associations, but it is interesting to note that the term "association" is defined in that Act so that it includes churches, chapels, religious bodies, schools, hospitals, all benevolent and charitable institutions, mechanics' institutes, and all associations for the purpose of promoting and encouraging literature, science, and art, etc.

It is important for members to become a little acquainted with this Act, because I suspect some, if not all, of us find ourselves at some time or other as trustees or in some way connected with the Associations Incorporation Act. It would be of benefit for us to become aware of the proviso at the end of the definition I have just referred to. It states—

> Provided that this Act shall not apply to associations for the purpose

of trading or securing pecuniary profit to the members from the transactions thereof.

This Act enables groups of people to draft their constitutions and to form rules and objectives, and so avoid acting loosely in an incorporated way and thereby prescribing all sorts of difficulties in their activities, and also attracting unto themselves, perhaps, personal liability. It enables clubs, and the various other bodies I have listed to become incorporated under this Act, just as companies created for trading are incorporated under the Companies Act. In other words, it creates an entity separate from the actual members of the incorporated body. The club, association, or whatever name the body may have often has after its name the word "incorporated" or a contraction of that word. Being a separate entity it can trade and do things off its own bat. It can own land, and it can be the registered proprietor of property at the Titles Office under the Transfer of Land Act. So, it is a very convenient little Act.

Under the Associations Incorporation Act and/or its rules it is necessary for certain forms to be lodged with the Registrar of Companies who looks after the registrations under this Act. One of the forms which it is necessary to file is what is called a memorial, which indicates to the public at large who are the people in the club, association or other body entitled to affix the common seal of that body to documents.

As I understand the position at the moment, the affidavit verifying the memorial or written memorandum has to be made, sworn, or executed by each of those people who are authorised to affix the common seal.

The first amendment in clause 2 intends to add a new section 7B under which instead of all those persons authorised to affix a common seal having to make an affidavit, any one or more of them can do so if any of them are absent from the State. This seems a rather odd provision to make. As I said, no case has been submitted concerning its necessity.

The present provision in the Act has been in operation since 1895, and in those days it was not possible for people to travel round the world with the facility we can today. I am at a loss to understand why there is any real difficulty in obtaining a signature from one or more trustees who may be out of the country. For example, if a trustee were in London, it would be possible to obtain a signature from him within a week. If a trustee were in America his signature could, likewise, be obtained within a few days. However, that was not the situation in 1895. In other words, the speed of transport has created a situation which would support the retention of the present provision.

Another curious provision in this proposed new section is that the person or persons making the affidavit—that is, those who are in the State—must verify the names of the persons actually absent from the State. I do not know whether that would be very easily done. I suppose that the persons making the affidavit could make a very good guess that some person is out of the State because they heard the previous week he was in Honolulu. However, does this follow that the person has not in the meantime returned to the State? From a practical point of view I think that persons conscientiously making an affidavit would think twice before they did so, once again because of the speed of transport in this day and age.

As I said earlier, the proposed new section does not mention trustees who are resident in another place, but only those who are absent temporarily from the State. To meet that situation we are being asked to amend the Act and in my view that is not necessary.

What would the situation be if, instead of being in New Zealand, a trustee happened to be in the back blocks of the Pilbara? There is no provision to meet that situation which is far more difficult than the one envisaged under the Bill. How do we get over that situation? No provision has been made for it.

Another reason I do not believe we should too lightly allow for the dispensation of the need for trustees and the like to act in concert, is the very real safeguard that the need to act in concert in itself affords to members of an association. It is conceivable that a person acting with the very best of intentions could make an affidavit in error. The error having been made, the association appears to be stuck with it; whereas if it was necessary for him to act in concert then the chance of error would be diminished.

To take the worst construction, let us assume that there is only one trustee remaining in the State out of five trustees, the other four being on a trip to New Zealand. Suppose that one trustee acts mischievously, what protection is there for the club, bearing in mind that the mischievous act indulged in may well wreck the club's assets? If it was neessary for at least two trustees to make the affidavit, obviously if any mischievous act were to be carried out it would have to be on the part of two people working in collusion. This is a brake in itself and protects members of the club who may have worked for 50 or 60 years to acquire an asset, only to find that under this amendment the self-braking device against collusion has disappeared overnight. Most

of those concerned will know nothing about this amendment anyway; but they could suffer very real consequences.

We then come to the next provision, which states that where the common seal of an association is affixed to any instrument lodged in the Titles Office for registration under the Transfer of Land Act, if that instrument is accompanied by a statutory declaration, made by the persons so affixing the seal, and certifying that at the time the seal was so affixed they were duly authorised to do so, it will not be necessary for a memorial to be filed with that particular instrument.

When a memorial is filed with an instrument for registration in the Titles Office, the person carrying out this work must have the land transfer instrument in his hand duly executed, and if the transferee or transferor is an association under this Act, he can go with the instrument to the Companies Office, and, after a short wait and upon payment of a dollar or so, the person carrying out this task will be handed a memorial which he will then take to the Titles Office and lodge with the transfer. There it will be registered—a very simple procedure.

However, what the person concerned will be called upon to do under this legislation will be nothing as simple as that. Instead of taking a memorial to the office, he will have to go to a solicitor and, with each and every instrument, he must have a statutory declaration prepared which involves extra cost. Having executed this task, he will then proceed to the Stamp Office to get each one stamped, and this again involves increased cost. Then, having marshalled up statutory declarations and being armed with the instruments he will go to the Titles Office to register them. So, in the case of the fellow with 12 instruments, instead of having just those 12 instruments, he must also have 12 statutory declarations which involves more cost; and more paper and room will be required at the Titles Office.

That will be the effect of this amendment. It will certainly do no good, but will only make worse the position which is alleged to obtain at the moment; not that I admit it does obtain, but it has been alleged that it does.

Finally, if we must add to our Statutes an amendment of this kind, which I oppose, if that is not already manifestly obvious, it seems to me that at least the proposed new section 10A should be inserted somewhere else. It should be blended in with section 5 (2); or why not hide it at the end of section 17 in a completely useless place?

What will happen with the present situation? A little person who may happen to be a trustee of an organisation may attend a meeting in a hall to talk about the disposal of land. He will want to know who signs what. Somebody will produce this Act and the people at the meeting will look at section 5 (2) which says—

> All such persons, or such one or more of them as shall be fixed by the rules of the Association, shall in all cases countersign any deed, instrument, or document to which the seal of the corporation shall be fixed.

The direction is clearly spelt out and he would feel that this had to be done. In doing so he would fall for the trap which many other people—and perhaps more learned people—fall for from time to time. He will not think to look four pages on to find a different provision. This situation is that when the document is of a slightly different nature—namely, an instrument coming under the Transfer of Land Act—entirely different provisions apply. This kind of thing involves needless tracking down.

If the Bill is to become law, not because of common sense or justification but because of numbers, it seems to me that this provision should be combined with section 5 (2) instead of including it in proposed new section 10A. In this way, all matters pertaining to the execution of documents by associations would be neatly wrapped up in one parcel.

Better still, I suggest that perhaps we could put the Property Law Act—of 1969, I think—to work. By doing this we could eliminate section 5 (2) and reject the proposed new section 10A, and incorporated bodies under the Associations Incorporation Act could come in under section 10, which may, or may not, need to be modified a shade for this purpose.

This seems to me to be the efficient, sensible, and speedy way to do it, because it would save unnecessary documentation. I understand that some sort of committee is working through our Statutes from the earliest ones and carving out unnecessary legislation. It is useless to chop away deadwood at one end and pile it on at the other end. I suggest that a committee should be operating from this end, because the situation is quite nonsensical.

If Parliament can put laws into the Statutes in a better form than is proposed in this Bill, I say it is its responsibility to do so. This is certainly the duty of a responsible Government and matters should not be bandied around in this way.

Finally some consideration could be given to the appointment of alternate trustees, similar to the situation that applies under the Companies Act, which provides for alternate directors. This can be done if there is a real need for trustees, or other people who are able to affix a common seal, to have somebody stand in

for them in their absence. This idea does not particularly appeal to me but is merely a thought.

What I do not like is the breaking down of the present system whereby trustees and other responsible officers must act in a group. Instead of acting collectively and in unison in the affixation of a seal to a very important document, it seems to me that the provisions of the Bill will allow one person to take the action. The Bill will make the whole action extremely simple and more convenient, perhaps, for some people, but it could be disastrous to the members of the association.

It is interesting to note that when a person has lodged an instrument with the Titles Office and has affixed the seal, he has to swear in the declaration that at the time he affixed the seal he was duly authorised to do so. That is not bad! A person would need to be a very unbiased judge to say whether or not he was authorised to do it; because why would he do it if he did not think he was authorised to do it? This provision is a gem!

I would have thought that an obvious check would be to obtain a copy of the memorial from the Companies Office which is the position now. It is not at all logical for a person to swear about something in which he has a vested interest and in connection with which he has taken some action and made up his own mind. In such circumstances, how could a person certify that it was permissible for him to do it? The position is quite cute, because it amounts to setting up a tribunal to judge one's own action. I oppose the Bill.

MR. COURT (Nedlands—Minister for Industrial Development) [3.25 p.m.]: The member for Mt. Hawthorn has given his reasons for opposing the Bill but, try as hard as I can, I am afraid I cannot go along with him.

I took the precaution of reading the comments which were made in another place, where this Bill was considered with great thoroughness, as it should have been. I was particularly interested to read the comments of another member of the same profession as the member for Mt. Hawthorn and a person who the honourable member would agree holds quite an honoured position in the profession and particularly in this type of law. He went along completely with the Bill and gave very good reasons for doing so. A very interesting debate took place in another place between the Leader of the Opposition, the Minister in charge of the Bill, and The Hon. I. G. Medcalf. I felt that, by reading the debate through, one obtained a balanced picture of, firstly, the reasons for the introduction of the Bill and, secondly, the merits of it.

Mr. Bertram: Or the lack of merit.

Mr. COURT: If we follow the reasoning of the member for Mt. Hawthorn, we have to abandon completely the argument he used against me a few weeks ago in respect of another Bill. In that case, he was arguing that even if there is only one possibility, or one case in recorded history, whereby a measure did not adequately deal with the situation, this was a good enough reason for wanting to amend the legislation or to write it in such a way that the situation could not again arise. At that time he was referring to the question of judges. We had already made provision with respect to a judge who may have died as well as to one who may have a serious illness. However, the honourable member wanted provision to be made to cover the position when a judge might not be available.

Mr. Bertram: That was an excellent case.

Mr. COURT: He based the whole of his argument on the fact that there had been one recorded case—

Mr. Bertram: The Minister said there had been none.

Mr. COURT: —and therefore this was an adequate reason. Because I did not rely on my own very limited knowledge of the law, I had the matter researched and the advice given to me was that the law is adequate as it is written in the Bill. On that occasion the honourable member quoted one case and said it was the only one that had occurred since 1895.

Mr. Bertram: Agreed.

Mr. COURT: I believe that a profession, and particularly the legal profession, which is using the Statutes day in day out, has a duty to bring any inadequacies of the law to the notice of the Crown Law Department, the Minister for Justice, or the Under-Secretary for Law, as the case may be. It so happens that the matters before us at the moment have been brought to the notice of the appropriate departments by the legal profession. I think this is a good practice, because the Minister of the day and his advisers are able to evaluate whether amendment is desirable or not.

It is too late when something has already happened. It is not so much a question of inconvenience, but of inefficiency and inordinate delay, because somebody failed to point out a situation.

I appreciate that the honourable member has obviously spent a great deal of time in studying the Bill and this is a good thing; and, having had the experience of being in Opposition for six years, I say it is a good thing that he throws up these points; but whether they are adopted is another matter.

Mr. Jamieson: I bet you got more amendments carried than the honourable member is ever likely to get through.

Mr. COURT: Well, I did, because there were quite a few amendments that I wanted which suited the convenience of the Government of the day.

Mr. Jamieson: I am glad you made that admission.

Mr. COURT: It so happened that it was very convenient, when I was in Opposition and I put forward some amendments to one particular Bill, because whilst the Government of the day advanced reasons against them, it made jolly sure the amendments went through. So I got the blame or the credit, as the case may be.

Mr. Jamieson: You were mellow whilst you were over here. On one occasion you even tried to extend the franchise of the State Government Insurance Office; under pressure, I must admit.

Mr. COURT: I can recall voting on the wrong side on one occasion and a member of the Government of the day coming to my rescue because he wanted to vote the amendment out.

After those few pleasantries, I point out to the honourable member that if somebody wrongly uses his authority in respect of this seal he would commit a misdemeanour and be punishable for it. I believe the safeguards in the Bill are adequate. They have been before our Crown Law officers and have been placed under close examination in another place. From my point of view the reasons for bringing forward the amendment are essentially very practical ones, and therefore it should be adopted.

I would not like the member for Mt. Hawthorn to think that I took his comments lightly, because I truly appreciate the point he was making. However, I return to some of his earlier remarks when he referred to the relativity of travel back in 1895. It is true that people could not travel very far or fast then and that life was much more leisurely. I venture to suggest that this type of Statute was used much more, proportionately, at that time. Conditions have changed immeasurably since then. Today, the very fact that people can travel far and fast makes it all the more necessary for this provision to be incorporated in the Act; because in earlier years the number of people who left the State was very small indeed. People either travelled by sea, usually when they were leaving the State for all time, or they went by foot, and they did not get very far that way. I hope the House adopts the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Court (Minister for Industrial Development), and passed.

ARCHITECTS ACT AMENDMENT BILL

Council's Amendments

Amendments made by the Council now considered.

In Committee

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

The amendments made by the Council were as follows:—

No. 1.

Clause 9, page 3, lines 26 to 30—Delete paragraph (b) and insert a new paragraph (b) as follows:—

(b) has passed the examinations in architectural subjects conducted by the Board and has had not less than—

(i) in the case of a person who has, on or before the first day of December nineteen hundred and sixty-nine, given notice to the Board of his intention to present himself as a candidate in the examinations conducted by the Board and has on or before that date satisfied the Board that he is eligible to be such a candidate—four years' experience in the work of an architect; or

(ii) in the case of a person not referred to in sub paragraph (i) of this paragraph—six years' experience in the work of an architect; or

No. 2.

Clause 10, page 4, line 4—Delete the passage "(a) Subsection (1) of section" and substitute the word "Section".

No. 3.

Clause 10, page 4, line 5—Insert befor the word "by" the paragraph designation "(a)";

No. 4.

Clause 10, page 4, line 6—Delete the words "from lines three and four";

No. 5.

Clause 10, page 4, line 8—Insert after the word "establishment" the words "in lines three and four of subsection (1)";

No. 6.

Clause 10, page 4, line 9—Insert after paragraph (a) the following new

paragraph to stand as paragraph (b):—

(b) by deleting the words "and thereafter shall be addressed to the latter Board" in lines five and six of subsection (1);

No. 7.
Clause 10, page 4, line 9—Delete the passage "Subsection (4) of this section is amended";

No. 8.
Clause 10, page 4, line 11—Delete the word "occurring";

No. 9.
Clause 10, page 4, line 12—Insert after the word "three" the passage "of subsection (4)";

No. 10.
Clause 10, page 4, line 13—Delete the words "both cases" and substitute the words "each case".

Mr. ROSS HUTCHINSON: I move—

That amendment No. 1 made by the Council be agreed to.

Members of the Committee will recall that during the second reading and Committee stages of the Bill the Deputy Leader of the Opposition requested some sort of grandfather clause, and, in fact, he moved to have that effected. In the debate that ensued I eventually said I would look at the amendment and discuss it with the Crown Law Department and if I found there was any possibility that any of the students could be disadvantaged by virtue of the proposed educational requirements in the Bill, I would proceed to have the necessary amendment made in due legal form in another place.

I made some inquiries and elicited information which was that one or more students could be affected by this legislation. I therefore had the necessary amendment drafted and this was moved and carried in another place. The Committee is now dealing with that amendment, and it will overcome the situation whereby students who had already started their course on the date mentioned will not be disadvantaged by the provisions in the Bill when it becomes law.

Mr. GRAHAM: I thank the Minister for honouring the undertaking which he gave when the Bill was last before us. I prefer to believe that it was an inadvertence that placed the Minister and two of his colleagues in the position in which they found themselves; namely, that whilst I had placed the amendments on the notice paper, the Minister did not see them until he reached the point where the first amendment was being moved. In the circumstances might I suggest that Ministers could make it a practice to have their secretaries check the notice paper daily to ensure there are not further amendments of which notice has been given, in order to avoid a similar situation occurring; or, in other words, to enable the Minister in question to give proper consideration to the amendments instead of being caught flat-footed.

As I said several weeks ago, in my view, as a consequence of the discussion I had with one of the most responsible architects in the State; namely, Mr. Clare, whose name would be known to every one of us, the amendment is necessary.

Whilst on my feet, might I indicate to the Minister that I have no objection to the amendment made by the Council, nor do I intend to intrude into the debate that may be held in respect of any of the other amendments made by another place.

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

Mr. ROSS HUTCHINSON: I move—

That amendments Nos. 2 to 10 made by the Council be agreed to.

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

Report

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

BILLS (2): RETURNED

1. Alumina Refinery (Pinjarra) Agreement Bill.
   Bill returned from the Council without amendment.
2. Forests Act Amendment Bill.
   Bill returned from the Council with an amendment.

Sitting suspended from 3.43 to 4.6 p.m.

MANJIMUP CANNED FRUITS AND VEGETABLES INDUSTRY BILL

Second Reading

Debate resumed from the 15th October.

MR. H. D. EVANS (Warren) [4.6 p.m.]: The measure now before the House seeks to ratify an agreement between this Government and the Shepparton Preserving Company Limited for the establishment of a fruit and vegetable canning industry at Manjimup. I am very happy to indicate support from this side of the House, especially as no-one realises more than myself the value which could come from an industry of this kind to the district which I represent. The industry also comes at a time when the area needs an economic and industrial stimulus.

Rather obviously, the first benefit which I think can accrue will be the halting of the population drain of recent years. The 1966 census figure showed a population figure for the Manjimup Shire of 9,168, while the figure for 1968 was 9,150. This showed that the sharp decline of the earlier years had been halted and the figure had levelled off. Now there seems

to be an opportunity to assist the stagnation which has been prevalent. A steady influx of population can be reasonably expected as the cannery expands in size.

It was anticipated by the Minister for Industrial Development that approximately 100 workers to be employed at the factory would be supplied from the district itself. However, the technical staff—which would not be inconsiderable in view of the fact that about 15 new houses will need to be erected to accommodate them—will be recruited from outside the immediate district. In addition, it must necessarily follow that there will be an increase in the numbers of people actually participating in farming. This project is something which could develop into an extensive market-gardening project.

Growth will also be reflected in the section of the community which provides the services and the trading facilities of the town and district. As the income of the district expands, so will the numbers participating in this aspect of the district's economy. So the population growth will be roughly proportionate to the expansion of the industry at Manjimup.

Possibly the greatest advantage of all will be derived from the opportunity which will be afforded to the smaller farmers of the area. They will have an opportunity to diversify their production.

Some few years ago dairying was the mainstay of the area, but the production of butterfat has declined rather drastically. The price is rather disastrous inasmuch as the amount received for butterfat is still about what it was in 1954. So the smaller farmers involved in this type of farming have been caught up in a cost-price squeeze. Their position is invidious, and they certainly need some other form of assured income. An opportunity for this will be provided by the establishment of a canning industry.

Aiready we find that certain smaller industries, such as potato growing and apple orcharding, provide the assured type of income that is so necessary. However, I think the apple growers are finding that the cost-price squeeze is again taking its toll and placing them in a situation whereby they will possibly seek some controls at a fairly early date or at least next season.

The history of the canning industry in Western Australia has been rather glum. Perhaps we could say that in the 1930s, the fruit growers and market gardeners' venture was a dismal failure. It did not even get off the ground. Since then four or five ventures have been attempted, but none has met with the success initially hoped for.

The Shepparton Preserving Company appears to have resolved the old question as to whether fruit trees should be planted to await the arrival of a canning industry, or whether the arrival of a canning industry should be established and then the trees planted. It would appear that sufficient production has been assured the company to enable it to make a start; and this will create among the growers the confidence and enthusiasm that are necessary for them to commence expanding their orchards.

Climatically, the area lends itself well to this form of agriculture. It is in the region of the State's greatest rainfall and the State's minimum temperatures. Consequently, the area has a minimum evaporation rate. The water supplies of the area are adequate to provide irrigation, without which, horticulture of this sort could not thrive.

We do not yet really know the full results or how beneficial the establishment of this first canning industry will be to the State. The scope of the factory could be very broad indeed. The Minister, when introducing the Bill, indicated the firm was prepared to consider expanding its activities into any form of production that showed itself to be economically viable, or a practical operation. This factory is going to provide the incentive for the necessary experimentation to bring this about.

Two years ago, a newcomer to the town of Nannup saw the need to either diversify or simply fall a victim to the economic circumstances of dairying, so he took recognition of the climate, the soil type, and the water supply, in amount, in quality, in degree of salinity, and the rest of it. He examined the market potential, and with this information he then decided upon what job he would embark. He started growing strawberries. At the present time he has a strawberry farm of over 12 acres producing some of the finest berries in Australia. He has certainly captured the local market to the exclusion of Eastern States' imports. This is the type of thing which could occur now that the opportunity to dispose of the produce is readily at hand.

Although the Minister did not mention this, I have learned from the Department of Agriculture that a programme of extended research is to be conducted in the area. The Manjimup research station is eminently suited to this as it is well equipped; it has a variety of soils with depth: and the district upon which it can work has an adequate water supply and a brook that flows all year round. In addition, the area is quite ample.

A certain amount of research has been attempted at the Manjimup Research Station, though it has largely been connected with potatoes and processing. However, it is hoped that this research will be extended to take into consideration various types of peaches, apricots, and other stone fruit.

The Minister made direct reference to vegetable growing, and this is something which is relatively new in the district. It is only in the last three years that production of any magnitude has been undertaken, and this has been due to the efforts of two processing companies. They have been mainly concerned with peas, beans, sweetcorn, cauliflowers, and broccoli. It would appear that the crops have done remarkably well, and they are indicative of what can be grown.

Obviously the factory will have difficulty competing on the local market. It will not be able to present its vegetables as a canned variety in opposition to processed vegetables. The market would not stand it and the element of competition would be far too great. It would appear that the company will be bound to seek export markets. However, it is already export-orientated, and this is shown by the production figures of the Shepparton works: That factory is capable of meeting the entire requirements of Australia in regard to tinned peaches. The company has already had to establish a fairly large export market, and having those contacts at this stage means it is in a fairly good position to dispose of the additional production expected from this State.

The capacity of the factory is clearly established in the agreement. The company is expected to process 2,000 tons of fruit and vegetables in 1971, at the outset. This figure rises to 5,000 tons in the year 1973. The total cost involved will be $500,000.

Although the company is obliged to process that amount, there is no compensatory obligation on anybody to ensure that this amount will be produced. In 1968 the total production delivered at the factory in Perth reached something like 600 tons. There could be a disparity between the capacity of the factory and the actual amount of fruit available for canning. However, if this does nothing else it will certainly place pressure on the company to encourage and expand production to meet its full requirements. It certainly will not have the potential available for processing when it commences to operate. I think that point is fairly clear.

The site which is to be made available to the company is located just south of the townsite of Manjimup, and comprises an area of 380 acres. This provision is set out on page 6 of the agreement, and it has drawn comment from a number of shire councillors who have expressed reservations with regard to the price of the land. The councillors feel that the purchase price, plus the amount involved in clearing—which would be of the order of $250 an acre in that country—could be rather in excess of the true market value of the land.

However, the parties must have been satisfied with the deal to have signed the agreement in the manner in which they have done. An area of 380 acres may sound extensive, but under the circumstances I do not think it is. The effluent from the factory will be disposed of on that site. Effluent has a connotation which is very unappealing in these times, when we have regard to the many industries which have been established—some of them quite obnoxious.

In this case, the effluent derives its objectionable nature from the fruit sugars found in the solution which has to be got rid of. The fermentation of this particular type of sugar, in pools of quantity, gives it its objectionable character. However, if the effluent is spread over an area it becomes harmless, and I understand it does not have any obnoxious smell, or any other objectionable features of consequence.

The procedure adopted at the Shepparton plant is to spray and irrigate lucerne with the effluent. It has been found that this type of disposal, particularly onto a living crop, provides no difficulties at all. When we have regard to the fact that the canning factory will be operating during the summer season, it will be appreciated that there will be no problem in regard to irrigation of this kind.

The same system of disposal could apply to the solids which have to be disposed of as waste. It has been found that dumping, as from a truck, is not satisfactory. Putrefaction sets in and, again, an objectionable situation is created. However, if the solids are spread over a considerable area, by means of a vehicle fitted with a gate, or by some other means, then no problem of this kind arises.

The assurance on the disposal of the effluent is somewhat comforting, because if there is anything liable to arouse the concern of the local residents—not only here but anywhere else—it is the question of the disposal of effluent. We have heard this problem discussed on a number of occasions in this House already. However, if the information supplied by the company is factual—and there is no reason to suppose it is not—then no great problem will arise. The method has already been tested by the company in its existing holding.

If a problem were to arise it could be rather disastrous inasmuch as the only escape route possible for the effluent would be through Smith Brook, which is the centre of a thriving farming community in the district. So it is necessary that the effluent, as we know it, shall be, for this very reason, rendered harmless.

The company has reacted favourably to the suggestion of a green belt. The general manager has stated it is the intention of the company to create, in line with its general policy, a garden setting. There is no reason to believe that otherwise will be the case. It is also comforting for the residents of the town to realise the advanced thinking and consideration of the

company in matters such as this, and the attitude which it has shown is to be commended.

The details of financing the project are not known at this stage. The information available to the Minister is, to some extent, occluded. However, it is understood that the venture will be co-operative and the growers are to be shareholders in the company itself. The shareholding is not restricted to growers; non-grower shareholders can participate. However, it is obligatory on a grower to be a shareholder before he is entitled to supply fruit to the cannery.

The board of control of the parent company consists of five directors, three of whom are growers; one is a non-producer; and the fifth can come from either section. There is no commitment regarding the fifth director and he can be a grower or a non-grower. Although it is not stipulated, there is no binding commitment in the articles of the parent company, and I understand this has been the policy which has been evolved over the past 50 years. To my mind, it has great merit in that even if the grower element of the shareholders does not have control of the running of the company, at least that section will be in a position where its opinions and its objections and its views can be expressed fully.

In all circumstances there must be a need for discipline, and this would apply equally to this industry as to any other. In this case I think it is necessary to ensure that the quality of the products is maintained. The growers who do not fulfil those requirements will, of course, have to be subjected to the requirements as laid down by the company.

Although discipline of this type must be applied in a co-operative venture of this kind, there is the aspect that the growers are not dealing with an alien body. To a large extent they will deal with the growers themselves and people interested in the well-being of the district. I feel that this, in itself, is a desirable factor.

I am rather curious to know—and probably I will not know until further details of the establishment of the company are available—the percentage of capital which will be expected from local producers, and the percentage of capital which will be provided by the Shepparton Preserving Company itself.

Mr. Gayfer: For what?

Mr. H. D. EVANS: For the establishment of the factory. I suspect that the bulk of the finance will be provided by the parent company. That will most likely be the major source of the finance, but the details have not been made known.

Mr. Gayfer: Are you intimating that the local community might have to contribute to the setting up of the factory?

Mr. H. D. EVANS: Well, the growers are obliged to be shareholders before they can supply fruit to the factory. It is just a matter of whether the company will be predominantly Shepparton. I suspect that it will necessarily be largely parent company capital to get the industry established.

The question of water supply has not, and should not, present any great difficulty. At present Manjimup has two dams: one with a capacity of 63,000,000 gallons and the other with a capacity of over 163,000,000 gallons. The total capacity is somewhere of the order of 230,000,000 gallons in total storage, so during the dry season the water will not be used to its limit.

The initial production by the company will require of the order of 1,500,000 gallons of water a week—about 200,000 gallons a day—and it should not seriously affect the available supplies. The ultimate requirement, which will be of the order of 2,000,000 gallons a day, should not present any problems as the company is obliged to give 48 months' notice of its requirements. The Public Works Department will have ample notice of the requirements of the company. The building of a new dam could be involved eventually but as there are a number of dam sites available, and the rainfall is adequate, there should be no concern about this commodity in that area.

The Government has no direct responsibility in the matter of housing, although it might perhaps be involved in building additional State Housing Commission homes when ancillary industries are established and the increase in population from this source becomes finally known. The Manjimup Shire Council has undertaken to erect 15 homes at the rate of five per year. However, the actual method of doing this is not really known at the moment. There is the possibility that a building society could be formed, or it may be that the shire will interest local builders to undertake this venture as a housing project in its own right.

Mr. Gayfer: They could use some of the empty houses and cottages down there.

Mr. H. D. EVANS: However, if housing was provided by means of a private venture, the employees could be involved in a comparatively high rental. The company might well provide some basis of subsidy for its key men—and the technicians at the factory would all be key men—with whom it would be loath to part.

The agreement seems to be sound and it establishes the responsibilities of the Government, the company, and the shire. We find that the Government is committed in regard to land and water, and the future development of them. The agreement also sets out the rail freight concession for

tinplate and sugar, and for the transport of the final product to the port. Electricity presents no problem in this instance, because the S.E.C. line runs almost through the site; and the question of roads has been decided to the satisfaction of the local governing authority.

A provision is included in the agreement to restrain the Government from financing possible competitors, although it does not restrict any other company from establishing, of its own volition, a similar project in the area. Conditions of rating and taxing charges are also included in the agreement.

The company has obligations in regard to plant and, in particular, the increase in capacity. It also has a certain commitment with regard to the rail siding which will ultimately become necessary. Although the future expansion is left to the company, it can be assumed that it will proceed with all possible haste, because the company will have a large plant idle if it cannot entice the growers to join with it in this matter. I think the company has been given commendable assistance, although there is no evidence of any great concession having been made.

I notice also that the agreement shall be operative until the 31st December, 1980. The termination of the agreement is indicated in clause 16. The shire council has a responsibility in the matter of housing and roads and this is indicated in the appropriate clauses in the agreement.

While the parties to the agreement have certain obligations, it is to be noted that the growers will view the venture in the same way and will at least lend their backing in a similar vein.

Clause 19 is still irreconcilable to my mind. This is the variation clause and it embodies a principle which, in effect, means that once the agreement has been ratified by Parliament, we will not have the right to change it. As far as I am concerned the agreement should not be subject to change by a body outside the Parliament; but the variation clause permits the Government and the company, by mutual consent, to add to, vary, or cancel all or any of the provisions of the agreement. This principle is wrong and I cannot reconcile myself to it. In clause 18 of the agreement provision is made for arbitration in the event of dispute.

I would have appreciated more time to study this Bill to enable me to ascertain the reaction of the local interests and residents, but I feel the venture will be received very favourably indeed, if not with enthusiam, by the people in the area. The Fruit Growers' Association, in an opinion expressed by its president, regards the co-operative venture as being satisfactory from its point of view. The shire council has raised no objection, and the Department of Agriculture and the Public Works Department are satisfied with the plans that have been laid down. So, with the expression of my good wishes for success to the company, I support the Bill.

MR. MITCHELL (Stirling) [4.38 p.m.]: Although it is not necessary to make many comments on this Bill, I would like to say a few words and especially to congratulate the Minister concerned and the Government for having at last initiated this project which, perhaps, is the first real breakthrough in regard to our own primary produce. Although the industry is to be located at Manjimup it is of particular interest to my electorate because the district east of Manjimup and right through to Mt. Barker has shown over the years that it is very suitable indeed not only for the growing of fruit, but also for the growing of vegetables, on a large scale. This district, of course, is only 100 miles from Manjimup, which is less than half the distance to Perth. I visualise a great production in this area which will combine with the production of the very fertile district of Manjimup. The road connecting the two areas is excellent and, as a matter of fact, a great deal of fruit from Manjimup is brought along that road to the cool storage facilities at Mt. Barker and from there it is taken to the Port of Albany. So there is a well established link between the two districts.

The history of fruit-preserving and jam-making in Western Australia is rather a sorry one in so far as we have had so many attempts and so many failures. The member for Warren mentioned something about the 1930s. My recollection of jam-making in this State goes back to a venture in Donnybrook in about 1910 when a number of people moved through that district to obtain shareholders in a jam factory. The factory was well and truly established and for some time produced a very satisfactory article. However, in those days the problem was that the people concerned forgot that it was not only necessary to produce the article, but it was also necessary to sell it and, of course, they had no market outside the State of Western Australia. Of course, in those early days this State did not have sufficient population to support an industry of that nature.

There have been many explanations given for the failure of ventures in the early days. Most people seem to think that because Western Australia had a small population it was swamped by products from the Eastern States whenever it started its own production. Whether that is true or not, it is interesting that we are now to have such a large company from the Eastern States—which must have established markets all over the world or else it could not operate as it is—forming the nucleus of a canning and processing factory in Western Australia.

I have no doubt at all about the success of the venture. I know that the area I referred to, and the country right throughout the south-west, is capable of producing the highest class of vegetables, fruits, berries, and what-have-you. I believe the company must be successful so long as it is prepared to accept for canning all types of vegetables and fruit.

The district to which I refer has the type of land and climate necessary for the production of vegetables on a large scale. It is interesting to recall that the late C. J. de Garis, who played such an important part in the development of the Kendenup area as early as the 1920s, planned to dehydrate vegetables, and to process and can them. Of course, we all know what happened to his rather unfortunate venture. However, might I be permitted to say that the area in question has demonstrated that it has the production potential which Mr. de Garis believed it had. The only reason why large scale production has not been achieved in the area is the lack of facilities to handle it.

The distressing experience of having to send their products over a long distance to the metropolitan area—and, in the early days, with slow transport—has had a dampening effect on many producers. However, with good bitumen roads now, and with the establishment of this factory within 100 miles of the areas I refer to, I foresee that they will play a very important part.

With the member for Warren, I believe that the production of the Manjimup district is capable of expansion, and the type of vegetables and fruit which it can produce will make a significant contribution to the development of the factory.

I am pleased that the company is to be established in the country. Whilst I realise the importance of having a factory in a city as far as the transport of tinplate, sugar, etc., is concerned, I believe that by establishing the factory close to the source of supply, the people of the area will be given an added incentive to join in and become part of the organisation.

I have had some little experience in co-operative movements in Western Australia, and I believe that if this factory is run on a co-operative basis there will be no shortage of members and no shortage of finance if the company looks to the people of this State. I am sure there will be no shortage of members or finance for the development of this project.

It is, of course, going to be a great attraction so far as the work force is concerned and it will be an added attraction to the people of the Manjimup area, particularly those on the smaller farms, to know that supplementary work is available. The establishment of this industry will also attract other industries, and I envisage here one of the greatest breakthroughs in industrial development in Western Australia.

When he introduced the Bill the Minister said that whilst the establishment of this industry was not so important in terms of money as many of those concerned with the larger iron ore agreements he had introduced, it did have great significance to the primary producers of Western Australia.

With those comments I heartily concur. It is easy to say that we cannot eat iron ore, but the products of the factory it is proposed to establish will not only supply the needs of Western Australia, they will also add to the already very important exports of primary produce.

I wish to give the Bill my support and say how pleased I am that the Government has chosen Manjimup for the establishment of this industry, because I believe this is an area which will make a tremendous contribution to the development of this particular type of industry in the years to come.

MR. JONES (Collie) [4.47 p.m.]: As previous members have outlined the Bill before us ratifies an agreement between the State and the Shepparton Preserving Company Limited for the establishment of a fruit and vegetable processing industry at Manjimup. I have no doubt the announcement has been received with great enthusiasm by the people in the Manjimup area. I feel sure it has also been well received by the fruit growers generally and by the people in the south-west as a whole.

It is rather a pity, however, that some indication was not given earlier of the possibility of this factory being established in this area of Western Australia, because I understand that in the last 12 months 2,500 peach trees have been uprooted in the district concerned. I appreciate the fact that a venture such as this has been under consideration for some time, but I feel sure members will agree that it is unfortunate, having arrived at the decision to establish an industry in this area, that we should have had so many trees uprooted in the last 12 months.

With the establishment of this factory it will, no doubt, be necessary for additional plantings to be made, as was indicated by the Minister when introducing the Bill. I repeat, however, it is a great pity it was not possible to give some notice to the fruit growers concerned before action was taken to uproot some 2,500 fruit trees in the area.

Mr. Rushton: What about giving credit where it is due?

Mr. JONES: If the honourable member wishes to do so he will have the opportunity to give the credit about which he speaks; I take it he will be addressing himself to the measure.

Mr. Bickerton: The Minister for Industrial Development would not allow it.

Mr. JONES: When introducing the Bill the Minister further indicated that the establishment of this factory would aid development in the south-west, and with this I heartily agree. In my opinion the establishment of this industry is a move towards decentralisation.

Recently there has been notification of the erection of an alumina plant at Pinjarra, and now, within a week or so of that announcement, we have the proposed establishment of the industry mentioned in the Bill before us. As I have said previously, the population figures in the south-west have deteriorated considerably, so it is gratifying to know that some stimulus is to be given to the population of that area by the establishment of the factory referred to.

I feel sure the South-West Regional Council—a very active body in the south-west portion of the State—will be pleased with the announcement that this industry is to be established. As the Minister would know the president of this council (Mr. Percy Payne) has covered the Eastern States inspecting the same sort of undertakings in an endeavour to establish similar industries in the south-west portion of the State. Schools of thought do exist which consider it would not be possible to do this because, being a seasonal industry, it is felt perhaps the fruit may not be available throughout the year. It is the considered opinion of some people that the establishment of such an industry would not be possible.

I give Mr. Payne full credit—as I feel sure will the Minister—for the enterprise his organisation has shown and for the amount of money it has spent in its approach to this problem. Irrespective of the views ventilated by organisations and individuals in the south-west portion of the State, Mr. Payne has always held the view that ultimately such an industry would be established.

As I have said, I am pleased to know a canning industry is to be established at Manjimup. The tendency in the past has been to establish industries in the cities, where possibly the major demand exists for the product which is being manufactured. So it is most heartening to know that the industry with which we are dealing is to be located in the heart of the fruit-growing area.

No doubt, associated with the establishment of such a factory, there will be forthcoming fringe benefits that will be to the advantage not only of the Manjimup area but of the south-west generally.

It is a well known fact that in recent months we have seen the closure of several mills in the Manjimup area and there is no doubt that the establishment of this factory will help employ those who have been affected by the closures of the mills.

I hope and trust that the plant in question will afford some opportunity of employment to the youths in the area. I feel sure that those members who reside in country districts will agree that there has been some difficulty in employing youths in the area in which they live. With the trend of industry today it is very difficult to accommodate youths when they leave school. This has been particularly difficult in the south-west of the State. Accordingly I do hope the establishment of this fruit canning factory will provide an opportunity for the employment of the youths who live in the area; I hope it will be no longer necessary for them to leave their homes to obtain employment in the cities.

It has been mentioned that by the 1971 canning season the processing capacity will be 2,000 tons and that by 1973 the company must be able to treat 5,000 tons of fruit and vegetables. I understand that the capital cost of the plant will be some $500,000. When introducing the Bill the Minister mentioned the question of export trade, with which I agree entirely.

I sincerely hope that we will be successful in obtaining export markets for the products of this factory, and I hope that in his capacity as Minister for Industrial Development the Minister will conduct an all-out drive to ensure that there will be markets for them established at Manjimup.

I hope we will not look only to the overseas trade but that we will also encourage local consumers to give preference to the local product. I trust the product will be of a high standard and that instead of our having to import fruit and vegetables that have been processed, we will ensure the use of the locally-manufactured product. If we encourage the use of the local article it will not be necessary to import huge volumes of canned fruit and vegetables for use in Western Australia.

The Bill provides that the Western Australian Government railway system shall be used for the transport of sugar, tinplate, and processing materials, and that the finished product shall be transported by rail from Manjimup to Fremantle. Mention was made of the possible use of the Port of Bunbury. I hope this will come to pass, because it will further assist the south-west to overcome the problems which at the moment exist at Fremantle, particularly when huge volumes of cargo go through that port.

The member for Warren mentioned the economic position of the fruit-growing industry in the south-west portion of the State and also in the great southern area. I agree with all he had to say, and anyone associated with the fruit-growing industry

will know the impact that has been felt as a result of increased costs in recent years together with the problems which confront the fruit growers in their attempt to make their industry economically viable.

The agreement does not mention anything about prices, which is understandable, but I do hope that the prices to be received by the fruit growers who supply the fruit to this factory will be such as to give some stimulus to the economy of the fruit-growing industry of Western Australia.

I do not think there is any doubt that the establishment of this fruit-processing industry will assist the dairy farmers in the area; those who are finding it difficult to exist economically. They will be able to diversify their activities and perhaps branch out into another venture which will be more attractive and profitable than the dairying industry is at the moment.

I would now like to refer to some of the clauses contained in the Bill but I do not wish it to be felt that I am criticising the establishment of the industry under consideration. Like the member for Warren I welcome its establishment in the south-west, but there are certain clauses in the Bill with which I am not altogether happy and in the time at my disposal it is my intention to refer briefly to some of these provisions.

Clause 3 of the agreement deals with the question of land. There seems to be an innovation in this agreement wherein the company is granted certain reserves for its initial undertaking and, later, if it can show that more land is required this will be released from time to time. The company has not been told it can have X acres of land; the amount of land it gets is conditional on its own activity and enterprise in the industry it is operating.

I would now like to touch on clause 5 of the agreement which deals with the rail siding. The agreement before us differs somewhat from the previous agreements introduced into this House—it differs from the agreement in connection with the wood chipping industry and from the agreement relating to the first alumina refinery.

Under the provisions of those agreements the companies were responsible to make finance available for the purpose of rolling stock, engines, sidings, and railways, generally, and the capital invested in the projects was to be reimbursed with interest by the Government. Under the provisions of clause 5, however, a new system has been introduced wherein the company itself will be required to connect the factory site to the spur lines and it will also be responsible for the siting of the sidings.

After the construction has taken place, the Western Australian Government Railways will be responsible for the maintenance of the railway lines and the sidings in question, but the company will be responsible for the cost involved in the overall operation. So it will be seen that this provision differs somewhat from those in other agreements which have been presented to this house from time to time.

The question of rail freights is dealt with in clause 6 of the agreement, and I notice that class "M" freights are to be applied. I do think the company is being fairly treated though I appreciate the fact that the major consideration will be the volume of the product which is to be transported. The railway freights proposed here are somewhat different from those which apply to the wood chipping industry where "N"-class freights are used, and from the alumina refinery agreement, which was before the House recently.

One provision which I could not support is contained in clause 6 (3) of the agreement which stipulates that the freight rate charged by the Victorian Government is to be regarded as the yardstick of the freight rate to be charged by the railways in Western Australia. I am not happy with this proposition, because I feel the question of freight rates should be dealt with on its merits.

We could see the industry in this State expanding in the years ahead, and perhaps the economics and the operations of the industry in Western Australia might be more attractive than the economics and operations of the industry in Shepparton. A comparison should not be drawn between them, and the Victoria freight rate should not be regarded as the basis for the freight rate in Western Australia. Under the agreement if there is any movement in the freight rate between Shepparton and Melbourne, a similar movement will be applied under this agreement to the freight rate between Manjimup and Fremantle. I would like to see the question of freight dealt with on its merits.

In years to come the company could become very financial, and perhaps the railways would show a deficit. If that situation arose it would not be unreasonable to reconsider the freight rates. Conversely this industry in the years ahead could be in need of financial assistance; and if the question of freight was determined on its merits the Government would be able to reduce the freight rates to enable the company to continue in operation. For those reasons I am not happy with the provision in the clause, because I think the economics of the railways in this State should be dealt with on a State-wide basis. The position in Western Australia is entirely different from the position in Victoria.

In showing my disapproval of the provision in clause 6 (3), I say this to the Government: I wish it had carried out the same policy in relation to the transport of other commodities, because in the

transport of certain minerals by the railways the rate has been set down as 1c a ton-mile, but under this agreement the rate is 7c a ton-mile. If the freight rate that has been applied to the transport of certain minerals had been applied to the transport of other commodities, I might hold a different view on this occasion. I am not happy with this provision in the agreement, and I would like to hear the comments of the Minister when he replies to the debate.

My next reference is to clause 6 (7) of the agreement. This states—

> Within the period of three (3) months preceding the expiration of the term of this Agreement the State and the Company shall agree upon the freight rate applicable to the items mentioned in subclause (1) of this Clause which shall apply for the period of five (5) years following the expiration of this Agreement. PROVIDED THAT such rate shall not exceed the rate applicable to fresh fruit for export.

This was one of the provisions in the agreement mentioned by the member for Warren; and Parliament is not to be informed of the final determination. This will be arrived at by agreement between the Minister and the company. In fact, we might never know the final decision.

Clause 8 of the agreement refers to the supply of electricity to the industry. On this occasion I have to support the Minister for Industrial Development. In respect of other industries, we have seen in recent years where the companies concerned were given permission to generate their own supply. It is therefore very pleasing to see that the power to be used by the industry at Manjimup will come from the south-west grid system—from power produced by the State Electricity Commission.

There is no mention of the rate to be charged for the supply of electricity. I realise that the rate for the supply of water is to be the standard rate, but I do not know what is the rate in relation to electricity. There is no reference to it in the Bill. I will therefore be pleased to hear from the Minister what the position is.

The provision in respect of housing is somewhat different from that in other agreements which have been before the House. I stand corrected when I say that I have not seen a provision for the supply of housing where the local authority concerned became involved. I am not suggesting that the provision in the agreement before us is not a good one. Apparently agreement has been reached between the Government, the company, and the Manjimup Shire for the shire to be responsible for constructing houses for some of the technical personnel who will be engaged in the industry. I realise that in this respect some questions have been left unanswered.

The agreement provides that an economic rental shall be paid. I do not know how we could base the rental on the economics of providing the houses. It is also provided that the standard of housing shall be reasonable. Although this is not an important point, I wonder whether agreement can be reached betweent the parties. When there is disagreement on the two aspects of housing I mentioned, how will they be resolved? I ask this because there is no mention in the Bill of how such problems can be overcome.

I notice that under clause 13 of the agreement no industry is permitted to be established in the area for a similar purpose within a prescribed time. That is reasonable enough. I wonder how extensive this industry will become. One member has referred to the processing of mushrooms. If we take into account the type of canned fruits and vegetables which are imported into Western Australia, we will see the need for Western Australia to make an all-out drive to process the type of canned fruits and vegetables which are now imported. I refer to cherries, beetroot, and asparagus. I hope that through the Department of Industrial Development and the company concerned an all-out drive will be made to extend the range of products to be processed, so that at some stage in the near future the people in this State will be able to obtain from the industry the canned products which are now imported.

Preston Valley could be encompassed in this project. In December next we will see the opening of the new dam in the Preston Valley district. Already growers in the district are raising vegetables in huge quantities. It would be correct to say that the Preston Valley is a very rich area, and some of the fruits and vegetables which have been mentioned in this debate could be grown there so that they could be processed by this industry. The member for Warren has referred to the growing of strawberries in big quantities at Nannup.

With some effort we could see an extension of this industry in the south-west portion of the State. I hope that when the question of the necessary capital is raised it will be given every consideration by the Government; and I hope the Government will give every assistance to the industry in the changeover from one type of processing to another, which the Bill provides for.

Clauses 15 to 29 of the agreement deal with default, the imposing of taxes, indemnity, etc. The only provision in that portion of the agreement with which I am not happy is to be found in clause 19, the variation clause. I understand that a similar provision has been inserted in most

agreements which have come before this House. To place it on record, the variation clause provides—

> The parties hereto may from time to time by mutual agreement in writing add to, vary or cancel all or any of the provisions of the Agreement or any contract lease license easement or right granted or demised hereunder or pursuant hereto for the purpose of more efficiently or satisfactorily implementing or facilitating any of the objects of this Agreement.

I realise some room must be allowed for manoeuvring, and the company must be given the scope to negotiate. This is a very broad provision. In my opinion it would give the parties the right to invalidate any of the clauses in this agreement. We have no opportunity to vary the agreement; all we can do is to ratify the agreement that has already been signed. I repeat that under this clause the parties will have the power to alter any of the provisions. without reference to Parliament.

In conclusion, I have much pleasure in giving my support to this Bill, with the minor exceptions to which I have referred. I think we will see a further extension of this industry in the south-west portion of this State.

MR. DUNN (Darling Range) [5.11 p.m.]: I would also like to add my support to this measure. At the outset I want to say how encouraging and pleasing it is to sit in this Chamber and hear members from both sides of the House express their appreciation of the work that has been done by the Minister for Industrial Development and his departmental officers. I do not think too much emphasis can be laid upon this fact.

Mr. Jamieson: Steady now; you were only the Acting Whip for a week!

Mr. DUNN: If the honourable member listened he would learn something. The departmental officers must be very gratified with the breakthrough in their efforts to establish what every one of us has desired for so long; and that is a positive form of decentralisation. I do not think this opportunity should be lost to compliment those concerned for this achievement. Quite often we have heard from both sides of the House, and especially from members representing country constituencies, of the problems which arise with the population flocking to the city.

As a representative of an electorate which is vitally connected with the fruit-growing and fruit-processing industry, and which is very close to this city and its environs, I want to say that it is very pleasing to know that the Government has taken steps to ensure that this industry is to be established in a country district.

However, it would be remiss of me, as a representative of the people who reside in the Darling Range area, principally those around Pickering Brook, Carilla, and Bickley Valley, if I did not say that whilst we wish the people of Manjimup and the surrounding districts every success on, and congratulate them for, the establishment of the industry there, I hope that it will not be too long before the Minister for Industrial Development can indicate there is to be some development of a similar nature—without having to operate in competition with this industry—in the metropolitan area to cater for the useful production from the hills district. I think this is possible, because there is a developing market in the north of the State for the products which are processed from fruit.

In going out for these markets it would seem there is sufficient produce to cater for an industry in the metropolitan area and for the one at Manjimup. Another interesting feature of this development is that primary production in the State is going through a very severe cost-price stress at the moment. I think the Government, at this particular time, should be lauded for the development of primary production, and for being able to encourage a big industrial organisation to invest its capital and know-how in this State. This is of tremendous importance to Western Australia. I am sure that none of us feel at all happy with the problem of the cost-price squeeze which is being experienced. Any efforts which can be made to encourage and to help those who have decided to make their calling the use and the production of the land to solve their problems will no doubt be supported and commended by each and every member of this Chamber.

I would like to recommend that those members who are prone to accuse the Government, the Department of Industrial Development, and the Minister for Industrial Development of not giving any thought whatever to decentralisation and not making any efforts to this end, stop for a moment to consider the work put into this venture and the advantage to be derived from the department's efforts in establishing this business in Manjimup.

If we are to maintain this industry on an economic basis, then we must find ways and means of obtaining outside markets. No-one would disagree that the local market is the first one on which we must concentrate; but if our fruit-growing industry is to be maintained, we must have processing plants. In order to keep these plants going, we must find outside markets so that sufficient business will be available for the plants. This will also stabilise the fruit-growing industry itself.

Therefore every effort and endeavour must be made to encourage the development of other processing industries in order to service the fruit-growing areas in the closer metropolitan area. I make that suggestion for the consideration of the Minister.

I must say in conclusion how very encouraging it is for me to be able to join those members from both sides of the House in congratulating the Minister and his departmental officers, and in wishing the people of Manjimup and surrounding districts every success in this venture.

MR. DAVIES (Victoria Park) [5.17 p.m.]: The Minister when introducing this measure said that the company concerned was one of the oldest, largest, and best-established food processing companies of its type in Australia; and I heartily agree with him. I am quite certain that as it is a sound business company it would have made extensive market surveys before it decided to establish itself in Western Australia.

Therefore, I believe the Government was right in assisting it to establish itself here, especially as it is going to be established in a country area. This will decentralise some of our industries and provide job opportunities for workers in the country.

At the same time, I think we should remember that we have had food preserving companies here before. I refer to Hunts and Plaimar, and I am wondering whether any attempt was made to encourage those companies to expand their activities. I believe that at one time we had another firm known as Monbulk, but I am not quite certain what happened to it. Possibly very sound reasons exist for that company's not continuing in the field into which Shepparton Preserving Company Limited proposes to enter.

We must acknowledge that Hunts and Plaimar have, over the years, done a splendid job in canning both vegetables and fruit. However, one of the difficulties has been the reluctance on the part of housewives to accept products manufactured in Western Australia. I recall that a member of a managerial group of one of the companies told me on one occasion that his company could market a certain brand of vegetables under a Western Australian label for several pence—or cents, as it would now be—cheaper than it could market the same vegetables under an Eastern States label; yet the public would choose the Eastern States product although it was dearer.

I do not cavil at the idea of the Government assisting this company to establish itself here; but I wonder whether or not we should give some consideration to writing into the agreement a requirement that the company specifically promote its products. Naturally the company will do this because it requires the market in order to stay in business; but perhaps we should offer some assistance or warn the company that it should not advertise on the labels the fact that the product is canned in Western Australia.

The attitude of the public in Western Australia is that products produced in Western Australia are not as good as those produced in the Eastern States even though the Western Australian products can be obtained more cheaply than those produced in the Eastern States, and even though the Western Australian products are much better.

I have spoken on several occasions to local grocers and I am assured that they can quit their stocks of foods with Eastern States labels far quicker than they can quit those products sold under Western Australian labels.

I am mindful of the fact that when the Labor Party was in office, a committee was established to promote the sale of local products and, indeed, I think some of the benefits from the efforts of that committee are still being derived today. I believe the Government should do more to promote local products. It is rather deplorable to think that a product canned in Western Australia but with no reference on the label to this fact can be sold and accepted by the public more readily than if it bears a Western Australian label.

Mr. Rushton: Is this not a way of educating people towards this end?

Mr. DAVIES: What does the honourable member mean by that?

Mr. Rushton: Isn't this development proving Western Australian products are as good or better than any others; and will not this company's production assist to demonstrate this fact to people?

Mr. DAVIES : The point I am trying to make is that if the public see the words "canned in Western Australian" a buyer resistance might be created. I have already quoted the experience of the canned vegetables which were for sale under a Western Australian label. They did not sell as well as the same vegetables with an Eastern States label on them.

This is one of the problems, and I think we should do something to assist the promotion of the product and to try to encourage people to buy Western Australian goods. It is quite apparent that the Shepparton Preserving Company will be able to produce from the Western Australian factory a product of the same superior quality as it does from the Eastern States factory. I request the Government to give this matter some attention, and I hope there will be a ready market for the goods which are to be produced.

At the same time, we should acknowledge that there have been other pioneers in this field in Western Australia. I do not know why they are not interested in expanding their activities, or whether they do not desire to expand. Perhaps the Minister can tell us the answer when he replies, and whether or not any efforts were made to interest local companies in setting up the new factory.

The Shepparton Preserving Company has a very good name which I understand is pretty well known. I hope the label "made in Western Australia" will not harm the company.

I notice that in clause 14 of the agreement the company is expected to encourage the expansion of the growing of peaches and other suitable fruits and vegetables. That is a pretty wide provision, and I do not think it means very much. I do not know whether it is to be followed up, or whether the agreement becomes null and void if there is not ample evidence that the company is promoting the expansion of the fruit-growing industry. Perhaps the Minister may be able to tell us the answer to that one.

In other parts of the world where growers were encouraged to expand they became wholly dependent on the one company. An article was recently published in *Time* magazine stating that a group of growers in California was forced to hold its product because the buying companies had formed a combine and forced down the price.

Indeed, we have had evidence of that situation here. I hope the outcome of the present company's being established in Manjimup, which will encourage the increased growing of fruit and vegetables, will not eventually mean that the growers will become dependent on the one company.

MR GAYFER (Avon) [5.26 p.m.]: My contribution to the debate will be brief, and I hope I do not cover any ground already covered by the previous speaker, but I am afraid I could not hear him from this part of the Chamber. However, like others who have spoken to the Bill, I support it. The Bill is a glorious illustration of true co-operation. There is no doubt that there has been co-operation not only between the Department of Industrial Development and the company interested in the project, but there has been co-operation between the farmers, the shire council, the Treasury, and everybody else concerned with the project. As a matter of fact, it is a true illustration of co-operation where many people have worked in complete unity in order to reach a common ideal.

I also feel there is a glaring illustration here of the need for country areas to be completely serviced with electricity, water supplies, and cheap rail freights in order to entice this diversification of industry into country areas. There is no doubt that processing—and the promotion—of the basic product of an area is a sure way of increasing our export market.

When members of this Chamber—and others—were good enough to send me overseas to investigate this type of thing, there was nothing clearer to me than the need for processing establishments to be set up in our areas of production. Consequently, on my return, and when I heard that Mr. Robin Clayton had been appointed as the co-ordinator of agricultural industry, I expected that there would be much more of this type of development entered into. However, I realise that it takes a while to get any project off the ground and I sincerely hope that this venture will be the first of many factories and enterprises dealing with the great diversity of crops and agricultural pursuits we have. I sincerely hope that many industries of this type will be set up in country areas.

I repeat: The country areas need electricity and water supplies. The people require cheaper living conditions, and I feel that it is important to the Government to bring about those conditions as soon as possible.

The real reason for getting to my feet is to request the Minister for Industrial Development, on the eve of his departure for America, to investigate the fruit-growing industry in that country. I fully realise he has many duties to perform, but he did mention tonight that he was going to San Francisco, and that he might possibly go to Los Angeles. If the Minister travels by car through the Santa Clara Valley, or if he goes anywhere near San Jose, I suggest that he take time off to inspect the fruit-picking machines which are well known throughout the State of California.

If we are to compete on the world market, and on the Eastern States market, we must have some form of mechanised picking of fruit before we can bring the product from the area of production to the factory at the least possible cost.

Nowhere in the world is there anything to equal the types of machines at present being manufactured by the Gould factory in the Santa Clara Valley of California. Only two such machines are in Australia at the present time. This type of machine is virtually a car chassis. It consists of a pneumatic tarpaulin, which is laid around the tree. The tarpaulin is inflated to a certain air pressure. An arm comes up, grabs the tree, and gives it a shake with the result that the fruit falls on the pneumatic blanket. This is tilted and the fruit runs back to the chassis where it is automatically packed in boxes.

On previous occasions I have thought this type of machine might be put to very good use in the fruit-picking areas in Western Australia. I could see, however, that possibly it had a limited use, because the fruit would come off in bulk and would have to be hand-graded afterwards. In my opinion it is a very fine machine. I have seen it handling anything from peaches to walnuts; in fact, any type of fruit one likes to pick.

I consider such a machine would be very valuable to this type of industry where the fruit it taken off in bulk for the canning process. I think it would be a great advantage to fruit growers. In many cases in America the machines are owned collectively. This is not always the case, but it frequently happens. In my experience of fruit-growing areas, I consider that if any machine could possibly expedite the process of picking fruit and consequently lower the time and costs involved then this is the machine to do it.

I also believe that greater research should be undertaken to step up production in this State by looking at orchard areas in other parts of the world. I refer to Israel where 160 trees are planted to the acre compared with the normal planting of 100 trees per acre in Western Australia. The Premier has seen this for himself. I consider this type of revolutionary replanting could be investigated by orchardists or by people about to become orchardists to see if there is any possibility of practising in Western Australia the type of thing which is practised in Israel.

With this small contribution, I support the Bill before the House. I congratulate Manjimup on its preferment, because it is well warranted. The area has had ups and downs in certain respects and no member who represents another area is jealous of the fact that Manjimup has been selected. In fact, we are very pleased for the area.

For these reasons, I have very much pleasure in supporting the Bill, as I have said, and at the same time I congratulate all those concerned with bringing it about.

MR. BERTRAM (Mt. Hawthorn) [5.34 p.m.]: Like other members on this side of the House, I express satisfaction over the setting up of another industry in this State. I must say, however, that the use of the words "decentralised breakthrough" by the member for Darling Range seemed to me to be a gross overstatement of the position. As I understand it, decentralisation on a fairly grand scale has been going on in the north-west and in other places for some time past.

Also, I was somewhat amused by the member for Avon when he said this was a glorious case of co-operation. From what I have read through the years, I am not aware that this coalition Government is one which espouses co-operation; rather, is espouses the very negation of it: competition. We co-operate in space but compete on earth; but so much for that!

I would like to obtain some information on this Bill and this is my main reason for speaking. The Bill defines the agreement by saying—

> "the Agreement" means the Agreement a copy of which is set forth in the Schedule to this Act, and if the Agreement is added to or varied or any of its provisions are cancelled in accordance with the provisions of the Agreement, includes the Agreement as so altered, from time to time.

The next clause says—

> The Agreement is ratified.

I have always thought that ratification is something done *ex post facto*. In other words, something has happened, and somebody subsequently comes along and confirms or ratifies what has happened. That is not what Parliament is doing by this Bill, but the word "ratify" is being used nonetheless. It has not been uncommon in this House in recent times—on the motion of the Government—to use words which really do not mean what they say. This is what is being done in the Bill.

We are truly ratifying one agreement, which is the schedule; but, then what are we doing? I say that we are ratifying—if that is the word—something which may never occur and which, if it should occur, would be something which occurs without our knowledge. That is a brilliant act of responsibility! We are ratifying, before it happens, an event which may happen and which may be the creation at least in part—50 per cent.—of somebody who is not a member of Parliament, and who is not accountable to the Parliament, the public or the taxpayers. That is what we are doing.

I have grave doubts whether the company would be enthusiastic about this type of conduct; because it is certainly not the sort of provision which is designed to win friends and influence people. This is something which a company will have to do if it wishes to survive. It certainly seems to disregard what could very well be a probability, and certainly more than a possibility; namely, that in the relatively near future a different Government may be in power. There are those who say they are certain there will be a different Government in power, but I am not joining in this issue at the moment. This seems to me to be a gentle attempt to snub the Parliament.

As I have said, I do not find it easy to believe that responsible directors and executive officers of the company would be very enthusiastic about this provision. I would like to be reassured that the company demanded it and that it was not put in because of the insistence of somebody else.

Mr. W. A. Manning: The honourable member does not sound very enthusiastic about it himself.

Mr. BERTRAM: I have made it perfectly clear that I join with other members in supporting the Bill. However, whenever anybody says anything in connection

with a Bill he immediately receives something of an emotional attack, which is quite unjustified. We are here to discuss the Bill and I propose to do so.

Mr. Gayfer: Would you say you were co-operating with the Government?

Mr. BERTRAM: There is nothing unusual about that, but co-operation is not unilateral; it has to flow from both sides, and this does not happen.

Mr. Gayfer: In regard to this Bill, it is flowing from all sides.

Mr. BERTRAM: Co-operation is near and dear to the member for Avon as it is to me, and I am referring not only to the subject matter of this Bill. It is very easy to compete, but I hope mankind will eventually learn to co-operate.

Mr. W. A. Manning: A little like Midland.

Mr. BERTRAM: What happened there?

Mr. Brady: Some members have one-track minds.

Mr. BERTRAM: I repeat: With this agreement we are ratifying an existing one, but also we are ratifying something that does not exist and may never do so. This may or may not thrill some members in the House, but it certainly does not thrill me. There is nothing in the Bill which requires anybody to tell Parliament that the agreement has been altered, varied, or anything else. In ratifying it, under those circumstances, we would have no knowledge of any amendment. The Parliament and the people would not even know that the event had occurred.

As I understand the position, there is no obligation on anybody to tell the House that under a certain clause of the agreement, or by mutual consent, the agreement was altered on a certain date so that it would then read differently. Therefore the only way for us to ascertain what is going on, is to follow the example of the member for Collie and other members and ask strings and strings of questions on how the State is faring under this agreement. However, that is wasting the time of the House. I consider it a very inefficient way of gaining information and should be quite unnecessary.

If time had permitted I would have asked the Minister for Railways information on railway freight charges. We are told that the "M" scale of freight charges will operate. I am not like the member for Collie and other who have knowledge of such freight rates; I do not have this information within my grasp. I would like to know whether this is the usual rate applicable to the type of material that will be carried in this instance.

I also notice that the Minister said the company will use the W.A. Government Railways. This Bill was introduced to the House only yesterday and I have not had the opportunity to study the agreement closely. I would therefore be pleased if the Government would indicate to the House whether the Minister's statement means that the company will use the W.A.G.R.; and that it shall be mandatory for the company to use the W.A.G.R. exclusively, or whether the company has an option to use our railways. If it is mandatory for the company to use the W.A.G.R. I hope the Minister will clearly indicate the clause in which such condition is set out.

Mr. O'Connor: What do you think is meant by that?

Mr. BERTRAM: Perhaps the Minister might indicate the clause to me now and the matter will be disposed of, otherwise it may be forgotten. Another matter is that it seems to me that the State has to pay out certain moneys at the initial stage of the performance of the agreement, but having done so it does not appear that the State will have to pay out any further moneys thereafter. I also notice that there is provision for the payment of interest by the company in certain situations.

I would like to be assured that the company is required to pay interest in those cases where it owes money; where money becomes due under the agreement, and the company fails to pay. We hope, of course, that this will not occur; if it is a reputable company, I do not suppose it will. But it is a provision that seems to have become necessary as a result of experience, and perhaps, bitter experience. I understand that up until recent times, for the year ended the 30th June last, one company owed the State, for payment of royalties, an estimated $1,100,000. Further, as I understand the position, no interest is accruing on that money. Another company also owes the State $500,000 for freight charges and there is no interest payable on that amount, either.

Let us assume that the interest for which we may legislate is fairly nominal. One can just imagine the amount of money that would be involved. Where is the incentive for the company to pay, in any case, if it has millions in its coffers and we do not have them in ours? Where is the incentive for the company to pay in those circumstances? I would have hoped, therefore, that some steps would be taken to rectify this. I am not saying that each of the companies I have mentioned does not have a good case for not paying the money that it owes, but at the moment the fact is the State is $1,500,000 short, free of interest, whilst we are running around, as it were, without a penny to bless ourselves with, especially

after having heard the Treasurer's Budget speech. In effect, we have to bear the burden; we are lending money to these companies without charging any interest.

In the contract we are ratifying by this Bill, there seems to be a unilaterail advantage in regard to money, because the money is flowing from the company to the State, and not *vice versa*. There is also a provision in the agreement whereby the parties agree to fix the rail freight for five years after the contract has terminated. I suppose that is not a bad sort of an arrangement, but it would, perhaps, seem quite reasonable to have thought that there may have been some *quid pro quo* in regard to this. On the one hand the State will be price-fixed, but on the other, the company will not be subject to any fixation of price.

I can visualise contracting difficulties over this, but it is merely a comment. It may be said, "this is just another concession in the overall give and take in establishing the original agreement"; that is, the agreement we are discussing.

I am a little concerned over subclause (1) of clause 24 of the agreement, which reads—

> This Agreement shall be interpreted according to the law for the time being in force in the said State.

Subclause (2) of that clause mentions that the agreement shall be made in the State of Western Australia. In the agreement itself, two States are mentioned; one is the State of Western Australia, and very early in the schedule to the agreement the State of Victoria is mentioned; which, of course, is another State.

In clause 1, "the State" is defined. It means the State of Western Australia. I think that is the State that is a party to the agreement. I am concerned about defining the State which is referred to in clause 24 (1) of the agreement. Is it the State of Western Australia? If so, why not state it clearly? On the other hand, if it is the State of Victoria, let us make it clear in the Bill. The terminology in the Bill seems to change because, in particular, I notice that in clauses 21 and 22 of the agreement the State of Western Australia is referred to, in subclause (1) of clause 24 the words "the said State" are used, and in subclause (2) of the same clause the "State of Western Australia" is mentioned.

I would be a lot happier if, in subclause (1) of clause 24—if we are talking about the State of Western Australia—the State was clearly defined, because we would then know exactly what is meant. With the present terminology we should not appear to be mixing the descriptions of the States. The Minister might also be good enough to tell the House the need for clause 24 (2), and whether it is to be incorporated in other agreements entered into between the State and other companies.

I am also a little puzzled as to why there should be a need for a variation clause, because I should have thought that if two parties mutually want to vary the agreement they could do so. Also, if they mutually want to determine it they should be able to do so. This might be an excellent clause, of course, but I would like to hear the Minister's comment on that point.

I want to make it abundantly clear that we on this side of the House believe that the establishment of this industry is a good thing for the State and also for the people involved. At the same time I think it is worth while for us to remind ourselves that it is no longer altogether necessary for us to go out to secure contracts, particularly if we are to give some credence to what was reported to have been said by a business magnate some weeks ago to the effect that Western Australia was a businessman's bonanza.

With the propaganda that has emanated from the State in recent times, together with the hard cold facts of industrial progress that has been made in this State—and I emphasise the aspect of industry rather than that of progress—it would seem that Western Australia is a magnet not only for people in Australia but also for those from other parts of the world.

We should remind ourselves of this fact. The Minister said that he assisted in establishing this company in Western Australia; he did not say that he had actually brought it here. There is no doubt, however, that a company with initiative would make every effort to establish itself in this State. I would like to think that the time has been reached—perhaps it is past—when it is no longer necessary for us to go cap in hand to bring industry to this State, because we have a very real and strong bargaining power.

MR. JAMIESON (Belmont) [5.52 p.m.]: All members have given support to the proposition contained in the Bill while some have been critical of various aspects of the agreement. The member for Darling Range began by talking some sense, he then continued and talked nonsense, and later began talking sense again. I daresay, therefore, that we can give him credit for having balanced the scales during the course of his contribution to the debate.

One point he made in his speech referred to his hope that it might be possible to establish a similar type of canning industry in the metropolitan area. I hope this will not be the case, not because I do not want to see more industries established in the metropolitan area but because I think we should encourage and look after the interests of those people mentioned by the member for Victoria Park; those who pioneered the canning industry in Western Australia—and I refer particularly to the Plaimar and the Plaistowe groups. I feel

sure that these people would be just as capable as the Shepparton Preserving Company, provided they were given the necessary financial backing. So I feel that we should protect those who have pioneered industries in Western Australia, and if further industries are to be established the Government should give some guarantee to the pioneers that their activities will not be affected; they should be encouraged to produce rather than be faced with the prospect of outside competition which is likely to send them to the wall. These people have struggled to maintain their industry and have endeavoured to manufacture a worth-while product and they certainly deserve our consideration.

The same thing, of course, applies to Hunt's Canning Company in Albany, though I doubt very much whether the factory to be established at Manjimup will affect Hunts to any great extent, because it is more concerned with the canning of vegetables.

I would now like to touch on the use of labels and I hope the Minister will come to some understanding with the company to ensure that it uses labels which indicate that the products are manufactured in Western Australia. Perhaps the label could read, "S.P.C.," after which the company could name the various products and mention that they are produced in Manjimup or Shepparton, or whatever the case might be.

Not only is it horrifying to see Eastern States labels being affixed to products manufactured in Western Australia, but to my mind it constitutes grave deception as it affects the consumers of this State. Recently quite a number of members of Parliament were present when Mr. Hunt openly said that this sort of thing was being done. We could not understand why Eastern States labels were being placed on thousands of tins of peas which were manufactured in Western Australia, and which, because of the Eastern States labels, were being sold at 3c more than the local product. They were being sold at the supermarkets as a product of Victoria.

It is quite wrong for this type of deception to be practised. If the product is manufactured in Western Australia it should carry a label to that effect; it should not indicate that it has been manufactured in Victoria.

Seeing that this canning works is to be established I would like the Minister for Agriculture to give some thought to the question of fruit-fly control. This must be done if the industry is to be preserved. If the fruit fly is not controlled we will be canning meat and fruit at the same time! I think the member for Darling Range mentioned this aspect. Accordingly I hope the Minister ensures that his departmental officers increase their endeavours to control the fruit fly.

I have spoken to a number of departmental officers and they seem to feel the Government is not encouraging them to do enough in this direction; they feel they are hamstrung by the Government and that they are not able to adopt an approach which is positive enough to control the fruit-fly problem. If more serious consideration is not given to this aspect I feel sure that industries such as the one it is proposed to establish will be in quite a bit of trouble.

Mr. Nalder: I will check with the officers.

Mr. JAMIESON: I have no doubt the Minister will, but it is unlikely that the officers will say to the Minister—who after all is in charge of the department—that they are not doing all they should to control the fruit-fly problem. They will probably mention all the things they are doing, but the cold hard facts are borne out by the attitude of the departmental officers that enough is not being done to attack the fruit-fly problem.

Mr. Nalder: That is different from the information I have been given.

Mr. JAMIESON: The Minister has administered the department for a considerable number of years and these officers are not likely to say to him all the things they say outside.

Mr. Nalder: I cannot imagine officers going outside and saying that they are not doing enough on the one hand, while on the other saying they have as much as they can handle.

Mr. JAMIESON: I have referred to this matter often enough to indicate that sufficient is not being done in this direction.

I would like to draw the attention of the Minister to clause 3 subclause (9) of the agreement which states—

> When the Company shall demonstrate to the reasonable satisfaction of the Minister that it has expended not less than the sum of FIVE HUNDRED THOUSAND DOLLARS ($500,000) (or such lesser sum as the Minister shall accept).

It then goes on to say that certain things shall happen. I do not think this is quite the right type of provision to write into an agreement. If we are to write an amount into this agreement, I think we should write in a definite and lesser amount that must be spent by the company before the Minister has the right to make a determination.

I hope that we will see many more industries established in the State. Sophisticated food-packing industries like this one

attract a fairly large work force, and that is what the State wants. Many of the industries which have been established in recent years have operated largely with machinery, and they do not require a very large work force.

So far as we on this side of the House are concerned, we want it to be clearly understood that we are in support of the establishment of this industry. We think it is a step forward. It is an industry to be based within a reasonable distance of the city, and it will be established to produce some of the sophisticated food lines that are vitally needed in the world.

MR. COURT (Nedlands—Minister for Industrial Development) [6.1 p.m.]: First of all I would like to thank members opposite and members on my own side of the House for their co-operation in connection with this Bill. I was anxious to be given the opportunity to reply in some detail to the comments which have been made, but I am afraid time will defeat my intention. I do appreciate the fact that the Bill was only introduced yesterday, and that did not allow enough time for the fullest consideration.

The Government did not delay the introduction of the Bill unnecessarily. I think the delay occurred because the directors of the company had not physically seen the site, whereas the management had. It would be incongruous for the directors not to see the site before they signed the agreement.

The member for Warren led the debate on behalf of the Opposition, and I want to commend him for the interest he has taken in this industry; and I am sure that has helped him in the consideration of the Bill. He did make a very balanced and very objective approach to the Bill and the agreement. It is good to see this sort of thing happening, because most of us want to see this type of industry established in Western Australia.

One of the queries he raised was in relation to the capacity of the industry. Because of its nature, we could not specify the minimum throughput because it is subject to the vagaries of the season; therefore we had to specify a capacity tonnage, and work on the assumption that as the company has invested a large amount of money on capacity tonnage—this will cost much more than the $500,000 mentioned in the agreement—it will be anxious to ensure that its investment is used to the fullest capacity.

I was also interested in the comments of the member for Warren in relation to the land. I agree with the queries that were raised as to whether the price paid for the land was too high, because there is another $250 per acre involved in clearing, owing to the nature of the timber and the terrain. However, the company is satisfied to go along with the arrangement, particularly as it now has security for erection of its plant to cost in excess of the $500,000 specified in the agreement.

I think it could eventually be a plant of a capacity of 40,000 to 50,000 tons per annum, having regard to the experiences of Shepparton, and still be kept within the confines of 380 acres.

On the question of the proportion of Western Australian, as against Eastern States, capital neither I nor the company can be specific. I agree with the member for Warren that it looks as though the preponderance of capital will have to come from the Eastern States initially. By comparison we have a handful of growers in Western Australia, who are struggling to secure a toe-hold to grow with the industry. Therefore we are fortunate in having a big and well-established company to come in behind the growers and to carry them over the first few years. The significance of this development is not unusual when compared with the pattern throughout the world. Food processing companies which rely on natural growth, such as fruits and vegetables, are trying more and more to get diversity of location of production, because this does bring about a form of insurance whereby with unpredictable weather there could be a bad season in Victoria and a phenomenal season in Western Australia, or *vice-versa*.

The only other provision in the agreement which the member for Warren queried was the variation clause. We cannot have an agreement like this unless we have some provision for variations. If we look at the agreements which have been arrived at by Labor Governments in this State and in other States we will find a provision for variations.

I draw the attention of the honourable member who raised this query to the fact that the variation clause can only operate for the purpose of giving better effect to the objects of the agreement. If we did not have to bring before Parliament amending Bills, when major principles involving variation arise, we would not have had to introduce the Cleveland-Cliffs, the Hamersley, the Mount Newman, and other amending measures. If we took literally what is stated by the Opposition to be in the variation clause, we could have effected the variations ourselves without reference to Parliament.

I appreciate the generous approach of the member for Stirling. He was very generous in his attitude to another region which has obtained this industry. In fairness to the member for Collie I must say that he took the same attitude. I suggest that if he draws a circle with a radius of 50 miles around Manjimup he will find that it does not include Collie. He was generous in his comments to Manjimup and he welcomed the fact that the industry is to be established there.

The question of dumping was raised by a number of speakers. In regard to Western Australia products, it is a fact there is a prejudice. With identical produce grown from the same trees, packaged in the same type of cans, but bearing different labels, the product from the Eastern States has been known to sell in the supermarkets at 3c a tin more than the product from this State.

The Shepparton Preserving Company is changing its name to S.P.C. because when one sees the name "Shepparton" one seems to brand it as a Victorian company. It is the aim of the company to register the name in Victoria and Western Australia as S.P.C., so as to get away from "Shepparton." With the effluxion of time, people will tend to think of the product as S.P.C., and not link it with Shepparton.

There is one other matter: the question of international trade. We are encouraging the company to find markets abroad, particularly in Japan where it looks as though it will develop a market. Here we have an ideal type of bargaining. We can offer Japan canned pears, apples, peaches, etc., and in return we can buy from Japan the tinplate that is required. That is good and sensible business. The strong selling point is that if Japan buys our canned products we in return will buy its tinplate. There is an additional advantage, because there is the drawback of the customs duty that has to be paid when the product is re-exported in the form of cans.

The member for Collie raised the question of the fruit trees which had been pulled out. I cannot account for human nature. The man concerned knew more than any other person about the fact that we were negotiating this industry; but of course it is a free country and if he wants to bulldoze his lovely peach trees, which were among the best in the area, I am afraid there is nothing anyone can do to stop him. Actually he had a "thing" about this industry. He believed that the canning should have been carried out at West Perth. He was a great advocate of Plaimar; and, for his own reasons, on the eve of our making progress with our negotiations he decided to get the TV people down and to bulldoze the trees.

Members can just imagine how much that action helped me because at the time I was in Shepparton! The man with whom I was negotiating, said, "What manner of madness is that?" However, the company was big enough to realise that this was only one man and it had already received tremendous encouragement from other farmers.

On the question of freight, I make no secret about or apology for the fact that the freight is based on the Victorian rates because we knew that in these circumstances the company would have a chance to be competitive. Under our normal freight schedules the company would not have had a chance of getting started. This information answers the honourable member's second question as to whether the rates are standard. They are not. They are much lower than the freights on sugar, tinplate, tinned fruit, and the like, but if we had based our rates on those applying to the items I have just mentioned, we would not have been able to negotiate for the business. By including some of these operating conditions set out in the agreement, we have been able to help the company economically; and the freight rate was one direction in which we could do this.

The honourable member need have no worry about the houses as these will be up to standard and the rent will be economic.

Concerning the point raised by the member for Darling Range, he need have no fear. We are not overlooking the fact that more areas will need to be serviced. The other company is still interested in operating closer to the metropolitan area.

On the question of the local companies being encouraged, they were all encouraged. It is hard to estimate how much this Government contributed towards Plaistowe's. A notice was served on growers by the company that it proposed to discontinue, and it cost the Treasury a lot of money to help keep an outlet for growers. As a matter of fact I was almost amazed when the Treasury agreed to support the industry, when it gave the new company—that is, S.P.C.—three years in which to get off the ground. Fortunately it has and there will be no necessity for the premises in West Perth to be used after the next season. The member for Warren will no doubt be very pleased to know that as from the 30th April, 1970, all the canning of the peach crop will be done in his area. In other words, the plant in Manjimup will be ready to cater for the 1971 season.

I know the fruit-picking machine to which the member for Avon referred. It is quite a frightening experience to see it in operation. I have been there when the fruit machine was operating, but unfortunately they are reducing their production in California rather than increasing it because of the onward march of urban development. It is, however, a magnificent area in which to produce fruit.

Mr. Gayfer: Perhaps you could buy one of the machines cheaply over there and bring it back.

Mr. COURT: I feel sorry for the trees which must suffer the equivalent of an earthquake each year!

The member for Belmont raised the question of fruit fly and the company has already taken this up with the Government and is satisfied that the measures proposed by the Minister and his department will

be adequate to deal with the situation. As a matter of fact the company's fear lies more with the tourists because they are responsible for the spread of the fruit fly. At one stage, 28 outbreaks occurred in Shepparton and they were all as a result of tourists bringing infested fruit into the area. I am sure that we should all learn a lesson from this information.

I can assure the member for Belmont that the reference to less than $500,000 is intended only if it is demonstrated that a plant which is technically just as capable and which has the same capacity can, because of some freak set of circumstances, be brought in for slightly less. In these circumstances it would be approved. However, it is felt that more money will be needed, not less.

With regard to the matters of law raised by the member for Mt. Hawthorn, I am sorry that time has defeated me. I am afraid that the honourable member will have to take the will for the deed; but I assure him that I would be only too delighted to discuss the points with him.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

As to Third Reading

MR. COURT: (Nedlands—Minister for Industrial Development) [6.12 p.m.]: I move—

> That the third reading be made an order of the day for the next sitting of the House.

I would explain that in view of the short time the Bill has been before the House, I feel it would be unfair to move the third reading today.

Question put and passed.

BILLS (2): RETURNED

1. Iron Ore (Dampier Mining Company Limited) Agreement Bill.
2. Iron Ore (Cleveland-Cliffs) Agreement Act Amendment Bill.

Bills returned from the Council without amendment.

ADJOURNMENT OF THE HOUSE

SIR DAVID BRAND (Greenough—Premier) [6.14 p.m.]: I move—

> That the House do now adjourn.

In moving this motion I would like to remind members that we will be sitting after tea next Thursday.

Question put and passed.

House adjourned at 6.15 p.m.

Legislative Council

Tuesday, the 21st October, 1969

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

BILLS (4): ASSENT

Message from the Governor received and read notifying assent to the following Bills:—

1. Licensing Act Amendment Bill.
2. Weights and Measures Act Amendment Bill.
3. Exmouth Gulf Solar Salt Industry Agreement Bill.
4. Church of England (Diocesan Trustees) Act Amendment Bill.

MINES REGULATION ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by The Hon. A. F. Griffith (Minister for Mines), and read a first time.

QUESTIONS (3): ON NOTICE

1. MAIN ROADS

Lighting on Great Eastern Highway

The Hon. CLIVE GRIFFITHS asked the Minister for Mines:

(1) Is it intended to provide street lighting in the new section of Great Eastern Highway between the Causeway and the Rivervale subway?

(2) If so—

(a) when will the lights be installed;

(b) what will be the type of lighting used; and

(c) what is the estimated cost?

The Hon. A. F. GRIFFITH replied:

(1) The lighting of this section of road is the responsibility of the Perth City Council. It is understood that the council is at present negotiating with the State Electricity Commission with a view to arriving at a suitable standard of lighting.

(2) Answered by (1).

2. EDUCATION

Wiluna Primary School

The Hon. G. E. D. BRAND asked the Minister for Mines:

> As the primary school at Wiluna is locked during the lunch interval on school days, thereby compelling