CAPS Requests Reply from DoP Re Alcoa Wagerup Refinery - Implementation of Buffer Zone (Attached)

Vince Puccio <caps6218@yahoo.com>
To
Minister Faragher
CC
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16 Feb at 9:24 PM

Dear Minister

Thank you for your letter dated 15th February 2017

Given the nature of your response we see little value in answering your reply to our request for a formal 10 km buffer zone around Alcoa Wagerup Refinery and its mud lakes.

What we will say, however, is that we are very well versed with the rhetoric employed by both the government and Alcoa (see support documents attached), and that this will not deter us from continued lobbying until the government implements an adequate buffer around the Wagerup facility.

We would suggest that you re think your replies/strategy and get back to us with viable options.

Looking forward with anticipation for an early and favourable reply.

Regards
Vince Puccio (Co-Chair)
Community Alliance for Positive Solutions Inc. (CAPS)

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10 Attachments

1. CAPS Requests Reply from DoP Re Alcoa Wagerup Refinery - Implementation of Buffer Zone
2. How did the Fluoride Scam Begin 2006.pdf?
4. Sally Talbot MLC - Hansard - Re Alcoa Mental Health 17-6-15 .pdf
7. John Bradshaw MLA - Hansard - Re Alcoa Wagerup Buffer Zone 14-5-02 .pdf
8. Hansard - Western Aluminium No Liability (ALCOA) (Highlighted) - 23-11-1966099 .pdf
Mr Vince Puccio  
caps6218@yahoo.com

Dear Mr Puccio

ALCOA WAGERUP ALUMINA REFINERY – BUFFER ZONE POLICY AND DEPARTMENT OF ENVIRONMENT REGULATION DRAFT SEPARATION DISTANCES DIVISION 3 PART V, ENVIRONMENTAL PROTECTION ACT 1986

I acknowledge your emails to the Minister for Planning regarding the above matter.

As you would be aware, a State Election will be held on 11 March 2017 and the Government has assumed a ‘caretaker’ role. Accordingly, the Minister has asked me to reply on her behalf.

I understand you recently met with Department of Planning officers and an advisor from the Minister’s office on this subject. I address a number of issues you raise in your letters, including your most recent email received on 23 January 2017.

The State Recovery Coordination Group led by the State Recovery Controller for the Waroona Complex Fire, Dr Ken Michael, was established to oversee the recovery from the Waroona fire. The State Government has invested more than $53 million in the recovery of Yarloop and has committed further funds to restore key infrastructure and utilities. The recovery process for Yarloop has now transitioned to the Shire of Harvey but the State Government will continue to provide support and funding for some key initiatives which are vital to the town’s future. The State Government is providing $25,000 towards the development of a town site strategy for Yarloop.

In considering future options for Yarloop, Dr Michael sought advice from the Department of Health and the Department of Environment Regulation (DER) and noted that there were no drivers for further intensification in the area. The current planning framework was considered adequate to address any future potential land use planning proposals in the context of the operation of the refinery and is consistent with the broader strategic planning strategies for the region. Further, the community consultation process undertaken by the State Recovery Team demonstrated that the decisions of only a small portion of the community were influenced by the operation of the refinery.

As you are aware, Alcoa’s Wagerup Refinery Land Management Plan enabled people living in the immediate vicinity of the Wagerup refinery to sell their property to Alcoa. The plan is implemented by Alcoa and has no formal status in planning schemes or legislation. The refinery operates in accordance with the Alumina Refinery (Wagerup) Agreement and Acts Amendment Act 1978 (State Agreement).
The purpose of *Development Control Policy 4.2: Planning for Hazards and Safety* is to ensure planning proposals consider the risks of potential hazardous industries and/or associated dangerous goods on the public. One mechanism that assists with managing such risks associated with planning proposals is a separation distance between potential hazards and sensitive land uses. If separation is required, this is determined by the DER and/or the Department of Mines and Petroleum based on the relative technical merit of each proposal and other measures such as management and monitoring strategies. *State Planning Policy 4.1: State Industrial Buffer* is also used in planning decision-making. Buffers are informed by separation distances but also take into consideration a range of other factors. In addition, planning policies do not apply retroactively.

A licence has been issued for the Cogeneration Plant on the basis that it adheres to Ministerial conditions (Ministerial Statement 729). These conditions involve the monitoring and management of industry emissions from the plant and subsequent compliance reporting to the DER. The relevant guidance at that time was the Environmental Protection Authority’s Guidance Statement No. 3 *Separation Distances between Industrial and Sensitive Land Uses*. Guidance Statement No. 3 provides advice on generic separation distances between industrial and sensitive land uses to avoid conflicts between these land uses. As noted in the Guidance Statement, the distances outlined are not intended to be absolute separation distances but are intended to be used as a tool in the assessment process.

The Plant has been the subject of a number of appeals under the *Environmental Protection Act 1986* with respect to the issuing of a licence for a prescribed premise with the Guidance Statement considered as part of those processes. Issues considered on appeal include adequacy of separation distances and the potential impacts of noise and other emissions from the plant.

The draft *Guidance Statement: Separation Distances*, to which you refer, was released for consultation by the DER on 21 August 2015. The DER recently advised that, following feedback from stakeholders, it has decided to withdraw the Guidance Statement. The consideration of distances from sensitive receptors will still be used by the DER to inform assessments and decision-making with distances assessed on a case-by-case basis. Further information can be found on the DER website.

In contrast to Alcoa’s Wagerup refinery, the Western Trade Coast is a strategic industrial area that supports a range of strategic and heavy industry uses, involving various industry stakeholders and increasing development pressures. Any future mining activities in the Waroona and Harvey areas would be subject to the provisions of the *Mining Act 1978* and *Environmental Protection Act 1986*.

I trust the above information is of assistance.

Yours sincerely,

[Signature]

Gail McGowan
Director General

/ 5 February 2017
Hon. Donna Faragher MLC  
Minister for Planning  
Level 7, Dumas House  
2, Havelock Street  
West Perth WA 6005  

20th January 2017  

Dear Minister  

CAPS Requests Reply from DoP Re Alcoa Wagerup Refinery - Implementation of Buffer Zone  

Concerning the question of a buffer around the Alcoa Wagerup refinery and mud lakes we are still waiting for a reply from your office. CAPS were invited to make comment on a buffer strategy in 2009. Yet, as after seven years the saga is still continuing, government decision-making, appears as a mockery all the while so many people are hurting due to health and environmental impacts from the Alcoa operations and further traumatised by the 2016 bushfire.  

When we met with your staff David MacLennan, Jason Gordon and Samantha Stokes 2nd December 2016 we handed over a file with information to back up the need for a buffer and to get people out of harm’s way. At the time, Samantha Stokes also confirmed that she had access to a larger file with information that we left with Dr Ken Michael when we met with him. To this day, however, we have not received a reply or acknowledgement from that meeting either from yourself or your staff. We, on behalf of the CAPS membership, are requesting a written reply to our request for information about the government’s position on the implementation of a buffer zone around the Wagerup refinery and its mud lakes so that we can inform our members who are awaiting an outcome, before they are able to move on with their lives.  

As we have argued repeatedly over far too many years, there is ample need for the creation of a buffer zone as attested to by independent experts in the areas of health and of environmental toxicology (e.g. Wagerup and Surrounds Community Health Survey June 2008, Supreme Court Of Western Australia in Civil - Wattleg Road Development CO PTY LTD - v - State Administrative Tribunal (No2) (2016) WASC - buffer expansion allowed based on Precautionary Principal), as well as the recommendations of various government departments. We refer to, for example, statements by the former Department of Environment Conservation (DEC) concerning the harm potential of alumina refining and the DER’s Separation Distance Guidance Statement, which stipulates buffer requirements for installations with electric power generation of 20MW or more in aggregate (natural gas)/10MW or more in aggregate (using fuel other than natural gas). For operations, such as Alcoa’s, which uses diesel and has 1800m³ diesel tank on site, the DER speaks of a separation distance is 5000m. Alcoa’s Wagerup cogeneration is 350MW with a capacity of producing 480MW and yet does not have a buffer around this facility. Moreover, Alcoa’s planned refinery expansion will increase power generation to 700MW with a capacity of producing up to 960MW. This alone should be enough for the Department of Planning and the government to implement a 10km buffer around the Wagerup refinery and mud lakes, which pose an even greater, and equally well documented, health risk.
Our members and the broader community have experienced a lot of hardship due to health and environmental impacts from the Wagerup refinery for the last 20 years compounded by the recent trauma and destruction caused by the fire. We thus believe to have every right to know what the future holds for this community/town and to have the correct information in order to make informed decisions about our future to start a new life with a degree of certainty, financial and otherwise.

There is so much uncertainty due to a complete lack of transparency about the government’s plans for the Yarloop area. Therefore, news about potential resource exploration in the Yarloop area by companies such as Empire Energy, KeysBrook Leucoxene Pty Ltd, Doral and Iluka are disconcerting and alarming, giving the impression that over time the township will make way for further industrialisation of the region.

Given that there is so much interest in mining this town, it would make good sense to allow this to happen provided a win-win outcome could be achieved for all concerned. Not only would resource development help generate royalties for the government as well as jobs and economic opportunity for local people but also provide an exit strategy for those who wish or need to leave. For this, however, a compensation formula is needed along the lines of the terms governing Area A within Alcoa’s Land Management Plan, offering sufficient financial recompense and creating a safety mechanism for those wishing to remain and/or leave at a later date.

We are looking forward to receiving a much-anticipated response from your office and wish to stress our desire to play an active role in any government deliberations and decisions concerning the future of Yarloop and its residents.

Yours sincerely

Vince Puccio  
Merv McDonald, AFSM
Co-Chairs: Community Alliance for Positive Solutions Inc.

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Cc. Premier Colin Barnett MLA, Albert Jacob MLA, Professor Tarun Weeranmanthr
DoH,David MacLennan ADG, Jason Gordon SPA, Samantha Stokes PPO.
How Did The Fluoride Scam Begin?

How did it all begin? In a nutshell, toxic waste in search of a market.

Fluoride is a toxic byproduct in the manufacture of nuclear arms, aluminum, cement, steel, and phosphates. Up until 1931, the American Dental Association and the US Public Health Service recognized that fluoride caused dental problems, and that every effort should be made to remove such contamination from drinking water. (Fluoride the Aging Factor, p 140) Over the past 60 years, a mountain of research has proven without a doubt that fluoride is harmful to our health. You'll be shocked to learn that not 1 independent study has ever found any health benefits to fluoridating water. Water fluoridation programs were started before any clinical trials or studies were conducted. That alone speaks volumes.

By 1980, the ADA's tune had changed a little:

"...there is no evidence implicating naturally occurring fluorides as a health hazard even at eight parts per million."- ADA News 24 Mar 1980.

In the face of all the decades of research, this arrogant and groundless pronouncement, by the profession to whom we have entrusted our teeth, is saying that our water could have 8 times as much fluoride as it has now, and still be perfectly safe!

Here are the Players: ALCOA Aluminum, mega-giant producer of aluminum, was founded by Andrew Mellon, who was also appointed Secretary of Treasury, since he seemed to know something about money. ALCOA funded a top research facility known as the Mellon Institute. In 1931, a Mellon Institute report by Gerald Cox suggested that 1 PPM fluoride added to drinking water would be good for the teeth. That was it. No studies, no comparisons, no data. All previous research studies had shown that fluoride was toxic. Stay with me now. The US Public Health Service (USPHS) at that time was under the jurisdiction of the Secretary of Treasury - Andrew Mellon, who also owned ALCOA. The USPHS sponsored some research put out by their own Dr. HT Dean, manipulating data so that it "proved" that this same figure of 1 PPM resulted in reduction of tooth decay. So now there were two studies, one by Cox and one by Dean, both funded by agencies controlled by ALCOA, both supporting this arbitrary figure of 1 PPM fluoride that should be added to the water to lower tooth decay.

Next problem: sell it to the American Medical Association and the American Dental Association. This took years. Even in 1943, an article in JAMA described fluoride as a poison that damaged enzyme systems even at a concentration of 1 PPM. The article showed concern about 25,000 tons of fluorine released into the atmosphere every year from the phosphate fertilizer industry. (JAMA, Sept 18, 1943). The following year Journal of the American Dental Association ran another article warning that fluoridated water caused osteoporosis, goiter, and spinal disease. They stated that "the potentialities for harm far outweigh those for good." (JADA, 1 Oct 1944) So how did fluoridation get started then, with all this information - thousands of negative scientific papers and only two favorable studies? ALCOA money, that's how.

In 1944, ALCOA hired an attorney named Oscar Ewing at a salary of $750,000 per year. That same year Ewing was appointed to the Federal Security Administration. The USPHS was a division of the Federal Security Association. So now ALCOA's boy was in a position to control the policies of the Public Health Service. Ewing chose his PR man for fluoridation: Edward Bernays, the nephew of Sigmund Freud. Edward L. Bernays, described by the Washington Post as the "original spin doctor" was responsible for evolving the pro-fluoridation propaganda and disinformation machine. How anxious he
was to put his uncle's ideas and methods of persuasion into action. (Dr. Y, p143)

"... those who manipulate this unseen mechanism of society constitute an invisible government which is the true ruling power of our country ... our minds are molded, our tastes formed, our ideas suggested, largely by men we have never heard of ... " - Bernays, (Propaganda)

Using classical Freudian principles, Bernays maintained that a well-oiled propaganda machine could make the public believe practically anything, even the exact opposite of what had been already proven by all existing scientific research. And this is exactly what Ewing needed in the case of fluoridation.

With help from "experts" of the Manhattan Project, like Harold Hodge, New York State politicians quickly learned which side their bread was buttered on. In May of 1945, the city of Newburgh, NY was the first to "try" fluoridation. The residents were supposed to be monitored by the state Health Department for ten years. That became the pattern - fluoride is the first drug in history to be tested on the general population with no previous research. Except of course for vaccines. One of the next cities to fall was Grand Rapids, Michigan. In July 1945, in the face of persistent warnings from the AMA, Grand Rapids succumbed to Bernays' propaganda machine and began a ten year "test period" of fluoridation in which tooth decay rates would be monitored. No one asked the question why the testing was being done on humans in an entire city, The project was run by HT Dean, using the statistics of Cox's original 1931 paper that arbitrarily claimed that 1 PPM fluoride was a safe level to prevent tooth decay, with no research to back it up. Dr. Dean almost single-handedly developed the hypothesis that fluoride could prevent cavities. He is "the father of fluoridation. " Dean did no research on his own, and in later years, twice admitted in court that Cox's original statistics were incorrect! (Foukes, 1992) But the entire system of fluoridation of US city water is based on the admittedly unscientific "findings" of Dean and Cox. Bernays' propaganda machine now went into full swing - ads with smiling children with beautiful teeth flooded the country's media. All anti-fluoride studies and articles were systematically suppressed because they weren't sanctioned by the big lobbyists for the aluminum and fertilizer industries.

Tons of new literature written not by doctors and scientists but by PR people and psychologists portrayed those opposing the sacred fluoridation as right-wing wackos. Just like in Orwell's book 1984, they tried to re-write history, to go back and change the findings of valid research, not by doing new research, but simply by new PR.

"I sometimes wonder if the Aluminum Co. of America ... might not have a deep interest in getting rid of its waste products from the manufacture of aluminum because these products contain a large amount of fluoride. ... it is interesting to note that Oscar Ewing who now heads up the FSA, the parent organization of the US Public Health Service, and the firm of attorneys he deals with ... represents the Aluminum Co. of America." - Congressman A.L. Miller

It gets darker. You may want to go for popcorn here. Dovetailing contemporaneously into all the above activity is some mind-blowing information that was recently uncovered by two reporters commissioned to write an article for the Christian Science Monitor. Working from secret government documents that have just become declassified in the last three years or so, Joel Griffiths and Chris Bryson have illuminated a very scary liaison: fluoride and the Manhattan Project. As we all remember, the Manhattan Project was the WWII secret program which brought the atomic bomb into existence. Turns out fluoride was a key component in the production of this bomb, in two main applications: in the uranium complex itself, and also as a toxic waste material. (Fluoride & Brain Damage) There was an accident in 1943 that had to be covered up, big time. DuPont was the chemical company charged with producing millions of gallons of fluoride for the Manhattan Project. A DuPont facility in Deepwater, New Jersey dumped so much fluoride into the air and water that things they couldn't hide started happening in the towns downwind:

* poultry died
* horses got sick and couldn't work
* cows became so crippled they could only crawl on their bellies to graze
* the peach crop was destroyed
* fluoride content of local vegetables was off the charts
* abnormally high level of fluoride in the blood of the local people
* even the workers at DuPont began to get sick
Now all this may not seem like a big deal compared with the development of the most top secret weapon in history, but the farmers in those towns didn't know nothing about no atomic bomb. Hiroshima hadn't happened yet. All these farmers knew was that the chemical company was poisoning the air and the water. The chief toxicologist for the Manhattan Project was a guy named Harold Hodge. Hodge was the first to notice the horrific effects of fluoride pollution on the local environment, and alerted his superiors in several memos, which have now been declassified. In true military fashion, Hodge's superiors took the warnings seriously and thought them worthy of investigation, not because of the dangers to human and animal life, but because of the legal liability to DuPont and the government if the farmers were successful in a lawsuit.

So the head of the Manhattan Project, Gen. Groves, directed Harold Hodge to research the toxicity of fluoride spills for one reason: their own legal defense against the farmers. Hodge was granted funding to study the nerve effects of fluoride way back in 1944. It is likely that the research was carried out, but it is missing from the declassified papers. What a surprise. (Check out Griffith and Bryson's well-researched "Fluoride, Teeth, and the A-Bomb.") Not until 1991 was the there any published research on the neurological effects of fluoride, when it was discovered that fluoride was a powerful neuro-toxin that could affect human brain development and functioning, even at low levels. Even though Hodge collaborated on Mullenix's research some 50 years after the Manhattan Project, and it is almost certain that Hodge was the one who conducted the missing research in 1944, Hodge maintained a strict silence on the subject. These guys knew how to keep a secret. Here's just one example of the difference between old published versions of fluoride research documents and secret versions of those same documents that have recently been declassified:

Old Version, Published In Journal Of The American Dental Association, Aug 1948:

The men who used experimental fluoride had fewer cavities

Secret Version, Recently De-Classified:

Most of the men had no teeth left

Remember, this was the beginning of the Atomic Age. Hiroshima and Nagasaki were just the opening act. The game was not world destruction, but rather atomic bomb production. By 1946 the government and industry were out to arm the world with atomic, and eventually nuclear, weaponry. The billions of dollars all that represented, not to mention the balance of world power (America first) - all this was not going to be derailed just because a few horses died and the peaches didn't come in one year.

Fluoridation gathered momentum, supported by the billions that could be made from selling a toxic waste to city water providers and the untold billions behind the arms manufacturers outfitting the world with nuclear weapons. Gradually, the AMA and the ADA, began to soften their views toward fluoridation, until they had made a complete 180-degree shift in their opinion, as cited above.

By 1952, the American Dental Association had turned completely, publishing the articles of radical fluoride advocate Frank Bull in the JADA. Bull's whole focus was disinformation; avoiding confrontation with actual studies. As the B in BS, Bull put the propaganda theories of Barney's into actual practice.

By 1960 the alliance was formed:

ALCOA

the US Public Health Service

the Federal Security Administration

the American Dental Association

Procter & Gamble.
FYI

A 1998 laboratory analysis done at Sequoia Analytical Labs in California showed very high concentrations of fluoride in the following foods:

- Dole pineapple, canned
- Snapple
- Coke Classic
- Hansen's soda
- Minute Maid orange juice
- Gerber strawberry juice for babies
- Amstel Lite beer
- Rice Dream
- Sunny Delight orange drink
- Pepsi

What are the health consequences of fluoride? Dr. Mercola, and expert in this field, says it best: "Once in the body, fluoride is a destroyer of human enzymes. It does this by changing their shapes. You'll remember from the Enzymes chapter that in human biochemistry, thousands of enzymes are necessary for various essential cell reactions that take place every second we're alive. (Howell) Without enzymes, we'd die instantaneously. Enzymes trigger specific reactions in the body. One way they do this is by having the exact shape necessary, like a key in a lock. Fluoride changes the shape of the enzymes so that they no longer fit! Since enzymes are proteins, once they've been changed, they're now foreign-looking. The body now treats them as invaders, even though they're part of that body. This is known as an autoimmune situation - the body attacks itself. Another way to look at it: enzymes are long-chain proteins held in certain shapes. Hydrogen bonds are the Velcro strips that hold the enzyme in a certain shape. Fluoride comes along and hydrolyzes the enzyme: cuts the Velcro strips away. The shape collapses. No more enzymes; just a new foreign protein."

Here are some of the other health consequences we face, according to well established research, because almost everything we eat or drink was grown or processed in areas where water is fluorinated, mainly California. (More info from Dr. Mercola):

- Dr. Taylor Study, University of Austin: "...fluoride concentration of 1PPM (parts per million) increases tumor growth rate by 25%"

- Fluoride is more poisonous than lead, and just less poisonous than arsenic - Clinical Toxicology of Commercial Products – 1984

- A seven ounce tube of toothpaste, theoretically at least, contains enough fluoride to kill a small child. - Procter&Gamble, quoted in Fluoride the Aging Factor p14

- Fluoride supplements should not be given to children under three years old - 1992 Canadian Dental Association Proposed Fluoride Guidelines, Dr. Limeback

- Austrian researchers proved in the 1970s that as little as 1 ppm fluoride concentration can disrupt DNA repair enzymes by 50%. When DNA can't repair damaged cells, we get old fast.

Fluoride prematurely ages the body, mainly by distortion of enzyme shape. Again, when enzymes get twisted out of shape, they can't do their jobs. This results in collagen breakdown, eczema, tissue damage, skin wrinkling, genetic damage, and immune suppression. Practically any disease you can name may then be caused.
All systems of the body are dependent upon enzymes. When fluoride changes the enzymes, this can damage:

* immune system
* digestive system
* respiratory system
* blood circulation
* kidney function
* liver function
* brain function
* thyroid function

Things wear out too fast - the young body becomes old. The distorted enzymes are proteins, but now they have become foreign protein, which we know is the exact cause of autoimmune diseases, such as lupus, arthritis, asthma, and arteriosclerosis.

**Collagen Is The Body’s Glue and Fluoride Ruins It**  That’s not just a metaphor; when collagen breaks down, tissues simply lose their substance, their framework. Fluoride dissolves the body’s glue simply by preventing new collagen from being formed. Not only is the collagen incorrectly formed, it is wrongly mineralized. Some collagen, like bones and teeth, should be mineralized in order to give it hardness. Other collagen structures, like ligaments, tendons and, and muscles, should not be mineralized, in order to keep them flexible and resilient. Fluoride mineralizes the tendons, and muscles and ligaments, making them crackly and painful and inflexible. At the same time fluoride interferes with mineralization of bones and teeth, causing osteoporosis and mottling or dental fluorosis.

But at least fluoride is good for your teeth, right? That’s the only reason why we fluoridated water in the first place, to prevent cavities and build strong teeth in our kids, right? Wrong again. The scientific literature of the past 40 years proving beyond a reasonable doubt that fluoride interferes with tooth formation, causing permanent discoloration and actual crumbling. The process whereby teeth are discolored and crumble from fluoridation is know as dental fluorosis. The US Public Health service has known since the research of its own Dr. HT Dean in 1937 that as fluoride levels rose, so did the percentage of children with dental fluorosis, in a study of 15 major American cities. The same findings were evident in a University of Texas study comparing dental fluorosis in children who lived in fluoridated and un-fluoridated areas of Texas. Dr. Segretto found a 35% higher incidence of fluorosis in children who drank water with fluorine concentration of 1-1.4 PPM, compared with those whose water was in the .3 PPM range. This little study was written up in the Journal of the American Dental Association. Dr. Yamouyiannis goes on and on, citing one peer-reviewed study after another, all coming to the same inescapable conclusion: The More Fluoride In The Water, The More Tooth Malformation And Discoloration. It’s beyond controversy, when you view these studies from all over the world - New Zealand, India, Denmark, England, Ireland, Italy, Illinois - same finding. Even with this consistent finding across the board, the standard level of fluoridation recommended for dental health in the US is 1 part per million.

**Toxicity of Fluoride; What the U.S. Government Knows**

(excerpts taken from [gov docs](http://www.cpsc.gov/businfo/frnotices/fr98/fluoride.html))

Most available toxicity information on fluoride relates to acute toxicity of hydrofluoric acid ("HF"). However, other water soluble fluoride-containing compounds can cause fluoride poisoning. The fluoride ion is systemically absorbed almost immediately. It is highly penetrating and reactive and can cause both systemic poisoning and tissue destruction. Fluoride ions, once separated from either HF or fluoride salts, penetrate deep into tissues, causing burning at sites deeper than the original exposure site. The process of tissue destruction can continue for days.

Fluoride absorption can produce hyperkalemia (elevated serum potassium), hypocalcemia (lowered serum calcium),
hypomagnesemia (lowered serum magnesium), and metabolic and respiratory acidosis. These disturbances can then bring on cardiac arrhythmia, respiratory stimulation followed by respiratory depression, muscle spasms, convulsions, central nervous system ("CNS") depression, possible respiratory paralysis or cardiac failure, and death. Fluoride may also inhibit cellular respiration and glycolysis, alter membrane permeability and excitability, and cause neurotoxic and adverse GI effects.

When exposure is through inhalation, fluorides can cause severe chemical burns to the respiratory system. Inhalation can result in difficulty breathing (dyspnea), bronchospasms, chemical pneumonitis, pulmonary edema, airway obstruction, and tracheobronchitis. The severity of burns from dermal absorption can vary depending on the concentration of fluoride available, duration of the exposure, the surface area exposed, and the penetrability of the exposed tissue. Ocular exposure can result in serious eye injury. Ingestion of fluoride can result in mild to severe GI symptoms.

Fluoride in Prescription Drugs

Over the past several years, numerous fluoride-containing medications have been pulled off the market for causing deaths and illness. Fluoride is "highly toxic to the liver," expert Andreas Schuld of Vancouver, BC Canada said. Schuld, head of Parents of Fluoride Poisoned Children, explained that "In the liver all fluorides interfere with the metabolism of thyroid hormones, creating thyroid disorders and associated diseases, such as muscle diseases, heart disease, etc." Other effects can include a serious muscle disease that causes pain and weakness. He cited the recent withdrawal of Baycol, a cholesterol-lowering drug taken by 700,000 Americans, as an example of hidden fluoride-induced dangers that could be lurking in your medications. Baycol, Schuld said, has been linked to 31 U.S. deaths, with at least nine other fatalities worldwide. Here are some other fluoride containing drugs that were pulled for causing negative health effects:

Cisapride ("Propulsid") was withdrawn because it caused severe cardiac side effects (2000);

* Mibefradil ("Posicor") was withdrawn after it was shown that patients with congestive heart failure showed a trend to higher mortality (1998);

* Flosexin was withdrawn in 1993 after it was shown that the beneficial effects on the symptoms of heart failure did not last beyond the first 3 months of therapy. After the first 3 months of therapy, patients on the drug had a higher rate of hospitalization than patients taking a placebo;

* Astemizole (allergy drug) was withdrawn in 1999 because it also became associated with serious life threatening cardiac adverse events;

* Fenfluramine and dexfenfluramine were withdrawn in 1997 due to serious cardiac adverse health effects;

* Tolrestat (anti-diabetic) was withdrawn in 1997 after the appearance of severe liver toxicity and deaths;

* In 1992 Abbott withdrew the antibiotic Temafloxacin ("Omniflox"). The drug had caused deaths, liver dysfunction, etc.

* Grepafloxacin was removed from the market in 1999 because of serious cardiac events.

In addition, Schuld cites concerns about both Paxil and Prozac, popular anti-depression drugs. He claims that the fluoride-enhanced drugs not only have a risk of causing liver damage, but also interfere with thyroid hormones and potentially even with thyroid medications routinely taken by millions. Citing the well-publicized case Fen-Phen, a once-popular weight-reducing drug, Schuld said that "it is important to note that only the fluorinated compound ("Fen" - fenfluramine) was withdrawn, while Phentermine ("Phen") was not pulled."

The worry and ensuing investigations about fluoride in medicines are worldwide. Among them are yet another class of drugs: antibiotics. Schuld's documents cite international concerns about fluoroquinolone antibiotics, which are used in the treatment of a large variety of infections. In October 1994 the Japan Pharmaceutical Affairs Bureau amended the drug information for Enoxacin, Fleroxacin, Norfloxacin, Sparfloxacin and Toulsofloxacin to state that rhabdomyolysis may occur. Information on Adverse Reactions to Drugs No.128, October 1994. Five years ago, the Sri Lanka Drug Evaluation Subcommittee decided to include a warning statement about fluoroquinolone antibiotics.

Cancer And Fluoride
By now we all know how cancer begins with one cell whose inner blueprint - its DNA - has been screwed with. Remember those Velcro hydrogen bonds? Guess what other shape they hold together. The double helix - DNA. This turns out to be the exact mechanism of fluoride as a carcinogen. Austrian and Japanese researchers both found that a concentration of 1 PPM fluoride causes disruption of the body's ability to repair its own DNA. Without this most basic cell function, cancer is promoted, and tumor growth is accelerated. That's standard fluoride level in US city water: one part per million. On p. 65 of his book, Dr. Yiamouyiannis provides an amazing chart of some 19 major scientific studies conducted in universities all over the world, together proving beyond a doubt that fluoride causes genetic damage. End of story. Except that on p 68, there is another list of world studies proving the same thing with plants and insects - genetic alteration from fluoride. Chief chemist of the National Cancer Institute, Dr. Dean Burk when confronted with mountains of data, stated before Congress:

"In point of fact, fluoride causes more human cancer death, and causes it faster than any other chemical." - Congressional Record 21 July 1976

Can That Be Misconstrued? Burk and Yiamouyiannis completed a monumental research project in 1977 in which they compared cancer death rates in 10 fluoridated and 10 non-fluoridated US cities between 1940 and 1970. The results are on p75 of Fluoride the Aging Factor. The unmistakable fact is that the graph shows that for the first ten years (1940-1950), when none of the 20 cities fluoridated, the average cancer deaths were virtually identical. But after 1950, there is a major increase in cancer deaths in every single one of the fluoridated cities, while the non-fluoridated cities remain clustered together at a much lower level of death. They actually put a number on it:

"... 30,000 to 50,000 deaths each year from various causes may now be attributable to fluoridation. This total includes 10,000 to 20,000 deaths attributable to fluoride-induced cancer every year."

These findings were first confirmed, then denied by the National Cancer Institute (what a surprise). Finally the research was upheld as valid in two separate state courts, Pennsylvania and Illinois. Ask yourself, why are findings of a scientific study being disputed in court? The usual pattern whenever valid research threatens big money. Another study by the New Jersey Health Dept., cited by Dr. Y, found a 50% increase in bone cancer among young men in fluoridated areas. (Cohn) Dr. William Hrzy, an officer in the EPA explains:

"Fluoride is a broad-spectrum mutagen. It can cause genetic damage in both plant and animal cells." Once again, this is just the tip of the iceberg. Hundreds of scientific studies conducted and reported in the most credible universities and agencies throughout the world for the past 25 years have found an unmistakable correlation between fluoridation and cancer deaths. Even the professional opinion makers can't just make all this data vanish. All they can do is what they're trained to do: change the subject. And keep repeating how safe and effective fluoride is.

Brain Damage and Low IQ

The earliest reference to brain disruption from fluoride exposure is found in a recently declassified secret Manhattan Project memo (1944): "Clinical evidence suggests that C616 [uranium hydrofluoride] may have a rather marked central nervous system effect with mental confusion, drowsiness and lassitude ..." Not until 1991 was there any published research on the neurological effects of fluoride, when it was discovered that fluoride was a powerful neuro-toxin that could affect human brain development and functioning, even at low levels.

Fluoride And Osteoporosis

Bone is collagen. We already saw how fluoride disrupts the formation of enzymes necessary for collagen production. So it's no wonder then that the thin brittle bones characteristic of osteoporosis are the result of fluoridation. This is no false claim. DR Yiamouyiannis cites the 1990 study of 541,000 cases of osteoporosis that found a definite connection between hip fractures in women over 65 and fluoride levels. The study was written up in JAMA. Several other major studies are cited, massive amounts of research, again all reaching the same conclusion - the undeniable correlation of fluoridation with osteoporosis and hip fracture in the elderly. Bone Is Living Tissue.

It is constantly being replaced with new cells, and having old cells removed. Bone building is a finely balanced, complicated process. Fluoride has been known to disrupt this process since the 1930s. Dr. Aleson, who was the president of the California Medical Association, clearly explains what fluoride does to bone formation. He cites dozens of international scientific studies proving beyond a shadow of a doubt that fluoride has caused thousands of cases of osteoporosis, skeletal thinning, fractures, "rubber bones," anemia, and rickets. Fluoride also causes osteoporosis by
creating a calcium deficiency situation. Fluoride precipitates calcium out of solution, causing low blood calcium, as well as the buildup of calcium stones and crystals in the joints and organs. Dozens of other studies, like the Riggs study in the 1990 New England Journal of Medicine, showed that fluoride treatment of osteoporosis in the elderly actually increases skeletal fragility, i.e., more fractures. It's the same mechanism at work: incorrect mineralization, as we saw above. Thin old bones lose calcium; young bones age too rapidly by over-mineralization. Using fluoride as a treatment for diseases like osteoporosis has always been a particularly dumb idea, because of side effects known beforehand:

* general arthritis
* stomach pain
* nausea
* vomiting
* bone spurs
* bone inflammation
* kidney fibrosis
* dental fluorosis

Other mineral contaminants like lead and strontium-90 are damaging to human bone just by means of their occupying space where they don't belong. They are inert. The difference with fluoride is that it is biochemically active. With all the diseases caused by fluoride, the common thread is "... virtually all these ill effects can be traced to the effect of fluoride on enzymes or proteins, as well as a possible direct effect on the DNA molecule itself." Above we saw how fluoride changes the all-important shape of enzymes, thereby rendering them not only useless, but actually foreign antigens.
THE SENATE
PROOF
ADJOURNMENT

Shipping: MV Portland

SPEECH
Tuesday, 1 March 2016

BY AUTHORITY OF THE SENATE
Senator LINES (Western Australia) (20:49): I begin tonight by acknowledging the sacked Australian crew of MV Portland, Australian seafarers working on Australian waters between Victoria and Western Australia, a crew with an unblemished record and a crew who knew how to settle issues with their employer—a ship with a 27-year record of no industrial action. But none of that mattered when Alcoa wanted to make a quick buck. Alcoa decided that the crew had to be sacrificed—and, when Alcoa management met with me, I was told these workers had to be sacrificed—to save the Portland smelter. In that meeting, I told Alcoa I just did not believe them. The MV Portland Australian crew were hauled off that ship by security guards in early January, in the dead of night, and replaced by an Indian crew on $2 per hour. The ship sailed to Singapore, where it has since been sold.

It is on the public record that the Australian government knew beforehand that all this was going to happen, yet it chose to do absolutely nothing. The government did not intervene to save Australian jobs. It simply accepted the Alcoa line that these workers were sacrificed to save the smelter. The government stood up for a multinational company over the jobs of Australians—men and women, mums and dads, taxpayers, homeowners, voters.

So who is Alcoa and what benefits does it bring to Australia? What is its contribution to the Australian tax system, and what does it attract in subsidies from the Australian government? Let us look at the Portland smelter, the smelter that Australian seafaring jobs needed to be sacrificed for to increase its viability, if you believe Alcoa and the Turnbull government. Alcoa of Australia Ltd, CITIC and Marubeni all have a stake directly or indirectly in the Portland smelter, and of course Alcoa has a number of subsidiary companies which form part of Alcoa Australia. Three of those four entities with ownership interests in the Portland smelter paid zero corporate tax in Australia in the latest year for which information is available. Seafarer jobs were sacrificed for companies with a stake in Alcoa that paid zero in tax.

Alumina Limited, one of the top 100 companies on the Australian Securities Exchange, with a market capitalisation of $3.3 billion, owns 40 per cent of Alcoa of Australia Limited. The remaining 60 per cent is owned by Alcoa, a huge, publicly listed US company with a market capitalisation of over US$9.6 billion. Alcoa of Australia Limited is the management of the Portland smelter and has a 55 per cent interest in the unincorporated joint venture. The other joint venture partners, each with a 22.5 per cent interest, are subsidiaries of CITIC Resources Holdings Limited and Marubeni.

CITIC Limited, the parent company of CITIC Resources, is the largest conglomerate in China. It is worth $1 trillion and is controlled by the Chinese government. CITIC is ranked as the 160th largest company in the world. CITIC Resources and other CITIC companies have other significant operations in Australia and, with a 16 per cent interest, is the largest shareholder in Alumina Limited.

Marubeni is a large, diversified Japanese conglomerate that also has other significant business interests in Australia. In 2015, Marubeni was ranked by Forbes as the 387th largest public company in the world, with market capitalisation of US$10.1 billion and sales of US$74.1 billion. Alumina has other significant interests in Australia and around the world. In partnership with Alcoa, it is the world’s largest bauxite mining and aluminium refining company.

According to a report by the Tax Justice Network Australia, *Who pays for our common wealth? Tax practices of the ASX 200, over the last decade Alumina has paid a global average effective tax rate of zero per cent. Alumina, with average annual tax of only $420,000 paid on average annual pre-tax profits of nearly $200 million, was ranked as the company with the 8th lowest average annual effective tax rate. Additionally, in December 2014, the Australian tax office, for the first time, released information on total income, taxable income and tax payable for a large number of large public and foreign owned companies for the 2013-14 tax year. This data showed that Alumina Limited had taxable income of over $122 million but paid zero corporate income tax in Australia. These are the companies that the*
Turnbull government went into bat for these companies over the jobs of a handful of Australian seafarers. Is it any wonder that I questioned Alcoa when they told me that those seafarers were needed to ensure the viability of the Portland smelter? It was rubbish when they told me then, and it is clearly rubbish now. The Turnbull government should have been much more diligent before it went in to support Alcoa.

The ATO data also showed that CITIC Resources Australia Pty Ltd, the primary CITIC subsidiary in Australia, had a total income of over $5 billion but paid zero tax in Australia. Marubeni Australia Limited, the primary Marubeni subsidiary in Australia, had a total income of over $82.3 billion and a taxable income of $48 million, but, again, paid zero income tax in Australia. Alcoa of Australia Limited paid tax of $164 million on total income of $3.7 billion. But it does not stop there. I want to look for a moment at corruption and reputational risk issues for Alcoa and its partners. In 2014, Alcoa World Alumina, a majority owned and controlled global alumina sales company of Alcoa Incorporated, paid US$223 million in criminal fines to the US Department of Justice and US$175 million, which included US$14 million as part of a criminal case, to the US Securities and Exchange Commission to settle criminal and civil violations of the US Foreign Corrupt Practices Act. That came to a total of US$384 million in fines. Alcoa should be concerned that the alleged bribes paid to foreign government officials by the former captain of the Strategic Alliance, a ship hired by Alcoa to transport bauxite to the Portland smelter, could possibly ensnare it in another prosecution for criminal and civil violations of the US Foreign Corrupt Practices Act.

In August 2015, Chinese police questioned eight CITIC Securities executives for illegal securities trading, of which four were criminally punished. This was, according to The Financial Times, reported by the official Chinese news agency, CITIC Securities is a member of the CITIC Group. In November 2015, the chairman of CITIC Securities was allegedly forced out of his position due to insider trading scandals.

In 2012, Marubeni Corporation agreed to pay a US$54.6 million criminal penalty to resolve charges related to the US Foreign Corrupt Practices Act for its participation in a decade-long scheme to bribe Nigerian government officials to obtain engineering, procurement and construction contracts.

The US Department of Justice filed a deferred prosecution agreement and criminal information against Marubeni in the U.S. District Court for the Southern District of Texas. The two-count information charged Marubeni with one count of conspiracy and one count of aiding and abetting violations of the Foreign Corporations Practices Act.

In 2014, Marubeni Corporation entered a plea of guilty to an eight-count criminal information in the US District Court for the District of Connecticut, including one count of conspiracy to violate the anti-bribery provisions of the FCPA and seven counts of violating the FCPA. Marubeni admitted its criminal conduct and agreed to pay a criminal fine of US$88 million, subject to the District Court's approval. Marubeni engaged in a seven-year scheme to pay—and conceal—bribes to a high-ranking member of parliament and other foreign officials in Indonesia.

These are the companies who, with Alcoa, make up the Portland smelter, and these are the companies the Turnbull government chose to protect the interests of over a handful of Australian seafarers simply earning their living working ships on Australian waters. It is time for the Turnbull government to acknowledge the loss of these Australian jobs. The government needs to immediately respect the provisions of the Shipping Act and ensure Australian incoastal trade is crewed by Australians paid decent wages. It is time for the transport minister to cease issuing licences to circumvent these laws. It is time for the Turnbull government to ensure Australia labour conditions are enforced within Australian borders. It is time for the Turnbull government to stick up for Australian jobs over the interests of multinational corporations who are well and truly not paying their fair share of tax—indeed, they are paying zero tax in Australia.
ALCOA — MENTAL HEALTH

Statement

HON SALLY TALBOT (South West) [6.24 pm]: It had been my intention today to table a petition in this place signed by 493 people that addresses a very, very serious topic. When I collected the petition for presentation a couple of days ago and spoke to the people who had collected all these signatures, I was so concerned about the gravity of the issues that have been raised that I made the decision that it was not appropriate to present this matter as a petition and that instead, such is my concern about the need for urgency of action, I would approach the Minister for Commerce directly and ask him to take personal charge of conducting some sort of investigation.

Very quickly, my remarks ought to be placed in the context of this petition. I think that when I read the substance of the petition, honourable members will know exactly why I have made the decision that I have. The petition is headed “Alcoa—Act on Mental Health!” and it reads —

To the Honourable the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled. We the undersigned work at Alcoa and have grave concerns for our mental health and wellbeing due to the company’s confrontational and aggressive management style.

Many employees have already been pushed to breaking point yet management is refusing to acknowledge our serious concerns regarding this entrenched and systemic bullying, harassment and intimidation.

We respectfully request that members of the Legislative Council take up our concerns with the Honourable Minister for Commerce and request he directs Worksafe to conduct a comprehensive inquiry into Alcoa’s poor approach to employee mental health.

As I say, that request for action has been signed by nearly 500 people expressing their concerns. I have sat down with a group of employee representatives to talk this through, and I am deeply concerned about the accounts that have been given to me. I am not going to identify any individuals in making these remarks, because obviously people have their privacy to protect, and it is very appropriate to do that. I am, however, quite distressed by the report of one particular individual. When he was finally given a specialist psychiatric appointment locally in the south west, he heard the psychiatrist saying, “Oh, another Alcoa employee.” That tells me that this problem has been recognised outside the workplace by people who are trying to deliver professional services to help these people.

From the accounts that have been given to me, what we seem to have here is a kind of systemic misuse of management prerogative. It seems that older workers are being treated differently from younger workers. People who have been working for Alcoa for many decades have suddenly found that the way they are being treated has changed. Given that Alcoa employees are entitled to 10 sick days under their agreement, people have noticed that as soon as they rack up five sick days they are asked to give an account of it to management. I should make it clear that I am talking about the Pinjarra refinery site; I am not suggesting, nor has it been suggested to me, that this problem is endemic at other Alcoa sites. People who take more than half their sick days feel that they are being asked to account for that. People who are seconds late clocking in for work are being reported for contraventions. People with spotless employment records and no previous recorded offences are being given first and final warnings—even people with clean records. Having heard specific accounts, I certainly agree with the observation of the workers that frequently these offences are trivial, and frequently they are false, because when an employee goes into the details of the offence they have committed, they find that the offence was on a date when they were not even on shift at the refinery.

Given the asbestos scare at Alcoa recently and all the issues around that, it is the observation of workers—certainly this was borne out anecdotally—that people who have been outspoken about that issue and others have also been targeted.

I understand there has been an increase in suicides amongst Alcoa Pinjarra workers and I understand there have been numerous attempted suicides, and that has been reported by people providing the employee assistance program. I do not think that Alcoa has not tried to respond to this. I believe it has tried to respond to it. Certainly, over the years, I have found that Alcoa is genuinely responsive to these kinds of issues when they are brought up by the local workforce. I understand that mental health first aid courses have been delivered at the Alcoa work site in Pinjarra, but I think that the problem is—this is what I intend to sit down and talk about with the Minister for Commerce, who has carriage of WorkSafe referrals—that it can deliver those training courses, but if it has a systemic problem with the treatment of employees, it needs a cultural change that cannot necessarily be driven by people who have workplace training. As I understand it, those mental health first aid training courses—I am sure that the Minister for Mental Health knows a lot about this—can certainly improve the
awareness of mental illness in the workplace and they can certainly deliver to individual employees more resources to help workmates so that they can perhaps, over a period, make an alteration to that culture. But I am not sure that the purpose of those courses was ever to address a systemic, cultural problem within a workplace, and I am not sure that they can do that. Workers are beginning to question their own judgement about these things. Management is saying, “You’ve done the training; it should be okay now”; yet the workers are finding that they are not dealing with things in a more confident way. It is a very upsetting situation, because the conflicts are increasing. People are being asked to account for situations. They are feeling undermined at work. They are being asked to account for their home life. They are being asked to account for their personal practices with their diets and the consumption of alcohol, when in fact the cause of the problem, as has been presented to me, is that basic undermining of confidence at work. I think that is very serious.

Hon Peter Collier: Have you spoken to Alcoa about these concerns?

Hon SALLY TALBOT: It has been raised with Alcoa, yes.

Hon Peter Collier: You have, have you?

Hon SALLY TALBOT: It has been raised with Alcoa. As I say, I have nearly 500 signatures on a request for action. That is what I have brought to the house tonight to talk about. That is what I will raise directly with the Minister for Commerce. I have not had that conversation with the minister yet. I intend to have it hopefully within the next 24 hours, depending on the minister’s availability.

I will leave my remarks at that point. I think we have a very serious situation here. Alcoa is a company that is covered by at least one state agreement, and I think it is incumbent on the government to take this matter extremely seriously.

The PRESIDENT: Member, I take it that you have a petition that conforms to our standing orders.

Hon Sally Talbot: No, I am not tabling it as a petition.

The PRESIDENT: So you are not tabling it to be considered in the normal course of events?

Hon Sally Talbot: No; that is right.

House adjourned at 6.34 pm
ALCOA — WAGERUP REFINERY — VOLUNTARY BUFFER ZONE

1275. **Hon Sally Talbot** to the minister representing the Minister for Mines and Petroleum:

(1) Will the minister provide a map of the five-kilometre voluntary buffer zone imposed by Alcoa at the Wagerup refinery?

(2) If no to (1), why not?

**Hon Ken Baston** replied:

I thank the honourable member for some notice of the question. On behalf of the Minister for Mines and Petroleum, the Department of Mines and Petroleum advises —

(1) No.

(2) The Department of Mines and Petroleum understands that the voluntary five-kilometre buffer zone has been arranged with the Department of Planning to assist as a preliminary planning tool. The question should be directed to the Minister for Planning.
ALCOA WAGERUP REFINERY, BUFFER ZONE

419. Hon J.A. SCOTT to the parliamentary secretary representing the Minister for Planning and Infrastructure:

(1) Is the Minister for Planning and Infrastructure and/or the department aware of the proposal to create a buffer zone around the Alcoa Wagerup refinery?

(2) Can the minister inform the House -
   (a) on what basis are the boundaries to be set;
   (b) what compensation will be paid to affected land-holders for the resultant loss of land values;
   (c) who will pay for this compensation; and
   (d) will the boundaries be set based on the current level of production or the proposed expanded production levels?

Hon G.T. GIFFARD replied:

I thank the member for some notice of this question.

(1) No formal proposals for such a buffer zone have been received. The Minister for Planning and Infrastructure understands that Alcoa Australia is currently assessing its possible buffer requirements and is discussing these with state government departments, local government and the local community.

(2) (a) The minister understands the possible boundaries of a buffer zone will be considered on the basis of noise and odour impacts.

   (b) It is premature to raise the issue of compensation. The minister understands the company, in consultation with the local community, is examining a range of possible options which, among other things, includes land purchase at fair market value.

   (c) Under the Western Australian Planning Commission’s state industrial buffer policy, the company would be responsible for costs associated with securing a buffer.

   (d) The minister understands that expanded production levels would be considered in relation to the issue of a possible buffer zone.
ALCOA WAGERUP REFINERY, BUFFER AREA

1643. Mr Bradshaw to the Minister for Planning and Infrastructure

(1) Has Alcoa applied to the Minister's department for a Buffer Area surrounding the Wagerup Refinery?
(2) If Alcoa apply for a Buffer Area around the refinery will the Planning Commission use the Special Acts of Parliament mechanism, as was used in the Dardanup Pine Log Sawmill Agreement 1992?
(3) If the Special Acts of Parliament are to be used, what planning controls will be used to maintain the integrity of the Buffer area?
(4) Should a buffer area be imposed on private land after the refinery has been commissioned?
(5) What safeguards are in place to compensate or protect the affected landowners?

Ms MacTIERNAN replied:

(1) No formal proposals have yet been received. Alcoa Australia is currently progressing its discussions regarding possible buffer arrangements with State government departments, local government and the local community.

(2) The mechanism for implementing buffer provisions will be determined when a suitable buffer proposal is developed.

(3) As above.

(4) Buffer definition would require technical studies in order to determine its extent and would be subject to the Western Australian Planning Commission's State Industrial Buffer Policy.

(5) Alcoa Australia has made commitments to the local community regarding these matters. Whilst maintaining these commitments, the Company is currently examining feedback from the community. Possible arrangements to protect the interests of affected landowners form part of the discussion referred to in (1) above.
RESERVES BILL
Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. L. A. Logan (Minister for Local Government), read a first time.

INDUSTRIAL ARBITRATION ACT AMENDMENT BILL (No. 2)
Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [5.32 p.m.]: I move—

That the Bill be now read a second time.

Although message No. 84 from the Legislative Assembly came in between this Bill and the other three preceding it, I want, for the convenience of members, to keep them all together. This Bill contains amendments which are complementary within the group of Bills introduced as affecting the fixation of salaries and appeal rights in the State Public Service.

This Bill has, as its main purposes, the repeal of part X of the Act; the transfer of Government officers currently covered by part X to the jurisdiction of the Public Service arbitrator; the registration of the Civil Service Association as an industrial union under part II of the Act; the determination by the Industrial Commission in Court Session of applications made by the Civil Service Association—then to be a union—or by other unions as to who shall be deemed to be "Government officers" in addition to those already defined in the Act; and, finally, the removal from the commission's jurisdiction of those persons declared from time to time by the commission in court session to be "Government officers".

The commission's jurisdiction in the matter of salaries, allowances, and conditions of employment of Government officers, who are members of the present Civil Service Association, are dealt with exclusively in part X of the Act. Therefore, in view of the proposal to transfer this jurisdiction under another Act to the public service arbitrator, it is necessary to repeal this part.

Accordingly, it is necessary to determine who are Government officers in order to define the jurisdiction of the arbitrator. Certain officers in Government instrumentalities are at present covered by unions other than the Civil Service Association, so it is essential to give the necessary power to a competent authority to determine any dispute that may arise as to who are Government officers for the purposes of the Public Service Arbitration Bill.

The Industrial Commission in Court Session would be the appropriate authority to determine this question as it involves union rights and provision has been made accordingly in this Bill.

However, provision has also been made to ensure that the Civil Service Association retains its existing coverage of Government officers as enjoyed under part X.

The Civil Service Association has requested that it be registered as an industrial union under part II of the Industrial Arbitration Act and the Government consents with this. With the repeal of part X, the Civil Service Association would no longer have any rights under the Act, so the Bill makes provision for such registration and provides the necessary procedures for the review of its rules and the hearing of any objections by other unions which may be affected.

Discussions have taken place with the Civil Service Association regarding these provisions and the amendments form an essential part of the new system of salary fixation already outlined.

Debate adjourned, on motion by The Hon. J. Dolan.

House adjourned at 5.38 p.m.

Legislative Assembly
Wednesday, the 23rd November, 1966

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the principles contained in the Bill with respect to the amendments proposed.
I commend the Bill to the House.
Debate adjourned, on motion by Mr. W. Hegney.

ALUMINA REFINERY AGREEMENT ACT
AMENDMENT BILL
Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [4.24 p.m.]: I move—
That the Bill be now read a second time.
In doing so I want to apologise to the House for the lateness of its introduction, but it has been found necessary to have this amendment so as to make it possible to give effect to some developments which can be of considerable importance to the State. It was only on Friday last that the final form of this amendment to the agreement was resolved. Prior to that there was some doubt as to whether the amendment would, in fact, be necessary. However, to make certain of the position it has been found necessary to bring in this amending Bill.

This agreement is with Western Aluminium No Liability. The original agreement was the subject of ratifying legislation, and is covered by the Alumina Refinery Agreement Act, 1961-63. The progress made by Alcoa—which is the normal way by which most of us refer to Western Aluminium No Liability's alumina refinery establishment at Naval Base—is well known to all members, including the expansion currently taking place.

This expansion increased the capacity from 210,000 tons per annum to 400,000 tons per annum, and brought with it a corresponding increase in the rail freighting of bauxite from the hills to the work site. This particular industry is an example of one which has established itself quicker than was provided in the original agreement, and it has already undertaken a major expansion which has doubled its original capacity.

The company is now in a position where it needs greater flexibility in its negotiations, and for this purpose it desires to separate from the main mineral lease six separate mineral leases. I emphasise these form part of the total mine lease area.
The company is not seeking an expansion of the existing mineral lease areas, but it is seeking to separate from the main mineral lease six separate mineral leases.

These leases are identified in a plan to be referred to as the plan marked "D". The main features of these separate mineral leases are—

1. The company has the right of assignment within the next 20 years. This assignment can be to itself or another corporation of any of the six new mineral leases which at present form part of Mineral Lease No. 1SA already granted to the company under the terms of the original agreement. This right of assignment is conditional upon the construction within three years of an additional alumina refining unit having an annual capacity of not less than 180,000 metric tons of alumina for each of the separate mineral leases.

2. Until 1986 the six separate mineral leases cannot be dealt with by assignment except under these conditions. After 1986, any of the six separate mineral leases not by then assigned shall then automatically determine and form part of Mineral Lease No. 1SA; that is, the present main mineral lease.

In other words, if the right of assignment under these conditions is not exercised, such of the six separate mineral leases as have not been used will revert to the present main mineral lease. The other main features are—

3. Any separate mineral lease that has been assigned and is later reassigned back to the company ceases to be a separate mineral lease and becomes part of Mineral Lease No. 1SA.

I should explain that the company under the separate mineral leases will not be committing the whole of the bauxite tonnage within the separate mineral leases, and after the agreement is with a partner has run its race under the separate mineral lease there will be approximately half of the bauxite in the separate mineral lease still available for the general purposes of the agreement, and this will be reassigned to the company. Therefore it will be a substantial tonnage to revert to part of the original Mineral Lease No. 1SA. To continue—

4. At any time before 1986 the Minister for Mines may at the request of the company cancel any separate mineral lease and such cancelled special lease would also become part of Mineral Lease No. 1SA.

Some flexibility is permitted in the new subclause (2) of clause 17 of the principal agreement by the incorporation of the words "(except where and to the extent that the parties hereto may otherwise agree in relation to any matter mentioned in this subclause)".

It is considered that without these words too much rigidity could exist and mitigate against something reasonable so far as the company and the State are concerned.

Apart from the separate mineral leases referred to above, the right of assignment
which the company has at present under the original agreement is retained in exactly the same wording as in the original agreement. It is rather difficult to explain this, but I think if members study the Bill they will find it is not quite as complicated as it sounds. The main point is that the six separate mineral leases are to be extracted from the main lease and then the balance of the mineral lease ISA will have no greater or lesser rights than were granted by the original agreement.

It is important to note that an assignment made under the terms of the new provisions does not relieve the company from any liability under the agreement, and this has been specifically referred to. I invite the attention of members to the new subclause (b) in the amended clause 11 of the principal agreement, which reads: "An assignment made pursuant to this clause shall not relieve the Company from any liability imposed upon the Company hereunder."

The amendments are commended to Parliament as being in the interests of the State. The greater flexibility in respect of the separate mineral leases tied as they are to substantial new alumina refining units could be instrumental in expediting the speed and the extent of the expansion of the Alcoa project in this State, bringing with it consequent advantages in additional rail tonnages with corresponding financial gains to revenue and to employment.

The company has advised that it has reached a stage when it hopes to be able to execute at least one agreement for an additional alumina unit fairly soon after the new separate mineral leases are available. Negotiations in this regard are very far advanced and are, of course, contingent in the final analysis, on this Bill being passed. This progress also brings nearer the day when it will be easier to justify economically a smelter.

Members will recall that in spite of the Government's strenuous efforts at the time it was impracticable to justify economically the establishment of a smelter at Kwinana when the original agreement was negotiated. This was mainly directly related to the non-availability of large volumes of cheap power on a continuing basis. The company had to make arrangements in Victoria where it was able to negotiate to produce power based on a very large deposit of coal.

In the meantime, the company has cooperated with the State Government in a study of the possibility of having a smelter in Western Australia at the earliest practicable date, and I want to pay a tribute to the company's co-operation in this research which has been undertaken by the Government.

Many factors are involved in determining what are the circumstances and the period of time that will permit the establishment of a smelter here on an economic basis. Some of these factors, other than the availability of suitable raw materials and power, are the size of the local market and the general world production and market patterns.

We have to accept the fact that the total Australian market is fairly limited, and although it is expanding satisfactorily it is shared by a number of large companies with considerable capacity and potential for expansion. Therefore, it would appear that the future markets for a smelter established in Western Australia would largely be for the supply of billets to other countries which have not got indigenous sources of bauxite or adequate alumina refineries and aluminium smelters of their own.

The company cannot at this stage commit itself to the establishment of a smelter but, as a declaration of their sincerity in the studies that are being undertaken and their attitude to our ambitions to have a smelter, they have addressed a letter under date the 21st November, to the Premier, and I would like to have this letter recorded in Hansard. It is from Western Aluminium N.L., and reads as follows:

The Honourable, The Premier of Western Australia.
PERTH.

Dear Mr. Brand,

The Company acknowledges its intention to construct a smelter in this State to smelt alumina produced at the works site or some other refinery operated by the Company in this State under the Alumina Refinery Agreement as and when market requirements have developed to the appropriate level and other conditions are present which make it economically feasible to do so. The Company cannot at present accept a specific commitment as to the time when such smelter will be established or the location and size of such smelter, but it undertakes to investigate the economic feasibility from time to time of constructing a smelter and to inform the State of the result of its investigations.

The State acknowledges that this is not a specific commitment to establish a smelter and that there are a number of important factors which would have to exist before such a smelter would be economic. These include but are not limited to a continuing and adequate electric power supply at a cost which, in the opinion of the Company, based on its experience in other localities, will permit it to operate the smelter at a cost competitive with other smelting instal-
tions throughout the world serving the same or comparable markets.

The State also acknowledges that world market and economic conditions must be taken into account in assessing whether the establishment of an aluminium smelter is economic and practical.

When the State and Company agree on the time and conditions for the establishment of a smelter, the Company nevertheless will not be expected to establish a smelter unless and until the State can make available to the Company, on reasonable terms, such land and facilities as may be necessary for the purpose.

Yours truly,
A. C. Sheldon,
Managing Director,
Western Aluminium No Liability.

Mr. Hawke: What does all that mean?

Mr. COURT: We have a declaration of the intention of the company to establish a smelter in Western Australia, which declaration we did not have previously been in the dark about, nor was it not part of the original agreement and, as I said earlier, the company has very fairly co-operated with the Government in its research into the economic practicability of the establishment of a smelter in due course. Power is, I think, still the greatest single factor involved in the establishment of a smelter, because power is approximately 60 per cent. of the raw material of the production of aluminium.

It is impracticable to forecast with any accuracy when the economic factors will come into balance. Power will, of course, be the dominating factor and the discovery of natural gas or coal at sufficient large quantities could influence the position in a number of ways. However, it should not be assumed that a smelter will be practical in less than 10 or 12 years and even this period should not be regarded as a time limit by the company as it is considered when a smelter is likely to be practical. Needless to say, close consultation will continue with a view to achieving our objective at the earliest practicable date.

In the meantime I think we can express satisfaction with the way Western Aluminium N.L. has conducted itself at Kwinana and the progress it has made ahead of its contractual commitments. I think most members are aware of and are impressed with the way those concerned at Alcos have endeavoured to face up to their problems of effluent, dust, and other industrial problems inseparable from an industry like this. They have shown themselves to be co-operative and neighbourly in the representations that have been made to them.

I think it will be very soon when they will be able to announce what could be the third unit involving a capacity of something like 610,000 tons of alumina. Already the increased tonnage moved by rail has gone over the 1,000,000 tons per annum with the consequent advantage to the railways and particularly the economics of that part of the railway system from Jarrahdale to Kwinana. I commend the Bill to the House.

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

PRIVATE RAILWAYS (LEVEL CROSSINGS) BILL
Second Reading

MR. COURT (Western—Minister for Railways) [4.41 p.m.]: I move—

That the Bill be now read a second time.

This Bill is intended to clarify a situation that will become increasingly important because of the commencement of operations of some of the major private standard-gauge railways which have been constructed in the north under the terms of iron ore agreements ratified by the State Parliament.

Although the agreements provide for the railways to be operated in a safe and proper manner, there is no certainty that the Government can provide adequately in any lease, agreement, etc., in respect of the position at level crossings.

Naturally, in the preparation of lease documents in respect of railways, the Government negotiates conditions which it considers satisfactory for the operation of these railways but these conditions are between the company and the Government and in certain respects are not necessarily applicable to the general public.

The question of level crossings is one such matter which it is felt must satisfactorily be dealt with only by Statute. With this in view a special Bill has been prepared. After consideration of the matter, it was felt better to handle this situation by a special Bill to make it easier for members of the public than by inclusion in an Act such as the Public Works Act—although I should point out the level crossings provisions in respect of the W.A. Government Railways are covered by the Public Works Act.

It is appropriate to refer to the relevant provisions of the Public Works Act so far as they relate to Government railways. These are contained in section 100 subsection (2) of that Act and are as follows:

Where a road, street or thoroughfare crosses a railway on a level, the public right of way at such crossing shall cease whenever any engine or carriage on the railway is approaching and within a distance of a quarter of a mile from such crossing; and shall at all other times extend only to the right of crossing the line of
types? Not the slightest relief, as far as I know, has ever been offered to a person to commence a private business of any type in a country town.

Yet, in the city I think the Government still carries guarantees for private business to the tune of about £8,000,000. I believe that if we are going to start on decentralisation, then we as a Government and the Commonwealth as a Government should be prepared to offer this type of man a guarantee. I am of the opinion that a certain sum of money should be set aside annually to be used as a fund for decentralisation so it can be said to a middle-class businessman who wants to start a business in, say, Northam, Kellerberrin, Katanning, or perhaps in any medium-sized country town, “Yes, we will start a business in, say, Northam, Kellerberrin, Katanning, or perhaps in any medium-sized country town, “Yes, we will start a business in, say, Northam, Kellerberrin, Katanning, or perhaps in any medium-sized country town. “Yes, we will start a business in, say, Northam, Kellerberrin, Katanning, or perhaps in any medium-sized country town. “Yes, we will start a business in, say, Northam, Kellerberrin, Katanning, or perhaps in any medium-sized country town. “Yes, we will start a business in, say, Northam, Kellerberrin, Katanning, or perhaps in any medium-sized country town.

The Hon. J. G. Hislop: It might take half a lifetime though to establish it.

The Hon. N. E. BAXTER: That would have to be worked out. I agree that some limitations should be put upon it, and the whole project would have to be considered as to whether it would be a successful venture in a number of years. It is the same idea as is adopted in land development. It is decided that it will take a lot of capital to develop a property over a period of three to five years. The same system could be applied to business concerns.

If we are to advocate decentralisation, we must be honest about it and do something to assist it. I do not believe that merely establishing bigger businesses such as Laporte and a super works in this or that port in the answer to the problem. The answer is to give every encouragement to people to start their small businesses even though they might only employ between two and ten people. They are still increasing the population of those country towns where they commence operations and are thereby encouraging others to go there.

I believe the Government should give sincere thought to this matter and work out the possibilities of encouraging the middle-class man to commence his business in the country areas where he could supply direct to the farming community and the country-town dwellers rather than force them to buy everything from the cities or the coast.

That would be the answer to our problem rather than just talking about decentralisation and doing nothing about it. On that note I conclude and support the motion.

Debate adjourned, on motion by The Hon. S. T. J. Thompson.

House adjourned at 3.45 p.m.
Number Required

(2) How many more agricultural advisers are required by his department—
   (a) the north-west;
   (b) the South-West Land Division?

Mr. NALDER replied:
(1) (a) 11.
   (b) 36.

In addition there are 86 professional officers of various classifications stationed in the metropolitan area whose interests are State wide.

(2) Changing conditions make it impossible to forecast future requirements with any accuracy, but at present all applicants with suitable qualifications and experience willing to accept adviser positions are recommended for appointment.

WATER SUPPLIES TO CARNAROV TOWN LOTS

Availability, Applications, and Cost

33. Mr. NORTON asked the Minister for Water Supplies:
(1) When will water be supplied to Carnarvon town lots Nos. 660 to 674 on the North-West Coastal Highway?
(2) How many applicants are there in this area for a water service, and what is the cost of such a service?

Mr. WILD replied:
(1) Water will be supplied to lots 671 and 672 (medical officer's new quarters) by the 30th September, 1983.
(2) No application for a water service has been received in respect of any of the other lots nominated—660 to 670 and 673 and 674. Lots 673 and 674 can be supplied with water on application on a rated service basis.

Applications for water to lots 660 to 670 would involve an extension of the main; the cost to the consumer would depend on the amount of additional revenue to be derived from the extension.

34. This question was postponed.

TENDER PRICES FOR GOODS

Terms of Preference

35. Mr. GRAHAM asked the Premier:
What are the precise terms of the preference or concession which is allowed in tender prices for the supply of goods of W.A.

origin and manufacture, as against goods from elsewhere for departmental purposes?

Mr. NALDER (for Mr. Brand) replied:
A preference not exceeding 10 per cent. on articles of Western Australian manufacture, against those of Eastern States or overseas, is granted by the Government Tender Board. Articles not totally manufactured in Western Australia are granted preference in proportion to the percentage of local manufacture.

ALCOA OF AUSTRALIA PTY. LTD.

Claim to Advertisement

38. Mr. HAWKE asked the Minister for Industrial Development:
(1) Did he see an advertisement on page 15 of The West Australian of the 9th July, 1963, from Alcoa of Australia Pty. Ltd., which claimed: "We'll refine skyscrapers, salt shakers, escalators at Kwinana, W.A."
(2) Is the claim made in the advertisement true?

Mr. COURT replied:
(1) Yes.
(2) It is not a case of the full text being considered and the heading not being used out of context, the advertisement is a fair statement of the position.

The full text shown in conjunction with a map of Australia (which clearly shows where the respective operations take place) reads:

We'll refine skyscrapers, salt shakers, escalators at Kwinana, W.A.

Kwinana is the western seaboard of Alcoa's fully integrated aluminium industry. Here rich bauxite is refined to produce the white powder of alumina. The refinery is a vital link in Alcoa's all Australian aluminium operation. From the alumina comes the aluminium for Australia's future. The skyscrapers, the clocks, the rolling stock—the everything for tomorrow is made possible by Alcoa's all-Australian aluminium operation. Alcoa is now at work in the mining, refining and smelting of aluminium. This £45 million enterprise, through its 49 per cent. Australian ownership, is an important factor in Australia's economic framework.

Mr. Hawke: Very misleading!
DR J.M. WOOLLARD (Alfred Cove) [3.44 pm]: I was pleased to see this bill put on the table. I have a personal interest in this bill, as members will hear in the next few minutes. I listened very carefully to the member for Nedlands, who always does her homework, although I do not necessarily agree with all her statements. I look forward to the Attorney General’s response to some of her questions when we move into consideration in detail stage.

The main area that I am interested in is corporations. I have been approached by many community groups who feel that, under the current climate, members and volunteers of those groups are being gagged by large corporations. I cannot cite their instances. This issue is very dear to me, because I received a letter, as a member of Parliament, from a corporation; namely, Alcoa World Alumina Australia. It reads -

Dear Dr Woollard

MELVILLE TIMES COMMUNITY ARTICLE

It has come to my attention that the 5 July 2005 edition of the Melville Times Community published an article entitled, “Alcoa refinery decision slammed as irresponsible.”

This article reports that you said, “Dr Edwards had ignored the fact that the liquor burner was shut down in 2002 because staff and ex-workers were experiencing chronic and acute health problems.”

The statement attributed to you is false and defamatory.

It is an uncontrovertible fact that Alcoa voluntarily turned off its Kwinana liquor burner in 2002 even though extensive independent analysis of air quality had shown that workplace emissions from the facility were at least 100 times better than standards required for occupational health. The voluntary closure was decided upon because unsubstantiated and inaccurate claims about cancer impacts were causing public alarm and Alcoa places great importance on ensuring local communities have confidence in our operations.

I will refer to some newspaper articles. Concerns were raised. I have been assisting the Alumina Widows and Workers Action Group. One of its members, who is also
one of my constituents, approached me in 2002. Her husband, who had worked for Alcoa for, I think, 20 years, had died of cancer. When he was undergoing his treatment she met other people who had worked for Alcoa and who were undergoing similar treatment. They compiled a list, which they made public. In the past three years, the group has put together a register of 60 people who have worked at Alcoa and have contracted cancer. Twenty of those people have since died. The group has submitted petitions to the upper house asking that before Alcoa is allowed to recommence the liquor burner, a thorough investigation is undertaken of the effect of the liquor burner on the people who work at Alcoa.

It is interesting to look at some of the headlines in the newspapers over the past few years. An article in The West Australian of November 2001 is headed “Probe into Wagerup health fears”. Another article in The West Australian of November 2001 is headed “Alcoa admits health link”.

Mr A.D. McRae: Is it the truth or are you quoting from The West Australian?

Dr J.M. Woollard: I am giving the member for Riverton some facts. I am not sure why the member is jumping in to defend Alcoa. This large group of people wanted a proper medical survey to be conducted. Twenty of these people have since died. These people had loved ones and families who were dependent upon them. This group was urging the government to hold off on recommissioning the liquor burner until a proper investigation had been conducted.

I am outlining the concerns at the Alcoa refineries. An article in The West Australian of December 2001 is headed “Experts stumped by a cocktail of chemicals”. An article in the Sound Telegraph of December 2001 is headed “Refinery agrees to medical tests”. An article in The West Australian of December 2001 by Michael Southwell and headed “Alcoa action sought” states -

Liberal MLA John Bradshaw has called on the State Government to force aluminium giant Alcoa to shut pollution-producing liquor-burning plants at its Kwinana and Wagerup refineries.

An article in The Weekend Australian of December 2001 is headed “Alcoa refinery breaches health code, says union”. An article in the Sunday Times of December 2001 is headed “Report blames refinery for illnesses”. An article in the Sound Telegraph of December 2001 is headed “Man takes on Alcoa” and states -

Former Alcoa Kwinana refinery foreman David Thompson has been fighting for a disability payment to avoid losing his house after illness put him out of work in 1998.

An article in the Coastal Districts Times of December 2001 is headed “Alcoa committed to act on health issues”. An article in The West Australian of February 2002 is headed “Legal doubt on Alcoa breaches”. An article in The West Australian of March 2002 is headed “We will look after sick: Alcoa” and states -

Alcoa has admitted it has not done enough to help employees who claim to have contracted serious illnesses while working at its Wagerup refinery.

Another article in The West Australian of March 2002 by Michael Southwell and headed “Alcoa warned by consultants” states-
Environmental consultants told Alcoa four years ago that toxic and cancer-causing emissions from the liquor burner at its Wagerup alumina plant would have faced stringent regulation in the United States.

An article in The West Australian of April 2002 headed “Worker blames fumes for asthma” states that “Alcoa gave office worker a breathing mask for emissions”. It goes on to say -

A former public relations officer for Alcoa’s Wagerup alumina refinery says the company gave her a breathing mask to wear at her desk after she complained that fumes from the plant made her ill.

An article in The West Australian of May 2002 headed “Alcoa in $3m payout” states -

Nine workers who claim their health was ruined by working at Alcoa’s Wagerup alumina plant say the company has offered to pay them a total of $3 million compensation.

An article in The Australian of May 2002 headed “Alcoa refines” states -

The real situation in a less sensational but more interesting case study of what happens when a large organisation fails to address people’s genuine concerns in a human way, rather than in the largely technical manner we mistakenly emphasised.

An article in The West Australian of May 2002 by Michael Southwell is headed “Alcoa told of health issues” and states -

A leaked internal memo shows Alcoa knew in January 1998 that emissions from its Kwinana and Wagerup alumina refineries appeared to be harming workers.

[Quorum formed.]

Dr J.M. WOOLLARD: For the sake of those members who have just come into the house, I indicate that I have been quoting the headlines of some newspaper articles. I turn now to a letter that I received from Alcoa World Alumina Australia in July 2005. The letter was in response to a statement that I had made in an article that -

Dr Edwards had ignored the fact the liquor burner was shut down in 2002 because staff and ex-workers were experiencing chronic and acute health problems.

Alcoa said in its letter to me -

The statement attributed to you is false and defamatory.

The letter goes on to say -

The voluntary closure was decided upon because unsubstantiated and inaccurate claims about cancer impacts were causing public alarm . . .

Many of these people are now very concerned that if they speak out publicly against a large corporation such as Alcoa, they will receive a similar letter stating that their comments are defamatory. We are living in an adversarial system. Many of these people are concerned that the big corporations will bring in the big guns and all they
will be left with is the legal payments.
An article in The West Australian of June 2002 headed “Worsley liquor-burner shut” states -

Worsley Alumina has shut the liquor-burning plant at its Collie refinery, admitting that emissions appear to be harming workers and affecting nearby residents.

An article in The West Australian of June 2002 headed “Alcoa cancer rate shock” states -

A study of the health of Alcoa workers has found they have significantly increased rates of some cancers.

The following article in the Sound Telegraph in July 2002 was headed “Health fears prompt contractor walk off”, and it states -

Concerns about health fears prompted hundreds of contractors to walk off Alcoa alumina refineries in Kwinana, Pinjarra and Wagerup on Friday.

Another article in the Sunday Times in July 2002 under the heading, “Impartial study call for Alcoa” states -

A leading union has called for an independent ombudsman to be appointed to deal with complaints made by Alcoa workers.

An article in The West Australian in August 2002 under the heading “Alcoa offers staff free health checks” states -

Alcoa will pay for past and present workers to have health checks after a study found a higher incidence of cancer among employees than in the general community.

The reason I am reading these articles is that while working on this issue I have met many members of this group of people who are either seriously ill or have lost their loved ones. My statement was said to be defamatory, yet all these articles are saying much the same thing. Fortunately, I was able to respond to the letter I received from the company without recourse to the legal system. However, a lot of people in the community would be very concerned if they received a similar letter from a large corporation. That is the reason that this bill is very important. In many ways it is a shame that it was not introduced some years ago.

I will read out a few more of these articles to illustrate my point. In August 2002, an article headed “K58 Death List - Workers document health fears” and written by Carmelo Amalfi and Michael Southwell reads -

Workers at the Alcoa Kwinana alumina refinery have compiled a list of colleagues who have died or become ill after working in an area known as department K58.

It listed 10 Alcoa workers. As I said, that number has since increased. This article in the Sound Telegraph in January 2003 under the heading “Alcoa emissions falsely recorded” states -
The Department of Environmental Protection has defended its stance on industry self-monitoring, despite the admission by Alcoa that an employee had faked dust emission details.

In March 2003 an article in The West Australian under the heading “Former Alcoa worker wins illness compo” reads -

Former Alcoa worker Dave Thompson has won a four-year compensation battle in which he lost his job, house and health.

I refer to another article in The West Australian in March 2003 which is headed “Judge accuses Alcoa”. Could I ask for an extension of time, Madam Deputy Speaker?
[Leave granted for the member’s time to be extended.]

Dr J.M. WOOLLARD: The article states -

A Supreme Court judge has criticised Alcoa for misusing WA’s court system just weeks before the alumina company was due to go to trial to resolve a contractual dispute involving a workers compensation settlement.

In May 2003 there was an article headed “Widow links sinuses cancer to refinery”. An article in The West Australian in June 2003 under the heading, “Tests point to high cancer risk” states -

Blood tests on six former Alcoa workers exposed to fumes from the Wagerup refinery liquor burner reveal they will probably get cancer.

In The West Australian in June 2003, an article headed “Residents air fears over Alcoa - Ministers promise to maintain services in Yarloop” states -

Too little too late was the consensus of 120 people who packed Yarloop Town Hall last night to air their concerns about the health, environmental, social and economic impacts of the emissions from Alcoa’s Wagerup refinery.

The following article headed “ Probe into deaths of Alcoa workers” appeared in The West Australian in June 2003 and states -

The WA Health Department has launched a special investigation into cancer deaths and illnesses among past and present workers at the Alcoa refinery in Kwinana.

An article in the Weekend Courier in July 2003 under the heading “Alcoa Environmental licence downgraded” states -

The Department of Environment (DOE) has downgraded Alcoa World Alumina’s Kwinana Refinery’s Best Practice Environmental Licence status. The department removed the best-practice status after its investigations into Alcoa’s findings that one of its staff had altered dust-monitoring results for the residue lakes.
In August 2003 under the heading “Anger over Alcoa ruling”, an article in the press states -

*The State Government’s decision to not take legal action against Alcoa over doctoring of dust monitoring results from its Kwinana refinery has outraged local residents.*

Again, in August 2003, an article in The West Australian under the heading “Alcoa lobby wants new study”, states -

*Workers at the Alcoa Kwinana refinery have a higher risk of lung, colon, rectum and prostate cancer than the general WA population, according to former workers and workplace health campaigners.*

In the Southern Times in October 2003, an article headed “SW town seeks action on Alcoa” states -

*A small south-west community is poised to launch a multimillion-dollar class action against industrial giant Alcoa.*

*About 40 Yarloop residents met lawyers and financiers at the town bowling club on Friday.*

Another article in May 2004 in The West Australian headed “More cases included in Alcoa study” states -

*Medical experts investigating cancer rates at Alcoa’s Kwinana refinery have agreed to include in the study a further 11 cases of cancer among past and present workers from the same area of the plant.*

It goes on to state -

“We are going to chase this down,” the department’s executive director of population health, Michael Jackson, said after the workshop.

These are some of the articles that I put together after I received a letter from Alcoa in case the issue ended up in court. I sent Alcoa a letter stating that I had read numerous media stories in The West Australian and local community newspapers on this issue and the evidence given under oath to the various sittings of the parliamentary Standing Committee on Environmental and Public Affairs when it investigated Alcoa’s activities at its Kwinana and Wagerup refineries. I pointed out that workers from the Alcoa and Kwinana refineries publicly raised concerns about the liquor burner at the site in the years leading up to and including 2002. Alcoa decommissioned the liquor burner in 2002. I also pointed out that it is not unreasonable to conclude that Alcoa would have given consideration to the staff health concerns when it made the decision to decommission the Kwinana liquor burner.

This bill is very relevant to me in my role as a member of Parliament and I believe it is relevant to every member of Parliament. We all have constituents who bring their concerns to us. We do not necessarily run with every concern that comes into our office but when it is backed up with evidence - in this instance, I have met these
people who are seriously ill and who would like to see the government undertake a proper study before more people die.

At the moment 20 of the 60 people who have been identified have died. In the next few years that list may include the names of more people who have died and left behind their families and loved ones. As the member for Nedlands said, the minister has identified this bill as a national bill. Some modifications may be made to this legislation in Western Australia or in South Australia to do with judges and juries, but our first priority is Western Australia, and it is important to bring in legislation at a state level. From what the member for Nedlands said, if this bill is not put on the table soon in a majority of the states the federal government will introduce legislation itself. We are in this Parliament as legislators to legislate for Western Australia. If it is likely that this legislation will be taken out of the control of Western Australia and given to the federal government, we should be acting sooner rather than later. This bill will provide protection for hardworking community groups, which often have volunteers, those who work for the Wilderness Society or the Conservation Council of Western Australia, and other community environmental groups that are pursuing local issues. We should provide protection for those groups and I believe that this bill will give that protection. The process will move from an adversarial one to more of an alternative dispute resolution approach. I support this legislation, but I will seek clarification from the Attorney General about some of the clauses. Like the member for Nedlands, I also wonder why the number was set at 10 employees in corporations, but I am sure the Attorney General will respond to that.

This may not be the best legislation, but it is an improvement on what is in place at the moment. The sooner we implement this legislation, the safer many people in the community will feel about making comments, based on their knowledge and awareness, against small and large corporations.

DR G.G. JACOBS (Roe) [4.13 pm]: I support the Defamation Bill 2005. I am not a lawyer and I have found some of the complexities of this legislation difficult to understand, but I speak as a concerned individual and participating member of Parliament. I thank the member for Nedlands for providing some of the background on a complex bill for people, such as myself, who are not lawyers. I make the observation that there are some good things about this bill. The maintenance of the clause about truth and the truth alone as a defence in Western Australia is a good move.

Mr J.A. McGinty: I agree with you. To my way of thinking, that would have been a deal breaker if states such as New South Wales and Queensland had insisted on watering down "truth", because I do not think you can defame someone if what you are saying is the truth. It is as simple as that. It is pleasing to see that now becoming nationally uniform.

The rest of the conversation turned to the topic of Defamation totally off topic as we would expect the conversation to go. Read full story at above link.