

be manufactured locally, and will not have to be imported from oversea. So the fact that the extension of the comprehensive water scheme will go to Mt. Barker will not prevent the manufacture of feeder mains from being completed or laid in those areas where the extension of the comprehensive water scheme is already taking place.

As to those other areas which are not included in the comprehensive scheme, I have told the House, and I tell it again, that we will get on with that scheme as rapidly as possible because, there again, it is mostly local material that is required and we are doing all we can to encourage its production. So I cannot accept this amendment. I regret that the member for Roe has seen the necessity to move it. I have told members as bluntly as possible that the Government is standing up to its obligations all round and I was hoping that they would take my word for it.

Mr. SPEAKER: The question is that the words proposed to be inserted be inserted.

Amendment (to insert words) put and a division taken with the following result:—

Ayes	26
Noes	21
Majority for	5

#### Ayes.

Mr. Ackland	Mr. May
Mr. Brady	Mr. Needham
Mr. Cornell	Mr. Owen
Mr. Fox	Mr. Perkins
Mr. Graham	Mr. Read
Mr. Grayden	Mr. Rodoreda
Mr. Guthrie	Mr. Rowell
Mr. Hawke	Mr. Shearn
Mr. Hearman	Mr. Sleeman
Mr. W. Hegney	Mr. Styants
Mr. Hoar	Mr. Tonkin
Mr. Mann	Mr. Wise
Mr. Marshall	Mr. Kelly

(Teller.)

#### Noes.

Mr. Brand	Mr. Nimmo
Mrs. Cardell-Oliver	Mr. Nulsen
Mr. Cooverley	Mr. Oliver
Mr. Doney	Mr. Pantton
Mr. Griffith	Mr. Thorn
Mr. Hill	Mr. Totterdell
Mr. Hutchinson	Mr. Watts
Mr. Manning	Mr. Wild
Mr. McCulloch	Mr. Yates
Mr. McLarty	Mr. Bovell
Mr. Nalder	

(Teller.)

Amendment thus passed; the motion, as amended, agreed to.

### BILL—STATE HOUSING ACT AMENDMENT.

#### Council's Message.

Message from the Council received and read notifying that it insisted on its amendment.

House adjourned at 12.38 a.m. (Thursday).

## Legislative Council.

Thursday, 9th November, 1950.

### CONTENTS.

	Page
Chairmen (Temporary) of Committees	1801
Questions : Albany Harbour, as to cargo handling capacity	1801
Pyrites, as to sulphur production for superphosphate	1802
Mandurah boat slip, as to construction and use	1802
The Kauri Timber Company Limited Agreement Bill, Select Committee, as to powers	1802
Bills : Railway (Port Hedland-Marble Bar) Discontinuance, 1r.	1802
Railway (Upper Darling Range) Discontinuance, 1r.	1802
Commonwealth Jubilee Observance, 1r.	1802
Child Welfare Act Amendment, 1r.	1802
Inspection of Machinery Act Amendment, 1r.	1802
War Service Land Settlement (Notification of Transactions) Act Continuance, 1r.	1802
Bees Act Amendment, 1r.	1802
Constitution Acts Amendment (No. 3), 1r.	1802
Reserve Funds (Local Authorities), 3r.	1802
Prices Control Act Amendment (Continuance), 3r., passed	1802
Building Operations and Building Materials Control Act Amendment and Continuance, reports	1803
Vermis Act Amendment, 2r.	1803
Noxious Weeds, 2r.	1804
Constitution Acts Amendment (No. 1), 1r.	1806
Bush Fires Act Amendment, Com.	1807

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

### CHAIRMEN (TEMPORARY) OF COMMITTEES.

On motion by the Minister for Transport (without notice), resolved:

That in accordance with Standing Order 31A, Hon. G. Fraser, Hon. W. J. Mann and Hon. A. L. Loton be elected as Deputy Chairmen of Committees during the current session.

### QUESTIONS.

#### ALBANY HARBOUR.

As to Cargo Handling Capacity.

Hon. J. M. THOMSON asked the Minister for Transport:

(1) Is the Minister aware that a statement attributed to him appeared in the issue of the "Albany Advertiser" of the 19th October to the effect that he had stated the capacity of handling cargo at Albany was only 80 tons per day?

(2) As this is a mis-statement of fact, will the Minister have inquiries made and the figure corrected at the earliest possible date?

The MINISTER replied:

(1) Yes.

(2) These figures are the result of a complete analysis of existing port conditions, and appear on page 46 of Mr. F. W. E. Tydeman's report on Albany harbour.

### PYRITES.

#### *As to Sulphur Production for Superphosphate.*

Hon. A. L. LOTON asked the Minister for Agriculture:

In view of the statement of the manager of the Norseman mine, Mr. P. A. Charlesley, as appearing in "The West Australian" on Thursday, the 2nd November, relative to local pyrites—

- (1) Will the Government take immediate action to bring the mine into a stage of production whereby the amount of sulphur required for the manufacture of superphosphate is sufficient to meet the increasing demands?
- (2) Has the Government any information as to whether or not American firms have shown interest in the purchase of pyrites for shipment to America for treatment?
- (3) Have the local superphosphate manufacturers been consulted with reference to alterations, or enlargements of plant, to meet the position?

The MINISTER replied:

(1) This is a private concern and the Government cannot interfere.

It is expected that the Government will assist indirectly in adequately increasing the output of pyrites for the manufacture of superphosphate.

(2) No.

(3) Yes.

I have personally made representations to the superphosphate manufacturers and I know that Mr. Seward, who has been deputed by the Government, has also consulted with them in that regard.

### MANDURAH BOAT SLIP.

#### *As to Construction and Use.*

Hon. W. J. MANN (for Hon. H. Tuckey) asked the Minister for Transport:

(1) On whose recommendation is the deep sea fishing boat slip being built at Mandurah?

(2) What is the estimated cost of same?

(3) Is the Government aware that few, if any, deep sea fishing boats are able to cross the Mandurah bar?

The MINISTER replied:

(1) The original request for the construction of slipways for the use of fishermen at various centres, including one at Mandurah for vessels up to 35ft., came from the W.A. Professional Fishermen's League. This request was subsequently examined by the statutory Fishermen's Advisory Committee, which recommended the provision of the slipway. The Chief Inspector of Fisheries also supported the request.

(2) £1,500.

(3) The slipway is designed to take vessels up to 35ft. and was so designed to take care of future expansion of fishery activities.

### THE KAURI TIMBER COMPANY LIMITED AGREEMENT BILL SELECT COMMITTEE.

#### *As to Powers.*

On motion by the Minister for Transport, resolved:

That the Select Committee appointed to confer with the Select Committee of the Legislative Assembly on The Kauri Timber Company Limited Agreement Bill have power to call for persons and papers, to sit on days over which the House stands adjourned, and to report on Tuesday, the 21st November.

### BILLS (8)—FIRST READING.

1. Railway (Port Hedland-Marble Bar) Discontinuance.
2. Railway (Upper Darling Range) Discontinuance.
3. Commonwealth Jubilee Observance.
4. Child Welfare Act Amendment.
5. Inspection of Machinery Act Amendment.
6. War Service Land Settlement (Notification of Transactions) Act Continuance.
7. Bees Act Amendment.

Introduced by the Minister for Agriculture.

8. Constitution Acts Amendment (No. 3).  
Introduced by Hon. Sir Charles Latham.

### BILLS (2)—THIRD READING.

1. Reserve Funds (Local Authorities).  
Returned to the Assembly with amendments.
2. Prices Control Act Amendment (Continuance).  
*Passed.*

**BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL ACT AMENDMENT AND CONTINUANCE.**

Reports of Committee adopted.

**BILL—VERMIN ACT AMENDMENT.**

*Second Reading.*

**THE MINISTER FOR AGRICULTURE** (Hon. G. B. Wood—Central) [4.48] in moving the second reading said: This is one of the three Bills that I forecast the other evening when introducing the measure dealing with the proposed agriculture protection board, and which I said would be complementary to each other. Members will recall that the Royal Commission on Vermin advocated the setting up of a protection board, as well as various amendments to the Vermin Act.

This measure deals entirely with those amendments to the Act and, if agreed to, will come into force after the proclamation of the Agriculture Protection Board Act as it is, of course, contingent upon that legislation. Under this measure the chief vermin control officer will be chairman of the protection board and all references where the word "inspector" appears will have to be changed, as will also those mentioning the Governor and the Minister. They will be replaced by the references to the protection board.

Under the parent Act at present vermin are declared by the Minister. I have previously mentioned the wide powers which are proposed to be given to the agriculture protection board. This is one of the powers which it will have, namely, that it shall declare what is to be vermin. Under the Road Districts Act, if for some reason the members of the local authority have a row and they are dissolved, a commissioner is appointed in their stead and it is proposed in this Bill to give the agriculture protection board similar power to appoint a commissioner. The Bill also proposes a new basis for striking local vermin board rates on pastoral leases and other holdings. It was rather anomalous to have these under one heading and it is now proposed to strike two unrelated rates; one for pastoral leases and one for ordinary farm holdings.

Hon. Sir Charles Latham: That is in addition to the rates struck by the local authority?

**THE MINISTER FOR AGRICULTURE:** Yes.

Hon. Sir Charles Latham: Two rates?

**THE MINISTER FOR AGRICULTURE:** There are two rates now, but they are not very great. It is proposed under this Bill that the maximum vermin rate on pastoral leases shall be 1s. for every 100 or part of 100 acres with a minimum of 4d. and on other holdings the maximum shall be 2d. in the £1 or part thereof of the unimproved capital value of the holding

with a minimum rate of 4d. No minimum was provided for in the original Bill but it was inserted in another place. Members can, of course, do what they like about that.

Hon. A. R. Jones: Is there a maximum?

**THE MINISTER FOR AGRICULTURE:** The maximum on other holdings is 2d. and there is a minimum of 4d. There are arguments for and against that. It was found that some local authorities would not rate and, of course, perhaps they did not carry out what they should have done and borrowed from their ordinary revenue, but in the Bill now before the House a minimum rate of 4d. is provided. Provision is also made for half exemption on properties which have their rabbit-proof fences in good order. A person could not, of course, put up a fence and then neglect it and expect to enjoy the benefit of the half-exemption. Another provision is that a first mortgagee is liable to rates if the rates are in arrears for six months or more. That applies to the Rural and Industries Bank as well as to private mortgagees.

One very important departure in this Bill is that vermin boards can spend money in other districts. I referred to that point when introducing the Agriculture Protection Board Bill. Some boards are rather hard-up and are not able to keep back the invasion of emus or dogs, and the boards closer in suffer in consequence. However, if the boards so affected wished to assist the other boards, they could not do so. Under the Bill they will now be able to render assistance. They will not be forced to do so; it is purely voluntary.

That was the request made to me when I was in the eastern country. One particular board said that a neighbouring one was not carrying out its job and that it was quite prepared to render assistance to it. However, I repeat there is no compulsion as to that. All properties under 10 acres will be exempted instead of the present exemption given to municipalities and townsites being continued. Those are all the amendments, which are mostly machinery provisions, and they are necessary to link up the Agriculture Protection Board Bill with the Vermin Act. All the proposed amendments have been recommended by the Royal Commission on Vermin and in my opinion they are very desirable.

Hon. G. Fraser: Supposing there were some drastic alterations made to the Agriculture Protection Board Bill. Would they automatically affect this Bill?

**THE MINISTER FOR AGRICULTURE:** Not necessarily. Some of them might, of course, become consequential, but I do not think so. The Agriculture Protection Board Bill principally provides for the appointment of a board with power to handle money. We could examine that

aspect as we proceed, but I do not think the point mentioned by Mr. Fraser will arise. I move—

That the Bill be now read a second time.

On motion by Hon. L. A. Logan, debate adjourned.

## **BILL—NOXIOUS WEEDS.**

### *Second Reading.*

**THE MINISTER FOR AGRICULTURE** (Hon. G. B. Wood—Central) [4.56] in moving the second reading said: This is the third Bill which has the same relation, of course, to the Agriculture Protection Board Bill as it has to the one I have just introduced. Most of these amendments were recommended by the Royal Commission on Vermin and this Bill completely repeals the Noxious Weeds Act which is now on the statute book. It is linked up with and allied to the agriculture protection board measure.

One of the principal recommendations of the Royal Commission on Vermin was that noxious weeds should be divided into two categories, and that is one of the main purposes of this Bill. One type is to be known as primary noxious weeds, which are extremely serious, and the second type will be classed as secondary noxious weeds, which, although not desirable, are not so bad as the primary weeds. The primary weeds are to be the full responsibility of the agriculture protection board. It will ensure that local authorities or farmers eradicate the primary noxious weeds. Secondary weeds are to be the responsibility of the local authority.

I had a good deal to say the other evening about noxious weeds and I believe that now is the time—it might be 25 years too late for some weeds—to spend a bit of money to try to control these noxious weeds rather than let them get out of hand still further. Some weeds are not altogether beyond control, but their growth has gone further than I consider desirable. I hope the House will pass this Bill as complementary to the other two. They all provide for appropriation of moneys but the amount is not enough. I would like to see £25,000 spent instead of £7,000.

Hon. H. S. W. Parker: Can you introduce a Bill to appropriate moneys?

**THE MINISTER FOR AGRICULTURE:** That aspect would be dealt with in the Agriculture Protection Board Bill. There is a minimum of £7,000 provided but the Treasurer is competent to increase that amount if he so desires. I have no doubt, in view of the serious spread of noxious weeds in a large State such as this, that it would have been better not to have any restriction placed on the amount of money to be spent in eradicating them. I will acquaint members as to how much has been spent in other countries and how much money has been lost as the result

of the growth of noxious weeds. In the United States of America the estimated loss from weeds is 3,000,000,000 dollars annually, which is a lot of money.

Hon. H. L. Roche: What do they classify as weeds?

**THE MINISTER FOR AGRICULTURE:** I do not know; it does not matter. I am demonstrating the fact that in America so much money is lost, and we do not want a similar experience here. If we are to save that loss, it is necessary to spend money.

Hon. H. L. Roche: Some of those weeds may have been good sheep fodder.

**THE MINISTER FOR AGRICULTURE:** If they constituted good sheep fodder, why should there be such an enormous loss?

Hon. H. L. Roche: Because they do not run many sheep.

**THE MINISTER FOR AGRICULTURE:** We know that the sheep population of America at present is not too great, and that is why Australia is receiving so much for her wool. However, the loss is there on account of the weeds, whether they be good, bad or indifferent, and whether they be primary or secondary.

Hon. H. C. Strickland: What would the loss represent? Would it mean the non-use of land?

**THE MINISTER FOR AGRICULTURE:** Evidently the weeds take the place of good pastures. We have in Western Australia weeds such as Paterson's Curse.

Hon. Sir Charles Latham: That grows at York.

**THE MINISTER FOR AGRICULTURE:** Some know it by the name of Salvation Jane, but I always treat it as Paterson's Curse. At York, we had trouble with another local authority that called the weed Salvation Jane, and wanted to leave it there. I was a member of the local road board, and we had a lot of difficulty in getting the other local authority to work in with us in dealing with the weed. Obviously, we can grow much better pastures than Paterson's Curse. While some weeds may be good as fodder, in most instances we can grow something else much better in their place.

Hon. N. E. Baxter: What would you suggest?

**THE MINISTER FOR AGRICULTURE:** Subterranean clover, for instance, rather than Salvation Jane.

Hon. Sir Charles Latham: What are you going to do about those "cricket ball" melons?

**THE MINISTER FOR AGRICULTURE:** I cannot say offhand, but certainly they should be classed as a noxious weed.

Hon. Sir Charles Latham: They are a dreadful menace.

**The MINISTER FOR AGRICULTURE:** The agriculture protection board, through its officers, will go into all these matters and will have the money and authority to do the job. The position in that respect will be far better than ever before in Western Australia. If the three Bills I have dealt with are agreed to, we will go far along the road, much further than ever before in the history of the State, in carrying out a task that is most essential.

**Hon. L. A. Logan:** Would the doublegee be a primary or secondary weed?

**The MINISTER FOR AGRICULTURE:** I cannot give all those details at the moment. It will be for the authorities to determine that in due course. If I had my way, the doublegee would certainly be regarded as a primary weed. I will not say much about cape tulip, to which I made some extended references earlier this week, but, in my opinion, it should be classed as a primary weed as well. If we can stop the spread of a weed of that description, the expenditure of £7,000 will be well worth while.

Then again, the Bathurst burr grows somewhat extensively in the Kalgoorlie and Coolgardie districts but, while it is confined to those areas, it cannot do much harm. If the burr were to be spread throughout Western Australia, we could easily be placed in the same category as the United States of America, where vast areas are badly affected. In addition to these weeds, St. John's wort is troublesome, while ragwort, hoary cress and the berkheya thistle present serious difficulties.

What is necessary in connection with the weed menace is that everyone must co-operate. Once a man refuses to do anything in that direction, there will be trouble. However, it will be for the agriculture protection board to make individuals co-operate. If people do not like it, that will be just too bad, but the sooner we get down to the business in earnest, the better it will be for the State. The chief weed control officer is to be the vice-chairman of the agriculture protection board, of which the chairman will be the Chief Inspector of Vermin. Thus, there will be a link-up between the two departmental sections in that regard.

Local authorities will be asked to co-operate in the dissemination of information about noxious weeds. I was very struck by the remarks of Mr. Tuckey, who advocated children, particularly those in the agricultural districts, being educated regarding the occurrence and types of noxious weeds. That is an excellent idea, and I hope something will be done about it by the Education Department. Already it has done good work in publicising particulars about the noogoora burr, and notices with descriptions of the weed are to be seen in various parts of country dis-

tricts. I think we could with advantage extend that practice with regard to other weeds.

I suppose members are aware of how the noogoora burr was found in Western Australia. A man who had had some experience of the weed in the Eastern States saw it at a flour mill at Northam. It was just our luck that he did see it, because not many people in Western Australia know anything about it. Under the Bill, the protection board can order local authorities to destroy primary weeds, and that applies to individuals as well. In my considered opinion, if individuals do not do the job they are requested to undertake in this regard, we have not much hope of achieving any results. If they will not do so, they will be made to do what is required, and there is provision for prosecutions. Should an individual's property be heavily infested with noxious weeds and the situation has got beyond him through no fault of his own, he will receive due consideration. From my own experience, I know that some farmers in the Avon Valley have been placed in that position.

**Hon. A. L. Loton:** You have some noxious weeds in the Avon Valley?

**The MINISTER FOR AGRICULTURE:** Yes, I mentioned the fact previously. Mr. Loton cannot be very observant or he would have seen them through the windows of the train when passing through the district. He must have seen cape tulip there.

**Hon. A. L. Loton:** Perhaps so.

**The PRESIDENT:** Order!

**The MINISTER FOR AGRICULTURE:** Has the hon. member not seen the cape tulip from his seat in the train?

**Hon. A. L. Loton:** I wanted you to admit the fact.

**The MINISTER FOR AGRICULTURE:** But I admitted it the other night.

**Hon. A. L. Loton:** Thank you!

**The MINISTER FOR AGRICULTURE:** It does not require the hon. member to make me admit anything of the sort; I dealt with the position the other evening. Its occurrence has caused much concern in the district. As the situation is now, if some farmers were ordered to eradicate cape tulip on their properties, they would be financially broken.

**Hon. H. L. Roche:** How will you deal with such cases?

**The MINISTER FOR AGRICULTURE:** Leniency will be extended to such people, and we will have to do the best we can. I do not suggest for one moment that the protection board would order a man to get rid of weeds on a property where they had got out of hand through no fault of the individual himself. I know of one place in the midland country where the

rapistrum weed was prolific. Through no fault of the owner, it had got a great hold on his 30,000-acre property. If that man had been ordered to clear the weed from his holding, he might just as well have walked off the place. I came in for a lot of criticism from the road board some two years ago when it was intended to summons the man. The summons was withheld in order to give the farmer a chance.

I mention that fact to show that neither the Minister nor the protection board would desire to be unduly harsh. Another important provision in the Bill deals with animals which may come from the Eastern States and bring the seeds of noxious weeds in their coats. That position is very hard to police. If any doubt arises regarding the animals, they will have to be shorn.

Hon. H. L. Roche: Are they not shorn now?

The MINISTER FOR AGRICULTURE: Yes, but a certain amount of leniency is allowed in that regard, provided the animal is shorn immediately it reaches the farm and the wool is despatched to the woolbroker separately and goes oversea in a bale that does not contain wool from other animals. Furthermore, the animals must remain in quarantine until the inspectors are quite satisfied that their coats are free from infestation with noxious weed seeds. The powers conferred under the Bill are automatically transferred to the inspectors. Naturally we must have inspectors to police legislation of this type or we would get nowhere with it.

Hon. L. A. Logan: Will the vermin inspectors do a lot of this work?

The MINISTER FOR AGRICULTURE: There will be vermin inspectors and noxious weed inspectors as well.

Hon. H. L. Roche: You will have an army of inspectors.

The MINISTER FOR AGRICULTURE: Not necessarily. Naturally, inspectors are necessary and possibly in some cases inspectors could carry out the dual duties. I certainly cannot see any reason why we should have an army of inspectors. Obviously if we do not police the provisions of an Act, the measure will be quite useless. In many directions the producers require tickling up; the hon. member knows that is so.

Hon. H. L. Roche: But we do not want Acts of Parliament to have a lot of inspectors.

The MINISTER FOR AGRICULTURE: No, but the hon. member wants inspectors for this purpose.

Hon. A. L. Loton: But not an Act merely to have inspectors.

The MINISTER FOR AGRICULTURE: Of course not, but an inspector would be useless if no powers were conferred upon

him under the Act. Another provision in the Bill sets out that action may be taken against the protection board.

Hon. H. L. Roche: That sounds a bit better.

The MINISTER FOR AGRICULTURE: I thought that would please the hon. member. If the protection board has done something wrong, why should not action be taken against it, provided the necessary notice is given?

Hon. N. E. Baxter: Protection is needed against the protection board!

The MINISTER FOR AGRICULTURE: The board's accounts will be audited by the Auditor General and the report of the protection board in relation to primary weeds will be tabled in both Houses annually. It will be seen that local authorities are to be given power to levy a noxious weeds rate. It will be only a small rate, but that power is necessary, particularly in view of the extra expenditure involved.

Hon. A. L. Loton: Do you limit the amount of the rate?

The MINISTER FOR AGRICULTURE: Members will appreciate that Government departments will be responsible for the position regarding Crown lands and steps will be taken by the protection board to see that the Crown does its job as well as the rest.

Hon. W. J. Mann: That is good news.

The MINISTER FOR AGRICULTURE: Quite so. Local Government inspectors will have power to enter upon land for the purposes of the Act. The Bill goes a long way towards implementing the findings of the Royal Commission and embodies amendments that are long overdue. As I said on another occasion, nothing has been done in that respect since 1945 and action should have been taken 25 years ago. I have pleasure in commending the Bill to the House and I honestly believe that if members study its provisions, they will be well satisfied. I do not say there may not be some desirable amendments. Members may have something constructive to offer that the people who framed the Bill do not know about. Every consideration will be given to any amendments that may be suggested. I have much pleasure in moving—

That the Bill be now read a second time.

On motion by Hon. H. L. Roche, debate adjourned.

#### BILL—CONSTITUTION ACTS AMENDMENT (No. 1).

Received from the Assembly and, on motion by Hon. E. H. Gray, read a first time.

# **BILL—BUSH FIRES ACT AMENDMENT.**

## *In Committee.*

Resumed from the previous day. Hon. J. A. Dimmitt in the Chair; the Minister for Agriculture in charge of the Bill.

Clause 7—Section 11 amended (partly considered):

Hon. J. M. THOMSON: I intend to move an amendment to the effect that after paragraph (d) a paragraph be inserted as follows:—"(e) deleting the words 'it is completely extinguished' in lines 4 and 5 of paragraph (d) of Subsection (1) and inserting the words 'the fire has abated' in lieu." Under the Act it is necessary for the fire control officer to have three men on duty at the scene of the fire from the time it is lit until it is extinguished. To my mind that is unnecessary and rather ridiculous when we consider that the farmer has complied with all the requirements of the Act. The clause refers to clearing fires. Such a fire would be burning for some time—perhaps weeks. It is unnecessary for the section to remain.

The MINISTER FOR AGRICULTURE: There are two ways of looking at such an amendment. The whole purpose of the Act is to make burning safer, and what Mr. Thomson suggests does not do that. What is meant by the word "abated"? It is rather dangerous. When I first read the section in the Act I thought it was ridiculous, too, but now I would like to know this, when is the stage reached when everyone can leave a fire? We cannot have people present for weeks to watch burning logs.

Hon. A. L. Loton: The Act requires that at present.

The MINISTER FOR AGRICULTURE: Yes. We want safety, and not necessarily to make things easier. If a man fires 500 acres of bush, when is abatement sufficient for the fire to receive no further attention? If Mr. Thomson could answer that question I would not offer any opposition. We might say that at 6 p.m. the fire had abated, but it could start up again, particularly on a warm evening. This section has been in the Act since 1937, and the amendments were submitted to the local authorities nine months ago, and it is only in the last week or two that they have noticed this.

Hon. J. M. THOMSON: I would say that a fire had abated when those looking after it considered it was no longer dangerous.

Hon. H. L. ROCHE: I would say that no fire is completely safe until it is out. There is a responsibility on the person who lights the fire. When we know that a fire is going to continue for weeks, or perhaps months, in a burning-off operation, it seems wrong to have a provision in an Act which must be broken. If we accept an

amendment, such as Mr. Thomson indicates, or something on the same lines, we shall not be relieving from responsibility the person who lights the fire, if it gets away. The owner of the land will still be responsible.

Hon. A. R. JONES: When a person is burning off he takes all the precautions required of him under the Act. No person who let clearing by contract or did his own clearing by day labour would think of leaving a fire unless it was considered by all to be safe. We can only assume that to be safe it would be necessary to have a chain break around the area and sufficient men in attendance to look after the fire properly when it was lit. If the fire went completely through the clearing, and only the logs remained, I think the responsibility should at least be eased from the person doing the job. Anything that happened after a fire had gone through would be an act of God. I think the suggested amendment would really give protection to those people who do a burning job inasmuch as they would not be lawbreakers.

The MINISTER FOR AGRICULTURE: It is not a question of who is responsible. It is of no use Mr. Roche getting burnt out and saying the responsibility is on his neighbour. We want to prevent fires. I am not desperately against the proposed amendment, but I am concerned about the word "abated." Perhaps we could get over the difficulty in this way by using the words "if in the opinion of the chief fire control officer the fire has abated sufficiently."

Hon. H. L. Roche: You could not bring the fire control officer from 20 or 30 miles away.

The MINISTER FOR AGRICULTURE: That is so, but who is going to say that the fire has abated?

Hon. A. L. Loton: Who says it is safe today?

The MINISTER FOR AGRICULTURE: The responsibility is on the farmer.

Hon. A. L. Loton: And it will be on the farmer still.

The MINISTER FOR AGRICULTURE: This is still dangerous. The further this debate goes the more I am getting away from approving an amendment along the lines suggested.

Hon. L. A. LOGAN: Instead of the word "abated," I would suggest the words "when the fire was under control."

Hon. H. L. Roche: It should never be out of control.

Hon. L. A. LOGAN: The provision was never intended to cover the first fire that went through. The fire is under control when it is not racing through. It can abate and still start up again. I would much rather see the words "under control."

**The MINISTER FOR AGRICULTURE:** There is a lot in what Mr. Logan says. A fire might be put through for clearing purposes and once the fire has burnt up to the breaks it is then under control.

**Hon. W. J. Mann:** Most of the danger disappears.

**Hon. L. A. Logan:** I suggest that the contemplated amendment be amended by striking out the words "has abated" and inserting in lieu the words "under control."

**The MINISTER FOR AGRICULTURE:** If we do not use those words, perhaps we could use the words "when in the opinion of a control officer it is safe."

**Hon. Sir CHARLES LATHAM:** The paragraph refers to keeping three men on the job during the period from when the fire is lit until it is extinguished. This state of affairs has been going on for many years and there has never been a terrific amount of hardship involved. People are becoming more fire-minded and fire-conscious because of what has happened recently with the fires in our South-West. We should support the people down there in every way possible. To completely extinguish a fire would probably mean keeping a man there for a fortnight.

**Hon. J. M. Thomson:** That is what I endeavoured to stress.

**Hon. Sir CHARLES LATHAM:** I do not know that the paragraph refers so much to burning-up operations as to forest fires and so on in the South-West. But, it could refer to burning-up operations and in that case it would be weeks before stumps were burnt out. Whether we should use the word "abate" or the words "until the fire is safe" is a debatable point and it would be in the hands of a magistrate to determine the meaning of the word "safe." Most farmers are generally careful before they leave fires and they make sure that they are safe. I do not know that the Act could be made perfect.

**The Minister for Agriculture:** I do not think it could.

**Hon. Sir CHARLES LATHAM:** I have never heard of any action being taken because three men had not remained until the fire was completely extinguished. It does not matter what words are there, people still have a certain amount of liability. The word "abate" would be very difficult for a magistrate to interpret.

**The CHAIRMAN:** The Oxford Dictionary says that "abated" is diminished or done away with.

**Hon. Sir CHARLES LATHAM:** If it says "done away with" we get back to the word "extinguished." I think that interpretation confounds us just about as much as the word "safe." If the wording is left as it now stands in the Act, it will make people extra careful.

**Hon. H. L. Roche:** But people do not know that it is there.

**Hon. Sir CHARLES LATHAM:** Maybe not, but I do not think we will get very far by making any alteration.

**Hon. L. A. Logan:** It is all very well to say "leave it as it is," but if a man does come before a magistrate, and the magistrate knows what is in the Act, then the man is in strife.

**Hon. Sir Charles Latham:** What about "safe"?

**Hon. G. Fraser:** There would be plenty of strife if the word "abated" was there.

**Hon. L. A. Logan:** I am not advocating the words "abated". I am asking for the use of the words "under control." As it is now, one might retain three men for one or two days while getting the fire under control, but one would be lucky to keep them for any longer. If a farmer had three men on the job and, after burning all round the property, two of those men went away and left one man to do the cleaning up, and the fire got away, the owner of the property would be in trouble because the magistrate knows what is in the Act.

**Hon. N. E. Baxter:** We should be careful when substituting any other word for the word "extinguished." I have had a good deal of experience with fires in the South-West and a person might go away thinking a fire was left under control. However, a log or a piece of blackboy might roll over and the fire start up all over again. A fire should be completely extinguished before being left.

**Hon. H. L. Roche:** Would the Minister accept the words "until the fire is safe in the opinion of an officer of the local bushfire brigade?"

**The Minister for Agriculture:** I said that.

**Hon. H. L. Roche:** The Minister said "a control officer."

**The Minister for Agriculture:** The words "any officer of the brigade" would be acceptable.

**Hon. H. L. Roche:** I think there is something in the Minister's theory about the word "abate," but it seems wrong that we should leave the Act as it stands with the words "completely extinguished" when we know that is not possible.

**Hon. J. M. A. Cunningham:** Leave the words "extinguished or sufficiently safe."

**Hon. H. L. Roche:** I think the word to use is "safe." We could have a roaring fire and it would still be under control.

**The Minister for Agriculture:** I have no objection to an amendment on the lines proposed.

**Hon. J. M. Thomson:** I am quite happy with the alteration because it will still achieve my purpose. So long as we remove from the original Act the words "com-



pletely extinguished" and the fact that three men have to remain there, then I am quite happy. I move an amendment—

That after paragraph (d), a paragraph be inserted as follows:—

"(e) deleting the words 'it is completely extinguished' in lines 4 and 5 of paragraph (d) of Subsection (1) and inserting the words 'the fire in the opinion of a bush-fire officer is safe' in lieu."

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

Clause 8—Section 12A amended:

Hon. L. A. LOGAN: Does not the Minister think that we are letting off rather lightly the log haulers and diesel tractor drivers in the timber industry? Section 12A states that a fire extinguisher must be carried on a tractor, that the exhaust pipe shall be vertical and the system, including pipes, shall be maintained in sound and efficient condition. It also states that the exhaust pipe shall be fitted with a spark-arrester as prescribed. I can understand why the last portion of paragraph (c) of the Bill is not applicable to an orchardist. It is because these tractors have to work close to trees and it would be impossible to put a spark-arrester on top of a vertical exhaust. Besides this a spark-arrester on a diesel tractor impairs the efficiency of the machine to some extent and as these tractors do not have enough power it is necessary to leave the spark-arrester off. But I do not see why they should not carry a spark-arrester and a spray. I would like to ask the Minister what he thinks about that.

The MINISTER FOR AGRICULTURE: I am not against the provision for a spray. I do not think it would be any hardship for anybody in an orchard to carry a spray. I have never heard of a fire being caused by a tractor in timber country or an orchard. All local authorities concerned were agreeable to the elimination of a spark-arrester on these diesel tractors. The reason was that every ounce of power is required in the timber country and it is generally known that a spark-arrester impairs the efficiency even of railway locomotives. All concerned agreed that owing to the small fire hazard they were not against them carrying it. I have no objection to an amendment stating that a spray should be carried. While I do not think it is necessary myself I do not consider it would impose any hardship.

Hon. L. A. LOGAN: We have not only the machine to consider but there is always the possibility of a man who is smoking when he should not be and he may throw a lighted butt on the ground. Diesel tractors can light fires quite easily. Though I do not know very much about the grass and forest country—

The Minister for Agriculture: There is not much grass and forest country.

Hon. L. A. LOGAN: —fires start in the forest somehow. I see no reason why we cannot provide for a spray to be carried on the machine. I move an amendment—

That in paragraph (b), at the beginning of the proposed new Subsection (2) the words "Paragraphs (b) and (c) of" be inserted.

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

Clauses 9 to 11—agreed to.

Clause 12—Section 21 amended:

Hon. A. L. LOTON: I move an amendment—

That in line 1 of subparagraph (a) of paragraph (a) after the word "plough" the words "cultivate, scarify" be inserted.

There are many properties on which there are no ploughs, farmers are today using scarifiers and cultivators to make efficient breaks. I should say in some cases a more efficient break is made by that means than in the days when ploughs were used. These machines are wider and they also do not create the danger of soil erosion by water because they do not leave just one deep furrow.

The MINISTER FOR AGRICULTURE: I accept the amendment and I hope the Committee will agree to it.

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

Clause 13—Section 22A added:

Hon. E. H. GRAY: I move an amendment—

That in line 3 of paragraph (a) of proposed new Section 22A, after the word "persons" the words "of either sex" be inserted.

There is a difference of opinion about this. The matter was brought up by Mr. Bennetts during the second reading of the Bill and the Yilgarn Road Board was anxious to be sure that both sexes are covered in this clause. Under our Interpretation Act "persons" mean both sexes, but I think it would be better if my amendment were accepted. City people frown on the suggestion that women should be insured. They do not understand the work women do in the country. I know that in the case of bushfires, etc., many women do a job of work better than a man. When a bushfire starts not only the bushfire brigade goes into action but every man and woman is called upon. I understand it would not cost very much to insure women and I feel we should recognise the work they do.

Hon. W. J. Mann: Who do you say should insure them? The local governing body?

Hon. E. H. GRAY: Yes, that is in the Bill. I think everybody is agreed that men should be covered by insurance, and

I am sure that the country members in this Chamber will recognise the need of having women insured as well, particularly where they take part in suppressing a fire.

**THE MINISTER FOR AGRICULTURE:** I have every sympathy with this amendment but I am afraid it is not practicable. The women concerned do not get any wages and there is no basis for fixing workers' compensation. The manager of the State Insurance Office has promised to take the matter up with the Underwriters' Association to see if some scheme can be formulated.

**Hon. W. J. Mann:** To cover voluntary workers?

**THE MINISTER FOR AGRICULTURE:** Yes. At present it is impracticable because there is no means of fixing compensation. As the matter is being taken up with the Underwriters' Association I suggest that the hon. member withdraw his amendment until such time as something is decided.

**Hon. G. BENNETTS:** I agree with Mr. Gray. Today, as they did during the war period, the womenfolk play a large part in farming and at times have been responsible for all the work on the farm. There are cases in Meckering where women did all the work on the farms during the war period. Everything was done by woman labour, tractor work and everything else. In one case where a farmer was away in England and was not able to get back for this year's cropping, three girls did all the work.

**The Minister for Agriculture:** Who pays them? Are they on the basic wage?

**Hon. G. BENNETTS:** They are running the farm.

**The Minister for Agriculture:** Who is paying them?

**Hon. G. BENNETTS:** I suppose the father would pay them. These girls are driving tractors—

**The Minister for Agriculture:** This Bill deals with people putting out bushfires.

**Hon. G. BENNETTS:** That is so, but if a wife of a farmer was injured during a bushfire while she was preparing tea for the men who were helping to put the fire out, she would not be covered.

**Hon. H. Hearn:** The Minister has promised to look into the matter.

**Hon. G. BENNETTS:** I hope something will be done.

**Hon. E. H. GRAY:** How would it be possible to insure the men?

**The Minister for Agriculture:** A farmer knows what wages his employees receive.

**Hon. E. H. GRAY:** But the farmer would be helping at a bushfire, and the local authority would insure any helper against injury.

**The Minister for Agriculture:** I have told you the advice given to me.

**Hon. E. H. GRAY:** I recognise the difficulties, but I think the underwriters could insure against anything. If they can insure equipment and machinery, surely they can insure people helping to fight a fire! The Minister should accept the amendment and leave the parties to fight it out afterwards.

**The Minister for Agriculture:** Do you think another place would agree to that?

**Hon. E. H. GRAY:** Possibly.

**THE MINISTER FOR AGRICULTURE:** It is most difficult to arrange insurance for an indefinite number of people. How could 50 or 100 people who might turn up to fight a bushfire be insured? The manager of the State Insurance Office has always been helpful, and although he was not enthusiastic about this proposal, he promised to take the matter up with the underwriters. I agree that something ought to be done, but we should not adopt an amendment that would be impracticable and make us look foolish in the eyes of another place. I should like the hon. member to withdraw his amendment.

**Hon. E. M. HEENAN:** My view is that the words "other persons" would include both sexes. The Act makes it mandatory for a local authority to insure bushfire control officers, members of the bushfire brigades and other persons voluntarily assisting. Thus the law requires local authorities to insure persons of both sexes who are voluntarily assisting at a fire, and yet this is something that apparently cannot possibly be accomplished.

**Hon. E. H. GRAY:** In view of the Minister's assurance, I ask leave to withdraw the amendment.

**The Minister for Agriculture:** I promise to do what I can.

Amendment, by leave, withdrawn.

**Hon. N. E. BAXTER:** Obviously local authorities are required to insure every helper, and until some amendment is made, the provision will be left wide open.

**The Minister for Agriculture:** Suppose that no company will insure those people.

**Hon. N. E. BAXTER:** The proposal is to provide for something when we have no clear indication that these people can be insured.

**The Minister for Agriculture:** I should like to see paragraph (a) deleted.

**Hon. N. E. BAXTER:** It would mean covering everyone who might roll up to a bushfire. If there were some specified number, it would be a different matter.

**Hon. A. R. JONES:** This is an object we have been striving to attain for the last 10 or 12 years. A voluntary helper at a bushfire should be insured.

The Minister for Agriculture: I agree with you, but how could we do it?

Hon. A. R. JONES: Nowadays any risk can be insured. Some plan could be formulated to arrange for the requisite insurance. I hope the clause will be retained. Even though it be impossible to assess the wages of a farmer's wife or some other helper on a farm, it would be a simple matter to provide for the payment of hospital fees, etc., in the event of her meeting with accident while assisting at a bushfire. Any further payment could be arranged by arbitration.

Hon. H. L. ROCHE: I cannot agree that the clause should be retained. Many people might assist at a bushfire and it would be difficult for the fire control officer to say which people had acted under his directions. Consequently, if somebody sustained injury, how could any check be effective? We shall be creating difficulties if we leave the position wide open and at the same time require local authorities to effect insurance.

Hon. H. S. W. PARKER: We are being asked to provide for the insurance of a person against possible injury sustained in various circumstances which might never arise. The only way to meet members' desires is for each landowner to arrange for insurance against all damages, whether he is liable for them or not, and for all injuries sustained by persons who may help him in the event of his having a fire. A fire might start on the property of A and all might go well, but on the property of C, two or three people might be injured. C might not be insured while A might be. Members will realise that it is quite impossible to insure in the ordinary way unless a farmer takes out a general comprehensive accident policy.

Progress reported.

*House adjourned at 6.13 p.m.*

## Legislative Assembly.

Thursday, 9th November, 1950.

### CONTENTS.

	Page
Questions : Education, (a) as to provision of cycle sheds and racks	1812
(b) as to Collie schools, accommodation	1812
(c) as to Southern Cross State school, renovations	1812
Local authorities, as to superannuation rates for employees	1812
Licensing Act, as to prohibition, liquor imports and consumption	1813
Housing, as to Commission's purchase of Ascot Garden Estate blocks	1813
Water Supplies, as to flat rate	1813
Bridges, (a) as to construction at "Narrows"	1813
(b) as to alternative site	1814
Wholemilk Industry, as to appointment of Royal Commission	1814
Busselton Municipal Council, as to charge for camping sites	1814
Water Supply Department, as to labour shortage at Fremantle	1814
Bills : Parliamentary Superannuation Act Amendment, 1r.	1814
War Service Land Settlement Agreement (Land Act Application) Act Amendment, 1r.	1814
Coal Mining Industry Long Service Leave, 1r.	1814
Judges' Salaries and Pensions, 1r.	1814
Legal Practitioners Act Amendment, 1r.	1814
Industrial Arbitration Act Amendment (No. 2), 1r.	1814
Physiotherapists, 1r.	1814
Factories and Shops Act Amendment, 1r.	1814
Health Act Amendment (No. 2), 1r.	1814
Constitution Acts Amendment (No. 1), 3r.	1814
Rural and Industries Bank Act Amendment, Message, 2r.	1814
Milk Act Amendment, Message, 2r.	1815
Reserve Funds (Local Authorities), returned	1817
Prices Control Act Amendment (Continuance), returned	1817
Gas Undertakings Act Amendment, 2r., Com. report	1817
State (Western Australian) Alunite Industry Act Amendment, 2r., Com.	1819
State Housing Act Amendment, Council's message, Assembly's request for conference	1838
Annual Estimates, Com. of Supply, general debate	1841

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