

for years. All it wants is the power to continue this provision so that it can clean up certain areas, but it has no intention of resuming any further large tracts of land."

The Chief Secretary: That was quite true at the time.

Hon. A. F. GRIFFITH: Over-night the Government changed its policy and its mind; and when I ask it to return certain land because some land has already been returned, it says, through the Chief Secretary, "That will be of no avail and there is no purpose in doing it. Your motion is a pious one." I ask members to demonstrate whether they have any feeling for the working man and those who have lost their land and want it back. They will never have any greater opportunity to express that feeling than that which is now before them.

Question put and a division taken with the following result:—

Ayes	14
Noes	9
Majority for	5

**Ayes.**

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. L. Craig	Hon. J. Murray
Hon. L. C. Diver	Hon. H. L. Roche
Hon. H. Hearn	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. McI. Thomson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. Sir Chas. Latham	Hon. A. F. Griffith

(Teller.)

**Noes.**

Hon. G. Bennetts	Hon. R. F. Hutchison
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. W. R. Hall
Hon. E. M. Heenan	

(Teller.)

**Pairs.**

Hon. Sir Frank Gibson	Hon. F. R. H. Lavery
Hon. H. K. Watson	Hon. C. W. D. Barker
Hon. J. Cunningham	Hon. W. F. Willesee

Question thus passed.

House adjourned at 10.7 p.m.

# Legislative Assembly

Tuesday, 11th October, 1955.

## CONTENTS.

	Page
Questions : D. W. McLeod mining venture,	
(a) liabilities and security, tabling of files, etc.	1055
(b) status of D. W. McLeod	1056
(c) representations by Native Welfare Department	1056
(d) effect on natives	1056
(e) action against D. W. McLeod	1056
Merredin High School, new courses, buildings, tenders, etc.	1056
Flour and mill offals, (a) sales overseas	1057
(b) disposal of flour to neighbouring countries	1057
Graylands Teachers College, allocation of expenditure	1057
Land agents licences, opposition to applications	1057
Royal Perth Hospital, nurses quarters, rents and ownership	1058
Wheat production, formulation of a national policy	1059
Local Government Bill, further consideration	1059
Tobacco, sales of local product	1059
Essential industries, establishment and expansion in Western Australia	1060
Transport Board, prosecutions	1060
Bills : Factories and Shops Act Amendment, 1r.	1060
Prices Control, reports	1060
Junior Farmers Movement, report	1060
Medical Act Amendment (No. 2), 2r.	1060
Swan Lands Revestment, 2r., Com., report	1061
Acts Amendment (Libraries), Com.	1061
Metropolitan Water Supply, Sewerage and Drainage Act Amendment, 2r.	1065
Electoral Act Amendment, 2r., point of order	1079
Health Act Amendment, Message, 2r.	1088
Cemeteries Act Amendment, 2r.	1091

The SPEAKER took the Chair at 4.30 p.m., and read prayers.

## QUESTIONS.

### D. W. McLEOD, MINING VENTURE.

(a) *Liabilities and Security, Tabling of Files, etc.*

Mr. HEARMAN asked the Minister for Mines:

(1) Have any of the liabilities to the Government incurred by the company of which D. W. McLeod was the managing director, and which operated in the Pilbara district, been met. If so, to what extent?

(2) What security was taken by the Government against obligations incurred to the Government by this company?

(3) At the time government assistance was rendered to D. W. McLeod, and his associates, was the Mines Department completely satisfied as to the prospects and bona fides of this venture?

(4) Would he be willing to table any relevant files in connection with this venture?

The MINISTER replied:

(1) The only loss sustained was an amount of £228 7s. 2d. owing for interest.

(2) The security taken consisted of an irrevocable authority on proceeds of sale of minerals.

(3) The assistance rendered followed requests made to the Treasury Department, and was only of a very minor nature, and reasonably well secured.

(4) Yes.

*(b) Status of D. W. McLeod.*

Mr. HEARMAN asked the Minister for Native Welfare:

Does the Government concur in the view of the Commissioner for Native Welfare, as expressed in his latest report, that Donald William McLeod, who was involved in a mining venture with natives in the Pilbara area was—

(a) a self-confessed communist;

(b) virtually the sole owner of the company concerned?

The MINISTER replied:

Yes.

*(c) Representations by Native Welfare Department.*

Mr. HEARMAN asked the Minister for Native Welfare:

Did the Department of Native Welfare make any representations to the Mines Department on behalf of D. W. McLeod? If so, what was the nature of these representations?

The MINISTER replied:

No.

*(d) Effect on Natives.*

Mr. HEARMAN asked the Minister for Native Welfare:

Is it correct that some natives associated with D. W. McLeod died of malnutrition while so associated? If so, how many natives died?

The MINISTER replied:

Yes. The number is not known as the natives under McLeod's influence avoided contact with the department's officers and would seldom give information detrimental to McLeod.

*(e) Action against D. W. McLeod.*

Mr. HEARMAN asked the Minister for Native Welfare:

Is any civil or criminal action against D. W. McLeod possible, or contemplated, for his activities in connection with this mining venture in the Pilbara area?

The MINISTER replied:

Yes.

**MERREDIN HIGH SCHOOL.**

*New Courses, Buildings, Tenders, etc.*

Hon. A. F. WATTS asked the Minister for Education:

(1) What number of fourth-year students are estimated to be available at Merredin for the four-year high school when established?

(2) What number of fifth-year students are estimated to be available when the five-year course is available?

(3) What is the total number of post-primary students expected to be in attendance at Merredin when school reopens in 1956?

(4) When is it proposed to convert the junior high school there to a four-year and five-year high school respectively?

(5) What buildings is it proposed to erect to enable establishment of the four-year course?

(6) What buildings is it proposed to erect to enable establishment of the fifth-year course?

(7) Will these buildings be erected on the site of the present school; and if not, where?

(8) What is the estimated cost of the buildings mentioned in No. (5)?

(9) What is the estimated cost of the buildings mentioned in No. (6)?

(10) Have tenders yet been called for the erection of any of the new buildings?

(11) If so, when are they returnable?

(12) If not, when are they to be called?

(13) Are students from outlying districts being provided for in the numbers given for fourth-year and fifth-year students?

(14) If so, from what districts is it expected they will come and in what respective numbers?

The MINISTER replied:

(1) 15.

(2) 15.

(3) 200.

(4) 1956, 1957.

(5) Four classrooms to be used partly for 4th year to form the nucleus of a new high school and also partly to relieve overcrowding; one room to be used for art, craft and singing.

(6) 1 library; 1 chemistry; 1 physics; 1 woodwork; 1 metalwork; 1 cookery; 1 laundry; 1 combined—boys' and girls' gymnasium.

(7) On the high school site to the south of the railway.

(8) Not known as yet.

(9) Not known as yet.

(10) Not as yet.

(11) Answered by No. (10).

(12) Not known; when plans and specifications are drawn up.

(13) Only bus-range students.

(14) It is expected that, as the school becomes established, a wide range of districts will be included, particularly in view of the establishment of hostels at Merredin.

#### FLOUR AND MILL OFFALS.

##### (a) Sales Overseas.

Mr. JOHNSON asked the Premier:

As, in reply to question No. 13 of the 28th September, 1955, the Minister for Agriculture revealed a reduction in production of flour by 48,000 tons, of bran by 11,000 tons and of pollard by 9,000 tons in the past two years, and that only 51 per cent. of capacity in this industry was currently employed, will he indicate what steps are being taken by—

(a) the State Government;

(b) the Federal Government, to increase overseas sales?

The PREMIER replied:

The Commonwealth Government maintains trade commissioners in overseas countries, whose function it is to facilitate the sale of Australian goods generally. Sales of wheat and wheat products are being energetically explored by the Australian Wheat Board, through its international agencies, and by flour exporters.

##### (b) Disposal of Flour to Neighbouring Countries.

Mr. JOHNSON asked the Premier:

(1) Are populations in our near north reported to be consuming less than a desirable calorie intake?

(2) Will he request the Federal Government to either subsidise exports of flour to our unfortunate neighbours or to make extensive gifts of this product?

The PREMIER replied:

(1) Yes.

(2) The Commonwealth Government already assists these countries through the Colombo Plan and its membership on the World Food and Agricultural Organisation. Australia is a signatory to the International Wheat Agreement, which covers various aspects, including price of wheat and its products in overseas markets.

#### GRAYLANDS TEACHERS' COLLEGE.

##### Allocation of Expenditure.

Hon. C. F. J. NORTH asked the Minister for Education:

Regarding the information he supplied to the House that £28,000 was being spent at the Graylands Teachers' Training College, will he state what was being done other than painting?

The MINISTER replied:

The £28,000 is made up as follows:—

	£
Purchase of buildings	10,000
Furniture	7,000
Electrical installations	1,350
Internal repairs and renovations	2,450

The balance is for lining and ceiling and improvements to accommodation.

Since the original allocation, a further £3,900 has been approved for external repairs and renovations.

#### LAND AGENTS' LICENCES.

##### Opposition to Applications.

Mr. COURT asked the Minister for Justice:

(1) How many applications for land agents licences have been opposed—

(a) by the Land Agents Supervisory Committee since its formation;

(b) by other persons or organisations since the same date?

(2) What were—

(a) the names of applicants for licences;

(b) reasons for opposition;

(c) result of opposition; in each case?

The MINISTER replied:

(1) (a) Three (including two applications for same person).

In addition, five applications have been made for cancellation of licences already held.

(b) To the best of my knowledge, only one other objection, which was lodged by the Commissioner of Police.

- (2) (a) (1) (a) Percy John Henry Davey of Arthur Johnston & Co., Albany—application for cancellation.
- (b) That he had withdrawn £5,000 from trust account for private purposes.
- (c) Objection not heard—adjourned sine die—licence expired by effluxion of time.
- Applicant did not re-apply.
- Limited company formed to take over business.
- (2) (a) Victor Dick Tomich—one application for cancellation of licence and two objections to applications for fresh licence.
- (b) (i) Misappropriation of clients moneys.
- (ii) Retention of excess commission without consent.
- (iii) Failure to comply with Land Agents Act.
- (iv) Breach of Stamp Act.
- (c) (i) Application for cancellation of licence granted.
- (ii) Objection to granting of fresh licence upheld.
- (iii) Objection to granting of fresh licence dismissed.
- (iv) Magistrate's decision to grant fresh licence set aside on appeal to Supreme Court.
- (3) (a) Edward Douglas Wintle—objection to application for licence.
- (b) (i) Several convictions for offences against Act.
- (ii) Breach of Stamp Act.
- (c) Objection dismissed.
- (4) (a) Randolph William Wieringa—application for cancellation of licence.
- (b) By false and fraudulent representations induced a person to sell a property for £1,425 and subsequently sold the property to his mother for £1,600.
- (c) Licence cancelled.
- (5) (a) Manlio Sebastian Liti-gia—licence held on behalf of British Finance & Agency Co. Ltd.—application for cancellation.
- (b) Retained excess proceeds of a sale for his own benefit. Failed to render an account of all moneys received.
- (c) Licence cancelled.
- (6) (a) Roy Wallis—application for cancellation of licence.
- (b) (i) Having no trust account for a certain period.
- (ii) Drawing cheques against trust account for private purposes.
- (iii) Securing the execution of a bill of sale showing a consideration known by him to be false.
- (c) Licence cancelled—appeal pending.
- (7) (a) George Edwin Young.
- (b) Not a suitable person in view of financial position.
- (c) Application for licence withdrawn by applicant.

#### ROYAL PERTH HOSPITAL.

##### *Nurses Quarters, Rents and Ownership.*

Mr. JOHNSON asked the Minister for Health:

Further to the answer to my question of the 4th instant regarding rented accommodation for Royal Perth Hospital nurses:

- (1) Do the rents of either property exceed the standards previously applicable when such rents were controlled by legislation?
- (2) Who is the landlord of Forrest House? If a corporate body, who are the directors and principal shareholders?

The MINISTER replied:

(1) Premises of which the lessor or lessee is an instrumentality of the Crown are outside the scope of the Act and it would be rather difficult to make an assessment as required by the hon. member.

(2) Landlord of Forrest House is Walro Pty. Ltd. Directors of Walro Pty. Ltd., as recorded at last return on the 31st March, 1955 are—

J. C. Rowsell.  
I. Walters.

The shareholders are—

R. S. Kemp.  
I. Walters.  
T. M. Walters.  
J. C. Rowsell.  
H. K. Watson.  
R. J. Greenwell.  
N. H. Watson.  
L. M. Wiesner.  
H. J. Carmichael.  
B. C. Prevost.

### WHEAT PRODUCTION.

#### *Formulation of National Policy.*

Mr. PERKINS asked the Minister for Agriculture:

Further to his reply to a question on the 1st September, when he indicated that wheat production would be discussed at the next meeting of the Agricultural Council:

- (1) Can he indicate when the next meeting of the Agricultural Council is likely to be held?
- (2) Will he forcibly endeavour to persuade the Agricultural Council to formulate a national policy on wheat production so that the Commonwealth Government as well as the State Governments can advise wheat growers accordingly, and draft legislation if such is necessary to implement that policy?

The MINISTER replied:

- (1) Probably before Christmas, 1955.
- (2) The trend of initial discussion on a policy for wheat production will depend upon the latest information available to the Agricultural Council at its next meeting.

### LOCAL GOVERNMENT BILL.

#### *Further Consideration.*

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

- (1) Is it the intention of the Government to proceed further with the Local Government Bill this session?
- (2) If so, when is it proposed to do so?
- (3) If not, what is the reason for not proceeding this session?

The MINISTER FOR TRANSPORT replied:

- (1) Yes.
- (2) Almost immediately.
- (3) See answer to No. 2.

### TOBACCO.

#### *Sales of Local Product.*

Mr. COURT asked the Minister for Agriculture:

(1) What was the general result of the sales of Western Australian grown tobacco, 1954 and 1955?

- (2) (a) Was there a complete clearance of stocks offered?
- (b) If not, what quantities were not sold each year, and what happened to such unsold stock?

(3) What are the prospects of improving selling opportunities for Western Australian growers, including economic use of lower grades of leaf for purposes other than normal cigarette, etc., manufacture, such as chemical extracts?

The MINISTER replied:

(1) In 1954 the quantity submitted was 388 tons. The prices generally for better grade leaf were higher than the previous year, although there was little demand for low grade leaf.

In 1955 the quantity submitted was 447 tons and a large quantity of leaf was not sold.

The average price in 1955 was slightly lower than 1954.

In 1955 the competition for high grades was good but not for medium grades which, in the past, met with keen competition. The demand for lower grades was very poor. The general level of quality was far below the standard of 1954 season, due mainly to the heavy rains which fell in February.

(2) (a) No.

(b) The quantity not sold in 1954 was 51 tons and in 1955 was 129 tons.

In 1954 most of the unsold leaf was destroyed by the Tobacco Growers' Association on behalf of its members. The disposal of the 1955 surplus has not yet been decided.

(3) There is little prospect of the surplus inferior tobacco being used for the manufacture of chemical extracts. The principal extract is nicotine sulphate for use as an insecticide, but many other new insecticides are replacing this extract.

One of the principal defects of the unsold leaf is high chloride content and the Department of Agriculture is initiating research into this problem.

**ESSENTIAL INDUSTRIES.***Establishment and Expansion in Western Australia.*

Mr. COURT asked the Premier:

(1) Has the Government made a survey of industry in Western Australia, to determine which essential industries should be encouraged to establish themselves or to expand in this State?

(2) (a) Have any representations been made locally and/or abroad, to interest and encourage private industry to establish or expand new or existing essential industries in Western Australia?

(b) If so, with what result?

The PREMIER replied:

(1) The position of our manufacturing industry is constantly under review, with the object of encouraging the expansion of existing industry, and the establishment of new industry.

(2) (a) Yes.

(b) It is impossible to say to what extent the growth of manufacturing is due to official efforts, but where efforts to date have not been successful, they will be continued.

**TRANSPORT BOARD.***Prosecutions.*

The MINISTER FOR TRANSPORT: Last Thursday the member for Katanning asked me three questions in connection with prosecutions for offences. I gave him the answers to two, and undertook to supply, this week, the answer to the other question which related to the number of prosecutions that had been launched against certain carriers and farmers. The information, with regard to the past 12 months, is as follows:—

Farmers ....	64	(13.67 per cent.)
Carriers ....	264	(56.41 per cent.)
Others ....	146	(29.92 per cent.)

**BILL—FACTORIES AND SHOPS ACT AMENDMENT.**

Introduced by the Minister for Labour and read a first time.

**BILLS (2)—REPORT.**

1. Prices Control.
2. Junior Farmers Movement.  
Adopted.

**BILL—MEDICAL ACT AMENDMENT (No. 2).***Second Reading.*

THE MINISTER FOR HEALTH (Hon. E. Nulsen—Eyre) [4.47] in moving the second reading said: This is a small Bill, but it is important to some people. The

purpose of it is to reduce from seven years to five years the period of service required to be given by the regional and ancillary doctors.

At the present time the regional doctors have to serve seven years in the back country, and I must say they have given very good service. We have had them at Pt. Hedland, Roebourne, Derby, Meekatharra and Narembeen, and also at the following hospitals:— Royal Perth, Fremantle, Wooroloo and Claremont, as well as at the Red Cross. I think five years is a long enough period for them to serve, particularly as up to now they have done a good job; and we should be grateful to them. They have raked off the cream, and have done quite well up to date.

They are subject to the Medical Board, and as far as examinations are concerned, I think the McLarty-Watts Government brought down a Bill in 1952, giving them the opportunity, after they had done three years' service in the State, to qualify by examination. But the board had absolute discretion and if it considered that a doctor was sufficiently worthy and of a high calibre in his profession, it could reduce the period. A few, but not many, of them have qualified, accordingly.

Some 15 have qualified under the seven-year period provision. Now, of course, they are at liberty to practise anywhere within the State, but not outside it, and from what I can learn they are doing a good job. Of course, while these doctors are serving in the different regions, they are subject to direction and can be sent anywhere in the State. But, if this Bill is passed, they will have to serve only five years in a region and will then be at liberty to practise their profession anywhere within the State but not outside it.

Mr. Ross Hutchinson: Is the B.M.A. in agreement with the reduced term?

The MINISTER FOR HEALTH: Yes, that body has been consulted and is perfectly satisfied with the proposal, as is the Medical Board.

Mr. SPEAKER: Order! There is too much noise in the Chamber.

The MINISTER FOR HEALTH: If doctors have come from Great Britain, Ireland, New Zealand, South Africa or certain parts of India, they are qualified by their own examinations and are permitted to practise anywhere in Australia. But if doctors from countries other than those I have mentioned migrate here, they have to subject themselves to examination, as I have already pointed out, in accordance with the 1952 amendment, or they must serve, at present, a period of seven years in a region.

The idea of this Bill, as I have already said, is to reduce the period from seven years to five years because of the trying conditions in the north-west parts of the

State. These men have rendered good service and I think we should do what we can to help them. In my opinion, a period of seven years is too long to serve in places such as Broome, Derby or even Port Hedland and Roebourne. Those practising there are highly respected and are doing a good job. Some of them probably will not want to leave, even when their term has expired; but I think we should give them the opportunity to do so if they desire. Requests for this amendment were made to me and I put the proposition before the B.M.A. and the Medical Board. They have agreed, and now I think that Parliament should agree also. I move—

That the Bill be now read a second time.

On motion by Mr. Ross Hutchinson, debate adjourned.

#### **BILL—SWAN LANDS REVESTMENT.**

##### *Second Reading.*

Debate resumed from the 6th October.

**HON. L. THORN** (Toodyay) [4.53]: I do not intend to oppose this Bill because it is necessary to correct a position that has arisen in connection with the property known as Ashfield Estate. Some time ago the State Housing Commission resumed an area there and, owing to the urgency of the position, proceeded to build homes. I think altogether 87 houses have been erected. After consultation with the Bassendean Road Board and the Town Planning Board, it was agreed that certain roads should be built through the estate by way of improvements. That necessitated a resurvey of the area, which has been made, and plans have been submitted by the Minister. Any member who wishes to do so may view them. The Bill seeks to legalise the new survey. In my opinion, it is necessary, and, as far as I am concerned, quite in order.

Question put and passed.

Bill read a second time.

##### *In Committee.*

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

#### **BILL—ACTS AMENDMENT (LIBRARIES).**

##### *In Committee.*

Resumed from the 6th October. Mr. J. Hegney in the Chair; the Minister for Education in charge of the Bill.

The **CHAIRMAN**: Progress was reported on Clause 13 after the word "two" in line 12, page 7, had been struck out and the word "four" inserted in lieu.

Mr. **ROSS HUTCHINSON**: My next amendment is in line 5, page 8, to add, after the word "Board", the following

words:—"but nothing in this paragraph shall apply to any such properties as have been acquired by the trustees by purchase, gift, bequest, deposit or otherwise for and on behalf of or for the benefit or purposes of the Museum and Art Gallery of Western Australia." Because of the comprehensive nature of the paragraph I think those words are required.

The terms of the paragraph are very wide and I would particularly refer members to it. My amendment would protect the various items I mentioned in my second reading speech, such as the library of books deposited in the library by the curator and other items and bequests which essentially belong to the Museum or Art Gallery. The amendment will not prejudice the principles of the Bill, and I would like to hear the Minister's opinion. I move an amendment—

That after the word "Board" in line 5, page 8, the following words be added:—

but nothing in this paragraph shall apply to any such properties as have been acquired by the trustees by purchase, gift, bequest, deposit or otherwise for and on behalf of or for the benefit or purposes of the Museum and Art Gallery of Western Australia.

The **MINISTER FOR EDUCATION**: I hope the Committee will not agree to the amendment. I do not think we should consider a lot of detail in dealing with a Bill of this nature. If members look at paragraph (b) they will see that where there is any doubt, the Minister will give directions. He will take the necessary steps to inquire into the use of whatever assets there might be. There are such requisites as desks, tables and typewriters which could be used partly for the Museum and partly for the Art Gallery or Library. If there is any difference of opinion, then surely there is enough good sense among the representatives or among both bodies to decide the issue.

These bodies are constituted of a judge of the Arbitration Court, professors of the university, doctors of science, the Director of Education, prominent members of local government bodies and members of Parliament. We are trying to get on with the general principles of the Bill and we would not be doing the right thing if we considered these details. It has been indicated by the amendment that if there is any difficulty or doubt about the allocation of such assets, the Minister will take all steps necessary to ensure that an equitable distribution takes place. While I am sure the member for Cottesloe does not mean it, there seems to be some doubt creeping in and an implication that the Minister is likely to do something diabolical in relation to the Library Board of Western Australia. I oppose the amendment.

Mr. ROSS HUTCHINSON: The Minister has been unequivocal in his stand on this amendment. I would agree that this could be regarded as redundant if the Minister agreed to a later proposal I have for determining the ownership of goods or bequests.

The Minister for Education: I do not agree that it would be right for me to indicate that.

Mr. ROSS HUTCHINSON: I do not think the Minister is right, and I cannot follow his line of reasoning. He said that the following proposed new subsection gave the Minister power to determine the issue if no agreement is reached between the bodies regarding the bequests.

The Minister for Education: The property, not the bequests.

Mr. ROSS HUTCHINSON: What, then, is the position? This could be regarded as redundant if the Minister is prepared to have a committee of trustees, two from the trustees and two from the Library Board, to determine the ownership of bequests or any dispute in line. If no agreement was reached, then the Minister could determine it. That is the context of a later amendment of mine. I do not know whether the Minister would agree with that.

The Minister for Education: No.

Mr. ROSS HUTCHINSON: This is contrary to the stand the Minister has previously taken when he has always fought for detail. I hope the Committee will agree to the amendment.

The MINISTER FOR EDUCATION: The member for Cottesloe read paragraph (a) of proposed new Subsection (4), I would refer the Committee to paragraph (b) in which there is no reference to gifts or bequests. These are referred to later on. Instead of accepting the member for Cottesloe's amendment, it would be better to pass this subsection as it stands, and the Minister would then have power to deal with any dispute. Why not let the representatives of both bodies meet and discuss the best method of allocation of assets such as desks, books and so forth. If they cannot agree in any particular, the matter can be referred to the Minister. That is provided for now.

Mr. Ross Hutchinson: No, it is not.

The MINISTER FOR EDUCATION: Yes, it is. The Minister would then ask the president or a committee from both bodies to meet and decide the issue. Personally, I would want to know the origin before making a decision. The Governor has to decide in relation to the bequests, but the member for Cottesloe wants that duty placed in the hands of the Minister. I think mine is the fairer method of surmounting the difficulty.

Amendment put and negatived.

Mr. ROSS HUTCHINSON: The amendment just defeated and my other amendments are allied because they have to do with the allocation of various chattels and bequests to the Public Library as distinct from the Museum and Art Gallery. The third amendment I have on the notice paper could also well be lost provided the Minister agreed to the deletion of paragraph (b) of proposed new Subsection (4) with a view to inserting another subsection to make provision for a committee of four, two from the trustees and two from the Library Board, to meet to determine the apportionment of any chattels or bequests.

The Minister mentioned that that would happen in practice but in the manner I suggest it would be specifically provided for. It is only placing in the Bill what the Minister says would operate. Therefore the Minister would be unwise not to agree to what I suggest. It would mean a fairer apportionment of the assets, and less work for the Minister. The proposed committee would work up to a period of 14 days before the amalgamation of the library services. Then the Minister need only be called in to determine any apportionment should the committee fail to agree. The Minister has indicated his agreement with that principle, therefore there is no reason why this amendment should not be agreed to. The amendment to delete paragraph (b) is consequential on accepting the fourth amendment on the notice paper. I move an amendment—

That paragraph (b) of proposed new Subsection (4), page 8, be struck out.

The MINISTER FOR EDUCATION: I hope the Committee will not agree to this amendment. Proposed new Subsection (5) (b) reads as follows:—

All gifts and bequests made to or on behalf of or for the benefit or purposes of the Public Library, Museum and Art Gallery of Western Australia shall, whether made before or after the coming into operation of the Acts Amendment (Libraries) Act, 1955, be allocated to or divided between the board and the trustees as the Governor thinks fit.

Subsection (4) (b) gives the Minister power to determine allocations and so forth. The comprehensive amendment will be contingent on the deletion of this provision. The amendment states that the Minister shall be the deciding factor, but in the Bill it is stated that the Governor shall be in that position.

Mr. Ross Hutchinson: What is the difference?

The MINISTER FOR EDUCATION: A great deal. There is the consideration of more than one Minister involved. Anyone with Cabinet experience will know that a Minister does not go to Cabinet with a



proposal and every member agrees to it. I want to make this point clear: An appointed day is mentioned and it is necessary for the transfer to be effected as expeditiously as possible. In the circumstances, it would neither be fair nor right to set up a committee consisting of two members from either side to go into the question of allocation. If by negotiation complete agreement can be reached between the two bodies, that course is much more desirable than setting up unnecessary machinery. If the two bodies make a recommendation desiring a committee of two members from each, to meet under an independent chairman to discuss the allocation of gifts and bequests, 14 days might not be long enough.

It is now mid-October and the appointed day is the 1st December. The Bill has not been passed in this House yet. Apart from that, the provision in the Bill is quite clear and ample to meet all the circumstances that may arise. It is expected that the good sense of both bodies will prevail so that it will not be necessary for the Minister or the Governor to come into the picture at all. Under the circumstances, I cannot agree to the amendment.

**Mr. ROSS HUTCHINSON:** This is not a world-shaking amendment. From the tone of the Minister's remarks, it appears that he has given a very good argument in support of my amendment. He says that the Bill has not yet been passed by this House, but that is no fault of the Opposition. We have endeavoured to be co-operative. It is part and parcel of the parliamentary set-up that Bills should go through the various stages.

The method that I have suggested for the apportionment of assets and bequests is the very same method as that suggested by the Minister. If my amendment is agreed to, the allocation could be made much more expeditiously than it would if we leave the matter under the control of the Minister who might have to make a hurried decision, owing to lack of time. If the amendment is agreed to, a simple machinery provision will be set up; that is, for the appointment of a small committee. The Minister has raised no sound opposition.

**The MINISTER FOR EDUCATION:** I am opposed to the amendment mainly because of the time factor. The 1st December is the appointed day. In regard to the allocation of chattels, lands, buildings and other assets, the first step I would take, if I could not act in that capacity myself, would be to appoint an independent chairman who would notify the representatives of both bodies to meet and consider the allocations.

**Mr. Ross Hutchinson:** Will the Minister give an assurance that he will not act as chairman but will appoint somebody else?

**The MINISTER FOR EDUCATION:** When the amalgamation was discussed, I did not act as chairman or take part in the proceedings. Mr. Reid, an ex-public servant, acted as chairman and he helped to draft the provisions included in the Bill. My own reaction is that I shall invite some highly reputable person to act as chairman of a committee which would be representative of the Library Board, and the trustees of the Public Library and Art Gallery.

**Mr. Ross Hutchinson:** That idea will be adopted in practice?

**The MINISTER FOR EDUCATION:** Yes. If another two weeks elapse before the Bill becomes law, there might not be time to appoint a chairman. As far as I am concerned, if I am to administer the Act, I shall set up the committee and ask some highly reputable citizen to act as chairman.

Amendment put and negatived.

**Mr. ROSS HUTCHINSON:** I move an amendment—

That after the word "fit" in line 35, page 8, the following words be added:—

but nothing in this paragraph shall apply to any such gifts and bequests as have been made to or on behalf of or for the benefit or purposes of the Museum and Art Gallery of Western Australia.

Proposed new Subsection (5) (a) reads as follows:—

All gifts and bequests made to or on behalf of or for the benefit or purposes of the Public Library shall, whether made before or after the coming into operation of the Acts...

I do not see why the word "after" should appear unless an amendment I have on the notice paper is agreed to. It is understandable that gifts and bequests made to the Public Library, Museum and Art Gallery before the amalgamation should be apportioned as the committee decides. Why any gifts or bequests made subsequent to the appointed day should be divided as the Governor thinks fit, seems to be too comprehensive in that particular form.

I know that the Minister will say that this is not intended. If that be so, then he will not object to my amendment. The provision in the proposed new section suggests that there is no need for anyone to make an allocation of the gifts or bequests which have been made to the two remaining sections of the present institution. In view of the appearance of the word "after", a rather unfair quality is associated with the provision. Everyone will agree that the gifts and bequests should not be prejudiced by any allocation made by the Minister.

The MINISTER FOR EDUCATION: If there was a bequest to the Public Library, Museum and Art Gallery after the measure became law, who would allocate it? The amendment would cut across the provisions of the Bill, because it would remove from the committee or the Minister the matter of the allocation of assets. We have provided that where there is any difficulty as to the allocation of gifts, bequests or property, the matter shall be determined by the committee or by the Minister.

Mr. ROSS HUTCHINSON: The Bill provides for gifts and bequests made to the Public Library, Museum and Art Gallery, and my amendment would afford a safeguard for the remaining portions of the present institution, namely, the Museum and Art Gallery. This would obviate any muddle.

Amendment put and a division taken with the following result:—

Ayes	16
Noes	17

Majority against .... 1

**Ayes.**

Mr. Abbott	Sir Ross McLarty
Dame F. Cardell-Oliver	Mr. North
Mr. Cornell	Mr. Oldfield
Mr. Court	Mr. Owen
Mr. Doney	Mr. Perkins
Mr. Hill	Mr. Thorn
Mr. Hutchinson	Mr. Wild
Mr. Mann	Mr. Bovell

(Teller.)

**Noes.**

Mr. Brady	Mr. Moir
Mr. Hawke	Mr. Nulsen
Mr. W. Hegney	Mr. O'Brien
Mr. Hoar	Mr. Rhatigan
Mr. Jamieson	Mr. Rodoreda
Mr. Johnson	Mr. Sewell
Mr. Kelly	Mr. Stryante
Mr. Lapham	Mr. May
Mr. Lawrence	

(Teller.)

**Pairs.**

Ayes.	Noes.
Mr. Brand	Mr. Sleeman
Mr. Nalder	Mr. Tonkin
Mr. Hearman	Mr. Heal
Mr. Watts	Mr. Graham
Mr. Ackland	Mr. Andrew
Mr. Manning	Mr. McCulloch
Mr. Yates	Mr. Norton

Amendment thus negatived.

Mr. ROSS HUTCHINSON: I move an amendment—

That the following new subsection be inserted:—

(7) (a) All officers and employees holding office or being employed at the appointed day in the Public Library of Western Australia shall be deemed to have been appointed and engaged by the board under the provisions of the Library Board of Western Australia Act, 1951-1955.

(b) All rights and accruing rights of such officers and employees shall remain unimpaired

and shall continue for the purposes of those persons' employment with the board, and the board shall undertake all matters incidental to the fulfilment of any obligations in connection therewith and the trustees shall at the appointed day be freed and discharged from any such obligations.

The amendment is self-explanatory, providing as it does a safeguard for present employees. The Minister mentioned that certain contracts would be honoured by the Library Board, but this safeguard should be included in the Bill, because I am doubtful whether the reference to contracts does not relate merely to the Public Library without making specific allusion to employees.

The MINISTER FOR EDUCATION: There is no ground for fear that any employee of the Library Board or the Public Library, Museum and Art Gallery would have his services terminated or his conditions impaired by the passing of the Bill. I will not quote the provision again as it refers to all contracts entered into. The employee has a contract with the employer, and vice versa. It may be a weekly, yearly or even a life contract, but I am satisfied that the proposed new section covers the position. It is further tied up in proposed new Subsection (7) on page 9, because if in future there is any doubt as to the adequacy of the arrangements made, the Governor can make the requisite adjustments. One of the first matters mentioned between Dr. Robertson and myself was the safeguarding of the interests of the employees. I move—

That the amendment be amended by adding after the word "employees" in line 2 of paragraph (b), the words "of the trustees and of the officers and employees of the board at the appointed day."

Mr. ROSS HUTCHINSON: I entirely agree with the Minister's amendment on the amendment as there is similar wording in the Libraries Acts of Queensland and Tasmania.

Amendment on amendment put and passed.

Amendment, as amended, put and passed.

Clause, as amended, agreed to.

Clauses 14 to 19—agreed to.

Clause 20—Section 15 amended:

Mr. ROSS HUTCHINSON: I move an amendment—

That paragraph (b), page 12, be struck out.

This clause seeks to amend Section 15 of the principal Act by adding after the word "empowered" in line 1 of Subsection (3), the words "subject to the Library Board

Act." I do not think that is necessary, as there does not appear to be anything in that section requiring to be limited by the Library Board Act. The trustees who are to administer the Museum and Art Gallery will desire to purchase and receive books, maps, manuscripts and so on and surely after the appointed day they should not be subject to the Library Board Act.

The MINISTER FOR EDUCATION: Subsection (3) of Section 15 of the parent Act states—

The trustees are hereby empowered to receive, take, or purchase any books, maps, manuscripts, documents, papers, pictures, engravings, or other works of art, coins, medals, objects of natural history, mineral specimens, exhibits, and all other goods and chattels whatsoever, and to sell, exchange, or otherwise dispose of the same or any of them . . . .

and so on. In the allocation, the Library Board will acquire some books, maps, etc. and it is suggested that the trustees should be empowered only to receive or retain such assets subject to the provisions of this Bill. The wording objected to is included to tidy up the two Acts from a legal point of view. I think the member for Mt. Lawley would agree that the proviso has been rightly included by the draftsman.

Hon. A. V. R. Abbott: From what the Minister has said, I am inclined to agree.

Mr. ROSS HUTCHINSON: I do not oppose paragraph (a) but Subsection (2) of the principal Act states—

All gifts and bequests made to or on behalf or for the benefit or purposes of the Public Library of Western Australia, or the Western Australian Museum and Art Gallery shall be deemed gifts and bequests to or on behalf or for the benefit or purposes of the trustees.

Paragraph (b) relates to Subsection (3) and we must remember that the trustees are the trustees only of what is being left of this mangled institution.

The Minister for Education: That is not right.

Mr. ROSS HUTCHINSON: Surely the trustees can be empowered to receive these articles without being subject to the Library Board Act! This highlights the necessity for substantial consequential amendments to the parent Act, but that can be attended to subsequently. This seems a clumsy way of attempting to tidy up the Act. I have no quarrel with paragraph (a), but paragraph (b) does not seem to be justified.

Amendment put and negatived.

Clause put and passed.

Clause 21—Section 17 amended:

Mr. ROSS HUTCHINSON: I move an amendment—

The CHAIRMAN: Before the hon. member moves his amendment, I would point out that he has on the notice paper two amendments in respect of this clause, and I would suggest that he deals with them as one, because it is a little difficult to take them separately.

Mr. ROSS HUTCHINSON: Very well, Mr. Chairman. I move an amendment—

That all words after the words "amended by" in line 5, page 12, be struck out.

If this amendment is agreed to, I propose to move to insert in lieu of the words struck out the words, "deleting the words 'the Public Library of Western Australia and' ". It is my view, particularly in a section such as this, that it is wrong to use the words "subject to the Library Board Act." I suggest that instead of these words, it would be far better to insert the words that I propose, and also to delete the word "respectively" in line 4 of Section 17.

Amendment put and passed.

Mr. ROSS HUTCHINSON: I move an amendment—

That in lieu of the words struck out, the words "deleting the words 'the Public Library of Western Australia and' in lines 2 and 3, and the word 'respectively' in line 4" be inserted.

Amendment put and passed; the clause, as amended, agreed to.

Clause 22, Title—agreed to.

Bill reported with amendments.

# **BILL—METROPOLITAN WATER SUPPLY, SEWERAGE AND DRAINAGE ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the 25th August.

MR. COURT (Nedlands) [6.10]: I speak on behalf of the member for Greenough who secured the adjournment of this debate but who, for reasons which members know, is unable to be present. I support the second reading of the Bill because I think the principal object the measure is attempting to achieve is extremely desirable. From the Minister's speech made on the second reading and from inquiries I have made since, it would appear that had this Bill been brought down by the member for Greenough when he was Minister for Works, it would have been very much the same in all material particulars.

The Minister was gracious enough to explain that many of the objects which the Bill seeks to achieve were conceived during the ministerial term of the member for Greenough and when Mr. Dumas was acting as Director of Works.

The very severe winter that has been experienced by people in various parts of the State, particularly the metropolitan area, has probably brought home more forcibly to us than would otherwise have been the case, the importance of drainage if people are to occupy their housing allotments under conditions that make for good health. I think badly drained areas adversely affect the health of children, which naturally brings some stress and strain upon the housewife who has the greatest worry in the everyday care of the children.

From one's observation in various suburbs and from Press photographs, it is apparent that quite a few of those suburbs are suffering very badly from the lack of suitable drainage, and I feel that, taken over a long term of years, the effect of this measure will not only tend to cure some of the existing ills but also will prevent some of these problems arising in the future. It is apparent that some areas have been settled prematurely without prior consideration of suitable drainage, much to the detriment of the present occupants of the houses.

Of course, from one standpoint, some of the owners might be blameworthy seeing that many of the allotments were bought because they were very cheap at the time. They were also probably bought during very dry winters or in the height of summer, and little regard was given to the drainage problem. If an area is badly drained and we have problems similar to those that have arisen in some districts during this winter, there is a degree of danger to young children, with added problems for the parents.

I believe the object of the Bill and what the Minister seeks to achieve are commendable. I have no doubt about the magnitude of the task, both in the physical work that will be involved, the research required and the funds that will be expended, plus a great degree of technical skill, if the metropolitan area is eventually to be satisfactorily drained. Therefore, we should all commend the systematic approach that this Bill envisages.

It would be far better to summarise it by saying that the measure is intended to clear the decks so that the problem of drainage can be attacked methodically and to ensure the best use of funds as they become available. First and foremost, the object appears to be to concentrate in the Water Supply Department the problem of drainage and to remove the rather difficult line of distinction between land drainage and storm water drainage. I

must confess, as a layman, that I have found it difficult to distinguish between the two, but when it is explained by an expert in a given area, one can see the distinct difference.

I commend to members a study of this distinction because I believe the costs of achieving proper land drainage as distinct from storm water drainage are peculiar in as much as they affect the metropolitan area more generally. From my observations I would say that land drainage has a more general effect on the metropolitan area than storm water drainage. With the latter, it seems easier to pinpoint the cost and also the localities that are injuriously affected.

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

Mr. COURT: I had proceeded to the stage where I had expressed agreement with the main object of this Bill—namely, to concentrate on the problem of land drainage and storm-water drainage under the Metropolitan Water Supply, Sewerage and Drainage Department rather than have land drainage left to the Public Works Department and storm-water drainage to the Water Supply Department.

In his second reading speech the Minister told us that considerable progress had been made with the contour surveys; and, in fact, he expressed the view that they were almost complete. However, he qualified that by saying that much detail remained to be worked out. This is readily understandable, because the problem of drainage throughout the metropolitan area must of necessity be one of great magnitude, and doubtless the complete survey would take many years to finish satisfactorily. The Minister went on to say that the problem at the moment was more one of finance than of actually completing the survey.

With the proposition of getting the survey detail completed as quickly as possible, I am in agreement, because it must materially assist the Government of the day to make a wise decision as to the best avenue through which it could spend any money which became available for drainage work. It may be that the problem that appears most acute at the moment is not necessarily the one which it would be best to cure immediately. In the long-term result, it could be that the drainage work should be done in another locality, with a consequential effect upon the area most adversely affected at the time.

I am sorry that the Minister is not present, because the rating that will arise from the drainage works could very easily be a vexed question so far as ratepayers are concerned. The situation in Western Australia is that we see ratepayers being progressively burdened with more and more

costs in respect of both local government and water supply rates, as well as the associated rate that goes with drainage and so on. Furthermore, they are receiving a gradually increasing impost in respect of land tax, and these considerations are making home-ownership quite an expensive business. Of course, business premises incur as great a burden of expense—if not a greater burden—from local government, water supply rates and land tax, but they are better able to stand that expense in most cases than are ordinary householders.

If this drainage rate is to be a very severe one because of the magnitude of the works involved, it could be a burden that the average ratepayer will resent. Needless to say, ratepayers resent any further charge being made against them, whether it is unavoidable or otherwise; but this is one charge that I can see the public resenting more than most, because it will be extremely difficult to be sure, as far as a given locality is concerned, that the impost is one they should bear. Obviously, the amount of rates will be directly related to the cost of the works and the necessity for interest and sinking fund on the money expended on those works.

The main query I would like the Minister to answer when replying to the debate is: What is his policy with regard to the spreading of this rate? There will be many places in the metropolitan area which, because of their geographical location and the contours of their location, and because of the nature of the soil in their immediate vicinity, have very little need for artificial forms of drainage. They will either be blessed with contours providing natural drainage, or with some type of soil that quickly absorbs water, and will not have any need for the main drain scheme that this Bill envisages.

The people in those areas will resent a form of rating which is spread over the whole of the metropolitan area regardless of the direct effect achieved by drainage. The position could be aggravated further by the fact that many of the people who will need drains least will have to pay the most. Obviously a rate struck for the whole metropolitan area would be based on valuation; and one can easily visualise an area, such as the one in which I live, requiring comparatively little drainage in certain parts, yet having a very high amount to pay in the way of drainage rates by virtue of the fact that land values are high compared with those in other parts of the metropolitan area.

It does not necessarily follow, but it normally does follow, that the land which would be rated on a very low basis because of the low land values would incur the lowest drainage rate,—that is, if the intention is to spread that rate over the whole of the metropolitan

area—but derive the greatest drainage benefit. The point I want to emphasise is that in many cases the people who have this low-value land bought it with a full knowledge of the fact that they were buying it cheaply because of certain physical disabilities of the land. It may be that it is badly located, or has a very high water table and was subject to flooding at the time they acquired it. They probably took a chance and, in some cases, have got away with it. But the effect has been disastrous when we have had a wet winter such as the one that has just been experienced.

I hope that if the Premier is going to reply on behalf of the Minister for Works, or if the Minister for Works intends to reply later, one of them will give us an indication of what is proposed in connection with the spreading of the rating. I have tried to examine the position as fairly as I can; and it would appear that a case could be built up for spreading the land drainage rate over a very wide area—it might easily be over the whole of the metropolitan area—because of the peculiarities of land drainage.

But, in my opinion, it is very hard to construct a case that would hold water in connection with the imposition of storm-water drainage rating. It seems very apparent when one examines the areas where there is a storm-water drainage problem that it is essentially a local one, and is not due to contours and the general lay of the land over an area of five, 10 or more square miles. That is the reason why I would like the Minister for Works, or whoever replies to the debate, to give us a clearer statement of the attitude of the Government towards the levying of a drainage rate.

One of the most important features of the Bill is the part of it that deals with values. The Minister has explained that this particular portion of the measure seeks to achieve two objectives. In the first place it is intended to remove beyond doubt certain legal difficulties that exist—in other words, the administrative procedure is open to some question under the present Act. With what is planned to be achieved there, we cannot disagree. But the provisions go further and provide for the setting up of what would appear to be a much more elaborate valuation authority.

I can envisage a great degree of duplication under the proposals in the Bill. But even that would not bring me to opposing the provisions of the Bill if the Minister could assure me that it is not the thin edge of the wedge to get rid of local authority valuers. There are local authorities, such as the Perth City Council, which of necessity must have competent, experienced valuers readily available to them at all times. Their problems are such that they need valuers for reasons

other than normal annual valuations. They have many reasons for needing a valuer and for having the services of one continually at their disposal. Often there are quick changes in the nature of certain areas; and having their own valuer, they can deal with those changes quickly.

It was said by the Minister that the Perth City Council was a case in point, and that it had kept its values up to date, and in some cases that had reacted against the interests of the ratepayers in respect of water rates. But I subscribe to the view that it is better for the local authority values to be kept up to date rather than allowed to get into arrears, because it is then more simple and accurate for the local authority to strike a suitable rating, or at least the rating is based on a more accurate assessment of the whole of the area at a given time. If the Minister can give an assurance that there is no intention of doing away with local authority valuers under this Bill, one must support the provision of better valuing facilities with clearly defined rights and privileges.

The right of entry and the right to obtain information have been clearly defined in the Bill whereas in the existing statute there is some doubt as to whether these valuers have the same powers as a local authority valuer. There is a further point in connection with valuers and valuations, and that is the conflict that appears to exist between the values obtainable under the Metropolitan Water Supply, Sewerage and Drainage Act and those obtainable under the Municipal Corporations Act.

I understand that the Water Supply Department uses a formula by which it fixes a figure of not less than 2 per cent. and not more than 6 per cent. on annual values whereas under the Municipal Corporations Act it is obligatory for a local authority to use a figure of not less than 4 per cent. on the annual value. It has been the custom of the department to accept certain local authority valuations including those of the Perth City Council; and there are good reasons why that had been done in the past.

In his reply, I would like the Minister to state, whether it is the intention of the Government to continue to use the local authority valuations in certain cases, such as that of the Perth City Council. One of the big advantages to the Government in using local authority valuations, is that under Section 85 of the present statute, certain protection is given to the Water Supply Department, inasmuch as a person cannot appeal against the valuation when it does not exceed the current valuation of the same land by the local authority or the Commissioner of Taxation.

Obviously, the administration of the Water Supply Department is simplified in the case of the Perth City Council values

because the quarrel in respect of those values is between the city council and the ratepayer, and not between the Water Supply Department and the ratepayer. However, if the valuation of the Water Supply Department valuer is used, I presume it follows that the appeal rests against the Water Supply Department and ceases to have any relationship to the local authority or the Taxation Department; although, no doubt, the aggrieved party would quote the valuations of those two authorities if it suited his interests.

When the Minister replies, I would like him to clarify the situation as it will exist should this amendment go through. As I understand the position, the department can, if it so chooses, still select the current value of the local authority in whose district the land is situated or, under Section 74 (2), it can assess on the rental value. I presume that is the subsection where this formula is used by the department at the moment when it says that a minimum of 2 per cent. and not more than 6 per cent. of the annual value is the basis of valuation for the purpose of water supply rating. One of the objects of the Minister is to achieve a degree of standardisation and I did, by interjection, ask him whether this would be practicable in the actual operation of the Act.

If I remember correctly, he replied that at no stage could we be sure we would have the whole of an area valued at the one time, but it was hoped, under this amendment, to achieve a much greater degree of uniformity. That has much to commend it, because there has been inequity throughout the metropolitan area due to the different times at which values have been made. For instance, the residents of some municipalities received heavy imposts for water rates about three years ago, whereas other areas are only just now receiving the full impact of the revaluations.

Part of my own electorate, for instance, received the biggest blast of the water rate increase about two years ago, while other parts—particularly the Shenton Park area—are only this year experiencing the full impact. This is reflected in their municipal rates as well as in their water rates. The intention of the Minister, as expressed in his second reading speech, is to try to level out this inequality due to the lag, before valuations are completed throughout the metropolitan area.

On this question of valuations, it is important that there should be complete co-operation and harmony between the several valuing authorities in the State. Amongst them we have the local authority valuations, the Metropolitan Water Supply Department arriving at certain valuations, and we also have the Taxation Department. If these values get out of line, one with the other, it causes great

dissatisfaction and a lot of argument as between the person being taxed and the department or authority concerned.

For a while I was of the opinion that the appointment of a valuer general, such as they have in New South Wales, might be the proper procedure, but from what one can gather of the arguments that go on in New South Wales, we are better off as we are. That is a further reason for wanting to retain the local authority valuer, and not having a state of affairs created where this Act is the thin end of the wedge for getting rid of a valuer such as would be retained by the Perth City Council. To achieve this equality or equity that the Minister is aiming at, I presume he will want to make his own valuations in respect of the Perth City Council area. On this point I would like his views.

If all the values in the metropolitan area were brought up to a certain level at the one time so that at the 30th June, 1956, for argument's sake, we could say that all areas within the metropolitan area were revalued to 1956 levels, it would then be unjust to select the Perth City Council valuations, if they were out of line with the Water Supply Department valuations, because the municipal authority is obligated to have a valuation based on not less than 4 per cent. of the annual value. At the moment, the Perth City Council actually uses 4 per cent. as a basis.

The final point on which I desire to touch is the only one with which I am at serious variance, and that is the provision in the Bill in connection with illegal plumbing. The Minister's proposition is to change the time from six months to twelve months during which a prosecution can be launched. I cannot for the life of me understand why, all of a sudden, we want this alteration. The Minister did not give us a very convincing argument; he did say it would give the department an extra six months in which to prosecute, and that, of course, is obvious.

Before we start changing these provisions we should have something more specific before us. If there is some really sound reason, based on the experience of, say, 20, 30 or more cases where the department has found itself frustrated in taking action against people who have broken the law by undertaking plumbing work although not licensed to do it, then we can give the matter more consideration. Unless the Minister is prepared to give us concrete examples of serious disability on the part of the department, I personally feel that the provision should be opposed.

I consider there is some merit in making Government departments and local authorities move in these matters. If they know they have only six months in which to prosecute, they will get on the job more quickly. On the other hand, if they have

twelve months they will be less inclined to chase up these breaches of the law. Local authorities are in many matters limited to six months, in which they can take action against an offender. It has been generally accepted that to extend the limit beyond that period is unreasonable to the person who has committed the offence. One could, of course, argue that people who are breaking the law in such a serious matter as this should have no protection at all. But that is not the way this country operates, and it is not the way in which any British country operates.

It has been held that the authority, whether it be a Government department or a local authority, shall have a reasonable period in which to institute proceedings. It can be that through allowing the matter to remain for an unreasonably long period, the person who has to defend himself, or herself, is prejudiced because of the delay. Therefore, unless the Minister can give some convincing argument in support of that particular provision, I propose to oppose it. However, that does not alter the fact that I support the measure on the second reading and will take that matter up at the appropriate time during the Committee stage.

**MR. J. HEGNEY (Middle Swan) [7.57]:** I support the Bill for the reason that it marks a step forward towards the time when we will have proper drainage schemes in the metropolitan area. I think I would be right in saying that no member of this Parliament has made more representations to the Ministers of the day in connection with the need for drainage, than I have. I remember that my first introduction in 1930 to my political duties as the member for Middle Swan, was to be taken out to East Belmont to see the need for drainage there. From then onward, during the 17 years I had the honour to represent the district, there were drainage problems galore, both on the Belmont side and also in the Bayswater road district side.

As a matter of fact, the then Middle Swan district took in practically the whole of the eastern suburbs, and people from time to time, during the wet period, were in difficulties. In 1945 and 1946 we had two severe winters, and the engineers said that, according to the law of averages, we might not experience such winters for another 50 years. But this year we had a pretty severe winter and the water levels rose considerably throughout the metropolitan area.

However, it was during the winter of 1946 that I made repeated representations to the present Premier, who was then the Minister for Works and Water Supplies, in connection with drainage matters in the Middle Swan district. The hon. gentleman will probably well remember going to various parts of the Bayswater road district

and into Belmont. I will say that I believe I was defeated in 1947 because I was unable to do anything for certain people in East Belmont who were affected by drainage problems.

I remember that I went to them on two Sunday nights after I had discussed with the Minister the need for drainage in the district in an endeavour to get something done. I realised that the position was difficult, but out of the repeated representations made came what is known as the comprehensive drainage scheme. The then Minister for Works had a sum placed on the Estimates for the purpose of initiating the scheme.

Mr. Yates: That scheme has not gone very far yet.

Mr. J. HEGNEY: If the hon. member will wait for a while, I will indicate how far it has gone. In 1947 the then Government was defeated and I lost my seat. But fortunately the incoming Government continued to expend funds on this comprehensive drainage survey and I know that some few years ago no less than £36,000 was spent on the survey in an effort to tackle the problem.

As is well known, along the fringes of the Darling Ranges, particularly from South Guildford through to Armadale, there is considerable flooding during the winter months and the problem is becoming more urgent because the population of the metropolitan area is increasing and spreading further out. In years gone by the problem was not so serious because the population in the metropolitan area was not so great or so widely spread as it is today. As a result once the winter had passed the problem was forgotten until we had another bad winter.

However, during this winter the problem has developed again, particularly in parts of the district which I represent and which will fall into the new district of Mt. Lawley; I refer to Shaftesbury Avenue in Bedford Park. If the present member for Mt. Lawley is elected as member for the new district of Mt. Lawley, he will have a problem on his hands in this area. Croft and Sons Pty. Ltd. built about 19 or 20 houses in this particular street and unfortunately the people who bought them purchased during the dry years. The houses were all worth over £3,000 and for one or two years only one of the houses was slightly affected by a rise in the water level. But this year no less than 11 or 12 were completely surrounded by water and, as a result, the assets of these people have depreciated considerably. Their furniture, floor coverings and everything else have been definitely affected.

According to engineering advice from the Water Supply Department, a considerable sum of money will be required to deal

with the problem. During the depression years a drain, known as the Old East Street drain, was built and that drains Maylands and portion of the Bayswater Road Board district as far as John-st. and Central Avenue, and the whole of Inglewood. In 1932 many parts of Inglewood were under water, but because of the building of this drain Inglewood today is a good suburb.

I am advised on good authority that 30 per cent. of the land in the metropolitan area is unsuitable for residential purposes because it is too low lying; from the health angle alone it is not satisfactory. I have seen an aerial photograph of many of the weak spots in the district I represent—the eastern suburbs. I made inquiries as to why the State Housing Commission had not continued to build houses in the Bedford Park area. Four hundred brick houses were completed, but the commission stopped building when Burkett-st. was reached, because immediately beyond was this low lying area.

Until the desired comprehensive drainage scheme is developed a good deal of this land will be unsuitable for building purposes. The same applies to many parts of the Belmont district and I have introduced many deputations from the Belmont Park Road Board to Ministers in both Labour and Liberal Governments. These deputations have requested that some action be taken in regard to drainage, but unfortunately not a great deal has been done.

As I said, one drainage scheme has been initiated and completed since I have been a member of this Parliament and it was developed for the purpose of providing work during the depression years. The comprehensive drainage scheme is urgently required because of the development that is taking place in the metropolitan area and because of the development that will take place in the future when the Stephenson plan is put into operation. For those reasons I think the Bill is a good one and it will give the Metropolitan Water Supply, Sewerage and Drainage Department powers of rating and certain other powers which, in my opinion, it should have.

During his speech the member for Nedlands discussed the question of rating. I know that people who have bought blocks of land in some of the high areas are loth to pay high rates because a drainage scheme is required for some of the lower parts. I had experience of it in the Belmont district when the Government of the day made money available for the purpose of a drainage scheme. The Belmont Park Road Board became known as the South Belmont Drainage Board, and when the question of rating arose, those who owned blocks of land in the higher positions asked



why they had been included in the drainage area and why they should contribute towards the cost of drainage in low-lying areas.

That sort of question is always arising, but if the metropolitan area is to develop into the sort of place we want it to be, the cost of such drainage schemes must be spread over everybody. If that is done the load will be much lighter because it will be spread over many more people and in many instances the people in the lower-lying areas would not have the capacity to pay heavy rates. However, these are problems that will have to be faced when the time comes and when funds are made available for this work. Water rates today are the same throughout the whole of the metropolitan area.

In these days everybody is clamouring for a water scheme and, as the member for Mt. Lawley knows, the Government has approved of an extension of the water main along Walter-rd. and into Bayswater. For at least four years I have been on the doorstep of the Minister pleading on behalf of the people concerned. I have been supported by the local authority and the progress association. We have asked that money be made available for this proposition and only recently approval was given and the main will be extended through to that area.

Side by side with that problem is the question of drainage, and the people in the districts I mentioned are in desperate straits because the water level has risen considerably in the low-lying areas. The last winter has made a big difference to those areas and it is a problem which will confront any Government, no matter of what political colour. We are told that we are going along too fast in the development of the metropolitan area and, in fact, of Australia as a whole and that funds will have to be restricted to essential works only. However, I hope that the time is not far distant when money will be made available for a comprehensive drainage scheme. I have much pleasure in supporting the Bill.

**HON. A. V. R. ABBOTT** (Mt. Lawley) [8.10]: I agree with the member for Middle Swan when he says that the area he represents is the one most desperately in need of a drainage scheme. Now part of his district has been added to what is known as the Mt. Lawley electorate. I agree, it is a grave problem and it will be intensified as a result of the development which has taken place; I refer particularly to the area between Charles-st. and Wanneroo-rd. and the boundary of the metropolitan area.

Settlement of this area is being encouraged by the Government which is erecting rental homes and providing facilities. At the same time on the spur out from Beaufort-st. some action is being taken by

the Government to encourage settlement and in between these areas there is a good deal of low-lying land. In my view it will be a necessity, in the near future, for those areas to be drained.

It would not be conducive to good town planning to have a large area of land, comprising many hundreds of acres, which are not suitable for settlement, but which occupy a space between two spurs such as I have mentioned. This area will have to be drained. I propose to support the Bill because in my view the control of drainage work should be in the hands of one authority and it is necessary that there should be the closest liaison between that authority and the town planning authority. In my view, it is very wrong that approval should be given to subdivide an area for building purposes when the land is unsuitable for habitation. The water table in the area I have referred to is high this year, but I understand it is 1ft. lower than it was in 1946. If we have another wet year, such as this has been, the situation for many people will be desperate.

As I understand it, if this Bill becomes law, the position that will operate will be that the Governor-in-Council may divide the metropolitan area into various drainage districts where a main passes through and he may rate the different areas according to the cost of the work required in them. In my view, that is not entirely appropriate, because if the area to which I have referred is declared a separate drainage district, and an attempt is made to rate that area sufficiently high to cover the cost of draining it, the charge will be impossible for the landowners to pay. I think it will be necessary for the Government to assist materially, with finance, areas such as those.

There is, of course, every precedent for this suggestion, because I do not think there is one drainage area, or irrigation area, in the country that is paying the entire cost of the work carried out in it. It is admitted that the advantage of drainage in any particular area is not only given to the people who perhaps reside in the area, but to the whole of Western Australia. The same principle would apply to the district I have mentioned. Some work has been done in contouring the metropolitan area and obtaining a certain amount of detail, but, in my opinion, the work will have to be intensified and carried out more rapidly if the metropolitan area is to develop naturally and properly.

It is essential for the Government to state as soon as possible its future intentions and the policy it proposes to carry out under these provisions, so that the town planning authorities, the local government authorities and the people themselves will be able to secure accurate information as to what the future holds, and where, in the near future, the land is likely to be

suitable for occupancy. That is the first essential. It is no good leaving it in a haphazard manner and then for people who are in desperate straits, because of their having been flooded out, to come seeking assistance from the Government in respect of houses that should never have been built where they are—expensive houses, at that.

I think the fullest determination should be made as early as possible, and in any case in the near future, as to what section it is proposed to drain, so that people will not be misled into building in areas that are unhealthy. It is a waste of materials and labour for houses to be built there at the present moment. I hope the Premier will remember that he has a very difficult problem, particularly in the area I have mentioned, because it is so close to the centre of the city. There are two spurs of high land running out. There is one along Beaufort-st., which is comparatively high, and the other along Wanneroo-rd. In between there are many hundreds of acres of low-lying land.

The Premier will have to consider what he is going to do about it, and once he has made up his mind and published his intentions, people will know what they themselves can do. I agree with the member for Middle Swan that there will be great dissatisfaction if there is another wet year, because people in Crawford-rd., Shaftesbury Avenue and other areas, have had their backyards flooded, and it is extremely unhealthy for those who are residing there.

I suggest that it might have been wiser to have used the land values of the Taxation Department rather than have a staff set up for the purpose. That department must of necessity have accurate valuations to keep them up to date.

Mr. Court: It does not always follow.

Hon. A. V. R. ABBOTT: They should.

Mr. Court: One of the big quarrels with them is that they have got into arrears.

Hon. A. V. R. ABBOTT: I do not think the Taxation Department has got into arrears regarding the land tax, but merely that some districts have failed to utilise land tax valuations. There should have been one authority for this purpose. In my view, it is rather foolish for the various local authorities to have their own valuers. The Government has a method of valuation in relation to the Water Supply Department. We may also have a town planning Bill introduced to set up another system of valuation. I think there should be one department responsible for valuing land. Money would be saved and more accurate and widespread valuations would be obtained. That, however, is not the case. It is a natural instinct for a department to build itself up. Government departments continue to expand themselves.

They say, "We have more work to do." They find more work, and more men have to be employed, which means that costs go up.

The Premier: The existing system is not very satisfactory, is it?

Hon. A. V. R. ABBOTT: I agree that it is not. I do not suggest that the existing system is a good one. I say it might be wise to adopt Taxation Department valuations because there is a provision in the Act which states that if the valuation is the taxation valuation, there shall be no appeal. By dividing these areas into different districts and by having the right to assess each with a different rate, a great deal of dissatisfaction will be caused.

While I do not say it is unjust or unfair, if there are people in one district paying one rate in the metropolitan area, and people in another district paying a different rate, there will be a good deal of discontent. On the other hand, the costs of drainage will be very much heavier in some districts than in others. I would suggest to the Government that if it does impose a drainage rate, it should be uniform throughout the metropolitan area in the various drainage districts, and any additional moneys should be provided by the the Government, as is done in the various drainage schemes elsewhere.

The only other comment I wish to make is in relation to the extending of time for prosecution in connection with plumbing offences. Last year the Government very wisely passed a statute of limitations whereby as far as possible all remedies which might be statute-barred were brought on to the same limit. Now we are commencing to disrupt them again. It is perhaps difficult on occasions to discover offences within the time limit of six months prescribed in the Justices Act. We will always find it difficult, and there will always be the isolated case which is not discovered at all.

I cannot see any justification for altering the existing law. It causes a great deal of confusion if a period of six months is to be provided under this Act, 12 months under another Act and perhaps two years under yet another Act. If the Government thought that six months was not sufficient under modern conditions to enable the Crown to prosecute, it would have been better to alter the Justices Act and provide the same period of time for all the offences. There is very little distinction between offences under the Act that covers plumbing work and those under the Health Act. I think the Government would be well-advised to obtain advice and if it later feels that a further period should be allowed for the prosecution of offences, this should be made general.

The Premier: There is the point that a deal of the plumbing work is buried underground.

Hon. A. V. R. ABBOTT: That is so, but a lot of other offences are buried under paper. I think the Premier will admit that. I am not sure whether it is so under this Act, but I know that in connection with many offences if the Crown feels that a bad case has been discovered, it can prosecute by way of indictment. It is only in the Justices Act that a time limit is prescribed. It is hard on the individual who has had bad plumbing done, but sometimes bad plumbing is carried out by licensed plumbers, and there is no prosecution provided. There is remedy at civil law in relation to bad plumbing.

The mere fact that a prosecution can be taken will not give the person who suffers any redress. If he wants redress it will be necessary for him to take it in the ordinary way by civil action. The only advantage is that the Crown gets a little money. It is not a great deterrent because the plumber will say, "If I am found out within six months, I will be prosecuted." Does the Premier think it would act as a deterrent if it were altered to 12 months? I do not. Very often both the plumber and the person for whom he has done the work are parties to it; they both know that the former is not a licensed plumber.

What is the deterrent? It may be possible to prosecute in isolated cases, but it would not prove any great deterrent to the owner or person employed because the only way the person concerned can get any redress is by way of civil action. I would ask the Premier to give that point some consideration. Let us be consistent with our Acts. The Crown employs a very large staff of legal advisers and it is all very well for it to make these provisions. The ordinary individual, however, does not know very much about what he is up against. As far as possible, let us be consistent. I support the second reading.

MR. YATES (South Perth) [8.30]: Forty-six years ago, a Bill was introduced in this House giving wide powers to the Metropolitan Water Supply, Sewerage and Drainage Department for the complete control of the water supply for the metropolitan area, of the existing sewerage system, together with its future plans, and also complete control over the drainage system for the metropolitan area. Similar powers were given to the Public Works Department in connection with land drainage.

Over the past 46 years both departments have only played with the plans relating to complete drainage, and this was proved in the succeeding years when in the winter months certain portions of the land in the metropolitan area were inundated with water caused by the overflow from Canning Dam, Mundaring Weir and other reservoirs in the Darling Ranges. I well remember 1947, the year I first entered this House. One of the initial problems

I was confronted with in the Canning district was the flooding in the Welshpool area each winter. The same people who were affected then came to me in later years in regard to the rise of water in low-lying parts of Welshpool, which flooded their properties.

A family that approached me nine years ago on this matter was mentioned in the newspapers a few days ago. Their block had been completely covered by water and was isolated for some weeks. So deep was the floodwater that it was over the floorboards, and they had to use ramps in the rooms. The toads were croaking in the house, but the family still had to use the rooms. The name of that family is Coobrough.

One of the reasons for flooding in the Welshpool district is the overflow from Canning Dam. I have studied this nuisance since 1947 and have found that in years when the Canning Dam did not overflow, the Canning district—in particular at Welshpool—was not greatly affected by flooding. The lower areas were reasonably dry. The member for Canning will probably agree with me.

Mr. Jamieson: I do not agree.

Mr. YATES: The hon. member evidently did not see so much of the district as I did in the past, because I was member for that district for some years. I know that during the years when Canning Dam did not overflow, the district was not flooded in winter.

Mr. Jamieson: What about the other small streams in the hills that have no access to reservoirs?

Mr. YATES: I shall come to that. Because of the flooding when the water rises in Canning Dam and there is a huge overflow, when the ground is not receptive of such huge volumes of water, arrangements were made with the Minister, after consultation with the Public Works Department and the Metropolitan Water Supply Department, to release a certain amount of water from Canning Dam prior to overflowing so as to prepare the ground to receive the flood waters. That seemed to ease the position considerably. In the Canning Vale and Nicholson-rd. bridge area, winter after winter the land was under water, but with the controlled release of water from Canning Dam, the position eased considerably, although not entirely.

Over a period of five years I studied the position in the Welshpool district and came to the conclusion that the overflow from Canning Dam was one of the major factors in the flooding of the lower regions. This winter, for the first time in several years, Canning Dam has, because of the abnormal rains, released a greater volume of water than ever before. That, together with other water coming down from the

hills, as mentioned by the member for Canning, made the position worse in districts lying between the foothills of the Darling Ranges and the metropolitan area, taking in Canning Vale, Riverton, Cannington, Queens Park, Welshpool and other low-lying areas outside those districts. Although flood waters are good for rivers, they are not good for built-up areas.

Hon. Sir Ross McLarty: I do not know that they are always good for rivers.

Mr. YATES: I could give a long discourse about the effect of algae and what effect flood waters have on it. There would not be any algae in the river if flood waters came down from the Darling Ranges every year. The member for Middle Swan mentioned the work that he performed prior to 1947 in connection with the comprehensive drainage scheme and said that, through his persistence, the department decided to make a survey. I would point out that it was not all due to the member for Middle Swan that this came about, but he might have been the mainspring that started off the survey.

His persistence, together with that of other members, and most probably that of the member for Canning before him—that area had been receiving flood waters for the past 20 or 30 years—induced the department to make a survey. It has been going on since at least 1946, but no drainage work has been undertaken. Certainly, the survey has taken a long time and the reason was that the department did not have sufficient experts to do this important work.

I know that from 1947 onwards, and for at least three years in that time, the department had only three or four surveyors capable of doing that work because I was informed to that effect when I asked about the position of the survey at various times. The slowness of the work was brought about mainly by the shortage of experts capable of making the comprehensive survey, but the work did go on steadily. Although it is not completed, I would say it is near completion. The authority to drain is vested in the Public Works Department and the Metropolitan Water Supply Department. There has not been co-ordination of drainage work. If only because of that, the Bill is a good one. It does give power to one authority to co-ordinate not only ideas and plans but also finance, in carrying out a programme that should have been implemented many years ago.

When the original Act was brought into being, that was the time for the drainage plan to be put under one authority. Naturally, one cannot always look ahead, and at that time it was probably felt that, with such a vast State and a small population, too much work would be placed on one department by vesting all the authority in it. So the work was split up between

two departments. We know that it is very difficult to take work from one department and give it to another, and through the years these two departments have been working independently in connection with storm water and land drainage.

So today an unsatisfactory position exists in the metropolitan area where a major part of it is without any form of drainage except that provided by local authorities. Only a few days ago, I inspected plans in the Metropolitan Water Supply Department. I saw three relating to the future drainage of South Perth. They have been in existence for a number of years. The areas are zoned into three and various prices have been obtained by the department to construct mains in the zones so that all storm water from South Perth would be diverted into the Swan River. That is what should happen to all storm water in the metropolitan area. It would be good for the river because storm water is usually clean and it would help to scour the river each year.

With the extension to the Mundaring Weir and the building up of the wall by 25ft., millions more gallons of water have been impounded. If that wall had not been completed, there would have been a major flooding this year in the metropolitan area. Parts of Guildford-Midland would have been inundated to a far greater extent, and there would have been an urgent cry from the people affected for the Government to do something drastic to remedy the position, the same as there was last summer when letters poured in to the Press relating to the lack of water in country districts. The moment the first drop of rain falls, such criticisms cease. As the Premier knows, when there is an abundance of water in the country, there is no criticism, but when there is none, there is a terrific outcry.

Mr. Perkins: That is your imagination.

Mr. YATES: That is not imagination. There has been no outcry from the country in connection with the dry spell this year.

Mr. Perkins: We have not had the opportunity.

Mr. YATES: The criticism dies when there is an abundance.

Mr. Perkins: Ask the Minister for Works if some members have not been pressing their needs in this regard.

Mr. YATES: I am glad to hear that the hon. member is looking after his district. The drainage problem of the metropolitan area is far greater than most people realise. These two departments referred to realise it most of all. When Mr. Dumas made his report in 1952, he felt that one authority should control the future activities of the metropolitan storm water drainage system and another authority should control land drainage. So we find during this session of Parliament a Bill being

introduced to vest authority in the Metropolitan Water Supply Department to control both activities. It is an excellent idea and one which will give greater results from the overall comprehensive water drainage scheme, as well as from any future scheme that may be introduced. It may bring relief to some people who have been suffering during the flood periods winter after winter. In some years they have suffered more than in other years, but during the past winter more people have been worried with flooding and with near-flooding.

Mr. Court: There has been a long-term project to deal with flooding.

Mr. YATES: It has been a long-term project since 1909, and if we have not completed a successful drainage scheme for the metropolitan area in 46 years, I cannot see very much being accomplished in the next five or 10 years. This problem will confront us for years, but the Bill represents a step in the right direction. We might see results in some of the areas that have been badly affected. Irrespective of electorates the ones worst off should receive first consideration. The various districts that suffer from flooding should receive the sympathy of this department, and any claims put forward by the members representing those districts should receive earnest consideration.

Flooding does not affect my district, but I was previously the member for Canning, which covered 72 square miles of the metropolitan area and there was a lot of flooding in the outlying parts of that electorate, so I am fully aware of the problem. The present member for Canning would probably know still more about it, but I was quoting my experience before he was elected to this House.

The matter of flooding from the weir overflow has been investigated by others and it was the considered opinion of the Canning Road Board years ago that the flooding in that district was caused by the overflow of the Canning Dam. It was due to the insistence of some of the members of that body that the Minister permitted several million gallons of water to be released daily, which eased the position greatly in the affected parts.

The passing of this Bill will bring uniformity because the planning that has been arranged by the two departments will be administered by the one department. At the same time, I take it that one department will confer with the other because land drainage is an entirely different problem from stormwater drainage. I commend the Government for having introduced the measure. We should have had a Bill along these lines many years ago, if not from the beginning. If such a measure had been introduced then, the metropolitan area would have been in a far better position today so far as stormwater drainage is concerned.

Regarding the point about the time limit for taking action for offences committed by unlicensed plumbers, I hold an open mind. We have various statutes empowering action to be taken for an offence much longer than 12 months; in some instances the period is several years. I do not think that 12 months is an unreasonable period, although I would prefer to see it made shorter. The Minister explained that most of the plumbing causing trouble is that done underground, such as the setting of joints in existing mains, and any defect in the work cannot readily be detected. If a defect does occur, it is more likely to show up in 12 months than in six months, so perhaps 12 months is not an unreasonable provision. I would prefer to see a shorter period provided, but it should not be less than six months, and I would support an amendment to that effect.

MR. JOHNSON (Leederville) [8.50]: I support the second reading of the Bill. It sets out to do one useful thing and that is to bring under one control a single problem. However, there are some comments I wish to make in relation to the Bill, dealing more with the future than with the contents of the Bill itself.

A little while ago, at the invitation of the Perth City Council, I attended a function to Mr. Jessop, who is the chairman of the Melbourne Metropolitan Board of Works. That body is responsible in the metropolitan area of Melbourne for water supply, drainage and certain road construction. While listening to his address, I could not but be struck with the commonsense of having some of the metropolitan problems under a single body. The Bill before us will bring a large portion of the drainage problem under a single Government department where previously the responsibility lay in the hands of two departments. However, as has been mentioned by previous speakers, most of the effective drainage carried out in the metropolitan area has been done by local authorities, while the Government work has been confined to a small number of fairly expensive projects.

I cannot help thinking that, at a time when we have recently received the Stephenson plan, which has been acquired at so much expense and which appears to be of considerable value, the metropolitan area to which the Bill applies should be the metropolitan region covered by that plan. If that is not done now, I think it must be done in the reasonably near future. When we adopt some form of planning for the metropolitan region, I trust that all legislation affecting metropolitan matters will come within the same boundaries for that planning. I am bringing this matter forward now because I feel that we must start somewhere, and drainage is a matter that is under consideration at the moment. We can put

it forward strongly to this Government and have it on files for future Governments that the only helpful way of dealing with drainage and the related problems is to have a single authority covering them and covering the whole area that will be the metropolitan area of the future.

The Melbourne Metropolitan Board of Works to which I have referred is a body consisting of representatives of local authorities in the Melbourne metropolitan area, and it is empowered to raise its own finance in the form of a rate which it strikes. I understand that the various local authorities collect the rate and, in the terms of the rate, the board of works carries out the various undertakings for which it is responsible. We in this State have not only drainage in the metropolitan area; we have metropolitan water supply, metropolitan electricity supply and metropolitan transport problems. All of those problems are peculiarly metropolitan. Although they are related to the progress of the State, as all things that affect the capital are and must be, it appears doubtful to me whether we should also carry under the hand of the Government of the State the responsibility for metropolitan progress. I have no firm conviction on the matter, but I think the proposition would be worth examining that at some stage in the reasonably near future, the handling of these various metropolitan problems should be undertaken by a body somewhat similar to the Melbourne Metropolitan Board of Works.

There might be a single authority for the metropolitan area covering possibly only a limited number of problems, but at least those I have mentioned—drainage with which we are dealing, and the associated problems of water supply, electricity, power and gas and possibly some roads and certainly passenger transport—should be included. If these various undertakings work at a profit, as some do in the metropolitan area but not outside it, it seems to be wrong to subsidise the country section from town, but if they work at a heavy loss as some do, the country should not subsidise the city. The metropolitan area ought to be able to stand on its own feet. I put that point of view forward, not in opposition to the Bill, but as a target to be seen beyond this particular measure, a target along the road to which this Bill is moving.

The Bill itself deals with one particular problem and that is the matter of rating valuations. I notice that the member for Nedlands spoke in high praise of the valuation methods of the Perth City Council. If he but lived in the Leederville-Wembley area, his opinion would be very different. I doubt whether he could find in that area anyone other than possibly a blood relation that had a good word to say for the City Valuer. In that district he is particularly unpopular, and the reason is

that his valuations in that area are most uneven in comparison with those in other parts of the metropolitan area with which he is concerned.

Mr. Court: I did not praise his valuations, but commended the method of keeping them up to date.

Mr. JOHNSON: The method of keeping them up to date is obviously as uneven. It appears to people in that area that the valuations are based in this way: Somebody falls for a very high valuation possibly because he bought a house previously let at a high rental. Because it carried a high rental valuation during the period of scarcity, it is still given a high valuation. The person buying it finds his rates are considerably higher than those of the man next door, and he appeals. The net effect is that in presenting his appeal he gives as evidence the fact that the man next door has an equal or better house but pays only one-third of the rent. The appeal court says, "Yes, but you could sell your house for more than the amount valued," and the result is that the rate of the man next door goes up, so that the individual is acting as valuer.

The man next door, having had his rate raised, then appeals against a limited area in the immediate vicinity and once again the people whose rates are quoted as being below the appellant's rates get theirs raised. That may be effective but it is certainly not just and it is very trying to those who suffer from it. As members will note, I have on the notice paper a small amendment which I will move when the Bill is in Committee and the effect of which, if agreed to, is that it will cease to be mandatory for the Water Supply Department to adopt the valuations of local authorities who deal under the annual value system.

At present the Act makes it mandatory for the Water supply Department to adopt the annual system of values in areas where the local government authority uses that method. My amendment is designed to leave in the hands of the department the choice of whether or not it uses that system and to remove the particular set of blinkers in which the department has to travel at present. The matter of land tax valuations is another which has hit our area recently. Those valuations in that area were not up to date until recently.

I made some inquiries when the various complaints started to roll in because of the steep rises, and I discovered that the valuations ascribed by the land tax valuers were fair and just, but owing to the method under which they work and the fact that land tax values are used by many local authorities as the source of their rates, there is pressure by the authorities that use those valuations to keep them up to date. The taxation valuers are limited in number and have, of course, to comply with these requests as rapidly as they can, but the

result is that for land tax purposes districts that are not subject to pressure—such as the City of Perth area where they operate with their own sworn valuers—have on occasions been neglected.

Our area was last valued for land tax purposes in 1932 and the rises in value there from 1932 to 1954, when this hit us, were in the region of 500 per cent. or more. Although the actual amount of the assessment in each case was not particularly large, proportionately, it was such that there were immediate outcries, particularly as it came in at much the same time as the City of Perth valuations hit us so badly. I am not enamoured of the method of valuations adopted by the City of Perth. I have no personal knowledge of the application in any other municipal area which employs valuers, but I fancy that they suffer from the same difficulty.

The annual value method of rating is one that increases the margin of human error very greatly. It is far more likely that the valuer can make a considerable error under that method than under the unimproved value method, which is still subject to human error and the possibility of being out of date but which in any case is a great deal simpler in application and therefore able to be applied more quickly. Because of its simplicity, it is also much more easy to defend before someone who feels aggrieved.

As I said, I made inquiries into the land tax valuations and the valuer was able to put before me a plan of the area showing the valuation on each block. It was not necessary to inquire whether there was a four, six or eight-roomed house on the block or whether it was vacant land, because the valuation of one block was similar to that next door. Naturally a corner site would be valued higher than one in the middle of a block and a block next door to a drainage sump would be valued lower than one on the crest of a hill, but a simple plan with a few contours marked on it made it easy to see the connection between the valuations.

It may not be easy to see the connection between the valuation of one suburb and another on unimproved value rating, but it is easier to achieve something near equality in a region. The difference in valuation of my block, on the high side of the street where there is no drainage problem, as against the house opposite on the low side, but still without a drainage problem, is one that can be appreciated, although it is not a great one. Under the method of the City of Perth the valuations given are excessive and my particular rates rose by just short of £9 while those of the man opposite rose by about 10s.

It is hard to see justice in a variation as great as that, but under the unimproved land value method which the Taxation Department adopts it is easy to justify the

relationship between one block and another, and I sincerely hope that this Act and all others with relation to the valuation of housing land at least will eventually insist on the unimproved rating value.

Mr. Court: How would you get over the position where there is a residence alongside a hotel if you used the unimproved value for both?

Mr. JOHNSON: We would value them according to what the land is worth.

Mr. Court: But they do not work on the basis of the hotel being there.

Mr. JOHNSON: But it is there. I see no problem at all.

Mr. Court: If you are going to give differential values there, you will come back to the same basis as the annual values—

Mr. JOHNSON: But one does not make a differential valuation between land on which the hotel is built and that where the house next door is situated.

Mr. Court: You are missing the point.

Mr. SPEAKER: Order!

Mr. JOHNSON: I feel sure the member for Nedlands must know that that query is always used by opponents of the unimproved rating value and is in itself completely valueless. Although it is supposed to be difficult, if he cares to examine it or refer to any of its fully informed supporters, one of whom is well known and will be subject to this Act, being a plumber—I refer to Mr. Hart—he can have that problem ironed out satisfactorily, but I feel sure he will not accept the explanation because of the effect it might have on the pockets of some of his friends.

Justice is not so acceptable as profit to some people. Not only was the praise of the member for Nedlands of the accuracy of the City of Perth method very much astray, but also his suggestion that the local authority valuer protected the Water Supply Department rates was possibly a reversal of the facts, because the effect has been that the errors of the local authority valuer have caused the Water Supply Department to come into disrepute in a manner in which, even if it wished, it could not correct.

Mr. Court: It did not have to adopt the Perth City Council valuations, but it suited the department well to do so.

Mr. JOHNSON: It cannot get out of it now.

Mr. Court: It can, under the present Act.

Mr. JOHNSON: Not for one single area. It could not get out of it for one ward of the city, but would have to take the whole area or none.

Mr. Court: If the position is so unsatisfactory, why did it not get out of it for the whole area?

Mr. JOHNSON: That is what I am trying to persuade the authorities to do.

Mr. Court: There are some people in Perth who would be very glad if you could achieve that because it would bring their water rates down.

Mr. JOHNSON: That emphasises my point that the City of Perth valuer is doing a very poor job and that the effect of his work has been to increase valuations considerably and the City of Perth has reduced the rate in the £ although it is still, and I fancy quite illegally, budgeting for a surplus. But the valuation which it has increased has been applicable to the Water Supply Department and the water rate has been amended in a very minor way, the net result being that the Water Supply Department rating, as received by the individual householder, has had a very large and damaging effect upon his depleted pocket and that department gets all the blame while the Perth City Council is really to blame. I therefore trust that we will get a single authority which is responsible for all our ratings and against which it will be possible to appeal effectively. I hope that in the future the sights will be set upon a metropolitan area covering a very much increased space, something like the Stephenson plan.

MR. NIMMO (Wembley Beaches) [9.15]: I support the Bill. The member for Leederville spoke about rates and this is a subject upon which one could comment for hours on end, especially in regard to those that have been levied in the Wembley area. Only a few days ago I inspected a home that was assessed on an annual valuation of £156, but when I took a sworn valuator out to assess the property he said its value was between £70 and £80 and he said to me, "If you work on the £80 figure, you will be all right."

The largest bombshell, however, has fallen upon the residents around Herdsman Lake during the last two or three days. One of the properties, last year, on the unimproved value, was valued at £114, but this year its value has risen to £1,250. Last year the owner paid £14 in rates, but this year they amount to £73 15s. 1d. Another resident, a pensioner, has, this year, received a bill for £64 for rates on the unimproved value. I would like to tie these remarks up with the problem of storm water drainage and so on.

As most members know these blocks average about five or six acres each. I am speaking about the land around Herdsman Lake. The ground in that area is under water for practically five or six months in the year. To reach the back doors of some of the homes I had to walk on duck boards. The ground surrounding their homes is absolutely saturated at present. The land belonging to one pensioner in that area was valued at £900

which meant that the valuation last year would be under £100, but this year he has to pay £59 for rates.

One resident, who is a widow, said to me, "I owe something for rates assessed last year. Here is a bill for £120 15s. What I intend to do is to live in the house for a few more years and I will then make it over to the Perth Road Board in my will."

Mr. Brady: How much land has she got?

Mr. NIMMO: About five acres, but it can be worked for only about three months of the year.

Mr. Brady: What is the value of the land?

Mr. NIMMO: The value is £900. This block is really in the Wembley area. I tried to get that tract of land made into a park because of the high water level. There is no doubt that the water table in Western Australia is rising every year. Even in my own backyard the water level is higher this year than ever before during my 29 years of residence on the block. When the homes were built in the north Wembley district, many of the residents found that, after having a bath, the water would not drain away and they had to bale it out. The rose beds in their front gardens were also covered with water.

At the time I visited them the Minister in charge was Hon. D. Brand and I took him out on an inspection, following which sewerage work was commenced which relieved the drainage problem in that area a good deal. The Perth City Council then installed some drains and that body has done a very good job in taking the storm water away from those homes. Most of the water that drains into Herdsman Lake comes down Nookemboro and the Bolgrade drain. That water mostly emanates from springs further up in the Minister's area, and if it were traced further back it would be found to be coming from Yanchep.

Many of the blocks surrounding Herdsman Lake should be dry, but they are not because, naturally, this year there must be more water coming down because of the heavy rainfall we have experienced this winter. Further, the extensive building of homes all around this district is causing a greater volume of water to drain into the lake. These people are now obliged to pay these increased rates—exclusive of water rates—but despite that fact, they are unable to enjoy the advantage of the high value of the ground.

One man ploughed up some land to put in a pumpkin crop, but after completing his sowing he found that the plot was under water again. In the Innaloo district one man has four blocks and his rates were very low, but under the new rating system which has developed in recent days, he has been assessed for £181 for rates. I



can remember when very little water was found in the streets of Wembley, but as time goes on more and more water is flowing down the streets in that district. In the part near Nanson and Holland-sts. the Perth City Council had a pump installed to handle the water, but it was found necessary to install a more powerful pump, but even so still more water is coming down the roadway because more houses are being built every day.

What we are up against in Western Australia, as compared with other parts of the Commonwealth, is that all the storm water from the houses runs into the sewerage system. In many places in Australia, when houses are erected, all water running down the downpipe is diverted into the sewerage main. However, if all the water from the downpipes of the homes of Perth were diverted into our sewerage system one can imagine what would happen. All the pumps would be out of order in no time and the whole system would break down.

We can next move on to the Jolimont area. Once there was a street that went right through the Jolimont lake and houses were built on either side of it, but eventually the Government had to buy them and remove them. The Jolimont lake has become deeper and deeper each year. The people round it will be very pleased when a deep drainage system is installed to get rid of the storm water.

I view this as a serious matter on account of the rising water level in the metropolitan area. However, one must look at what the complete scheme is going to cost. The deep drainage system for the whole of the metropolitan area would run into millions of pounds. Several years ago someone said it would cost £7,000,000 or £8,000,000, so it would probably cost double that figure, or even more, now. Similar trouble is experienced in the Scarborough district, which is a modern and up-to-date suburb. At one time the water level there seemed to be fairly low, but as the number of houses grew, the lower parts of the district became flooded.

Similar trouble is experienced all over the Scarborough district, and when the Perth Road Board is approached in regard to the subject, it replies, "We have not the money to carry out the drainage work." That can be understood. Because of the rapid growth of the district, the road board has required every penny to build footpaths and roads. That is a subject on which one could speak for quite a long time. No doubt every member of this House could pick out several areas in his own electorate that are experiencing the same problem, but if this Bill is passed and something is done, it will prove to be of great value to the metropolitan area.

Nevertheless, I hope that the people I have referred to will not again be subject to an increase in their rates. I have 30

assessments here and the last one I received amounts to £42 for this year on the unimproved value of the land held by one person. In speaking of the unimproved value of land, I would point out that in this district we have seen a motor assembly works being erected and the company concerned has probably paid £700 or £800 for the land, and yet that block was under water.

Nevertheless, the company does not mind spending money to fill it in, because it is cheap land, being close to the city, which makes it easy to secure adequate labour. On the other hand, there are other parts around the lake near Liege-st. where foreigners have outbid each other in paying high prices for blocks. I suppose the Government would be pleased if someone would take over the centre of the lake because it is of no value. I do not think there is anything else I can say at the moment, and I have much pleasure in supporting the Bill.

On motion by Mr. Jamieson, debate adjourned.

#### **BILL—ELECTORAL ACT AMENDMENT.**

##### *Second Reading.*

Order of the Day read for the resumption from the 13th September of the debate on the second reading.

##### *Point of Order.*

Hon. A. V. R. Abbott: In the first instance, Mr. Speaker, I rise to a point of order. Does this Bill require a constitutional majority before it can be passed?

Mr. Speaker: I would say yes. It has been the practice throughout the years that a constitutional majority is required in each House of Parliament on a Bill that proposes to alter the franchise.

##### *Debate Resumed.*

**HON. A. V. R. ABBOTT** (Mt. Lawley) [9.28]: This is a curious Bill. Its purpose is to give additional authority to youths of 18—gradually, it is admitted—to vote at the Legislative Assembly elections. One would have thought that if that were to be done, it would have been dealt with in a more rational manner. One would have thought that the age of majority in youths should be reached when they turned 18 and that we would have said, "We will see how it works out." So we would have altered the law relating to marriage and we would have said, "You can get married before you reach the age of 21."

The Minister for Justice: The Bill does not deal with marriage.

Hon. A. V. R. ABBOTT: No, the Minister has made no effort to deal with that problem.

The Minister for Justice: They can still get married at 16 years of age.

Hon. A. V. R. ABBOTT: Not without the consent of their parents. Then again there is the transfer of real estate. It would have been thought the Government would say that, as the education of children had advanced so much, it would give them authority to transfer real estate. But no such suggestion has been made. The Government does not suggest that youths and girls of 18 should have authority to deal with their own property. It says, "You have not enough balance or knowledge for that. If you want to transfer your land, you go to a court of law." Yet the transfer of real estate would be something that would affect only the youths themselves.

The Minister for Justice: They could not go to a court of law to get a vote.

Hon. A. V. R. ABBOTT: They could go to a court of law to deal with their land and get transfers.

The Minister for Justice: But they could not do it to obtain a vote.

Hon. A. V. R. ABBOTT: Let us go a little further. The Government might have said that with all the progress that has been made, and all the advanced knowledge of youths, they should be given the power to make wills and bequeath their property to whomsoever they like. But no! In the Government's view they have not enough nous to make a will.

Mr. Brady: Do they not make wills when they join the army at 18?

Hon. A. V. R. ABBOTT: They cannot make wills unless they are on active service.

Mr. Brady: That is the point I am making.

The Minister for Lands: They can make wills.

Hon. A. V. R. ABBOTT: Not unless they are on active service. One would have thought that the Government would experiment along those lines; but the Government decided to try the experiment with regard to the most important function a citizen has to perform. I say that the Minister was not genuine, and he introduced this Bill because some Labour council said that it would be a good idea to give these people votes.

The Minister for Justice: We are definitely serious and want to give youths a chance to vote.

Hon. A. V. R. ABBOTT: Why not approach the matter rationally and say that youths and girls shall attain their majority at 18, and have all the powers of citizens? Why give them authority of this kind in relation to a most important matter, and yet not with regard to minor matters?

The Minister for Justice: If we brought a Bill down next year along those lines, would you support it?

Hon. A. V. R. ABBOTT: No, because I have a different point of view from the Minister. But I thought that the Government would approach this business in a rational way. As the Minister said, this is only an experiment.

The Minister for Justice: I did not say that.

Hon. A. V. R. ABBOTT: Yes.

The Minister for Justice: No; I did not.

Hon. A. V. R. ABBOTT: The Minister said, "We will do it gradually so that we can see the effect." That is very much the same thing. Why not do it in connection with the property of these young people? Why not give them authority to deal with their own property? Why give them power to deal with the lives and property of other people?

The Minister for Justice: They have authority under a court order now.

Hon. A. V. R. ABBOTT: No; they have not the authority at all.

The Minister for Justice: Under certain conditions, they have.

Hon. A. V. R. ABBOTT: No; they do not sign anything, and they do nothing at all. Trustees have to be appointed. I would not have any objection if trustees were appointed to vote for them. Why not? If a man had a son or daughter, perhaps he might be given authority to vote for that son or daughter. Perhaps that is the Minister's argument. Apparently that is the argument.

The Minister for Justice: I am surprised at you. I thought you were more progressive.

The Minister for Lands: You should be put under restraint, talking like that.

Hon. A. V. R. ABBOTT: That is a very foolish remark.

The Minister for Lands: So was yours.

Hon. A. V. R. ABBOTT: The Minister usually does better than that.

The Minister for Lands: You do not do much better than you are doing now?

Hon. A. V. R. ABBOTT: Is it not really absurd? The only countries in the world that have votes for people of 18 are Russia and Indonesia. They are great countries to follow, are they not?

The Minister for Justice: What is wrong with them?

Hon. A. V. R. ABBOTT: I thought the policy of the Russian Government was not greatly approved by the Labour Party.

The Minister for Justice: In their own country it is all right; but we do not want it here.

Hon. A. V. R. ABBOTT: The communistic system is a wonderful system in that country but no good for this one. I think that is a very weak argument.

If I said the Minister favoured the Communist Party or system, he would reply, "Don't be ridiculous! That is an insult." But he admits that he thinks that system is the best one for that country.

The Minister for Justice: They have made much progress since 1917.

Mr. SPEAKER: Order! Will the Minister please refrain from constantly interjecting? He has the right of reply.

Hon. A. V. R. ABBOTT: The whole argument of the Minister was that this Bill represents progress. I suppose when he brings in a Bill to make the voting age 14, that will be progress. I suppose the idea is to reach to the tender age of 10, and that will be progress. Is that the Minister's idea?

The Minister for Justice: That is too ridiculous.

Hon. A. V. R. ABBOTT: That was the argument. The younger they are given the vote, the better it will be. In that way we will be progressing. Is not that ridiculous?

Mr. Lawrence: It is time you grew up.

Hon. A. V. R. ABBOTT: I think I have grown up. I think the hon. member realises the absurdity of this Bill and the arguments of the Minister, who was most embarrassed in an endeavour to find an argument for it. The only other one he used was that the army selects boys of 18 for service.

The Minister for Justice: And girls.

Hon. A. V. R. ABBOTT: Yes. His argument was that the army considers them fit to serve. I have had some experience of the air force; and I know that boys of 18 are selected, not because of their balance and rationality or judgment, but because of their reckless bravery and their lack of foresight and imagination. They are selected because of their wild courage, but they are not placed in positions of responsibility at that age.

The Minister for Justice: But you must give them credit for doing a good job.

Mr. SPEAKER: Order! Will the Minister refrain from interjecting, or I will take some action!

Hon. A. V. R. ABBOTT: I do give them credit, and I say that only youths of that kind can get the best advantage out of the machines they fly. But we would not want them acting in the same way on a motorcycle in the city. We would not want them to exhibit reckless courage and carelessness and disregard of responsibility. Yet those are the very virtues that make a brilliant fighting pilot and that is why they are selected for this work at the age of 18.

Mr. Lawrence: Were you in the air force?

Hon. A. V. R. ABBOTT: Was the hon. member?

Mr. Lawrence: I asked you first.

Hon. A. V. R. ABBOTT: Yes; I was.

Mr. Lawrence: It is a wonder that we won the war!

Hon. A. V. R. ABBOTT: I did not say that I won it by myself.

Hon. L. Thorn: There is nothing funny about it. He was an outstanding pilot; do not make any mistake about that!

Hon. A. V. R. ABBOTT: I know that the Government is laughing at this Bill. So would anyone else.

The Premier: That is not true.

Hon. A. V. R. ABBOTT: The Premier is laughing.

The Premier: Not at the Bill, but at the member for Mt. Lawley.

Hon. A. V. R. ABBOTT: If the Premier is laughing at the member for Mt. Lawley, I would mention that the member for Mt. Lawley is pointing out to the Government the very peculiar features of its attitude. I cannot see any reason why the Bill should be supported. Does the Minister agree that the greatest care should be given to placing authority in the hands of people to deal with the lives of others? It is bad enough to give folk authority to deal with their own lives; but when it is a question of dealing with the lives of others, does the Minister not think that the greatest care and consideration should be devoted to such a matter? The behaviour of people given such authority can either make or break others.

This is a matter that should not be treated lightly. If we are going to try out the balance and ability and judgment of people of 18, does the Minister not think that we should make a start by giving them authority to deal with their own affairs before giving them power to deal with the affairs of other people? Should they not first be given the right to deal with their own property and make their own wills? Perhaps the Minister will say whether he approves of that. Is he going to apply the principle to marriage and the transfer of real estate? It is so inconsistent to pick out one power to give to these folk and let them deal with the lives of other people.

Mr. Johnson: Not lives, but property.

Hon. A. V. R. ABBOTT: Lives and property.

Mr. Johnson: It is property about which the hon. member is concerned. They are allowed to drive motors, and those concern the lives of people.

Hon. A. V. R. ABBOTT: I am not a financial expert like the hon. member. I move with a human touch rather than anything else.

The Minister for Justice: You live in the traditional days of the troglodytes.

Hon. A. V. R. ABBOTT: The Minister wants to go back to any age at all. I do not see a single virtue in this Bill. There is no necessity for it. No other country in the British Empire has adopted this principle or is thinking of adopting it. Why pick out this State?

The Minister for Lands: What about telling us what you have against it?

Hon. A. V. R. ABBOTT: I have told the Minister.

The Minister for Lands: I did not hear you.

Hon. A. V. R. ABBOTT: I say that youths of 18 have not had the experience of life necessary to enable them to reach a considered judgment when dealing with the lives of other people. Twenty-one is a sufficiently young age at which to vote. The vote of a parent should not be equalised or dominated by his children at the age of 18. Does the Minister want a mother and father to have their views disrupted by children of that age? That is what is being proposed.

Mr. May: They often do.

Hon. A. V. R. ABBOTT: The respect of children for their parents mostly makes them follow the decisions of their parents, until they reach the age of 21 and get the key of the door.

Mr. May: Not these days.

Hon. A. V. R. ABBOTT: Yes. Most children have enough respect for their parents to follow their advice, and are glad to do so. We do not want children's votes to be influenced by their parents. The whole idea of voting is that independent judgment shall be exercised. Do members think that a boy or girl of 18 will have independent judgment? Will the boy or girl not rather be influenced by his or her parents?

Mr. Lawrence: We do not think so, grandpa!

Hon. A. V. R. ABBOTT: The hon. member knows a lot about lumping. Why does he not go back to it? I oppose the Bill.

MR. JOHNSON (Leederville) [9.45]: I always feel, when listening to the member for Mt. Lawley, that it is a great pity he did not go on the stage because there he would have achieved considerable fame whilst, as a politician, his effect is not so great. He is a great actor, and every time this type of Bill comes up he goes into the same act. I noticed that he was very concerned that people of 18 should have no control over the economic effect which a Government can cause. He talked about the matter as if it affected lives, and he chided the Government with not allowing people of 18 to make wills, although I know they are capable of disposing of their own goods and effects, if they have any.

When I interjected to the effect that he wanted the driving licence age increased to 21, although I used a fairly loud voice, it apparently did not penetrate. People of 18 have been known, without their parents being present, to be in charge of vehicles, quite lawfully, and on some occasions they have had a marked effect upon the lives not only of themselves but of others.

Mr. Bovell: The accident rate of that age is higher than that of any other age.

Mr. JOHNSON: The hon. member is wrong.

Mr. Bovell: Not at all.

Mr. JOHNSON: Yes. The accident rate happens to be highest at the age of 23, and the highest rate is achieved by individuals of the age of 23 who are riding motorcycles of 500 c.c. capacity. The member for Vasse was guessing.

Mr. Bovell: Not at all. You have not taken the analysis of the accident rate.

Mr. JOHNSON: I get the analysis once a month.

Mr. Bovell: Do you—

Mr. SPEAKER: Order!

Mr. JOHNSON: The member for Vasse is a little bit wide of the mark. It was a reasonable guess.

Mr. Perkins: Youths of 18 are not permitted to drive heavy vehicles.

Mr. JOHNSON: They are permitted to drive fast vehicles that can kill people.

Mr. Perkins: They cannot drive a heavy vehicle.

The Premier: You can get a permit.

Mr. Perkins: It is very hard to get one.

Mr. JOHNSON: The accident rate for heavy vehicles is low. The type of vehicle which has an outstanding effect upon the lives of both the driver and the passenger, and frequently on the other party, is allowed to be driven by people of the age of 18 provided they can pass the police test, which embraces a knowledge of the regulations and requires a reasonable degree of competence in the handling of the vehicle.

Mr. Perkins: They are not allowed to drive heavy motorcycles, either. You cannot question that one.

Mr. Bovell: He would not know.

Mr. JOHNSON: A person can get a licence to drive a car at the age of 18.

Mr. Perkins: You cannot get—

Mr. SPEAKER: Order! Will the member for Leederville get back to the Bill?

Mr. JOHNSON: The point on which the member for Roe is trying to lead me, and on which he seems to know very little, is that people of the age of 18 are quite often—I was one of them myself some time ago—

Hon. L. Thorn: Not long ago.

Mr. JOHNSON: Not as long ago as when the hon. member was 18, but it is some time past. Since I was 18, I have had a driver's licence to handle three types of vehicles—motorcycles, motorcars and trucks up to 30 cwt.; and I am only one of many. During the whole of that time, the only period when there was any legal bar to my driving these vehicles was when I was in the defence forces. Officers of commissioned rank are not allowed to drive themselves, except in very exceptional circumstances.

The situation is that for that long period there has been no attempt made by the member for Mt. Lawley, or the party which he decorates, to increase the driving licence age to 21. So, the whole of his argument that we are not prepared to trust people of 18 with the lives of others is one which fails in its entirety, and one upon which he himself, as Attorney General in a preceding Government, could have had an effect. During the period when he was in office, he could have taken steps to ensure that no one under the age of 21 was allowed to drive a vehicle; and that would have saved a number of lives.

I doubt whether such an action, although it would have saved a number of lives, would have received a great deal of public support because the public as a whole, and the parents who have children of 18 years of age, I gather, although I have not any myself, are quite prepared to trust their eighteen-year-olds, both sons and daughters, with their expensive vehicles—mainly on which they have debts themselves. This is something which has a great danger content. Admittedly, parents advise their youthful motor drivers that they should do this and that; that they should be careful and slow up at cross-roads, and so on.

Similarly I imagine that if children are given the vote at 18, their parents will advise them to be cautious and to look both ways before voting. We are aware that children of 18 do not, when in a vehicle, always remember. Sometimes they go a little faster than they would if Dad were alongside them. It may be that children of 18 will not take all father's advice when it comes to voting. Some fathers and some grandfathers are old fogies, and out of date. It could be that youngsters of 18 are far more qualified to exercise the franchise than are many grandparents. They are certainly more inclined to be progressive in thought, and they have a much longer stake in the future.

Another point of considerable interest is that while youngsters are at school they are instructed in the subject of civics by being given some knowledge of public affairs. One of the reasons why they lose interest in public affairs is the length of time between when they learn about them and when they first exercise an effective

vote. If the age comes down to 18, and the school age is lifted, as I hope it will be gradually over a period, so that a large proportion, if not the majority, of our young folk are at school until they are very close to that age, then it will be possible for the majority of them to exercise the franchise at the first election after they leave school; while they are full of enthusiasm and have a fresh mind after having received some real instruction. It could be that in that way their interest in public affairs could be stimulated and maintained.

Mr. Ross Hutchinson: Would you say that 17-year-olds would be capable of exercising an intelligent vote?

Mr. JOHNSON: I think it quite possible the majority would. We know that the mental age of the adults who vote is only about 14; for many of them it is lower. We also are aware that very few adults actually achieve a mental age much above 16 to 18. There is very little mental development beyond that stage although chronologically—

Mr. Bovell: You are speaking for yourself now.

Mr. JOHNSON: The chronological and mental age do not necessarily go together.

Hon. A. V. R. Abbott: Yes, but they gain experience.

Mr. JOHNSON: People can gain experience of almost anything, but not of exercising the franchise until they have had their first vote. We cannot gain experience of anything until we do it. Everything else is instruction or advice, but it is not experience. It is highly improbable that many of them would have more than one vote for the State Parliament before they were 21.

Mr. Ross Hutchinson: Would 18 be the lowest age you would agree to?

Mr. JOHNSON: At the moment, 18 is as low as I feel prepared to go, but I could be persuaded to go lower if our education were better. Probably later on, when we can develop a better educational system, we could examine the possibility of going lower, but at the moment this is far enough. If the hon. member, who did have some say in the education of our youth, likes to submit an amendment to reduce, progressively, the age to 17, it is highly probable he will have my support.

Hon. A. V. R. Abbott: Do you think the period of training apprentices should be reduced from five years to three?

Mr. JOHNSON: If that is for practice in the law, yes, but for skilled trades, no. It depends on the trade. Is that a fair answer?

Hon. A. V. R. Abbott: It is yours.

Mr. Perkins: It was not a sensible answer.

**Mr. JOHNSON:** It was not a sensible interjection. The actual age to which it is possible to reduce the franchise is one that we can argue about for some time, but the Bill before us is not one to reduce the age to 18 tomorrow but to reduce the age by one year at a time over a series of years. I fancy that if the first step, which is only to reduce it to 20, proves a great success, then the next step will receive general approbation. If it should prove to be a howling failure, which it might if it resulted in the election of an Opposition Government—that is not impossible—I suppose we would have general agreement to restore the age to 21.

If, after it has been reduced from 20 to 19 and then to 18, the move is proved to be an outstanding success, it will be possible to introduce the amendment foreshadowed by the member for Cottesloe, and reduce it to 17. Then we will have the possibility of having that experience, although I doubt whether the member for Mt. Lawley will be here to get the benefit of it because it will be an awful long time off. I support the Bill, and I hope that this progressive move is whole-heartedly supported by every member of the House who has sufficient memory to be able to recall that once upon a time he was at that age, and he, too, at that age, thought he knew as much as his parents; and he might have been right.

**THE PREMIER** (Hon. A. R. G. Hawke—Northam) [10.0]: I would like to say a few words in regard to this Bill because I think it is an important one. I was disappointed in the approach of the member for Mt. Lawley to the measure. His approach was rather more of the slather and whack type than the customary calm and reasoned approach that we expect of him. I admit that there are arguments for and against the proposition set out in the Bill. Nevertheless it seems to me that there is considerable merit in it, or at least in some portions of it. The fact that the minimum voting age today is 21 years does not necessarily prove anything. This minimum age of 21 years was selected a great many years ago and the fact that it was then selected, and has continued ever since, does not prove that it is the correct minimum. It could, for instance, be too low.

We might also consider that there ought to be a maximum age for voting beyond which no voting should be permitted. But there is no maximum age. A person who reaches 85, 90 or even 95 years of age is still entitled to a vote and is still, by law, compelled to register a vote. This Bill does not propose immediately to give the youth of 18 years of age a vote, although I notice that the member for Mt. Lawley concentrated upon the 18-year olds.

**Hon. A. V. R. Abbott:** That was the objective of the Bill.

**The PREMIER:** It is not the immediate objective.

**Hon. A. V. R. Abbott:** No, but that is the real objective of the Bill—to do it gradually.

**The PREMIER:** As a matter of fact, the 18-year olds would not be entitled to a vote until the year 1962 and the 19-year olds would not be entitled to vote until 1959. The only persons under 21 years of age who would be entitled to vote almost immediately, in the event of the Bill becoming law, would be the 20-year olds. I think the Government would be prepared to say that it would be willing to try this measure out on the basis of only the 20-year olds.

**Hon. A. V. R. Abbott:** How could you tell whether it was a success or not?

**The PREMIER:** How can we tell that the present minimum age of 21 years is a success?

**Hon. A. V. R. Abbott:** It has been operating for a long while.

**The PREMIER:** I know that the system has been operating, but how do we know that it is wise to give 21-year olds a vote? Nobody can prove or disprove that. I suggest that with the passing of the years since 21 years of age was fixed as the minimum, youth has been given far greater opportunities in regard to education and experience generally than was ever the case 30, 50, 70 or 80 years ago.

**Hon. A. V. R. Abbott:** Do not you think you should deal with the majority in every case? Why take only voting? What about all the other activities?

**The PREMIER:** It so happens that this Bill deals with the minimum voting age and therefore in a discussion on this Bill we are bound, and should be bound, to discuss the minimum voting age and not something about the making of wills or the consent of persons to marriage and so forth.

**Hon. A. V. R. Abbott:** Would not that give you some idea as to whether we should or should not?

**Mr. SPEAKER:** Order!

**The PREMIER:** I think not. I think we can take each subject separately. I would not have any serious objection to a proposal, if it were brought before Parliament, to do away with the necessity of parents' consent to the marriage of boys and girls or young men and women of 20 years of age. I would have no objection to young men and women of 20 years of age being permitted, in the ordinary way, to make a will.

**Hon. A. V. R. Abbott:** What about 18-year olds?

**The PREMIER:** I would be prepared to consider that carefully if such a proposal were brought before Parliament. At

the moment, however, we are considering the question of the minimum voting age and I think at this stage we could safely reduce the minimum to 20 years. That is what this Bill proposes immediately to put into operation. I have already said that the Government would be willing to agree to the deletion from the Bill of the proposals which are now in it with respect to the 19 and 18-year olds.

The member for Mt. Lawley put forward as an argument against the Bill the contention that the 20-year olds—and if one likes the 19 and 18-year olds—should not be allowed to vote because if they were so allowed they would be deciding and controlling the lives of other people. Surely there is no logic in that contention! The answer to it is that the 21-year olds and over, by virtue of being the only ones with a right to vote, are to day controlling the lives of the 20, 19 and 18-year olds. So, on the argument of the member for Mt. Lawley we would disfranchise everybody because it should not be the right of anybody to control or manage the lives of other people! These young people of 20 years of age have to live under the laws made by Parliament; they have to suffer the consequences or enjoy the benefits, as the case may be, of what the member for Mt. Lawley and others in this Parliament decide.

Hon. A. V. R. Abbott: So do children of 15.

The PREMIER: Of course they do!

Hon. A. V. R. Abbott: So that is no argument.

The PREMIER: But there has to be a happy medium in a matter of this kind.

Hon. A. V. R. Abbott: That is the only point.

The PREMIER: That is why, up to now, 21 years of age has been regarded as the happy medium in regard to the minimum voting age.

Hon. A. V. R. Abbott: And for every other thing.

The PREMIER: Not for every other thing.

Hon. A. V. R. Abbott: Most other things at law.

The PREMIER: Not for every other thing. We, as the members of the Government, feel that it would be a progressive step to give at least the 20-year olds a right to exercise the franchise and to take an active part in the government of the country. There seems to be no logical reason, based upon intelligence, as to why 20-year olds would not do just as well as the 21-year olds.

Hon. A. V. R. Abbott: What about experience?

The PREMIER: How much more practical experience of a worth-while character does the 21-year old have as against the 20-year old?

Hon. A. V. R. Abbott: But it is progressive.

The PREMIER: Of course it is. But on the argument of the member for Mt. Lawley, we might just as logically say that the minimum age should be raised to 22, 23 or 25 or whatever higher figure we might care to choose. I think that we ought to encourage citizenship among the younger people in the community. We have to remember that those in the 21 years of age and older section of our community have had the law of compulsion applied to them in order to exercise the important duty of citizenship, probably the most important duty of all. That is a bad thing. I am sure the member for Mt. Lawley would agree with me in that.

Hon. A. V. R. Abbott: I do.

The PREMIER: That is an extremely bad thing. I feel that if we encourage at least the 20-year-olds to become active in citizenship to the extent of giving them the right to record a vote at elections, we would find a very gratifying response from many of them. I would even be prepared to go so far as to agree to allow the 20-year-olds, if they were enfranchised to have the right to record a vote voluntarily as against forcing them to vote compulsorily. In that way we would encourage a voluntary practice of the important duty of citizenship on the part of 20-year-olds in exercising the franchise.

I would not be afraid of the result of the exercise of the franchise by them, irrespective of whether it was done compulsorily or voluntarily. I am not suggesting that the majority of them would record a vote for the Labour Party. They might easily record a majority vote for the members of the party opposite. However, that is not the point. The point is whether at this age and stage we ought to make a practical gesture to a group of young people to encourage them to become keenly interested, in a practical way, in the government of their country.

That is worth thinking about seriously. I think it is worth thinking about favourably. After all is said and done, the 20-year-olds of today are the 21-year-olds of tomorrow. The idea of the Government in having this Bill drafted in the form that it is, is in a way, to give a warning to the 19-year-olds and the 18-year-olds that within two years and three years, they would be expected to take upon their shoulders the responsibility of citizenship in the field of parliamentary government to the extent of recording a vote for the election of men and women to Parliament.

I should hope that in this recording of their vote—and I believe it has already been done to some extent—our educational

system would be instructing the younger people in civics and citizenship to a much greater degree than has ever been attempted in the past. I frankly admit that for a great many years—perhaps never in the past—civics have not been taught in our schools to nearly the same extent as they should have been. Our schools concentrate very greatly upon the teaching of the three R's, geography, history and all the other subjects.

After all is said and done, the greatest duty that young people have to discharge—when the law allows them to discharge it—is that of citizenship, and it seems to me that the Education Department should emphasise in the schools, more than anything else, when the children reach an age when they can comprehend, the subject of citizenship. The place to develop good citizenship is in the schools. Furthermore, we cannot start too early.

Those members who know anything about the kindergarten system realise that in the kindergartens the directors and the teachers instruct the children in citizenship in a very clever kind of way, even at the tender age at which children enter those places. They become little citizens, as it were. They are taught how to play together, to work together, to agree together and to co-operate together. It seems to me that that is the sort of thing that ought to be continued much more solidly than has been done in the past in the schools of the State, right up to and including the secondary schools, and, of course, through the university for those who attend there.

So I think that this is not a Bill to be praised fulsomely by those who believe in what it proposes, and to be criticised unjustly by those who do not believe in what the Bill proposes. It is a measure that ought to be seriously considered.

Mr. Wild: Would you agree to those 18-year-olds going into your betting shops?

The PREMIER: My reply to that question would be this: The educational system ought to be so shaped and so applied as to almost guarantee that when young people leave school, they would not go into the betting shops at any stage in their after life.

Hon. A. V. R. Abbott: But we have not reached that stage yet.

The PREMIER: Of course we have not, but that is a stage we ought to aim at reaching. It is a stage that is not impossible of achievement.

Hon. A. V. R. Abbott: Would you not agree that on the average a boy or girl of 21 is more responsible than a boy or girl of 20?

The PREMIER: Yes, merely on account of the small amount of additional sense of responsibility and the small amount of additional experience, but on the same basis of argument, the 22-year-old has that little extra amount of responsibility and

experience over the 21-year-old. However, if we are to attach any great importance to that argument, I think we ought to admit that the 22-year-old ought to be entitled to one and a half votes, the 23-year-old to two votes, the 24-year old to two and a half votes, and so on; but, of course, if we adopted that system, we would reach a weird situation.

Hon. A. V. R. Abbott: In my view, they ought to be given full responsibility or none at all.

The PREMIER: I agreed earlier that in regard to the 20-year-olds I might even be prepared to go to that extent at present, but in regard to the 18-year-olds and the 19-year-olds we say, in this Bill, that they shall have so many years to claim enrolment and to be enrolled. In addition, I have already said to the members of the House that if it is felt at this stage that there ought not to be any provision made for the 18 and 19-year-olds, I think the Government ought to restrict the measure to the 20-year-olds and to give to them the right to become enrolled even on the basis of permitting them to vote voluntarily as against being made to vote compulsorily.

In conclusion, I would say that the reason which moved the Government to introduce the Bill was an anxiety on its part to encourage young people in the community to fit themselves more adequately for the duties of citizenship. I have sufficient faith myself in the youth of this State to believe that, given the opportunity, they would equip themselves at least as well, and probably better, than many people in the State well over 18, 19 and 20 years of age.

HON. SIR ROSS McLARTY (Murray) [10.20]: Intervention by the Premier in this debate will certainly cause a more serious view to be taken of it. I think the Premier indicated that the Bill could well do with some amendment, and he said that he would be agreeable for the proposals to give votes to those of 18 years and 19 years of age to be eliminated or excised from the Bill, leaving only provision for those who are 20 years of age to have the right to vote. Taking the Bill as it is, I think it is most unjustifiable. There is no public demand for it at all. If it were possible to take a referendum on this matter I believe it would not only be defeated, but that it would be overwhelmingly defeated. That, however, is merely an expression of opinion with which some members may not agree.

The Minister for Lands: You have nothing to base it on.

Hon. Sir ROSS McLARTY: It is my opinion.

Mr. Bovell: I do not know about his having nothing to base it on. There have been reports in the newspapers concerning interviews that have taken place with certain people.



Hon. Sir ROSS McLARTY: As the member for Vasse points out, certain people were interviewed and a modified Gallup poll was taken. The more I think of the proposals in this Bill, which I conclude have only been framed after consideration had been given to them by Cabinet and by the Labour Party, I wonder why we should prevent these young people of 18 from doing certain things, if we are to allow them the greater responsibility of saying who shall be elected to Parliament. In replying to an interjection I made, the Minister in charge of the Bill said that he would be quite agreeable to provide that young people of 18 could marry without the consent of their parents. Of course, I would not agree to that. I ask the Minister whether he would agree to young people having the right to go into hotels and consume liquor to their hearts content.

The Minister for Justice: I have been consuming liquor ever since I can remember. I have been going into hotels since I was 6 or 7 years of age and I am not a drunkard. I did so before there was an Act against it.

Hon. Sir ROSS McLARTY: The Minister have been brought before the Children's Court. I thought there was always an Act against it.

The Minister for Justice: No.

Hon. Sir ROSS McLARTY: We say, "No" in this case. I am sure there are many members opposite who would be opposed to a young person of 18 being permitted to go into hotel lounges and drink alcoholic liquor. If this Bill became law, would the Premier or the Minister agree that such people should have the right to enter Parliament?

The Premier: Yes.

Hon. Sir ROSS McLARTY: The Premier says he would.

The Premier: If they could get in.

Hon. Sir ROSS McLARTY: That applies to all of us. Again, I am in total disagreement with the Premier on that point. I do not think the youth of either sex should enter Parliament when they are 18 years of age. It would not be for the good of the country, or for the good of youth itself.

Mr. Johnson: At what age was Pitt Prime Minister?

Hon. Sir ROSS McLARTY: He was very young. I believe he was 21 or 23—that is Pitt the Younger. Of course, we all know there are exceptions.

The Premier: They would have to be exceptions to be elected.

Hon. Sir ROSS McLARTY: They would.

The Minister for Justice: I have just worked it out mathematically, and by allowing those of 18, 19 and 20 years of age

to vote we would be giving them only one-twentieth of the voting power of those who have the right to vote at the moment.

Hon. Sir ROSS McLARTY: In spite of the trouble to which the Minister has gone, I remain unconvinced.

Hon. L. Thorn: The Minister might have made a mistake.

The Minister for Justice: I have not.

Hon. Sir ROSS McLARTY: I cannot understand why the Government wishes to introduce legislation of this kind. There is no public demand for it. I believe that youth should remain as such and that we should not cast responsibilities upon them at such an early age. We cannot place old heads on young shoulders. If we look at this measure from a factual point of view, how many young people would there be in this country who are interested in politics? I would say that there are exceedingly few among the teen-agers, and I feel sure they would not want the responsibility of having to vote for members who wish to enter Parliament. Here again the Premier has got away from the Bill because he says he would even go so far as not to exercise compulsion in regard to their vote but would leave it optional to them.

The Premier: I said I would be prepared to consider that.

Hon. Sir ROSS McLARTY: I take it that when the Premier made that statement, he would be prepared to consider it favourably. The Premier now says, "Let us try 20 years of age without compulsion and give them the right to vote, and leave out those of 18 and 19 years of age." I suggest we could quite easily leave out those who are 20 years of age. Right throughout the British speaking community 21 years has been regarded as the age of responsibility.

The Minister for Justice: It is 30 years of age for the Legislative Council before a person can enter that House. Do you think that is reasonable?

Mr. Brady: Do not you think that young Liberals should have a vote at 20 years of age?

Hon. Sir ROSS McLARTY: No, no more than I think young Labour should. I do not think the voting age should be reduced. There is no part of the British community that I know of, where the voting age has been reduced. If this is so desirable, why has not it been done in other Australian States? Queensland had an opportunity to do this and so had Victoria. The Labour Party has had an opportunity to do this in the Federal sphere. In fact, the Labour Party has, at some time or other, had the opportunity to introduce and pass this particular legislation, yet it has never attempted to do so.

The Minister for Justice: That is no reason why we should not do so.

Hon. Sir ROSS McLARTY: I know that someone has to be first, but very often those people who jump in first make bad mistakes. Experience of what has happened in other countries is often of benefit to us, and, as I say, other Governments have not seen fit to introduce this type of legislation.

The Minister for Justice: I am surprised to think that you would not take a risk.

Hon. Sir ROSS McLARTY: Perhaps it is because I am a bit old to chase the flapper vote now; I am not able to compete with some of the younger candidates. That phase does not interest me at all. There is no justification for a measure of this kind and no public demand for it. I understand that in some of the selection ballots for Labour candidates for Parliament, votes are given to mere youths of 18. Members opposite are trying to put into the Electoral Act the same provision which applies in the selection of their candidates.

The Minister for Lands: Have you no initiative? Do you always want to drag at the heels of others?

Hon. Sir ROSS McLARTY: When I look at the Minister—and I cannot help it for the time being—I can understand his reason for wanting to give young people a vote. He will get a big “flapper” vote because he has sex appeal, but that should not cloud his vision. He should have a wider view than that for wanting the introduction of such a measure. I am glad that a constitutional majority is required for this Bill. I hope the Government will not get it in this House.

The Minister for Education: Of course, you do not know how your members will vote.

Hon. Sir ROSS McLARTY: I have a pretty good idea. I might even suggest to the Premier that we adjourn this debate until after the Bunbury by-election.

The Premier: It would suit us.

Hon. Sir ROSS McLARTY: Then I might suggest, if it suits the Premier, that some member moves for this debate to be adjourned until the 1st November.

The Premier: I think that has already been arranged.

Hon. Sir ROSS McLARTY: I am pleased to hear it. If that has been arranged, I am prepared to sit down. I conclude by saying that I oppose the Bill.

On motion by Mr. Brady, debate adjourned.

[Mr. Hill took the Chair.]

## BILL—HEALTH ACT AMENDMENT.

### Message.

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

### Second Reading.

**THE MINISTER FOR HEALTH** (Hon. E. Nulsen—Eyre) [10.34] in moving the second reading said: This is a non-contentious Bill. I am glad there is nothing new in it that requires initiative, otherwise there might be violent argument against the provision. The Bill contains amendments of varying nature, all of which are designed for the good of the community. It deals with connection of premises to sewers, the boiling of pig swill, offensive trades areas, cost of treatment of certain infectious diseases, and, most important of all, care of the aged within the community where they have spent their lives, and the regulation of inflammable and offensive substances. I shall now explain the provisions.

Dealing with the connection of premises to a sewer, I would like to point out that local authorities have made a request that they be allowed to cater for ratepayers who wish to connect their premises to a sewer but who cannot afford to pay cash for the work. For many years there has been a provision in the Health Act which enables local authorities to undertake the installation of septic tanks on ratepayers' premises at the ratepayers' request and to enter into an agreement with the owners for repayment of the cost by instalments.

This scheme has been of considerable benefit to many people and has helped to improve the sanitary condition of many towns. It permits a local authority to assist ratepayers who are unable to afford to pay cash but are able to meet periodic instalments spread over a number of years. To date, there has been no provision in the principal Act that would permit local authorities to make similar arrangements for the connection of existing premises to a sewer.

A limited scheme is provided under the Metropolitan Water Supply, Sewerage and Drainage Act and the Public Works Act but this leaves a considerable reservoir of people not catered for. As well as conferring a benefit on the ratepayers directly assisted, the amendment will help to eliminate small pockets of houses served by pan services in the midst of a sewered area. The cost of the connection will remain a charge against the land until repaid.

An anomaly exists between the provisions in the principal Act and the requirements of the Stock Diseases Act regarding the boiling of offal for pigs. The principal Act prohibits the feeding of pigs on offal unless the offal has been boiled for one

hour. If boiling were properly carried out, one hour would be ample time to destroy harmful organisms or parasites which might be present. That the processing is not effective was proved during the war when swine fever was introduced through the agency of American pig meats. This resulted in heavy losses to the pig industry.

Regulations were then introduced under the Stock Diseases Act requiring boiling for two hours. This contributed materially to the control of the outbreak. The anomaly which exists between the Health Act and the Stock Diseases Act is occasionally raised as a defence by those who fail to comply with the requirements of the Stock Diseases Act. The amendment seeks to remove the anomaly.

The next amendment concerns the establishment of offensive trades areas. The principal Act permits local authorities to make by-laws defining portions of their areas wherein the establishment of offensive trades is prohibited. In practice, the problem is rather one of setting aside an area wherein offensive trades may be established. In other words, the practical approach is positive whereas the Act indicates a negative approach.

The amendment is designed to correct the position and permit local authorities to set aside suitable areas for the establishment of offensive trades. This approach is consistent with the Town Planning Act. It will permit local authorities to promote rational development of industry in districts where development has not reached a stage where a proper town planning scheme is indicated.

When first passed, the principal Act gave power to control danger to the public health from inflammable substances, and other matter which might give rise to ill health. When originally introduced, these provisions covered most of the hazards then existing or recognised. In recent years, an increasing number of toxic substances have come into common use in industry and around the home. They are freely purchasable. As they are not subject to control, the manufacturers do not have to state the dangerous nature of the article on the label and are therefore regarded by the public as innocuous. This has encouraged careless use and handling.

The purpose of the amendment is to ensure that these substances are adequately labelled with a description of their hazardous properties and that their use, transport, sale or storage shall not expose the public to danger which can be avoided. Before any by-laws are made controlling the transport, deposit, use, manufacture, sale or storage of toxic or hazardous substances, it will be necessary to make a by-law stating what substances are to be regarded as such.

Another amendment concerns infectious disease cases. Local authorities are required to contribute towards the cost of

maintenance and treatment of persons suffering from certain infectious diseases. This can only be justified where the nature of the disease is such that its occurrence can be controlled or minimised by local authority action. The list of diseases was reviewed recently in consultation with local authorities and agreement was reached on the deletion of certain diseases and certain qualifications to be attached to others.

The overall effect of the review is that concessions have been promised to the local authorities. It is proposed to introduce a new scheme for financing the treatment of infectious diseases cases. At the present time, the cost of treatment and maintenance of persons who suffer from any of the infectious diseases mentioned in or declared under the principal Act is shared between the patient, the Department of Public Health and the local authority.

The amount paid by the patient is far below the actual cost. The difference is shared between the department and the local authority in whose district the case occurs in the proportion of two-thirds and one-third respectively. If an epidemic develops and a number of cases occur in a particular district, the cost can be a very heavy drain on the funds of the local authority. It may, indeed exceed the income which the local authority can raise by way of health rates in one year. Even a mild outbreak can embarrass a local authority whose finances are limited by an annual budget.

Having this in mind the Department of Public Health approached all local authorities with a suggested scheme whereby the total liability of local authorities throughout the State would be shared by all local authorities in proportion to their population. Of the 147 local authorities in the State, 100 advised the Department of Public Health that they favoured the scheme and eight were opposed to it. There would be no point in introducing the scheme unless all local authorities were included.

In view of the large favourable majority, the Government feels justified in bringing down this legislation. At the beginning of each financial year after the scheme commences, the total cost of treating persons suffering from the diseases concerned during the previous financial year will be ascertained. The amount paid by patients will be subtracted. Two-thirds of the balance will be contributed by the department. The remaining one-third will be contributed as an assessment for the coming year by all local authorities in proportion to their population.

If at the end of a financial year it is found that the amount paid by way of assessments falls short of or exceeds the ascertained cost, the assessment for the

next year will be increased or reduced accordingly. In order to introduce the new procedure without disruption of the existing accounting system, local authorities will not receive an assessment until after the end of the first year of operation. They will then receive two accounts. The first will recoup the department for the expense it has borne on their behalf during the first year and the second will be the assessment for the second year of operation. Disruption of local authority finances will be avoided by supplying local authorities with an estimate of their liability for the first year. Although they will not have to meet any expenses during that year, they will levy rates to cover the estimated liability. This will avoid any inconvenience to them.

The portion of the Bill with which I now propose to deal concerns the care of the aged. There is an increasing demand for hospital beds, which arises largely from the high proportion of hospital beds occupied by elderly persons. The elderly are prone to sickness and, when sick, are difficult to rehabilitate and return to their homes. They become chronic invalids. Approximately 30 per cent. of available beds in hospitals are occupied by the aged chronic sick.

To prevent or reduce this chronic invalidism, two measures may be taken. Firstly, the aged should be cared for under suitable conditions where they can be encouraged to take an interest in themselves and their surroundings. Secondly, when they do become ill and require hospital treatment, they should be given special therapy to restore their health and rehabilitate their bodies and minds so that they may resume living under the conditions and in the surroundings to which they are accustomed.

It is hoped to provide this special therapy and rehabilitation service by conversion of portion of the Infectious Diseases Hospital at Subiaco within the coming year. The care and encouragement of the elderly is a task which requires a widespread organisation of social welfare work and especially the provision of suitable accommodation. This accommodation could best be supplied by residential centres or clubs for the aged. At such a centre, meals could be provided on the most economical basis, and those who live there would be encouraged to enter into social contacts and organised group therapy.

Hon. Sir Ross McLarty: Has the local authority to provide part of the capital cost?

The MINISTER FOR HEALTH: Yes; if so desired, it can make a contribution to help the old people within its district.

Hon. Sir Ross McLarty: By erecting homes.

The MINISTER FOR HEALTH: Yes, or by helping to erect homes.

Hon. Sir Ross McLarty: What is the Government's responsibility?

The MINISTER FOR HEALTH: The Government will also make a contribution to help the old people and thus save beds in the various hospitals. These cases occupy about 30 per cent. of the beds.

Hon. Sir Ross McLarty: Does the Bill provide what proportion the local authorities shall find?

The MINISTER FOR HEALTH: It is limited, and I think depends upon the income of the local authority. The idea is to help these people and make them feel that someone is taking an interest in them and that life is still worth living. I consider the scheme to be ideal.

Mr. Ross Hutchinson: Are you now referring to the last clause in the Bill?

The MINISTER FOR HEALTH: I think it is the last clause.

Hon. Sir Ross McLarty: Ten per cent.

The MINISTER FOR HEALTH: Probably; I am not sure. In that atmosphere they would lose their feeling of loneliness and unwantedness. This is an important factor in preserving the health of the aged and preventing them from becoming chronic invalids. Such a centre must cater for both sexes. The centres would operate in conjunction with the rehabilitation hospital to provide accommodation for elderly persons who are discharged without having a suitable home to which they can return. It is essential that these centres be established close to the places where those who are to occupy them normally lived and formed their lifetime associations. It is therefore logical to plan these centres on local authority lines. Several local authorities have already shown a keen interest in this idea.

A number of voluntary bodies and charitable institutions are prepared to assist in the running of the centres once the accommodation is provided. Every local authority has a responsibility to share in the care of its ageing population. At present their hands are tied as they lack statutory authority to expend funds under the Health Act on this activity. Although there are certain provisions whereby assistance may be granted under the Road Districts Act, this is inadequate and not suited to the type of organisation which ought to be set up to handle this problem.

The Bill will permit local authorities to contribute towards the provision of institutions or centres for the care of the aged and will remove the very outmoded restrictions upon related activities which now exist in the principal Act. Under the amendment the local authority will be able to join with the Government and voluntary organisations in the provision of suitable accommodation for the aged population of the area.

This is an important provision and I am quite satisfied that many—probably 70 or 80 per cent.—of the local authorities are willing to help in that direction. I think it will considerably help our sick because we will have more beds available; and it will assist particularly in the metropolitan area where the hospital beds are now very limited. This will mean that the aged chronic sick in need of institutional care will be able to obtain that care within the community where they have spent the earlier years of their lives.

I feel that the provisions of the Bill will be useful to the community generally. Firstly, the matter of the connection of premises to the sewer will help the local authorities and the health authorities in regard to the coupling up of homes the owners of which are not at the moment in a financial position to carry out the work. There will be no chance of losing the money because it will be a charge against the land until such time as repayment is made.

Hon. Sir Ross McLarty: This would not apply to towns that have not got a sewerage system.

The MINISTER FOR HEALTH: No. Of course, there would be the septic system, and the Act contains provision for the local authorities to assist in the financing of septic tanks. The next point I want to deal with is that of the boiling of pig swill. This is a slightly contentious matter because in accordance with the Health Act it has to be boiled for only one hour, but under the Stock Diseases Act it has to be boiled for two hours. One hour is sufficient providing the swill is boiled for that period, but unfortunately most of these people are careless and do not boil it sufficiently. As a result, during the war, swine fever broke out and it caused a great loss to the owners of pigs.

I next wish to deal with offensive trade areas. This was a little ambiguous because it was stated in the Act that people were prohibited from establishing offensive trades in certain districts. Now it is made definite that certain areas will be set aside where those offensive trades can be established. The next point is the cost of treatment of certain infectious diseases. This has been a burning question for years. Some consideration should be given to the various organisations, and we have made a small concession in that direction where the local authority takes a real interest in the matter.

If we remove the obligation altogether from the local authority and make the Government responsible for the lot, then the local authority will probably not do the work it should. As far as immunisation against diphtheria, tetanus and other diseases is concerned, if the local authority does not insist that all those who can be

immunised are treated, and diphtheria or some other disease breaks out, then the local authority should be responsible to some extent. But where we find that a local authority is doing its job in a sincere manner, we, as a Health Department, encourage and assist it if an epidemic breaks out through no fault of the local authority.

The next point is the care of the aged. For a long time I have felt that much more should be done in this matter, and much more will be done now by allowing local authorities to make a contribution of a maximum of 10 per cent. This will be helpful, and with a little assistance from the Government and from the people in those areas, we will be able to establish quite a number of places. The Lotteries Commission has also taken an interest in this work, and it will be helpful to the department if we can give these people more treatment and make them feel that some interest is taken in them. At present when a person gets over a certain age no one takes much interest in him. This will permit of more interest being taken, and it will help us as far as our hospital beds are concerned.

With regard to the regulation of inflammable and offensive substances, we did have provision covering this point, but these substances have increased in number with the passage of time, and not all the new ones are properly labelled. In consequence there have been some serious accidents, probably because of children playing with these substances. I do not know whether any lives have been lost. Provision is made in the Bill to allow us to make regulations to control these substances, not only in transport and as far as storage is concerned, but also with regard to their labels, so that the people will know what they are buying. When not labelled properly the substances were a great danger because people thought they were innocuous. The Bill will be of benefit to the community. It is something that should receive the commendation of the Assembly. I move—

That the Bill be now read a second time.

On motion by Mr. Ross Hutchinson, debate adjourned.

## **BILL—CEMETERIES ACT AMENDMENT.**

### *Second Reading.*

**THE PREMIER** (Hon. A. R. G. Hawke—Northam) [11.11] in moving the second reading said: This is a very short Bill and as it has already been approved by the Legislative Council that should gain for it at least 24 votes in this House should a division be called for. It has been found that the trustees of the Karrakatta Cemetery have no power to take action against

persons who damage or attempt to damage things in the cemetery that are not absolute fixtures. They already have power to take action against those who damage or attempt to damage fixtures such as trees, monuments, vaults and so on. The Bill aims to give the trustees the necessary power to take legal action against persons who damage or attempt damage articles in the cemetery that are not absolute fixtures. I move—

That the Bill be now read a second time.

On motion by Hon. C. F. J. North, debate adjourned.

*House adjourned at 11.2 p.m.*

## Legislative Council

Wednesday, 12th October, 1955.

### CONTENTS.

Question : Pig iron, cartage from Wundowie	Page 1092
Motions : Road Districts Act, to disallow petrol pumps by-laws	1108
Chamberlain Industries Pty. Ltd., tabling of reports by Sir Edwin Nixon	1111
Bills : Licensing Act Amendment (No. 3), 1r.	1093
Police Benefit Fund Abolition Act Amendment, 3r., passed	1093
Constitution Acts Amendment (No. 1), 3r.	1093
Parks and Reserves Act Amendment, 2r., Com., report	1093
Licensing Act Amendment (No. 2), Com. Inspection of Scaffolding Act Amendment, Com., report	1098
Jury Act Amendment (No. 1), 2r.	1098
State Government Insurance Office Act Amendment, 2r.	1099
Prices Control, 1r.	1108
Junior Farmers' Movement, 1r.	1108
Swan Lands Revestment, 1r.	1108
Local Authorities, University of Western Australia Medical School Appeal Fund Contributions Authorisation, 2r., Com., report	1117

The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

### QUESTION.

#### PIG IRON.

*Cartage from Wundowie.*

Hon. L. A. LOGAN (for Hon. A. R. Jones) asked the Chief Secretary:

Following answers to questions recently with regard to transport of saleable products from Wundowie, will the Minister now inform the House—

- (1) What would be the freight, per ton of pig iron, from Wundowie to port, if carried by the railways?
- (2) What is the freight or cartage paid per ton of pig iron, from Wundowie to port as carried by road transport?
- (3) If pig iron were carted by rail from Wundowie to port, what other charges would be involved to deliver the iron to shipside other than railrage?
- (4) What charges are involved other than freight on iron delivered at shipside when carted by road transport?
- (5) What are the reasons for carting pig iron by road transport instead of by rail from Wundowie to—
  - (a) factories in and around Perth and Fremantle;
  - (b) port at Fremantle for shipment?
- (6) Is the cartage by road transport of the pig iron done by contract or by Government-owned trucks?

The MINISTER FOR THE NORTH-WEST (for the Chief Secretary) replied:

- (1) 28s. 2d. per ton, plus haulage 2s.
- (2) All-in cost to Fremantle £1 3s. 9d. per ton, reduced by back-loading of limestone flux.
- (3) 12s. per ton made up by handling ex dump and loading into railway trucks at siding, plus demurrage on rail trucks if awaiting shipping on wharf.
- (4) Nil.
- (5) (a) Economy, speed and convenience, and saving of handling.  
(b) As for No. (5) (a), plus most important time factor. Road transport is convenient for shipping purposes with a saving of demurrage on rail trucks caused by uncertainty of ships loading.
- (6) Road transport by Government-owned trucks.

The matter of cartage of Wundowie pig iron by road was the subject of investigation by the Treasury last February, and